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Explanatory Note

By-law 84-63 is a comprehensive Zoning By-law regulating the use of land, the height, location, floor area and spacing of buildings or structures and lands subject to flooding or other physical hazard and covers the entire Town of Newcastle.

This By-law is intended to implement the Durham Regional Official Plan and the approved portions of the Official Plan for the Town of Newcastle.

Where an individual has distinct and separate ownership of a lot which does not meet the zone requirements of the appropriate zone, such individuals should refer to Section 3.7

Where lands are shown in an EP or RS Zone, or are located abutting lands so zoned, individuals having an interest in the use of such lands are advised to contact the Ministry of Natural Resources and/or the Conservation Authority having jurisdiction to ascertain what other regulations or requirements may be applicable respecting removal and placement of fill, flooding, erosion and wave uprush as circumstances may warrant.

The Corporation of the Town Of Newcastle

By-Law Number 84-63

A Zoning By-Law

A By-law to regulate the use of land, the erection of buildings or structures, the type of construction, the height, bulk, location, size, floor area, spacing, external design, character and use of buildings or structures in the Town of Newcastle.

Whereas it is considered desirable to control the use of land, the erection and use of buildings or structures in defined areas of the Town of Newcastle in accordance with Section 34 of the Planning Act.

Now therefore the council of the Corporation of the Town of Newcastle enacts the following by-law:

Section 1

Title, Area Restricted and Application of By-Law

1. This By-law shall be known as the "Zoning By-law" of the Town of Newcastle.
[Amended by By-Law 87-19](#)
2. Schedules 1 through 19 inclusive attached hereto, with the notations, zone boundaries, symbols and references shown thereon, illustrate the area to which this By-law applies and are hereby declared to be part of this By-law.
3. No building or structure shall hereafter be erected or altered, and the use of any building, structure or lot shall hereafter not be changed in whole or in part except in conformity with the provisions of the by-law.

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2. Definitions

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern.

Accessory Building or Structure

Shall mean a detached building or structure constructed after or during the construction of the main building(s) or structure(s) the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith. For the purpose of this By-law, swimming pools shall be considered an accessory building or structure.

Accessory Use

Shall mean a use established during or after the establishment of the main use which is customarily incidental and subordinate to, and exclusively devoted to, the main use of the lot, and located on the same lot as such main use.

Adult Entertainment Parlour

Shall mean any premises or part thereof in which is provided services of which a principal feature or characteristic is the nudity or partial nudity of any person.

Adult Home Care

Added by By-Law 2015-062

Shall mean a home occupation that provides temporary care and companionship to senior citizens and/or adults with disabilities on a regular basis for a continuous period not exceeding 24 consecutive hours.

Agricultural Fairground

Shall mean the use of lands, building(s) or structure(s) for the temporary exhibition and/or sale of farm produce, livestock, rodeos as well as permitting in association with such events, ancillary/accessory uses such as music, art, goods, wares, vehicle auction, flea market, concession stands and midways.

Agricultural Produce Warehouse

Shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce to the general public.

Added by By-Law 2015-061

Agri-Tourism

Shall mean an activity or use that is accessory to a farm operation, and which promotes and educates the public about farming and agricultural activities. Such activities shall have a direct relationship to the agricultural activities on the farm, and may include farm/educational tours, observation and participation in agricultural activities. It may also include seasonal festivals and social events (charity events and wedding receptions) that

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benefit from the farm/rural setting.

Alter

When used in reference to a building, structure or part thereof, shall mean:

- a. To change any one or more of the external dimensions of such building or structure; or
- b. To change the type of construction of the exterior walls or roof of such building or structure; or
- c. To change the use of such building or structure; or
- d. To change the number of uses or dwelling units contained therein.

When used in reference to a lot, shall mean:

- e. To change the location of any boundary of such lot with respect to a public highway, street, or land, whether such alteration is made by conveyance of any portion of said lot, or otherwise; or
- f. To change any dimension or area, relating to such lot, which is covered by a zone provision; or
- g. To change the use of such lot; or to change the number of uses located thereon.

"Altered" and **"Alteration"** shall have corresponding meanings.

Airfield

Shall mean any land, lot or buildings used for the purpose of landing, storing, taxiing, or taking off of private or commercial aircraft pursuant to the regulations of Transport Canada.

Added by By-law 2017-083

Amenity Area

Shall mean an area that is designed and intended primarily for the leisure and recreation of the occupants of a building or site.

Animal Enclosure

Shall mean an area completely enclosed and covered by chain link fencing of at least 6 cm gauge, or solid walls within which one or more animals can be confined and which is surrounded by a public security area, but shall not include a Temporary Holding Space. Where an earthen floor is provided within an animal enclosure, a 2 foot wide strip of wire mesh shall be provided, extending horizontally underground into the cage from the base of the enclosing wall or fence.

Animal Enclosure, Large

Shall mean an animal enclosure designed to accommodate a cougar, cheetah, bear, lion, tiger, or similar sized animal and shall be limited to a maximum of 3 animals per enclosure.

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Animal Enclosure, Small

Shall mean an animal enclosure designed to accommodate an ocelot, panther, jaguar, lynx, leopard, wolf, bobcat, monkey, or similar sized animal and shall be limited to a maximum of 2 animals per enclosure.

Apartment Building

Replaced by By-Law 2015-064

Shall mean a separate building containing 4 or more dwellings which have a common entrance from street level and the occupants of which have equal rights to the use of all common halls, stairs, elevators, yards, and amenity areas.

Apartment-In-House

Added by By-Law 97-76

Shall mean a self-contained second dwelling unit within a permitted residential single detached or semi-detached dwelling created through converting part of or adding onto a dwelling unit. The apartment-in-house shall be used or intended to be used by one or more persons and shall contain sanitary facilities, kitchen and heating are provided. The apartment-in-house shall have a private entrance from outside the building or from a common hallway or stairway inside the building.

Arcade

Added by By-Law 90-63

Shall mean a commercial establishment within which coin-operated pinball machines, machines displaying video games and any other electronically coin-operated entertainment machines are provided for entertainment purposes to the patrons of the establishment.

Arena

Shall mean a building, or part of a building, in which the principal facilities provided are for such recreational activities as curling, skating, hockey, lacrosse, broomball, or similar athletic activity, which facilities may include dressing rooms, concession booths for the provision of food and refreshments to the general public, bleachers, plant equipment for the making of artificial ice and such other facilities as are normally considered incidental and subordinate thereto.

Artisan Studio

Added by By-Law 2015-089

Shall mean a small-scale, artisan production facility where goods are produced and sold. Examples of this use include: artist studio, candle maker, soap maker, crafts (stained glass, jewellery) and microbrewery.

Assembly Hall

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

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Attached

Shall mean a building otherwise complete in itself, which has a wall or walls shared in common with an adjacent building or buildings and which would include any wall enclosing a breezeway.

Attic or Roof Space

Shall mean that portion of a building situated between the roof and the ceiling of the top storey.

Auction Room

Amended by By-Law 86-40

Shall mean a building or structure or lands used for the storage of goods and materials which are to be sold on the premises by public auction, and for the sale of the said goods and materials by public auction on an occasional basis.

Auditorium

Shall mean a building, or part of a building, in which permanent or temporary seating is provided for an audience for athletic, civic, educational, entertainment, political, religious or social purposes.

Basement

Shall mean that portion of a building between two floor levels which is partly below grade but which has at least one-half of its height, from finished floor to the underside of the floor joists of the next above storey, above the average finished grade level adjacent to the exterior walls of the building.

Basement, Walkout

Shall mean that portion of a building which is partly below grade, but which has more than fifty per cent of the finished floor area not greater than 0.6 metres below the adjacent finished grade level adjacent to the exterior walls of the building, and which has a door, at or above the adjacent finished grade, for entrance and exit directly to the outside.

Bed and Breakfast Establishment

Added by By-Law 85-44

Shall mean a dwelling or portion thereof consisting of not more than 3 guests rooms in which the proprietor resides and which caters to the needs of the travelling public by furnishing temporary sleeping accommodations and which may or may not provide meals as an accessory use within the dwelling, but shall not include a boarding or rooming house, a licensed premise, or an activity otherwise defined herein.

Bicycle Rack

Added by By-Law 2006-046

Shall mean a structure fixed to the ground or a building providing a location to park and secure a bicycle to.

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Bicycle Parking Facility, Indoor

Added by By-Law 2006-046

Shall mean a secure room or bicycle lockers within a building capable of storing a minimum of 6 independently-secured bicycles and which is readily accessible for employees or residents of the building.

Block

Shall mean a unit of land in an urban area, the boundaries of which consist of improved public streets, rivers, railway lines, public parks or any combination thereof and which is occupied or intended to be occupied by buildings.

Boarding or Rooming House

Replaced by By-Law 2015-062

Shall mean a building in which more than 2 and less than 6 bedrooms intended for use as separate living accommodations, without kitchen facilities, are rented. Shared bathroom, kitchen and living facilities may be provided. The building may include a dwelling unit for the proprietor and/or his agent.

Boat House

Shall mean an accessory building or structure, which is designed or used for the sheltering of a boat or other form of water transportation.

Breezeway

Shall mean a roofed open passage connecting two or more buildings.

Building

Shall mean a structure, temporary or permanent, having a roof, supported by columns or one or more walls which is used for the shelter, accommodation or enclosure of persons, animals, equipment, goods or materials. Any tent, canopy, bin, bunk or platform, vessel, trailer or vehicle used for any of the said purposes shall be deemed a building.

Building By-Law

Shall mean the Municipality of Clarington Zoning By-Law 76-24.

Building Permit

Shall mean a building permit issued by the Chief Building Official of the Corporation of the Town of Newcastle pursuant to the Building By-law.

Building Supply Outlet

Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home construction or improvements but does not include any use or activity otherwise defined or classified herein.

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Bulk Fuel Storage Tank

Shall mean a tank for the bulk storage of petroleum, diesel or other fuels, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premise where such tank is located.

Business Establishment Street Façade

Added by By-Law 2015-089

Shall mean the portion of the Street Façade between finished grade and the level that is 3 metres above finished grade.

Business, Professional or Administrative Office

Shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

By-Law

Shall mean the Corporation of the Municipality of Clarington Zoning By-law within the meaning of the Planning Act, as amended.

By-Law Enforcement Officer

Shall mean an officer or employee of the Corporation of the Town of Newcastle charged with the duty of enforcing the provisions of this By-law of the Corporation.

Camping Establishment

Shall mean an establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of mobile recreation trailers, motorized recreation vehicles, truck campers, campers or tents. This shall not include parks or camping grounds maintained by a public authority.

Camping Lot

Shall mean that part of a camping establishment which is occupied on a temporary basis only, by a mobile recreational trailer, motorized recreation vehicle, truck camper, camper or tent.

Carport

Shall mean a roofed enclosure attached to a dwelling house which is used for the storage or parking of a motor vehicle and which has at least 40 per cent of its total perimeter, including the main wall of the dwelling house to which such carport is attached, open and unobstructed.

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Cartage or Transport Depot

Amended by By-Law 2008-169

Shall mean a building or structure and lot where transport vehicles are kept for hire, rented or leased, or stored or parked for remuneration, or from which transport vehicles are dispatched for hire as common carriers and may include a warehouse, but shall not include any other use or activity otherwise defined or classified in this By-law.

Caterer

Added by By-Law 2015-062

Shall mean an establishment in which meals are prepared and delivered for consumption off the premises. The term caterer does not include an eating establishment.

Cellar

Shall mean that portion of a building between two floor levels which is partly or wholly below grade and which has more than one-half of its height, from finished floor to the underside of the floor joists of the storey next above, below the average finished grade level adjacent to the exterior walls of the buildings.

Cemetery

Shall mean land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried, within the meaning of the Cemeteries Act, as amended.

Certificate of Occupancy

Shall mean a certificate issued by the Director of Planning for the occupancy of any land, building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

Children's Home Care

Added by By-Law 2015-062

Shall mean a home occupation that provides temporary care and education of children on a regular basis and for continuous periods not exceeding 24 consecutive hours.

Club House Facility

Added by By-Law 2015-062

Shall mean a facility accessory to a golf course or a private club which may include uses such as a pro-shop, snack bar, banquet facility and a lounge/recreation area.

Chief Building Official

Shall mean the officer employed by the Corporation of the Municipality of Clarington, who is appointed pursuant to the Building Code Act, and shall include any inspector likewise appointed.

Community Centre

Shall mean any tract of land, building or buildings or any part of any building used for community activities whether used for commercial purposes or not, the control of which is

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vested in the Town, a local board or agent thereof.

Condominium

Added by By-Law 2015-062

Shall mean a building or grouping of buildings in which units are held in private ownership and floor space, facilities and/or outdoor areas used in common are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.

Condominium, Common Element

Added by By-Law 2015-062

Shall mean spaces and features owned in common by all shareholders in a condominium and may include common element roadways, walkways, sidewalks, parking and amenity areas.

Condominium, Common Element Roadway

Added by By-Law 2015-062

Shall mean a right-of-way for vehicular access that is privately maintained by a corporation created pursuant to the provisions of the appropriate statute.

Conservation

Conservation shall mean the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by the local Conservation Authority, or other public authority, on private groups or individuals.

Contractor's Yard

Shall mean a yard of any general contractor where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

Convention Centre

Added by By-Law 2015-062

Shall mean an establishment having facilities for meetings, seminars, exhibitions, workshops, and other similar activities to serve participants but does not include sleeping accommodations.

Convenience Store

Amended by By-Law 87-170

Shall mean a commercial establishment which supplies groceries or other daily household conveniences to the residents in the immediately surrounding area.

Council

Shall mean the Municipal Council of the Corporation of the Municipality of Clarington.

Cremation , Alkaline Hydrolysis

Added by By-law 2017-087

Shall mean a flame-less form of cremation that uses water, alkaline chemicals, heat, agitation and pressure to accelerate natural decomposition.

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Crematorium

Added by By-Law 2015-062

Shall mean a building or structure fitted with appliances for the purpose of cremating human remains under the *Funeral, Burial and Cremation Services Act*, as amended. Ancillary uses may include a chapel or other operational functions related to a cemetery.

Day Nursery

Shall mean a day nursery operated for pre-school age children within the meaning of The Day Nurseries Act, as amended.

Driveway

Added by By-Law 2008-169

Shall mean the portion of a lot extending to the street line, designed to provide motor vehicle access from the lot to the travelled portion of the street, private road or lane.

Drive-Through Facility

Added by By-Law 2015-008

Shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane.

Dry Cleaning Distribution Centre

Shall mean a building or part of a building used only for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning and spotting and stain removing, and for the pressing of any such articles or goods which have been subjected to any such process elsewhere at a dry cleaners' establishment.

Dry Cleaning Establishment

Shall mean a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or goods of fabric is carried on, through the use of only non-combustible and non-flammable solvents which emit no odours or fumes.

Dwelling

Amended by By-Law 89-72

Replaced by By-Law 2015-062

Shall mean 2 or more habitable rooms, designed or intended for use by one household, in which sanitary facilities and one kitchen are provided for the exclusive use of the household, in which a heating system is provided and, which has a private entrance from outside the building or from a common hallway or stairway inside the building. For the purposes of this By-law a dwelling does not include a tent, trailer, mobile home, or a room or group of rooms in a boarding or rooming house, a hotel, motel, motor hotel or camping establishment. For the purpose of this definition, dwelling shall also mean dwelling unit.

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Dwelling, Bachelor Apartment

Shall mean a dwelling in an apartment building or converted dwelling consisting of one bathroom and not more than two habitable rooms for living, dining, sleeping and kitchen accommodation in appropriate combination.

Dwelling, Bungalow

Added by By-Law 2015-025

Shall mean a 1 storey dwelling with a partial second storey that is not more than 50% of the ground floor area of the dwelling (excluding the garage); the habitable area of the second storey shall be contained within the roof area and may have dormers on the front or rear elevations, not more than 33% of the width of the wall of the dwelling, directly below, including garage.

Dwelling, Converted

Amended by By-Law 87-19

Shall mean a single detached dwelling erected prior to the date of passing of this By-law, which has been or may be converted by means of partitioning so as to provide therein not more than three dwellings each of which shall have a total floor area of not less than 50 square metres.

Dwelling, Duplex

Replaced by By-Law 2015-062

Shall mean the whole of a building that was constructed with vertical or horizontal dividing walls, creating two separate dwellings, each of which has an independent entrance either directly from the outside or through a common vestibule.

Dwelling, Fourplex

Shall mean the whole of a building that is divided vertically and horizontally by common masonry walls above finished grade into four separate dwellings, and each dwelling has an independent entrance either from the outside or through a common vestibule.

Dwelling, Link Townhouse

Shall mean one of a group of three or more dwelling units separated vertically.

Dwelling, Linked

Shall mean a building constructed to be separated vertically into two separated dwelling units, connected underground by footing and foundation, and does not share a common wall above ground, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

Dwelling, Maisonette

Shall mean a building that is divided into 3 or more dwellings, each of which has independent entrances, one to a common corridor and the other directly to the outside yard area adjacent to the said dwelling.

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Dwelling, Mobile Home

Shall mean any dwelling unit that is designed to:

- a. Be made mobile;
- b. Connect to sewage disposal facilities, hydro and/or gas services and/or any other necessary utilities but does not include a mobile recreational trailer or trailer otherwise defined.

Dwelling, Seasonal

Shall mean a single detached dwelling used essentially for recreation, rest or relaxation from time to time, throughout any season of the year, by any person or persons but not used or intended to be used continuously in excess of five months or as a permanent residence.

Dwelling, Semi-Detached

Amended by By-Law 89-72

Replaced by By-Law 2015-062

Shall mean a building constructed to be separated vertically into two separate dwelling units, connected by a common wall above and below ground, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

But does not include a dwelling unit to be erected next to or added onto an existing single detached dwelling.

Dwelling, Single Detached

Shall mean a completely detached building containing one dwelling.

Dwelling, Stacked Townhouse

Added by By-Law 2015-030

Shall mean one of a group of three or more dwelling units which are separated vertically and/or horizontally, provided that each dwelling unit has a separate entrance.

Dwelling, Street Townhouse

Shall mean one of a group of three or more attached dwelling units, separated vertically, each of which has an independent entrance and fronts onto an improved public street.

Dwelling, Triplex

Shall mean a building that is divided horizontally into three separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule.

Dwelling Unit Area

Shall mean the habitable area contained within the inside walls of a dwelling excluding any private garage, carport, porch, veranda, unfinished attic, cellar or sunroom; (unless such sunroom is habitable in all seasons of the year) and, excluding public or common halls or

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areas, stairways and the thickness of outside walls.

Eating Establishment

Replaced by By-Law 2015-062

Shall mean an establishment where prepared food and beverages are offered for sale to customers

Eating Establishment, Drive-In

Shall mean an eating establishment where facilities are available to serve meals to the customer for consumption in the customer's motor vehicle, parked in an area designed for that purpose.

Eating Establishment, Take-Out

Replaced by By-Law 2015-062

Shall mean an eating establishment where tables and/or counters for the use of customers are not provided.

Energy Industry

Added by By-Law 2015-062

Shall mean an establishment that focuses on the development, commercialization and/or demonstration of energy products and services, including assembly, manufacturing, fabricating or processing activities that are not offensive by reason of the amount of noise, smoke, odour, emissions, or vibration produced, but not including a recycling facility, material sorting or dismantling, a waste management or processing facility, or a waste incineration facility are excluded.

Energy Related

Added by By-Law 2015-062

Shall mean a use within a building or structure that is directly involved in the administration, distribution, research and development, testing or production of energy and energy related products.

Equipment Sales and Rental, Heavy

Shall mean the use of a building or part of a building or structure where heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

Equipment Sales and Rental, Light

Shall mean the use of a building or part of a building or structure where light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; sporting equipment

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and accessories; and, other similar tools and appurtenances are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

Erect

Shall mean setting up, building, constructing, reconstructing and relocating and, without limiting the generality of the foregoing shall include:re

- a. Any preliminary physical operation, such as excavating, grading, filling, drainage, piling or cribbing;
- b. Altering any existing building or structure by an addition, deletion, enlargement, extension, relocation or other structural change;
- c. Any work for the doing of which a building permit is required under The Building Code Act and Regulations passed thereunder as may be amended, replaced or re-enacted from time to time; and
- d. Erect, erected and erection shall have a corresponding meaning.

Establishment

Added by By-Law 2015-062

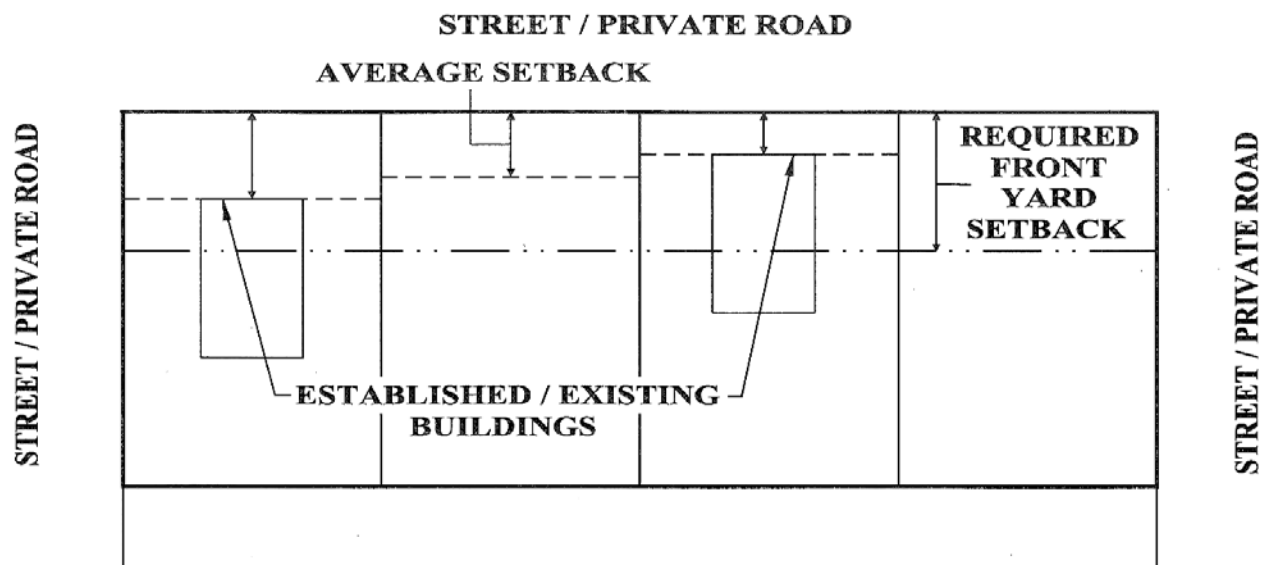
Shall mean a building, structure and/or area of land within or on which any activity referred to in this By-law is conducted.

Established Building Line, Residential, Commercial and Industrial Zones

Shall mean the average setback from the street line of existing buildings on one side of one block where more than one-half of the lots of the said side of the block have been built upon.

Added by By-Law 2015-062

Figure 1: Determining Established Building Line



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Existing

Shall mean legally in existence on the date of passing of this By-law.

Factory Outlet

Shall mean a building or part of a building where the products manufactured by the industry are kept for wholesale or retail sale, and shall not exceed fifteen percent of the floor area of the building or portion of the building within which the permitted industrial use is located.

Deleted by By-Law 2015-062

Farm

Shall mean the use of land, buildings or structures for one or more of the following purposes: production of forage crops, grain and feed crops, oil and seed crops, vegetables and row crops, dairy animals and dairy products, livestock for food production, sheep for wool production, fruits of all kind including grapes, nuts and berries, bees and apiary products, maple products, nurseries, floral and greenhouse products, poultry and poultry products, mushrooms, horse and ponies, tobacco, forestry, market gardening and retail stands for the sale of agricultural products produced on the farm unit, and such other uses or enterprises as are customarily carried out in the field of agriculture.

Farm Implement and Equipment Sales and Service Establishment

Shall mean a building or structure or lot where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

Farm Produce Retail Outlet

Shall mean a building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

Farm Produce Retail Outlet, Seasonal

Shall mean the same as a Farm Produce Retail Outlet except that such outlet would only be operated during the harvest and selling seasons and provided that a majority of the produce offered for sale is produced from the same farm operation.

Financial Office

Shall mean the premises of a bank, trust company, finance company, mortgage company, or investment company.

Fitness Centre

Added by By-Law 2015-062

Shall mean an establishment that provides facilities for recreational or athletic activities,

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including but not limited to body-building and exercise classes.

Flea Market

Added by By-Law 2015-062

Shall mean an establishment for occasional or periodic sales activity where floor space is rented or licenced to ten or more individual sellers offering goods, new and used, and where the space allocated to each individual seller is not physically separated by walls which extend from the floor to ceiling from the space allocated to other individual sellers.

Floor Area, Total

Amended by By-Law 85-51

Shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the interior faces of the interior walls of the building or structure at the level of each floor.

For the purposes of this by-law, "Total Floor Area", for residential dwelling units, shall be the total floor area of the dwelling exclusive of any garage or carport, or basement or cellar not intended for human habitation.

For the purposes of this by-law, "Total Floor Area, Leasable" shall mean the total floor area of a commercial or industrial building or structure exclusive of any internal common areas and/or common mechanical or service rooms shared with other tenants.

Floor Space Index (FSI)

Added by By-Law 2012-089

Shall mean the ratio of the total floor area of a building or buildings (excluding enclosed parking areas, loading facilities and garbage rooms) to the area of the lot on which the building or buildings are located. For example, a floor space index (FSI) of 2.0 would indicate that the total floor area of a building could be up to two times the area of the lot on which it is located.

Forestry

Shall mean the management, development and cultivation of timber resources.

Foundry

Shall mean an industrial building, the primary use of which is casting metals.

Funeral Services Establishment

Added by By-Law 91-2

Shall mean premises established or maintained for the purpose of providing funeral services or funeral supplies to the public within the meaning of the Funeral Services Act, as Amended.

Garage

Added by By-Law 2008-169

Shall mean a building, structure or part thereof, including a carport, designed and/or used for the parking of motor vehicles having adequate access to a driveway, and where household equipment incidental to the residential use may be stored.

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Garage, Private

Shall mean a detached accessory building or portion of a dwelling which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed. For the purposes of this By-law a private garage excludes a carport or other open shelter.

Garden and Nursery Sales and Supply Establishment

Shall mean a building or part of a building and land adjacent thereto for the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale or renting of such goods, products and equipment as are normally associated with gardening or landscaping.

Garden Suite

Added by By-Law 2006-007

A Garden Suite is a self-contained temporary dwelling unit designed to provide for the care of an elderly, sick and disabled person which is located in the side or rear yard of a property containing a single detached dwelling.

Golf Course

Shall mean a public or private area operated for the purposes of playing golf, and includes a par 3 golf course, driving ranges, miniature courses, club house, dining room, lounge and similar uses.

Golf Driving Range

Added by By-Law 2015-062

Shall mean an outdoor facility operated for the purpose of developing golfing technique, including miniature golf, but excluding golf courses.

Golf Driving Range, Indoor

Shall mean an enclosed facility operated for the purpose of developing golfing techniques but excludes golf courses.

Grade, Finished

Shall mean the lowest average elevation of the finished surface of the ground adjacent to each exterior wall of a building or structure.

Deleted by By-Law 2015-062

Guest

Shall mean a person, other than a boarder, who contracts for accommodation in a hotel, motel, motor hotel or camping establishment and includes all the members of the person's party.

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Guest Room

Amended by By-Law 85-44

Shall mean a room or suite of rooms in a hotel, motel, motor hotel, bed and breakfast establishment or vacation farm establishment used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

Habitable Room

Shall mean a room designed for human occupancy and shall include living, sleeping, eating or food preparation, and shall include a bathroom, den, library, sewing-room or enclosed sunrooms, but shall not include any private garage, carport, porch, verandah.

Height of Building

Shall mean the vertical distance, measured between the lowest finished grade adjacent to any wall of the building, and

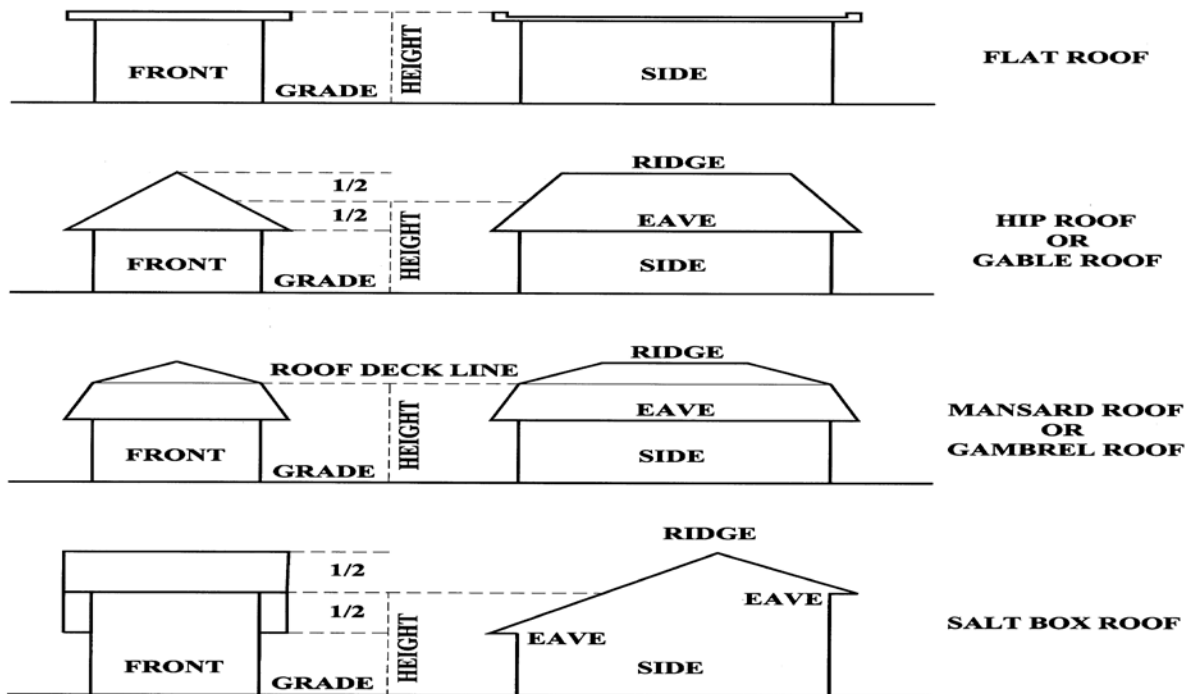
- a. In the case of a flat roof, the highest point of the roof surface; and
- b. In the case of a mansard roof, the deck roof line; and
- c. In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.

In calculating the height of a building, roof constructions such as bulkheads, penthouses and similar constructions enclosing equipment or stairs and which are less than 6 metres in height and do not occupy more than 30 percent of the area of the roof upon which they are located, and accessory roof constructions, such as chimneys, towers, steeples or television antennas, shall be excluded.

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Added by By-Law 2015-062

Figure 2: Determining Height of a Building or Structure



Highway - Public

Shall mean a public highway within the meaning of the Municipal Act, as amended.

Home for the Aged

Shall mean a home for the aged within the meaning of The Homes for the Aged Act, as amended.

Home Craft

Added by By-Law 2015-062

Shall mean the crafting of small items that are made by hand or with the use of small tools.

Home Occupation

Replaced by By-Law 2015-062

Shall mean an occupation or business that is carried on within a dwelling as an accessory to a permitted residential use.

Amended by By-Law 85-44

Amended by By-Law 2003-088

For the purposes of this by-law, a "Bed and Breakfast or Vacation Farm Establishment" shall only be deemed to be a Home Occupation use in the Agricultural (A) zone, Agricultural Exception (A-1) zone, General Commercial (C1), Residential Hamlet (RH), Rural Cluster (RC), Residential Shoreline (RS), Urban Residential Type One (R1) and Urban Residential Type Two (R2) Zones inclusive of all exception zones.

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Added by By-law 2018-076

Hospice

Shall mean a facility designed to provide palliative care to the terminally ill.

Hospital

Shall mean any building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury that is approved under The Public Hospitals Act, as amended, as a public hospital.

Hotel

Shall mean an establishment that consists of one building or two or more connected or adjacent buildings consisting of at least three individual rental units which share a common entrance from street level which cater to the needs of the travelling public by furnishing sleeping accommodation which may or may not supply food or beverage lounge facilities, in which the guests share equal rights to the uses of all common facilities, but does not include a rooming or boarding house or an apartment dwelling.

Industry, Dry Light

Added by By-Law 85-36

Shall mean an industry which is not offensive, or likely to be offensive, by reason of the amount of noise, smoke, odour or vibration produced therein, and may include an assembly, manufacturing or processing plant which does not require water consumption or water use as part of the process, and may also include an equipment storage building and a warehouse, but shall not include any other use or activity otherwise defined or classified in this by-law.

Kennel

Added by By-Law 2015-062

Shall mean a building or structure within which four or more dogs or cats are being bred, kept or boarded for profit and includes any associated lands.

Deleted by By-Law 2015-062

Deleted by By-Law 2015-062

Landscaping

Shall mean any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

Landscaped Open Space

Replaced by By-Law 2015-062

Shall mean the open unobstructed space from ground to sky at finished grade on a lot which is used exclusively for landscaping, and includes any surfaced walk, patio, deck or similar area no more than 200 mm above finished grade, at its highest point, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any

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open space beneath or within any building or structure.

Landscaping Strip

Added by By-Law 2006-0046

Shall mean an area of land used for any one or more of the planting of shrubs, flowers, grass or other horticultural elements, such as decorative stonework, fencing, or screening.

Lane, Public

Added by By-Law 2015-062

Shall mean a street or road under this jurisdiction of the Corporation of the Municipality, having a right of way width of 10 metres or less which is maintained so as to allow normal vehicular access to garages and parking spaces on adjacent properties throughout all seasons of the year.

Laundry

Replaced by By-Law 2015-062

Shall mean a commercial establishment where the service of laundry cleaning, using only water, detergents and additives, is made available to the public.

Library

Shall mean a public library within the meaning of The Public Libraries Act, as amended.

Light Equipment

Added by By-Law 2015-062

Shall mean hand tools, small power tools, portable equipment, and machinery containing a small engine, such as air compressors, augers, automotive tools, cleaning equipment, light compaction equipment, concrete and masonry equipment, floor and carpet tools, gasoline generators, chainsaws, jacks and hydraulic equipment, lawn and garden tools, ladders, moving equipment, painting and decorating, pumps, scaffolding, welding equipment, sporting equipment, party supplies, and other similar tools and accessories.

Light Equipment Service

Added by By-Law 2015-062

Shall mean an establishment where light equipment is serviced or repaired.

Liquor Licensed Premises

Shall mean any building, structure or premises licensed by The Liquor Licence Board of Ontario.

Added by OMB order September 17, 2015

Live-Work Unit

Shall mean a residential dwelling, used in part for small scale commercial, personal service and/or office uses and where the dwelling is the principal residence of the business owner and operator

Loading Space

Shall mean an off-street space on the same lot as the building, or contiguous to a group of

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buildings, for the temporary parking of a vehicle while loading or unloading merchandise or materials, which abuts upon a street, lane, road, highway or other appropriate means of access.

Long Term Care Facility

Added by By-Law 2015-030

Shall mean a facility regulated through the Ministry of Health and Long Term Care, or any successor, that provides accommodation for people requiring a broad range of 24 hour health care, personal care and support care within a supervised and secured setting and where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms, medical care facilities and personal services, may also be provided.

Lot

Shall mean a parcel or tract of land described in a deed or other legal document the title to which is legally conveyable.

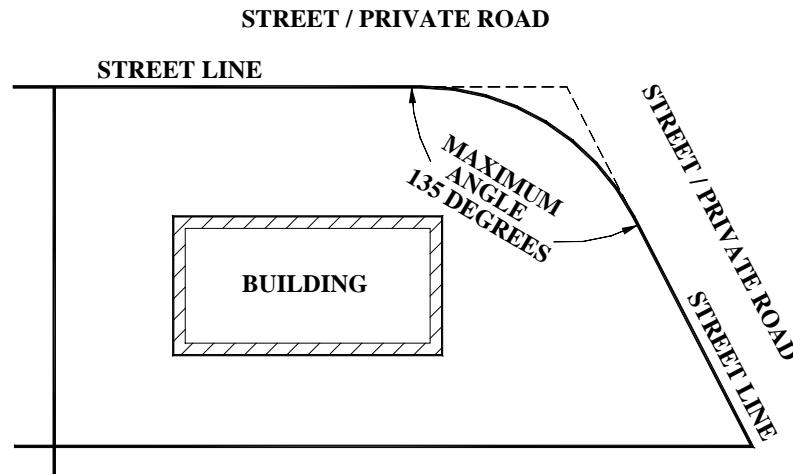
Lot Area

Shall mean the total horizontal area bounded by the lot lines of a lot, excluding the horizontal area of such lot covered by water, year-round.

Lot, Corner

Shall mean a lot situated at the intersection of 2 streets, of which two adjacent sides, that abut the intersecting streets, contain an angle of not more than one hundred and thirty-five (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.

Figure 3: Determining a Corner Lot



Lot Coverage

Replaced by By-Law 2015-062

Shall mean that percentage of the lot area at finished grade covered by all buildings or structures. An outdoor swimming pool; and a patio or deck no more than 200 millimetres above finished grade, at its highest point; shall not be considered as a structure for the purpose of calculating lot coverage. Where a lot is divided into more than one zone, the lot coverage in each zone shall be calculated as it applies only to that portion of the lot that is located within the specific zone.

Lot Depth

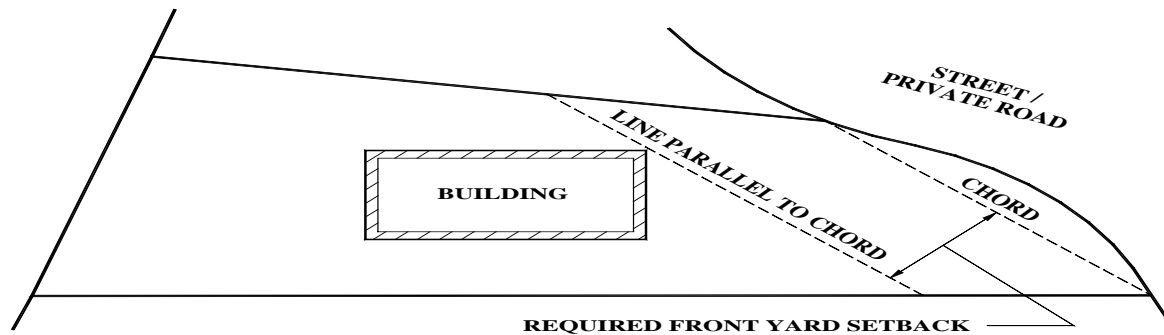
Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, "lot depth" shall mean 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.

Lot Frontage

Replaced by By-Law 2015-062

The minimum straight-line distance between the side lot lines measured along the front lot line of a lot. Where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is measured along a line parallel, to the chord of the lot frontage and set at 6 metres from the front lot line. The chord of the lot frontage is measured as a straight line joining the points where each side lot line intersects the front lot line.

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Lot, Interior

Shall mean a lot other than a corner lot or a through lot.

Lot Line

Shall mean any boundary of a lot or the vertical projection thereof.

Lot Line, Front

Shall mean, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street or private right-of-way 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, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

Lot Line, Rear

Shall mean the lot line farthest from and opposite to the front lot line.

Lot Line, Side

Shall mean a lot line other than a front or rear lot line.

Lot, Through

Shall mean a lot bounded on two opposite sides by streets, provided that if any lot qualifies as being both a corner lot or a through lot, such lot shall be deemed a corner lot.

Manufacturing, Processing, Assembling or Fabricating Plant

Shall mean a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour.

Marina

Shall mean a building, structure or place, including docking facilities located on a navigable waterway, where boats and boat accessories are kept or stored, serviced, repaired or kept

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for sale and where facilities for the sale of marine fuels and lubricants may be provided.

Marina Sales and Service Establishment

Shall mean a building or part of a building and associated lands where a franchised dealer displays new and used boats and boat accessories for sale at retail or for rental, and where marine equipment is serviced or repaired and may include boat storage facilities.

Medical or Dental Clinic

Shall mean a building or part of a building where members of the medical profession, dentists, chiropractors, optometrists, osteopaths, physicians or occupational or physical therapists, either singularly or in union, provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices for consultation, X-ray and minor operating rooms, a pharmaceutical dispensary provided that all such uses have access only from the interior of the building, and shall not include any other use or activity otherwise defined or classified in this By-law.

Minimum Distance Separation Formulae

Added by By-Law 2015-062

Shall mean a guideline established by the Province to minimize nuisance complaints due to odour and thereby reduce potential land use conflicts by determining appropriate separation between livestock and manure storage facilities and neighbouring non-agricultural uses, including residential, institutional, commercial, or recreational uses.

Added by By-law 2018-059

Added by PL171467

Mixed Use-Building

Shall mean a building containing apartment dwellings and at least one non-residential use.

Mobile Home Dwelling Unit Area

Shall mean the habitable area contained within the inside walls of a mobile home.

Mobile Home Park

Shall mean a parcel of land which is not the subject of a Registered Plan of Subdivision defining individual lots legally capable of being conveyed and which is developed and managed as a unit where individual sites are made available on a rental basis for the placing of a mobile home, where the ownership and responsibility for the maintenance of private internal roads, services, communal areas and buildings, including snow ploughing and removal, garbage collection, together with general park management, rests with management.

Mobile Home Park Community Centre

Shall mean a building, or part of a building in which facilities are provided for such purposes as meetings for educational, recreational, political, religious or social purposes, and may include a banquet hall, private club, or fraternal organization. A Mobile Home park

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Community Centre may also include a convenience store, a business or professional office, an eating establishment, a financial office, a personal service shop, a retail store and sales and administration offices provided that the total 15% of the total floor area of the Mobile Home Park Community Centre.

Mobile Home Park Maintenance Depot

Shall mean buildings structures and lands used for the storage of personal equipment, goods or materials of the residents of a Mobile Home park as well as equipment, goods or materials necessary for the maintenance of a Mobile Home Park.

Mobile Home Park Road

Shall mean a street or road, not under the jurisdiction of the Province of Ontario, the Regional Municipality of Durham or the Corporation of the Town of Newcastle, providing access to and from an improved public street to the mobile home park and shall also mean an internal road or roads located wholly within the confines of the Mobile Home park.

Mobile Home Site

Shall mean a parcel of land within a mobile home park upon which it is intended to erect or place a mobile home and surrounding lands which are, or are intended to be leased to the Owners or occupants of the mobile home.

Mobile Refreshment Vehicle

Added by By-Law 2015-062

Shall mean a vehicle used exclusively for the sale of food and beverages, designed and intended to move from one location to another on a regular basis and on short notice and may include facilities for cooking.

Model Home

Added by By-Law 2015-062

Shall mean a finished dwelling that is used as an example of a product offered for sale to purchasers by a realtor, builder, developer, or contractor, which may be furnished but not occupied as a residence while being used.

Motel

Shall mean a tourist establishment which consists of one or more buildings containing three or more attached accommodation units, which are directly accessible from an adjacent outside parking area, which cater to the needs of the travelling public by furnishing sleeping accommodation with or without facilities for the preparation and serving of meals or beverages and shall not include any other use or activity otherwise.

Motor Vehicle

Shall mean a motor vehicle within the meaning of The Highway Traffic Act, as amended.

Motor Vehicle, Commercial

Shall mean a commercial motor vehicle within the meaning of The Highway Traffic Act, as

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amended.

Motor Vehicle Body Shop

Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

Motor Vehicle Fuel Bar

Shall mean one or more pump islands, each consisting of one or more fuel pumps and a shelter, and may include the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.

Motor Vehicle Repair Garage

Shall mean a building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include the sale of fuels or any other use or activity otherwise defined or classified in this By-law.

Added by By-law 2017-078

Motor Vehicle and Recreational Sales Establishment

Shall mean a building or structure and associated land where a franchised dealer displays motor vehicles and recreational vehicles for sale or rent, but does not include motor vehicle dealerships selling only used motor vehicles or the sale of snowmobiles, boats, personal watercrafts or all-terrain vehicles and shall not include recreational vehicle storage. Permitted accessory uses include a motor vehicle repair or body shop as part of a franchised dealership

Motor Vehicle Sales Establishment

Amended by By-Law 94-28

Shall mean a building or structure where a dealer displays motor vehicles for sale or rent. Permitted accessory uses include a motor vehicle repair garage, a motor vehicle service station, a motor vehicle fuel bar, a motor vehicle body shop, the sale and display of new and used boats and boat accessories but shall not include any other use or activity otherwise defined or classified in this by-law.

Motor Vehicle Service Station

Shall mean a building or structure where fuel, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires

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inflated or batteries charged, or where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

Motor Vehicle Wash

Shall mean a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purposes of this By-law may include a motor vehicle fuel bar but shall not include any other use or activity otherwise defined or classified in this By-law.

Motor Vehicle Wrecking Yard

Shall mean an establishment where scrap motor vehicles are stored and/or dismantled and where used motor vehicle parts are sold. Limited sales of road worthy motor vehicles are considered accessory to the operation of a Motor vehicle Wrecking Yard.

Motorized Recreation Vehicle

Shall mean any motor vehicle so constructed as to be self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

Motorized Snow Vehicle

Shall mean a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act, as amended.

Municipal, Regional, Provincial Maintenance Depot

Shall mean any land, building or structure owned by the Corporation of the Town of Newcastle, the Regional Municipality of Durham or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

Non-Complying

Shall mean that a permitted building, structure or use does not meet the regulations set out for the zone in which such building, structure or use is located.

Non-Conforming

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

Not-For-Profit Organization

Added by By-Law 2015-062

Shall mean a registered charitable or registered not-for-profit organization that operates for cultural, educational, or religious goals, social welfare, recreation, amateur sport or any other similar community initiative for any purpose except profit.

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Deleted by By-Law 2015-062

Outside Storage Area

Shall mean land used for the outside storage of goods, equipment or materials normally accessory to a permitted use and shall not include a motor vehicle wrecking yard; a salvage yard; a parking area; a loading space; or a parking space.

Park, Greenbelt

Shall mean a public or private park, the main purpose of which shall be the protection of open space areas and natural watercourses, which may be used for recreational activities including playing and athletic fields, but excluding any buildings or structures.

Park, Private

Shall mean any open space or recreational area, owned and operated or maintained in whole or in part by a private organization, and may include therein swimming pools, boating facilities, picnic areas, gardens and other similar recreational activities.

Park, Public

Shall mean a lot or block of land, owned or controlled by a public authority, the main use of which shall be for recreational activities and which may include its use as a playground or playfield, including athletic fields, aquatic facilities, landscaped areas, and any buildings, the purpose of which shall be for recreation or a use accessory to a recreational use.

Parking Angle

Shall mean the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

Parking Area

Shall mean an area provided and maintained for the parking of motor vehicles, and may include aisles, parking spaces, manoeuvring areas, pedestrian walkways and related ingress and egress lanes, but shall not include any part of a public street. "Parking Area" may include a private garage.

Parking Lot

Shall mean any parking area other than a parking area accessory to a permitted use.

Parking Space

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of motor vehicles, and may include a private garage.

Parking Space, Accessible

*Added by By-Law 2006-046
Replaced by By-Law 2015-062*

Shall mean a parking space that is designed and identified to be used by persons with a

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disability.

Parking Space, Outdoor

Added by By-Law 99-169

Shall mean a parking space excluding a private garage or carport.

Parking Structure

Added by By-Law 2015-062

Shall mean a part of a building which is provided and maintained for the purpose of parking vehicles, and may include parking spaces, parking aisles and access ramps, common areas for stairs and elevators, storage areas for tenants, and mechanical rooms.

Person

Shall mean any human being, association, company, firm partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Pet Home Care

Added by By-Law 2015-062

Shall mean a home occupation that provides temporary care, grooming and training of dogs or cats for continuous periods not exceeding 24 consecutive hours.

Pit

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

Place of Entertainment

Amended by By-Law 90-63

Shall mean a motion picture or other theatre, auditorium, public hall, billiard hall, bowling alley, ice or roller skating rink, dance hall or music hall, museum, gallery and library, but for the purposes of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

Place of Worship

Shall mean a building dedicated to religious worship and includes a church or synagogue and may include such accessory uses as a nursery school of religious education, convent, monastery or parish hall.

Principal or Main Building

Shall mean the building(s) in which is carried on the principal purpose for which the lot is used.

Printing or Publishing Establishment

Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and other reproduction techniques is

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carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

Private Club

Amended by By-Law 85-51

Shall mean a building or part of a building or lands used for the purposes of social, cultural, athletic or recreational activities.

Private Zoo

Shall mean a collection of animals confined within appropriate animal enclosures, privately owned and operated on a commercial basis.

Processing Plant - Aggregate

Shall mean equipment for the crushing, screening or washing of sand and gravel aggregate materials, or concrete batching plant, but not including a cement manufacturing plant or an asphalt plant.

Processing Plant – Meat

Added by By-Law 86-56

Shall mean a premises where domestic animals, the meat of which is intended to be used for human consumption, including poultry, is slaughtered, and includes any portion of the premises in which meat products are produced, processed, handled, or stored.

Provincial Highway

Shall mean a highway under the jurisdiction of the Ministry of Transportation and Communications.

Public Authority

Shall mean Federal, Provincial, Regional or Town agencies, and includes any commission, board, corporation, authority or department established by such agency.

Public Security Area

Shall mean an area of land free and clear of any buildings or structures surrounding an animal enclosure, and which is made inaccessible to members of the public by means of a 1.25 metre high, chain-link security fence which is secured by means of a locked gate, and which fence is no closer to an animal enclosure than 2 metres.

Quarry

Shall mean a place where consolidated rock has been or is being removed by means of any open excavation to supply material for construction, manufacturing or industrial purpose, but does not include: a wayside pit or wayside quarry; an excavation incidental to the erection of a building; a structure for which a building permit has been granted by the Town; or an excavation incidental to the construction of any public works.

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Recreational Competition, Motorized

*Added by By-Law 86-107
Replaced by By-Law 2015-062*

Shall mean any competition involving sport and other recreational activities using motorized vehicles for the purposes of entertainment or recreation, and may include tractor pulls, snowmobile races, motorcycle/moto-cross events, and automobile races.

Recreational Vehicle

Added by By-Law 2008-169

A motorized or non-motorized vehicle that is used predominantly for recreational purposes, including, but not limited to, mobile recreational trailers, snowmobiles, boats, personal watercraft and all-terrain vehicles.

Recreational Vehicle Storage

Added by By-Law 2008-169

A commercial establishment for the storage of licensed recreational vehicles and their trailers.

Refreshment Cart

Added by By-Law 2015-062

Shall mean any non-motorized vehicle used exclusively for the sale of pre-packaged food and beverages, which does not include facilities for cooking.

Research and Development Facility

Added by By-Law 2015-062

Shall mean an establishment used for the purpose of conducting pure and applied research and experimentation and includes such facilities as administrative offices, laboratories, lecture rooms, display rooms, pilot units, simulating equipment and the like and service and machine shops to serve the research and development facility.

*Added by By-Law 2006-046
Amended by By-Law 2008-169*

Residential Zone

Shall mean a Rural Cluster (RC) Zone, Residential Estate (RE) Zone, Residential Hamlet (RH) Zone, Residential Mobile Home (RM) Zone, Residential Shoreline (RS) Zone, Urban Residential Type One (R1) Zone, Urban Residential Type Two (R2) Zone, Urban Residential Type Three (R3) Zone, and an Urban Residential Type Four (R4) Zone and the term includes Special Exception Zones to any of these zones provided in the aforesaid By-law 84-63.

Resort Establishment

Shall mean an establishment that operates throughout all or part of the year that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping, skiing, or other similar recreational activity.

Retail/Commercial Establishment

Amended by By-Law 87-170

Shall mean a building, or part of a building, in which goods, wares, merchandise, substances, articles, or services are offered or kept for sale at retail or on a rental basis but shall not

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include any class of commercial establishment otherwise defined herein.

*Added by By-Law 2015-030
Replaced by By-Law 2015-062*

Retirement Home

Shall mean a residential facility, licensed by the Retirement Home Regulatory Authority, that provides accommodation in suites primarily for retired persons or couples. Such suites shall not have a stove or range and shall have separate entrances from a common hall. Common facilities for the preparation and consumption of food are provided. Common lounges, recreation rooms, medical care facilities and ancillary uses such as a beauty salon, barber shop or tuck shop may also be provided.

Rural Residential Zone

Added by By-Law 2008-169

Shall mean a Rural Cluster (RC) Zone, Residential Estate (RE) Zone, Residential Hamlet (RH) Zone, Residential Mobile Home (RM) and Residential Shoreline (RS) Zone, and the term includes Special Exception Zones to any of these zones provided in the aforesaid By-law 84-63.

Sanitary Sewer System, Municipal

Shall mean an adequate system of underground conduits, operated by a Public Authority, which carries sewage to an adequate place of treatment which meets with the requirements of the Ministry of Environment.

Salvage Yard

Shall mean an establishment where goods, wares, merchandise, articles or materials are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, a scrap metal yard, but not a motor vehicle wrecking yard or premises.

Saw Mill

Shall mean a building, structure or area where timber is cut or milled, and temporarily stored either to finished lumber, or as an intermediary step.

School, Public

Amended by By-Law 86-103

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education and may include a day nursery as an accessory use.

School, Commercial

Shall mean a school conducted for hire or gain, other than a private, public, religious or philanthropic school, and shall include the studio of a dancing teacher or a music teacher, an art school, a golf school, a school of athletics, a business or trade school and any other specialized school conducted for profit or gain.

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School, Private

Amended by By-Law 86-103

Shall mean a school other than a public school or a commercial school as otherwise defined or classified in this By-law, which prepares students for an Ontario Secondary School Diploma recognized by the Ministry of Education, and which may include boarding houses for registered students of such schools and a day nursery as an accessory use.

Deleted by By-law 2015-062

Service Shop, Light

Shall mean a building or part of building, whether used in conjunction with a retail store or not for the servicing or repairing of household or domestic articles, and without limiting the generality of the foregoing shall include but shall not be limited to the following: the repair and servicing of radio and television receivers, vacuum cleaners, appliances, shoes, cameras, toys, watches, clocks, bicycles or other similar goods and appliances but shall not include industrial or manufacturing uses or motor vehicle repair shops as may otherwise be defined or classified in this By-law.

Service Shop, Personal

Shall mean a building or part of a building in which persons are employed in furnishing services, conducting limited retailing of goods associated with the service and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or other similar services.

Setback

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles to such centre line, to the nearest part of any building or structure or excavation on the adjacent lot.

Shopping Centre

Shall mean a group of commercial establishments which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses

Site Alteration

Added by By-Law 2015-062

Shall mean activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

- a. The construction of facilities for transportation, infrastructure and utilities uses, by a public body; or
- b. Activities or works under the Drainage Act; and
- c. The carrying out of agricultural practices, on land that continues to be used for agricultural uses.

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Sight Triangles

Shall mean the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line. 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.

Sign

Shall mean a structure or portion of a structure having thereon any name, symbol, description, illustration or device which is used to identify or advertise a person, place, product, object, organization, activity or event.

Shipping/Cargo Container

Added by By-Law 2008-169

Shall mean a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck.

Snowmobile Sales and Service Establishment

Shall mean a building or part of a building and land adjacent thereto, where snowmobile equipment is displayed, for sale at retail, or rental, and where mechanical repairs are completed.

Added by By-Law 86-107

Deleted by By-Law 2015-062

Special Event, Private

Added by By-Law 2015-062

Shall mean an event, the duration of which is temporary in nature, for the purpose of celebrating a special occasion which is not open to the public and is not conducted for profit or gain.

Special Event, Public

Added by By-Law 2015-062

Shall mean a cultural, recreational, educational or similar event including fairs, festivals and carnivals, the duration of which is temporary in nature. It is open to the public and may be conducted for profit and gain. The term special event shall not include a motorized recreational competition.

Stationary Refreshment Vehicle

Added by By-Law 2015-062

Shall mean a vehicle used exclusively for the sale of food and beverages, which may contain cooking facilities; must be parked or placed in a specific location in order to operate; and although it may be moved at the end of the work day, or various different locations on a daily basis, it cannot close down and relocate on short notice.

Storage Areas/Lockers/Maintenance Buildings

Shall mean buildings, structures, and lands used for the storage of equipment, goods or materials.

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Storey

Shall mean the portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above it.

Storey, First

Shall mean the lowest storey of a building closest to finished grade having its ceiling 1.8 metres or more above average finished grade.

Storey, One-Half

Shall mean that portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a distance between finished floor and finished ceiling of at least 2.1 metres over a floor area equal to at least 50 percent of the area of the floor next below.

Storm Sewer

Shall mean an underground conduit which carries storm or surface run-off but excludes any sanitary sewer or any combination of sanitary and storm sewers.

Street, Arterial Type "A"

Shall mean an Arterial Road with a right-of-way width ranging from 36 metres to 46 metres and for the purposes of this By-law shall include the road sections within the Corporation of the Town of Newcastle, indicated on the Schedules to this By-law.

Street, Arterial Type "B"

Shall mean an Arterial Road with a right-of-way width ranging from 26 metres to 36 metres and for the purposes of this By-law shall include the road sections within the Corporation of the Town of Newcastle, indicated on the Schedules to this By-law.

Street, Improved Public

Shall mean a street or road under the jurisdiction of the Province of Ontario, the Regional Municipality of Durham or the Corporation of the Town of Newcastle, which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

Street Line

Shall mean the limit of the street or road allowance and is the dividing line between a lot or block and a street or road.

Street Façade

Added by By-Law 2015-089

Shall mean a façade of the building which faces an improved public street.

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Street, Private

Shall mean a street or road other than an improved public street.

Structure

Shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on or in the ground.

Supermarket

Shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis and may include facilities for parcel pickup.

Tavern

Shall mean an establishment within the meaning of and licensed under The Liquor Licence Act, as amended.

Temporary Holding Space

Shall mean a fenced area connected to and associated with an animal enclosure within which an animal can be temporarily confined, and which has access only to the animal enclosure and where not separated from a public area by a public security area, such temporary holding space shall be constructed with solid walls immediately abutting any public area.

Temporary Sales Office

Added by By-Law 2015-062

Shall mean a mobile home or a permanent building, including a model home, used exclusively by a realtor, builder, developer, or contractor on a temporary basis for the sale, display and marketing of residential lots and dwellings within a draft approved subdivision or condominium plan.

Tent

Shall mean every kind of temporary shelter to which the term is normally considered to apply for such uses and activities that require shelter or enclosure such as sleeping, the serving and consumption of food and beverages, and that is not permanently affixed to the site and that is capable of being easily moved.

Town

Shall mean the Corporation of the Town of Newcastle.

Trailer

Shall mean any vehicle that is designed to be drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property temporarily drawn, propelled or moved upon such highway. A trailer shall be considered a separate vehicle and not part of the motor vehicle by

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which it is drawn, and, from the purposes of this By-law does not include a mobile home as defined herein.

Trailer Camp or Park

Shall mean an establishment consisting of camping lots and comprising land used or maintained as grounds for the camping or parking of mobile recreational trailers, motorized recreation vehicles, truck campers or tents for recreational or vacation use designed for seasonal occupancy only. Trailer Camp or Park shall include accessory recreational buildings and structures normally related to such operations.

Trailer, Mobile Recreational

Shall mean a trailer designed or used for recreational living and sleeping accommodation. For the purposes of this By-law, it does not include a mobile home, as defined herein.

*Added by By-Law 85 36
Deleted by By-Law 2009-068*

Transparent Glazing

Added by By-Law 2015-089

Shall mean windows and doors through which the public are able to clearly view the interior of a building. Those windows and doors which are identified as transparent glazing shall not be obstructed by posters, stickers, decals, shelving, furniture or any other permanent or semi-permanent device.

Transport Service Establishment

Shall mean a building or structure where transport vehicles may be oiled, greased or washed, or have their ignitions adjusted, tires inflated, or batteries charged, or where mechanical or running repairs essential to the operation of transport vehicles are executed or performed, but shall not include any other use or activity otherwise defined or classified in this By-law.

Truck Camper

Shall mean any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the temporary living, sleeping, or eating accommodation of persons.

Urban Residential Zone

Added by By-Law 2008-169

Shall mean an Urban Residential Type One (R1) Zone, Urban Residential Type Two (R2) Zone, Urban Residential Type Three (R3) Zone, and an Urban Residential Type Four (R4) Zone and the term includes Special Exception Zones to any of these zones provided in the aforesaid By-law 84-63.

Use

Shall mean, when used as a noun, the purpose or function for which a lot or building or

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structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "USE" shall have a corresponding meaning.

Vacation Farm Establishment

Added by By-Law 85 44

Shall mean a building or portion thereof, on a farm, consisting of not more than three (3) guest rooms in which the proprietor resides and which caters to the needs of the travelling public by furnishing temporary sleeping accommodations and which may, or may not, provide meals as an accessory use within the dwelling, but shall not include a boarding or rooming house, a licensed premise, or activity otherwise defined herein.

Vehicle

Shall mean an automobile, truck, motorcycle, motor assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but not including motorized snow vehicles, farm equipment or railroad cars or other motorized vehicles running only upon rails.

Veterinarian

Shall mean a person registered under the provisions of the Veterinarians Act, as amended.

Veterinarian Clinic

Shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and treatment of injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

Visibility Triangle

Added by By-Law 2015-062

Shall mean a triangular-shaped area of land abutting an improved public street, public lane, or private street that is required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a motor vehicle exiting onto or driving on the improved public street or private street.

Warehouse

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for an accessory, wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

Waste Disposal Area

Shall mean a place where garbage, refuse or domestic or industrial waste is dumped, destroyed, or stored in suitable containers.

Watercourse

Shall mean a natural or man-made channel through which water flows, and shall include a

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channel for an intermittent stream.

Water Frontage

Shall mean the boundary between the water and land fronting on and providing access to a watercourse, bay or lake.

Water Supply System, Municipal

Shall mean an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by a Public Authority for public use.

Water Supply System, Private Potable

Shall mean a water supply furnished by a private supply in accordance with the requirements of the Public Health Act, as amended.

Wayside Pit or Wayside Quarry

Shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wholesale Establishment

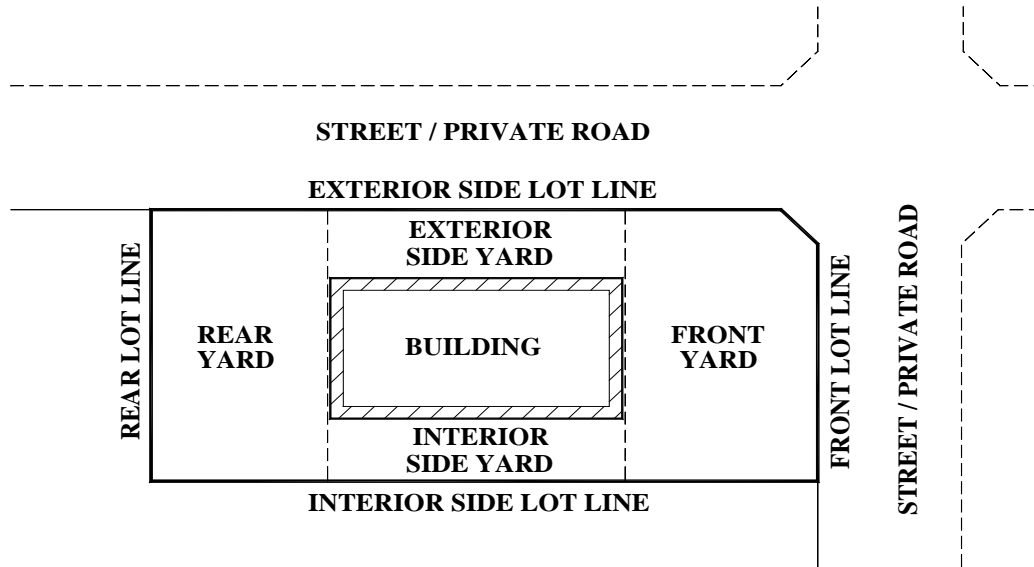
Shall mean the use of land or the occupancy of a building or structure, for the purposes of selling or offering for sale goods, wares or merchandise on a wholesale basis and includes the storage or warehousing of those goods, wares or merchandise.

Yard

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, 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 the By-law.

Added by By-Law 2015-062

Figure 5: Types of Yards



Yard, Front

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot.

Yard, Front Depth

Shall mean the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot.

Yard, Rear

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest outside storage use on the lot.

Yard, Rear Depth

Shall mean the least horizontal dimension between the rear lot line of the lot or the apex of the triangle formed by the side lot lines where no rear yard line exists, and the nearest part of any building or structure on the lot.

Yard, Required

Shall mean the minimum yard required by the provisions of this By-law.

Yard, Side

Shall mean a yard extending from the required front yard to the required rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot.

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Yard, (Exterior) Side

Shall mean a side yard immediately adjoining a public street.

Yard, (Interior) Side

Shall mean a side yard other than an exterior side yard.

Yard, Side Width

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot.

Zone Provisions

The permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other standards and regulations of the respective Zones as are set out within the text and various schedules annexed hereto.

3. General Zone Provisions

3.1 Accessory Buildings, Structures and Uses

a. Permitted Uses

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 or structure or accessory use, but shall not include the following:

- i) Any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- ii) Any building used for human habitation except as is specifically permitted in accordance with this By-law; or
- iii) A maximum of 3 coin-operated pinball or video machines or other electronically or mechanically coin-operated entertainment machines as accessory uses within a Commercial zone.

Added by By-law 90-63

b. Relation to Street

A permitted accessory building or structure may be located between the principal or main building on the lot and the street line, provided such accessory building or structure complies with the yard and setback requirements of the Zone in which such building or structure is located.

Amended by By-Law 2008-169

Replaced by By-Law 2015-062

- ##### c. Regulations – Accessory Buildings, Structures and Uses table provides regulations for accessory structures. Where a zone category is not identified in the table, the accessory building/structure and use shall comply with the parent zone regulations where specified.

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Regulations- Accessory Buildings, Structures and Uses							
Type of Structure	Total <i>Lot Coverage</i> (Maximum)	Total <i>Accessory Floor Area</i> (Maximum)	Height (Maximum)	Yard Setbacks			
				Front	Rear	Interior Side	Exterior Side
Rural Residential, Agricultural and Environmental Protection Zones (where permitted)							
Accessory Building or Structure	10% of <i>lot area</i>	120 square metres with a minimum lot area of 2 hectares 90 square metres with a lot area less than 2 hectares	3 metres with a floor area equal to or less than 10 square metres 4.5 metres with a floor area greater than 10 square metres	Zone Regulation	1.2 metres	1.2 metres or 0 metres to a common wall with a detached garage on an abutting lot	Zone Regulation
Swimming Pool	Not Applicable	Not Applicable	Not Applicable	Zone Regulation	1.2 metres	1.2 metres	1.2 metres
Urban Residential Zones							
Accessory Building or Structure	10% of <i>lot area</i>	60 square metres	3 metres with a floor area equal to or less than 10 square metres 4 metres with a floor area greater than 10 square metres	Accessory Buildings not permitted Accessory Structures zone regulation	0.6 metres	0.6 metres or 0 metres to a common wall with a detached garage on an abutting lot	0.6 metres 6.0 metres from the streetline to a detached garage with a garage door facing the exterior side yard

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Regulations- Accessory Buildings, Structures and Uses							
Type of Structure	Total Lot Coverages (Maximum)	Total Accessory Floor Area (Maximum)	Height (Maximum)	Yard Setbacks			
				Front	Rear	Interior Side	Exterior Side
Urban Residential Zones							
Swimming Pool	Not Applicable	Not Applicable	Not Applicable	Not Permitted	1.2 metres	1.2 metres	1.2 metres
Commercial, Industrial or Major Institutional Zones							
All Uses	Not Applicable	50% of ground floor area of a principal building to a maximum of 60 square metres	3 metres with a floor area less than 10 square metres 4.5 metres with a floor area greater than 10 square metres	Not Permitted	1.2 metres	1.2 metres	Zone Regulation

d. Boat House, Pump House or Docking Facilities

Notwithstanding any other provision of this By-law to the contrary, a boat house, pump house or docking facilities may be erected and used in the required yard of a lot abutting a navigable waterway, provided, such accessory buildings or structures comply with all other side yard requirements of the respective zone.

e. Gate House in Industrial Zone

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an industrial zone, a gate house shall be permitted in a required front or side yard or in the area between the street line and the required setback, but in no instance shall such gate house be located closer than 1.25 metres to the street line or in a sight triangle.

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f. Motor Vehicle Fuel Bar Shelter

Notwithstanding the yard and setback provisions of this By-law to the contrary, in the service station commercial zone, a fuel bar shelter shall have a total floor area of not more than 9 square metres.

g. Yard Requirements

Added by By-Law 2008-169

Notwithstanding the yard and setback provisions of this By-law to the contrary, every part of any yard to be provided in all zones shall be open and unobstructed by any structure from the ground to the sky, except for the following:

- i) Sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, pilasters or parapets may project into any yard to a distance of not more than 0.75 metres;
- ii) Eaves or gutters, for other than an accessory building or structure, may project into any required yard a distance of not more than 0.75 metres;
- iii) Eaves or gutters for an accessory building or structure may project into any required yard a distance of not more than 0.3 metres;
Replaced by By-Law 2015-062
- iv) Balconies, canopies, unenclosed porches, steps, patios, ramps, or decks attached or directly abutting the principle or main building; either above or below grade; may project into any required front, side or rear yard to a distance of not more than 1.5 metres, but in no instance shall a required side yard be reduced to below 0.6 metres;
- v) Fire escapes may project into any required side or rear yard to a distance of, not more than, 1.5 metres; and
Replaced by By-Law 2015-062
- vi) Fences, freestanding walls, flag poles, clothes poles, diving boards, antennae, light standards, and similar accessory structures and appurtenances, and hedges, trees, and shrubs are permitted in accordance with Section 3.28

h. Excluded Uses

No shipping/cargo container shall be used as an accessory structure.

Added by By-law 97-76

3.2 Apartment-In-House

- a. An apartment-in-house shall be permitted within a single detached or semi-detached dwelling located within the "Urban Residential Type One (R1)", "Urban Residential Type Two (R2)" and "Urban Residential Type Three (R3)" zones inclusive of all exception zones except those exception zones shown on Schedule 12 (Orono) of the Comprehensive Zoning By-law, as amended, and the minimum floor area for an "apartment-in-house" shall be 40 square metres.
- b.
 - i) Notwithstanding subsection a., any apartment-in-house which existed prior to the date of passing of this By-law and is located within a single or semi-detached dwelling, is a permitted use.
 - ii) Notwithstanding subsection a., any apartment-in-house which existed prior to November 16, 1995 and is located within a street townhouse or link townhouse in an urban area is a permitted use.

Added by By-law 2003-088

3.3 Bed and Breakfast Establishments

A Bed and Breakfast Establishment shall be permitted within a single detached dwelling located in the "Agricultural (A)", "Agricultural Exception (A-1)", "General Commercial (C1)", "Residential Hamlet (RH)", "Rural Cluster (RC)", "Residential Shoreline (RS)", "Urban Residential Type One (R1)", and "Urban Residential Type Two (R2)" subject to meeting the following provisions:

- a. A maximum of 3 guest rooms are permitted;
- b. The Bed and Breakfast establishment shall remain clearly, incidental and secondary to the single detached dwelling in which it is situated;
- c. The Bed and Breakfast establishment shall not change the character of the dwelling nor create or become a public nuisance due to traffic, noise and hours of operation;
- d. The dwelling shall not be used simultaneously for any other home occupation;
- e. The dwelling shall be fully serviced with municipal water and sewage system or well and private sanitary waste disposal system that comply with the regulations of the Ministry of the Environment; and
- f. A minimum of 30% landscaped open space must be maintained in the front yard.

3.4 Dwelling Units Joined Below Grade

Notwithstanding any provisions of this By-law to the contrary, dwelling units designed in such a fashion as to be joined below finished grade, no structures may be located within the 1.20 metre interior side yard between the dwelling units above grade.

3.5 Established Building Line

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted use is to be erected on a lot and where there is an established building line extending on both sides of the lot, such permitted use may be erected closer to the street line or the centreline of the street, as the case may be, than required by this By-law such that the yard or setback is equal to the average setback of adjacent buildings on the same side of the street, provided further that such building is not erected closer to the street line or the centreline of the street, as the case may be, than the established building line.

3.6 Existing Buildings, Structures and Uses

a. Legally Non-Conforming Buildings or Uses

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

b. Permitted Exterior Extension

Any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permissible within the Zone in which it is located, shall not be enlarged, extended, reconstructed or otherwise structurally altered without the approval of the Committee of Adjustment, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

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c. Permitted Interior Alteration

The interior of any building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permitted within the Zone in which such building or structure is located, may be reconstructed or structurally altered, in order to render the same area more convenient or commodious for the same purpose for which, at the date of passing of this By-law, such building or structure was lawfully used, provided that no such interior alteration shall increase the total floor area occupied by such use without the approval of the Committee of Adjustment.

d. Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure.

Amended by By-law 86-41

e. Permitted Non-Complying Buildings or Structures

Nothing in this By-law shall require the approval of the Committee of Adjustment to permit the enlargement, extension, renovation, repair or alteration of any existing non-complying building or structure, upon a lot which existed at the date of passing of this By-law or which was rendered non-complying by an expropriation or conveyance to an authority with expropriation powers, and which is used for a purpose specifically permitted within the Zone in which such building or structure is located. Where such building or structure does not comply with the setback or where one or more yards is or are less than required under the provisions of this By-law, extension, enlargement, renovation, repair or alteration may be permitted, provided that the setback or yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

f. Reconstruction of Damaged Buildings or Structures

Nothing in this By-law shall apply to prevent the reconstruction of any non-complying building or structure which is damaged by causes beyond the control of the owner.

g. Prior Approvals

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The provisions of this By-law shall not apply to prevent the erection or use of any building or structure for a purpose prohibited by this By-law where, prior to the date of passing of this By-law been approved by the Chief Building Official. This provision shall apply so long as the building or structure, when erected, is used and continues to be used for the purpose for which it was erected, provided further that the erection of such building or structure is commenced within six months of the day such permit was issued, and such building or structure is completed within a reasonable time after the erection thereof is commenced.

h. Floor Area Less than Required

Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling, which dwelling existed at the time of passing of this By-law but which has a total floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provisions of this By-law.

3.7 Lot Area and Frontage Less than Required

- a. Notwithstanding any other provisions of this By-law to the contrary, where a lot having a lesser lot area and/or frontage than required herein was legally conveyable prior to the date of passing of this By-law, or, where such a lot is created as a result of an expropriation or a conveyance to an authority with expropriation powers, 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 applicable zone provisions of this By-law are complied with.
- b. Where a lot having a lesser lot area and/or frontage than required is located in the Agricultural (A) Zone, Subsection 3.7 a. does not apply to permit the establishment of any non-residential uses permitted in the Agricultural Zone on lots which are less than 2 hectares in area.

Replaced by By-Law 2015-062

3.8 Frontage on Improved Public Street, Unassumed Road and Private Right-of-Way

a. Improved Public Street

No building or structure shall be erected in any Zone, unless the lot fronts upon an improved public street, maintained year round.

b. Unassumed Street

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Buildings or structures are permitted on an unassumed street provided they are on a lot in a Registered Plan of Subdivision.

c. Private Right-of-Way

- i) A building or structure constructed prior to the date of the passing of this By-law that is not located on an improved public street, or is located on a private right-of-way, may be enlarged, altered or renovated and an accessory structure may be constructed, provided the use is permitted in the zone in which it is located.
- ii) A building permit may be issued for a lot created prior to the date of the passing of this By-law for a lot that has access to a private right-of-way provided the use is permitted in the zone in which it is located.

d. Private Street

A building or structure may be permitted on a lot which has frontage on a Private Street where such Private Street existed at the date of passage of this by-law, or where such street is shown on a site plan approved under the Planning Act

3.9 Height Exceptions

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following buildings or structures, provided the principal use is a use permitted within the Zone in which it is located, namely: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing of materials associated with a principal use, and, external equipment associated with internal building equipment.

Amended by By-Law 85-51

3.10 Holding Zone

Unless otherwise specified within the respective zone regulations, where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to existing residential uses and conservation, forestry and farm uses exclusive of livestock operation. The (H) Holding Symbol may be removed upon Council being satisfied that the uses to be permitted will be adequately serviced, the lands to be used have adequate access, prior uses of the land will not prevent the use of the land for the purposes intended by the By-law, that the lands

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and proposed uses will be adequately protected from any physical or man-made hazard or conditions associated with the lands, that agreements in respect of such matters and the associated financial requirements where required, have been executed with the Municipality of Clarington and the Owner has satisfied all of the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services and Regional roads and entered into any necessary agreements in this regard.

Replaced by By-Law 2015-062

3.11 Home Occupation

a. Permitted Uses

- i) Adult home care;
- ii) Business, professional or administrative office;
- iii) Caterer;
- iv) Children's home care;
- v) Home craft business;
- vi) Instructional services;
- vii) Light service shop;
- viii) Personal service shop;
- ix) Pet home care; and
- x) Repair and retail sales of antiques.

b. Excluded Uses

- i) Furniture refinishing;
- ii) Light equipment service;
- iii) Motor vehicle body shop;
- iv) Motor vehicle repair garage; and
- v) Retail sales, with the exception of antiques and home craft products.

c. Regulations

The following regulations apply to dwelling units wherein a home occupation is permitted:

- i) The home occupation is limited to the members of the household residing in the dwelling unit, plus one additional person.
- ii) There shall be no display, other than a sign erected in conformity with the By-laws of the Municipality, to indicate to persons outside

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- that any part of the dwelling unit or lot is being used for a purpose other than residential.
- iii) Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling unit nor create or become a public nuisance due to the levels of traffic, parking, noise, glare, dust, odours, or vibration and hours of operation.
 - iv) Such home occupation shall not interfere with communication signals.
 - v) Not more than twenty-five percent of the total floor area of the dwelling unit shall be used for the purposes of the home occupation use except in the case of a Bed and Breakfast or Vacation Farm Establishment and such home occupation shall be conducted within the principal residence.
 - vi) Parking shall be provided in accordance with Section 3.16.
 - vii) There shall be no outside storage of goods or materials associated with a home occupational use.
 - viii) An adult home care may accommodate a maximum of five adults that do not reside in the dwelling at one time. The rear yard of the dwelling may be used for adult home care establishment.
 - ix) A children's home care may accommodate a maximum of five children, not including the owner's children. The rear yard of the dwelling may be used for children's home care.
 - x) A pet home care may accommodate a maximum of three dogs, including the owner's dogs. The rear yard of the dwelling may be used for pet home care.
 - xi) Instructional services may accommodate a maximum of three students at a time. The rear yard of the dwelling may be used for instructional service of an individual.

Added by By-law 2018-059

3.11B Home Occupation (Multi Residential)

a. Permitted Uses

- i) Adult Home Care;
- ii) Business, Professional or Administrative Office;
- iii) Caterer;
- iv) Children's Home Care;
- v) Home Craft Business;
- vi) Instructional Services; and
- vii) Personal Service Shop

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b. Regulations

The following regulations apply to dwelling units wherein a home occupation is permitted:

- i) There shall be no display, other than a sign erected in conformity with the By-laws of the Municipality;
- ii) Not more than twenty-five percent of the total floor area of the dwelling unit shall be used for the purposes of the home occupation use;
- iii) No additional parking shall be required;
- iv) There shall be no outside storage of goods or materials associated with a home occupational use; and
- v) Instructional services may accommodate a maximum of one student at a time.

Deleted by By-law 2006-046

Added by By-Law 2006-046

3.12 Loading Space Regulations

- a. Every building or structure used for a purpose that requires the loading or unloading of goods or materials, including animals, shall provide and maintain loading spaces in accordance with the provisions of Section 3.12 c.
- b. Loading spaces shall be provided on the same lot as the building, structure or use requiring the loading space and shall be calculated in accordance with the regulations in Section 3.12 c. All loading spaces shall provide a vertical clearance of 5 metres.
- c. Loading Space Regulation Table

Loading Space Regulation Table		
Legend	Loading Space Requirements	
	Length - 11 metres Width - 4 metres	Length - 7.5 metres Width - 3 metres
Residential and Health Care		
Apartment Building - 1 to 90 units	1	0
Apartment Building - 91 or more units	2	0
Hospital	4	0
Nursing Home; Retirement Home	1	0
Commercial and Gathering Places		
Assembly Hall; Bar; Business, Professional or Administrative Office; Convenience Store; Motor Vehicle Repair Garage; Place of Entertainment	0	1

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Other permitted uses up to 300 square metres gross commercial floor area	0	1
Other permitted uses with 301 square metres to 1,000 square metres gross commercial floor area	1	0
Other permitted uses with 1,001 square metres to 7,000 square metres gross commercial floor area	2	0
Other permitted uses with greater than 7,001 square metres gross commercial floor area	3	0
Industrial		
Permitted uses with up to 1,000 square metres gross floor area	1	0
Permitted uses 1,001 square metres to 3,000 square metres gross floor area	2	0
Permitted uses with 3,001 square metres to 7,000 square metres gross floor area	3	0
Permitted uses with greater than 7,001 square metres gross floor area	3 spaces, plus 1 space for every additional 10,000 square metres or portion thereof	0

- d. Access to loading spaces shall be provided by means of an aisle located on the same lot as the use requiring the loading spaces. The aisle shall be a minimum of 6 metres wide and shall lead to a driveway.
- e. Loading spaces shall not be provided in tandem and must be located abutting the building or structure for which they are required.
- f. Loading spaces shall be located in the interior side yard or rear yard. In Industrial Zones, loading spaces are also permitted in the front yard and exterior side yard provided the spaces are setback from the street line a minimum distance of 20 metres.
- g. When an addition to a building occurs, or the use of a building, structure, or lot changes, the provisions of Section 3.12 c. of this By-law shall apply to the additional floor area or changed use.

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Added by OMB order September 17, 2015

3.13 Live-Work Units

Live-work units may be used for: an artist studio, a business, professional or administrative office; one-on-one instructional services; personal service shop, and similar occupations and subject to the following provisions:

- a. The business portion of the live-work units shall not exceed 40% of the total floor area of the dwelling and shall be located on the ground floor with direct access from the outside;
- b. The residential and the commercial/office space must be occupied by the owner-operator, and no portion of the live/work unit may be rented or sold separately;
- c. The live-work units may employ no more than two additional employees residing outside the dwelling;
- d. The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage or any accessory structure;
- e. The live-work unit shall be a mixed use character with display windows and shop entries at grade and residential features above;
- f. The live-work unit shall satisfy the parking provisions of Section 3.16 of this By-Law;
- g. The following uses are not permitted in live-work units;
 - Eating establishment;
 - Veterinary service, including grooming and boarding, and the breeding or care of animals for hire or for sale;
 - Sales, repair or maintenance of vehicles, including automobiles, boats, motorcycles, aircraft, trucks, or recreational vehicles; and
 - Trade or Private schools. This excludes private instruction of up to two students at any one time (eg. Music lessons, tutoring)

3.14 Multiple Zones on One Lot

Replaced by By-Law 2015-062

Where a lot is divided into more than one zone, under the provisions of this By-law, each separately zoned portion of the lot shall be used in accordance with the use provisions for the applicable zone. All buildings, structures and uses shall conform to

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the applicable zone regulations for that zone as if each separately zoned portion was a lot. However,

- a. No lot shall have more than one dwelling on the whole of the lot except as specifically permitted by this By-law; and/or
- b. Where this By-law limit divides a property, provided the use of that portion of the lot conforms, this By-law limit shall not be a zone limit for defining yard setbacks, except for the setback requirements of Section 3.22.

3.15 Offensive Trade

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Durham Regional Board of Health or Council of the Municipality to be an offensive or noxious trade, business or manufacture under The Public Health Act, as amended.

Amended by By-Law 86-41

3.16 Parking Area Regulations

- a. Parking Space Requirements

Parking spaces and areas are required under this By-law, in accordance with the Parking Space Requirement Table, and the owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain on the same lot, for the sole use of the owner, occupant or other persons entering upon or making use of the said premises, from time to time, parking spaces and areas accordingly.

Added by By-law 99-169

Deleted by By-law 2006-046

Replaced by By-Law 2015-062

- b. Accessible Parking Spaces
 - i) Each accessible parking space shall be a minimum 4.5 metres wide and 5.7 metres long. When paired, the width can be reduced to 3.4 metres, provided a 1.5 metre access aisle is located between the paired spaces.
 - ii) Accessible Parking Space Requirement Table

Added by By-Law 2006-046

Accessible Parking Space Requirement Table	
Number of Parking Spaces Required By Parking Space Requirement Table 3.16	Accessible Persons Parking Spaces

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1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Greater than 1000	21 spaces plus 1 space for every additional 100 spaces or part thereof over 1000 parking spaces
Nursing homes, retirement homes, hospitals, medical and dental clinics shall provide twice the number of Accessible Parking Spaces as shown in the column above.	

c. Parking Space Sizes

Replaced by By-Law 2015-062

- i) Each parking space shall be a minimum of 5.7 metres by 2.75 metres.
- ii) Where the two outdoor parking spaces for single detached, semi-detached and/or townhouse units are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres.
- iii) Parking spaces provided in the front yard for detached, semi-detached and/or townhouse units must not reduce the minimum landscaped open space within the front yard below 30 percent.
- iv) Parking space size perpendicular to a landscaping strip having a minimum width of 3.0 metres may be reduced in size to 5.2 metres in length by 2.75 metres in width.

d. Parking Aisle Requirements

Each aisle shall be a minimum width of 6.0 metres for two-way traffic and 4.5 metres for one-way traffic.

e. Parking Off-Site

Notwithstanding Section 3.16 a. where parking spaces are provided in a location other than on the same lot as the use requiring such spaces, they shall be located

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not more than 150 metres from the same lot, and shall be located within the same zone as the said lot.

Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
<i>Amended by By-law 86-40</i> Assembly Hall, Auction Room, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly herein	The greater of: a. 1 parking space per 5 fixed seats or 3 metres of bench seating or portion thereof; or b. 1 parking space per 9 square metres of gross floor area; or c. 1 parking space for each 4 persons that may be legally accommodated at any one time.

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Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
Bank, Business and/or Professional Office, Retail Commercial Establishment, Personal Service Shop, including a Home Occupation	1 parking space for each 30 square metres of gross floor area of the building directly related to the specified permitted use.
Bed and Breakfast Establishment	<i>Amended by By-law 85-44</i> 1 parking space per guest room.
Bowling Alley	3 parking spaces for each bowling lane.
Curling Rink	4 parking spaces for each curling sheet plus such additional parking as is required for a lounge licensed in accordance with the Liquor Licence Act of Ontario.
Dry Cleaners Establishment	1 parking space for each 10 square metres or fraction thereof of gross floor area with a minimum requirement of four spaces.
Eating Establishment and Eating Establishment Take-out	1 for each 7 square metres of total floor area accessible to the public.
Eating Establishment, Drive-In	10 spaces, plus one for each 5 square metres of total floor area accessible to the public.
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Home for The Aged, Nursing Home, Retirement Home	1 parking space for each 4 beds or fraction thereof.
Hospital	1 parking space for each four beds or 100 square metres of gross floor area, whichever is the greater.

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Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
Hotel, Motel, Motor Hotel, Cottage or Cabin Establishment, Resort Establishment or Tourist Home	1 parking space for each guest room, cottage or cabin, plus such parking facilities as are required for an eating establishment or entertainment lounge licensed in accordance with the Liquor Licence Act of Ontario.
Tavern	1 parking space for each 4 persons that may be legally accommodated at any one time.
Manufacturing, Processing, Assembly, Fabricating Plant, Wholesale Establishment or Warehouse	1 parking space per 100 square metres of total floor area up to 2000 square metres, plus one additional parking space for every 500 square metres of total floor area over 2000 square metres. Notwithstanding the foregoing, a warehouse or storage use which employs less than 10 persons, shall provide one parking space per employee.
Marina	1 parking space per 20 square metres of the total retail floor area or fraction thereof plus one parking space for each boat slip provided.
Medical or Dental Clinic, or, Offices of a Drugless Practitioner	5 parking spaces per doctor, plus 1 parking space for each examination room exceeding 5 such rooms per office.

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Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
Post Office, Museum, Art Gallery, Public Library	1 parking space for each 40 square metres of gross floor area.
Residential (i) Apartment, Four-plex, Six-plex or Converted Dwelling House	<p><i>Amended by By-law 85-51</i> <i>Amended by By-law 2012-035</i> <i>Replaced by By-Law 2015-062</i></p> <p>1 Bedroom Apartment - 1 space per unit 2 Bedroom Apartment - 1.25 spaces per unit Apartment containing 3 or more bedrooms, four-plex, converted dwelling or triplex house - 1.5 spaces per unit Plus 0.25 visitor spaces per dwelling, 10% of which are to be accessible parking spaces.</p>
(ii) Boarding or Rooming House	<p><i>Replaced by By-Law 2015-062</i></p> <p>1 parking space for each dwelling unit plus 1 parking space per room provided for separate living accommodation.</p>
(iii) Mobile Home Park	<p>(a) 2 parking spaces for each Mobile Home site and 1 visitor's parking space for each 4 Mobile Home sites.</p> <p>(b) 1 parking space for each 28 square metres of total floor area for all accessory commercial uses within the community hall.</p> <p>(c) 1 parking space for each 12 square metres of total floor area for all uses other than accessory commercial uses within the community hall.</p>

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Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
(iv) Linked Townhouse and Stacked Townhouse	<i>Replaced by By-Law 2015-062</i> 2 parking spaces per dwelling, Plus 0.25 visitor spaces per dwelling, 10% of which are to be accessible parking spaces.
(v) a) Apartment-in-house or Garden Suite	<i>Added by By-Law 97-76</i> <i>Amended by By-Law 2015-062</i> 1 parking space
b) Apartment-in-house in existence prior to November 16, 1995	Nil
(vi) Single detached dwelling	<i>Added by By-Law 99-169</i> 2 outdoor parking spaces per dwelling. This provision shall apply to all lots registered after January 1, 2000.
(vii) Semi-detached dwelling	2 outdoor parking spaces per dwelling. This provision shall apply to all lots registered after January 1, 2000.
(viii) Residential unit other than specified herein	2 parking spaces per dwelling
(ix) Single detached dwelling with a live-work unit	<i>Added by OMB order September 17, 2015</i> 4 parking spaces, including 2 outdoor parking spaces
Salvage Yard, Motor Vehicle Wrecking Yard	1 space for each 90 square metres of building space

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Parking Space Requirement Table	
Type or nature of use	Minimum off street parking requirement
Schools; Public and/or Private (i) Elementary	The greater of: (a) 1 and one-half parking spaces per classroom; or (b) 1 parking space per 10 square metres of floor area in the general purpose room; or (c) 1 parking space per 10 square metres of floor area in the auditorium
(ii) Secondary	The greater of: (a) 4 parking spaces per classroom; or (b) 1 parking space per 10 square metres of floor area in the general purpose room; or (c) 1 parking space per 10 square metres of floor area in the auditorium
Shopping Centre	1 parking space for each 20 square metres of total leasable floor area.
Undertaking Establishment	1 parking space for each five seating spaces or fraction thereof with a minimum of ten parking spaces.
Uses permitted by this By-law other than those listed in this table	1 parking space per 30 square metres of total floor area.
Vacation Farm Establishment	<i>Added by By-law 85-44</i> 1 parking space per guest room.
	<i>Added by By-Law 2018-076</i>
Hospice	1 Space for each bed.

Added by By-Law 99-170

f. Private Garage or Carport

Where a private garage or carport provides one of the required parking spaces for a single detached, semi-detached or townhouse dwelling unit, the minimum area inside the private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres. This provision shall apply to all lots registered after January 1, 2000.

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g. Parking Area Construction

Parking spaces, areas and driveways connecting the parking space or area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust and capable of permitting access under all climatic conditions.

h. More than One Use on a Lot

When a building or structure accommodates more than one type of use, the parking space requirement for such building or structure shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use, unless otherwise specified herein.

i. Parking Area Location on Lot

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the street line and the required setback in accordance with the following provisions, namely:

Amended by By-law 85-36 & By-Law 87-19

- i) In all Zones, except Residential, no entrance shall be permitted within 7.5 metres of the boundary of the side yard lot line boundary of a Residential Zone or 1.5 metres of the rear yard lot line boundary of a Residential Zone;

Amended by By-Law 85-36

- ii) In all Zones, except Residential, no parking space shall be permitted within 1.5 metres of the boundary of a Residential Zone;

Amended by By-law 85-36 & By-Law 86-41

- iii) Within Commercial Zones, parking spaces and areas shall be permitted in front, side and rear yards, provided that no part of any parking area, other than a driveway, is located closer than 1.5 metres to any street line, or within a sight triangle; and

Amended by By-Law 2015-062

- iv) Within all Residential Zones parking spaces and areas shall be permitted within any yard provided that no part of any parking area, other than a driveway, is located closer than one metre to any street line, or within a sight triangle.

Amended by By-Law 85-51 & By-Law 86-41

j. Additions to or Change in Use of Building

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure

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which increases the total floor area, then parking spaces for the addition shall be provided as required by the Parking Space Requirement Table. If an addition is made to a residential unit which increases the habitable floor area, then parking spaces shall be provided in accordance with the requirements of the Parking Space Requirement Table. Where a change in use of the building, structure or lot occurs, parking spaces shall be provided in accordance with the requirements of The Parking Space Requirement Table.

k. Use of Parking Spaces and Areas

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

Notwithstanding the foregoing within any Residential Zone, the owner or occupant of a dwelling unit may use a parking space for the purposes of the parking or storage of one commercial motor vehicle, as defined under The Highway Traffic Act, as amended, provided that the gross vehicle weight, at capacity, does not exceed 4 tonnes.

Amended by By-Law 85-55

Amended by By-Law 2015-062

Within any Agricultural Zone, a maximum of 2 commercial motor vehicles unrelated to a farm use, as defined under the Highway Traffic Act, as amended, or 2 school buses may be parked or stored on any lot provided that any such vehicle shall not be parked or stored within 5 metres of any interior side or rear lot line, and provided that, where such lot line abuts a Residential Zone, or a lot which has a residential use thereon within 15 metres of such common lot line, the minimum setback from the common lot line shall be 10 metres.

Added by By-Law 2006-046

l. Bicycle Parking

- i) At least one bicycle rack shall be installed for each new building or in conjunction with an addition to a building in a C1, C2, C3, C5, C8, or C9 zone or any exception zone thereto.
- ii) Any commercial establishment with a floor area greater than 5,000 square metres in a C1, C2, C3, C5, C8, or C9 zone or any exception zone thereto shall provide an indoor bicycle parking facility for employees. Minimum off-street parking requirements for motor vehicles contained within the Parking Space Requirement Table may be reduced by one space for every three bicycle spaces provided within an indoor bicycle parking facility. The floor area of an indoor bicycle parking facility shall

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not be considered for the purpose of calculating parking requirements or total floor area of the building.

Added by By-Law 2008-169

m. Recreational vehicle and Trailer Parking

The following regulations apply to parking of recreational vehicles and trailers:

i) Driveway

- a) A recreational vehicle or trailer, and any load thereon, not exceeding 5.5 metres in length or 2.4 metres in height may be parked on a driveway in an urban residential zone.
- b) A recreational vehicle or trailer, and any load thereon, exceeding 5.5 metres in length or 2.4 metres in height may be parked on a driveway in an urban residential zone for a period not exceeding 120 hours in one calendar month with a minimum setback of 0.5 metres from the street line.
- c) A recreational vehicle or trailer, and any load thereon, may be parked on a driveway in a rural residential zone and Agricultural (A) Zone.

ii) Storage:

Storage or parking of trailers or recreational vehicles shall be permitted within a garage, carport or other permitted accessory structure.

iii) Location:

- a) The parking or storage of a recreational vehicle or trailer, and any load thereon, not exceeding 6 metres in length or 2.9 metres in height shall be permitted in any side yard or rear yard in an urban residential zone, subject to the provisions of Section 3.16.
- b) The parking or storage of a maximum of 3 recreational vehicles or trailers, and any load thereon, shall be permitted in any side yard or rear yard in a rural residential zone and Agricultural (A) Zone, or any exception zone thereto, subject to the provisions of Section 3.16.

iv) Number

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- a) The owner may not store or park in the open more than one recreational vehicle or trailer, and any load thereon, on a lot in an urban residential zone.
- b) The owner may not store or park in the open more than 3 recreational vehicles or trailers, and any load thereon, on a lot in a rural residential zone and Agricultural (A) Zone, or any exception zone thereto.

Amended by By-Law 85-36

3.17 Planting Strip Regulations

a. Location

Where the interior side or rear lot line in a Commercial or Industrial Zone abuts a Residential Zone, a planting strip adjoining such abutting lot line, or portion thereof, shall be provided on the lot within the Commercial or Industrial Zone with a minimum width of 1.5 metres. Alternatively, and in lieu of such planting strip, a privacy fence may be provided. Such fence to provide a solid barrier not less than 1.8 metres and not more than 2.4 metres in height.

b. Contents

Where in this By-law a planting strip is required to be provided and maintained, such planting strip may consist of a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, at planting, 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 shrubs, flower beds, grass or a combination thereof.

c. Landscaped Open Space Supplement

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

3.18 Public Uses

The provisions of this By-law shall not apply to prohibit the use of any lot or the erection or use of any building or structure for the purposes of public services provided by the Corporation of the Municipality of Clarington, any School Board, or any Public Authority including any Department of the Regional Municipality of Durham or any Department or Ministry of the Government of Canada or Ontario, or any Conservation Authority established by the Government of Ontario, and, for the purposes of this Section shall include Ontario Power Generation and Hydro One Networks, any telephone, cable television or telegraph company and any natural gas distribution system operated by a

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company distributing gas to the residents of the Municipality, which company possesses all the necessary powers, rights, licences and franchises.

3.19 Reduction of Requirements

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

Added by By-Law 2015-062

3.20 Refreshment Vehicles and Carts

- a. A mobile refreshment vehicle and/or refreshment cart may be operated in association with a special event, provided that all licenses and permits, required under the Special Event and Refreshment Vehicle By-laws have been obtained.
- b. A stationary refreshment vehicle shall only be located in a defined parking area.
- c. The location of the stationary refreshment vehicle shall not reduce the minimum number parking spaces.

Amended by By-Law 86-109

Amended by By-Law 85-51

3.21 Servicing Requirements

Unless otherwise provided herein, no residential building or structure may be erected or no existing residential building or structure may be enlarged, extended or reconstructed and no use may be established in any zone, unless the lot upon which it is situated is serviced by a private potable water supply system installed in accordance with the requirements of the Health Protection and Promotion Act and a private sanitary waste disposal system installed in accordance with the requirements of the Ministry of the Environment.

3.22 Setback Requirements

Notwithstanding any provision of this By-law to the contrary, the following minimum setbacks shall apply to the specified buildings and structures:

- a. All buildings from an Environmental Protection (EP) Zone unless such building is located upon a lot located within a registered plan of subdivision or a plan of subdivision draft approved prior to the date of passing of this By-law.

3 metres
- b. All buildings from watercourses not located within an Environmental Protection (EP) Zone.

30 metres

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Replaced by By-Law 2015-062

- c. No residential, institutional, industrial, commercial or recreational use, located on a separate lot otherwise permitted by this By-law shall be erected or enlarged unless it complies with the Minimum Distance Separation Formulae.
- d. No livestock facility shall be erected or enlarged unless it complies with the Minimum Distance Separation Formulae.
- e. Subsection c. shall not apply to a residential building constructed on an existing lot or a lot within a registered plan of subdivision.
- f. Subsection d. shall not apply to a livestock facility located within the limits of a settlement area.

Amended by By-Law 86-41

Replaced by By-Law 2015-062

- g. No building containing a residential or institutional use shall be located closer than 30.0 metres from any railway property line.

3.23 Special Events

Added by By-Law 2015-062

- a. Public Special Events are permitted:
 - i) On a lot owned by a public authority, school, college, university, or place of worship.
 - ii) Within a Zoological Park
 - iii) Within a Commercial or Industrial Zone
- b. A private or public special event hosted by a Not-for-Profit Organization is permitted in all lands, except those zoned Environmental Protection;
- c. A private special event is permitted on any lot where a residential use exists and is permitted.
- d. Regulations for Special Events:
 - i) A Special Event permit must be obtained from the Municipality, if applicable.
 - ii) The combined total duration of all special events held on one lot shall not exceed seven days in a calendar year.
 - iii) In any Commercial or Industrial Zone, the parking area may be used for a special event provided that the number of parking spaces remaining is not reduced below 75% of that required by Section 3.16 for the commercial or industrial uses on the lot.

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- iv) Special events, where a permit has been issued by the Municipality are not subject to the parking and loading space requirements set out in Sections 3.12 and 3.16.
- v) A temporary building or structure is permitted provided it conforms to the setbacks set out in Section 3.1 c.
- vi) No Site Alteration is permitted.

3.24 Signs

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Municipality regulating signs.

3.25 Special Uses Permitted

- a. A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Municipality on the lot where it is situated and only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this section abandoned shall mean the failure to proceed expeditiously with the construction work.
- b. In addition, the use of temporary living quarters on a lot for residential purposes may be permitted on a temporary basis, for a period not to exceed 6 months, while permitted dwelling is under construction, provided that said temporary living quarters shall be removed from the said lot immediately after the expiration of this 6 month period or with the occupation of the new dwelling, whichever occurs first. Notwithstanding the time limitation of this provision, subject to the approval of Council, temporary living quarters may be used for a period exceeding the 6 months permitted herein.

Deleted by By-Law 86-107

Added by By-Law 2015-062

3.26 Temporary Sales Offices and Model Homes

- a. A building permit for a model home in a draft approved plan of subdivision may be issued provided that:
 - i) The model home is located in the draft approved subdivision plan;
 - ii) The developer has entered into a subdivision agreement with the Municipality;

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- iii) The developer has entered into an agreement with the appropriate public authority regarding the provision of sanitary sewer and water services; and
 - iv) The model home complies with the regulations of the zone in which it is located.
- b. A temporary sales office for a draft approved subdivision or condominium plan may be located on lands within the draft approved plan. The temporary sales office shall be removed or cease operation no later than 2 months from the date of the sale of the last lot within a plan of subdivision of unit within a plan of condominium or the occupation of the last dwelling.
- c. A minimum of eight parking spaces shall be provided for a model home or a temporary sales office.

3.27 Through Lots

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

*Amended by By-Law 87-19
Amended by By-Law 2008-169
Replaced by By-Law 2015-062*

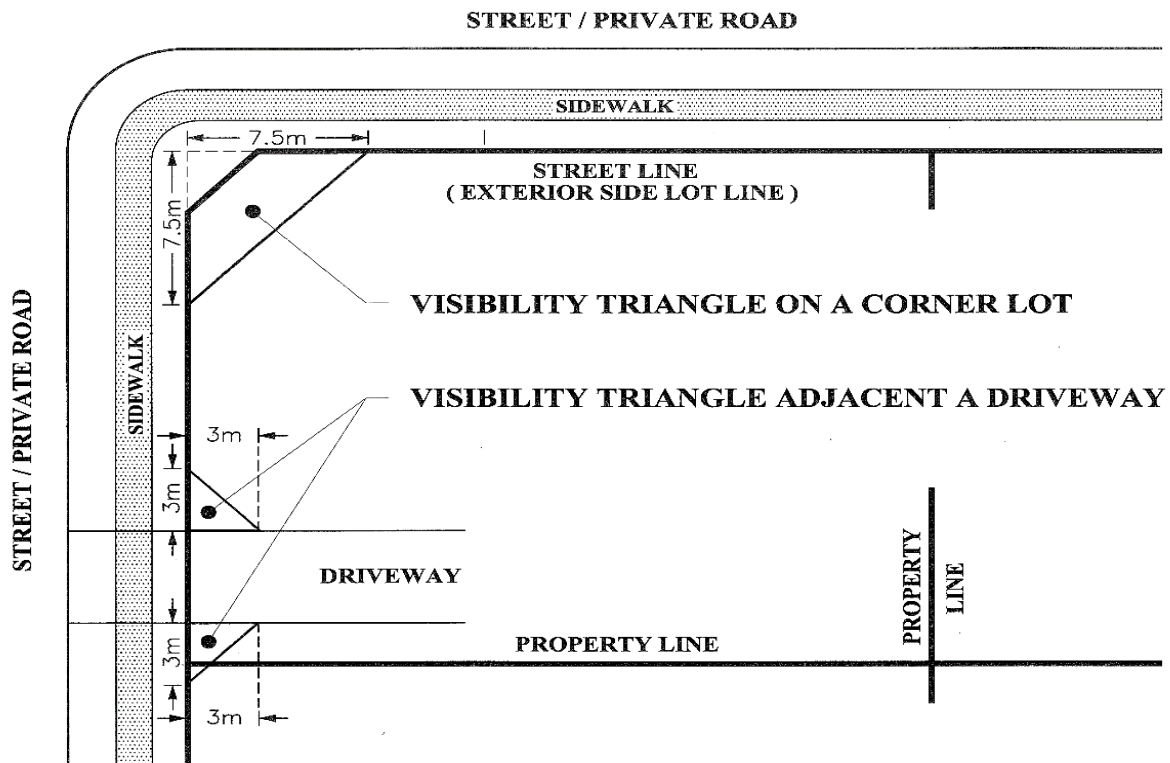
3.28 Visibility Triangles

- a. A visibility triangle shall be determined as follows:
 - i) The visibility triangle adjacent to an exterior side lot line, where a sight triangle has not already been dedicated to the road authority, shall be the area enclosed by each of the street lines measured to a point 7.5 metres back from the intersection of the street lines, and a diagonal line drawn between these two points;
 - ii) The visibility triangle for a driveway, lane, or right-of-way shall be the area enclosed by the line along the limits of the driveway and the street line measured to a point 3 metres back from the intersection of the street lines and the limits of the driveway, or right-of-way and a diagonal line drawn between these two points.

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- b. Within a visibility triangle:
- i) No building or structure shall be constructed, no motor vehicle, trailer or recreational vehicle shall be parked or stored;
 - ii) No fence shall be constructed with a height greater than 0.75 metres;
 - iii) No landscaping feature, including shrubs or trees, are permitted that would impede vision between 0.75 metres and 2.5 metres of height; and
 - iv) No parking space or driveway shall be permitted within a visibility triangle formed at the intersection of any combination of improved public streets, public lane, private streets, or rights-of-way.

Figure 6: Determining Visibility Triangles



3.29 0.3 Metre Reserves

Added by By-Law 2015-062

- a. A 0.3 metre reserve shall be considered to be part of the abutting Public Street.
- b. Notwithstanding subsection (a) above, a 0.3 metre reserve shall be considered to be part of the lot for the purpose of measuring an exterior side yard setback.

Section 4

4. Zones and Zone Mapping

Zones

For the purposes of this By-law, the following zones are used and the same are established within the defined areas on the Schedules attached hereto.

Section/Zone Symbol/Zone Title

5	EP	Environmental Protection
6	A	Agricultural
7	RC	Rural Cluster
8	RE	Residential Estate
9	RH	Residential Hamlet
10	RM	Residential Mobile Home
11	RS	Residential Shoreline
12	R1	Urban Residential Type One
13	R2	Urban Residential Type Two
14	R3	Urban Residential Type Three
15	R4	Urban Residential Type Four
15A	P1	Major Institutional Zone
16	CI	General Commercial
16A	MU	Mixed Use
17	C2	Neighbourhood Commercial
18	C3	Hamlet Commercial
19	C4	Special Purpose Commercial
20	C5	Special Purpose Commercial (Serviced)
21	C6	Service Station Commercial
22	C7	Service Station Commercial (Serviced)
22A	C8	Large Format Commercial
22B	C9	Street Related Commercial
22C	OC	Office Commercial
23	M1	Light Industrial
23A	MO1	Energy Park Office
23B	MO2	Energy Park Prestige
23C	ML1	Energy Park Light Industrial
23D	ML2	Energy Park General Industrial
23E	MP1	Technology Park Prestige
23F	MP2	Technology Park Prestige
23G	MP3	Technology Park Light Industrial

Section 4

23H	MP4	Technology Park Mixed Use Corridor
24	M2	General Industrial
25	M3	Extractive Industrial

Zoning Maps

The extent and boundaries of the said zones are shown on the Schedules attached hereto which form part of this By-law. Such zones are described on the Schedules by the appropriate zone symbol.

4.1 Special Exceptions

A number of the zones set out in this By-law and listed above, contain a section which describes "special exceptions". Special exceptions are indicated on the Schedules to this By-law by adding a dash (-) and a number to the basic zone symbol (for example, R1-3).

Where a special exception is applied to a lot, such lot may only be used in accordance with the special exceptions described in the text. Where there is a conflict between a special exception and any other section of this By-law, the special exception shall apply.

Section 5

5. Environmental Protection (EP) Zone

5.1 Permitted Uses

No person shall within an Environmental Protection (EP) Zone use any land or erect, alter or use any building or structure except as specified hereunder, namely:

- a. Residential Uses
 - i) Prohibited
- b. Non-Residential Uses
 - i) Greenbelt park, golf courses and driving ranges exclusive of buildings, conservation, forestry, bird sanctuaries, wildlife reserves or other similar uses which provide for the preservation of the natural environment;
 - ii) A farm exclusive of any buildings or structures associated therewith.
 - iii) Flood and erosion control works.
 - iv) Parking areas for which an approval has been issued by the Conservation Authority having jurisdiction.

Amended by By-law 87-22

5.2 Special Exceptions - Environmental Protection (EP) Zone

5.2.1 Environmental Protection Exception (EP-1) Zone

Notwithstanding Section 5.1, those lands zoned EP-1 on the Schedules to this By-law shall be subject to the following regulations:

- a. Permitted Uses
 - i) Retail Commercial Store including accessory offices
 - ii) Commercial Offices
 - iii) Marina
 - iv) Private Club
 - v) Park (public or private)
 - vi) Water Purification Plant and Pumping Station
 - vii) Parking Areas

Section 5

b. Zone Regulations

i)	Block Area (minimum) exclusive of water surface area	54,000 square metres
ii)	Building Coverage (maximum)	10 percent
iii)	Landscaped Area (minimum)	50 percent
iv)	Floor Areas	
	Retail Commercial Stores (Total combined maximum)	400 square metres
	Commercial Offices (Total combined maximum)	60 square metres
v)	Building Height (maximum)	10.5 metres
vi)	Separation between buildings or structures (minimum)	2.5 metres
vii)	Separation between buildings or structures and any private driveway, roadway or lane (minimum)	6.0 metres
viii)	Separation between buildings or structures and any public road (minimum)	7.5 metres
ix)	Separation between buildings or structures and any lot line abutting public lands, buildings or structures (minimum)	4.0 metres
x)	Parking (minimum)	332 spaces

5.2.2 Environmental Protection Exception (EP-2) Zone

Notwithstanding Section 5.1, those lands zoned EP-2 on the Schedules to this by-law may, in addition to the uses permitted in the Environmental Protection (EP) Zone, be used for a parking area.

Added by By-law 85-70

5.2.3 Environmental Protection Exception (EP-3) Zone

Notwithstanding Section 5.1, those lands zoned EP-3 on the Schedules to this By-law shall be subject to the provisions of Sections 9.1 a. and 9.2, and the following special zone regulations:

a.	Setback from watercourse (minimum)	30 metres
b.	Minimum elevation of any door, window or other structural opening	184.3 metres
c.	Lot Coverage (maximum)	5 percent

5.2.4 Environmental Protection Exception (EP-4) Zone

Notwithstanding Sections 3.21 a. and 5.1, only one single detached dwelling and all home occupation uses shall be permitted on those lands zoned EP-4 on the Schedules to this By-law subject to the provisions of Section 12.2 in respect of a single detached dwelling and the following special zone regulations:

- a. Minimum elevation of any door, window or other structural opening
92.73 metres

Added by By-law 86-160

Amended by By-Law 2015-062

5.2.5 Environmental Protection Exception (EP-5) Zone

Notwithstanding Sections 3.21 a. and 5.1, only one (1) single detached dwelling and buildings accessory thereto and all home occupation uses shall be permitted on those lands zoned EP-5 on the Schedules to this By-law subject to the provisions of Section 9.2 in respect of a single detached dwelling.

Added by By-law 87-136

5.2.5a Environmental Protection Exception (EP-5A) Zone

Notwithstanding Section 5.1, those lands zoned EP-5 on the Schedules to this By-law may, in addition to the uses permitted in the Environmental Protection (EP) Zone, be used for a farm produce retail outlet. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3 and the following special zone regulations:

- a. Minimum elevation of any door, window
or other structural opening
146.0 metres

Added by By-law 90-128

5.2.6 Environmental Protection Exception (EP-6) Zone

Notwithstanding Sections 3.21 a. and 5.1, only one (1) single detached dwelling and buildings accessory thereto and all home occupation uses shall be permitted on those lands zoned EP-6 on the Schedules to this By-law. The placement of buildings and structures shall be subject to the zone regulations set out in Section 9.2 in respect of a single detached dwelling and the following special zone regulations:

- a. Minimum elevation of any door, window
or other structural opening
161.6 metres

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Added by By-law 92-207

5.2.7 Environmental Protection Exception (EP-7) Zone

Notwithstanding Section 5.1, the lands zoned EP-7 on the Schedules to this By-law shall be subject to the following regulations:

- a. Residential Uses
 - i) Prohibited
- b. Non-Residential Uses
 - i) Greenbelt park, conservation, forestry, bird sanctuaries, wildlife reserves or other similar uses which provide for the preservation of the natural environment
 - ii) Flood and erosion control works

Added by By-law 92-203

5.2.8 Environmental Protection Exception (EP-8) Zone

Notwithstanding Sections 3.21 a. and 5.1, only one (1) accessory building shall be permitted on those lands zoned EP-8 on the schedules to this By-law. The placement of the building shall be subject to the provisions of Section 3.1 in respect of an accessory building.

Added by By-law 92-226

5.2.9 Environmental Protection Exception (EP-9) Zone

Notwithstanding Section 5.1, those lands zoned EP-9 on the schedules to this By-law may be used only for the following:

- a. Permitted Uses
 - i) Conservation
 - ii) Bird sanctuaries
 - iii) Wildlife reserves or other similar uses which provide for the preservation of the natural environment.
 - iv) Flood and erosion control works

Section 5

Added by By-law 93-67

5.2.10 Environmental Protection Exception (EP-10) Zone

Notwithstanding Sections 5.1, those lands zoned EP-10 on the Schedules to this By-law may, in addition to those uses permitted in the Environmental Protection (EP) zone, be used for a pole barn subject to the following special zone regulations:

- a. Setback from Watercourse (minimum) 10 metres
- b. Floor Area, Pole Barn (maximum) 191 square metres

Added by By-law 88-110

5.2.11 Environmental Protection Exception (EP-11) Zone

Notwithstanding Sections 3.21 a. and 5.1, those lands zoned EP-11 on the Schedules to this By-law may only be used for a two (2) bay garage, wash-out facilities and parking. The placement of buildings and structures shall be subject to the zone regulations set out in Section 24.2 and the following special zone regulation:

- a. Elevation of any door, window or other structural opening (minimum) 9.4 metres C.G.D.

Added by By-law 99-77

5.2.12 Environmental Protection Exception (EP-12) Zone

Notwithstanding Section 5.2, those lands zoned EP-12 on the Schedules to this By-law shall permit one single detached dwelling unit and related accessory buildings. Residential dwellings shall comply with the zone regulations set out in Section 9.2 of this By-law.

Added by By-law 2005-167

5.2.13 Environmental Protection Exception (EP-13) Zone

Notwithstanding Section 5.2, those lands zoned EP-13 on the Schedules to this By-law may in addition to other uses permitted in the Environmental Protection (EP) zone, an existing dwelling may be used for a professional or administrative home occupation office in accordance with home-occupation provisions of Section 3.12 of this By-law.

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Added by By-law 2006-137

5.2.14 Environmental Protection Exception (EP-14) Zone

Notwithstanding Section 5.1, only buildings existing prior to June 26, 2006 on those lands zoned EP-14 on the attached Schedule to this By-law shall be permitted and shall be subject to the following zone regulations:

- | | | |
|----|--|--------------------|
| a. | Lot Area (minimum) | 1580 square metres |
| b. | Lot Frontage (minimum) | 31 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard Setback | 14 metres |
| | ii) Easterly Interior Side Yard Setback | 7.5 metres |
| | iii) Westerly Interior Side Yard Setback | 12 metres |
| | iv) Rear Yard Setback | 16 metres |
| d. | Floor Area (minimum) | 110 square metres |
| e. | Lot Coverage (maximum) | 15% |
| f. | Landscaped Open Space (minimum) | 70% |
| g. | Building Height (maximum) | 8 metres |

Added by By-law 2008-148

5.2.15 Environmental Protection Exception (EP-15) Zone

Notwithstanding Section 3.1 a., those lands zoned EP-15 on the Schedule to this By-law may permit one in-ground swimming pool as an accessory structure use to a single detached dwelling located on the lot, provided that such single detached dwelling and in-ground swimming pool existed prior to December 3, 2007. The placement of the in-ground swimming pool shall be subject to Section 3.1 of this By-law.

Added by By-Law 2009-116

5.2.16 Environmental Protection Exception (EP-16) Zone

Those lands zoned EP-16 on the Schedules to this By-law may be used as a public park or public open space, and notwithstanding Section 5.1 may be used for a private landscaped open space area containing only walking trails, gardens and outdoor fitness equipment and play areas accessory to a hotel or other uses permitted in the C5-14 zone as amended in Section 1(c) of Official Plan Amendment No. 54.

Section 5

Where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to existing residential uses and conservation, forestry and farm uses exclusive of livestock operation. The (H) Holding symbol shall be removed upon the execution of a Section 41 (7) Site Plan Agreement securing conditions of approval in respect of servicing and access matters as well as any associated financial requirements.

Added by By-law 2010-123

5.2.17 Environmental Protection Exception (EP-17) Zone

Notwithstanding Sections 5.1 a. those lands zoned EP-17 on the Schedules to this By-law, in addition to the other uses permitted in the Environmental Protection (EP) Zone, may also be used for residential uses legally established prior to October 4, 2010 (the date of passing of this By-law Amendment), so long as it continues to be used for that purpose, subject to the following special zone regulations:

- a. Lot Area (maximum) 0.4 hectares

Added by By-law 2010-123

5.2.18 Environmental Protection Exception (EP-18) Zone

Notwithstanding Section 5.1, those lands zoned EP-18 on the Schedules to this By-law, shall be subject to the following special zone regulations:

- a. Residential Uses
 - i) Prohibited
- b. Non-residential Uses
 - i) Conservation and other similar uses which provide for the preservation of the natural environment
 - ii) Flood and erosion control works
- c. Lot Area (maximum) 0.4 hectares

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Added by By-law 2015-020

5.2.19 Environmental Protection Exception (EP-19) Zone

Notwithstanding Section 5.1 a. those lands zoned EP-19 as shown on the Schedules to this By-law shall permit one single detached dwelling unit and related accessory structures. Residential dwellings shall comply with the zone regulations and accessory buildings shall comply with Section 3:

- a. Minimum elevation of any door, window or other structural openings 84.0 metres (C.G.D)
- b. Floor Area (maximum) 167 square metres
- c. Setbacks (minimum)
 - i) Front Yard 6 metres
 - ii) Interior Side Yard 1.2 metres
 - iii) To Other Zone Boundary 0 metres
- d. The Holding symbol shall only be removed when a development permit has been issued by Central Lake Ontario Conservation Authority

Added by By-Law 2016-089

5.2.20 Environmental Protection Exception (EP-20) Zone

Notwithstanding Section 5.1, those lands zoned EP-20 on the Schedules to this By-law shall be subject to the following regulations:

- a. Permitted Uses:
 - i) Conservation
 - ii) Flood and erosion control works
- b. Zone Regulations:
 - i) The boundary of the EP-20 zone may be refined without amendment to the Zoning By-law, after consultation with the appropriate Conservation Authority
 - ii) An Environmental Impact Study or Natural Heritage /Hydrologic/Geotechnical Evaluation may be required in order to determine the extent to which the boundary of the EP-20 zone can be refined in accordance with the Clarington Official Plan.
 - iii) Where the EP-20 zone boundary is refined, lands

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determined to be developable within the boundary of the EP-20 zone shall be subject to the regulations of the adjacent zone.

Section 6

6. Agricultural (A) Zone

6.1 Permitted Uses

No person shall within the Agricultural (A) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) One single detached dwelling;
- ii) One additional single detached dwelling provided that such dwelling is used by persons employed on the lot, and provided that the lot is not less than 20 hectares in area;
Amended by By-law 85-51
Amended by By-Law 2015-062
- iii) A converted dwelling containing not more than 2 dwelling units and occupied by persons employed on the same lot or members of the owner's immediate household; and
- iv) A home occupation use in accordance with the provisions of Section 3.11.

b. Non-Residential Uses

- i) Cemeteries and places of worship which existed prior to the date of passing of this By-law;
- ii) Conservation and forestry;
- iii) A farm;
- iv) A wayside pit or quarry in accordance with the provisions of The Pits and Quarries Control Act, as amended;
Amended by By-law 2004-167
Amended by By-Law 2015-062
- v) Kennels which existed prior to June 28, 2004;
- vi) Fur farms;
- vii) Riding and boarding stables;
Amended by By-law 95-88
- viii) Seasonal farm produce sales outlet.

Amended by By-law 85-51
Deleted by By-Law 2015-062

6.2 Regulations for Residential Uses

- a. Non-farm residential buildings and structures on lots which predate the passing of this By-law, farm-related residences and residential buildings and structures on lots which are created by severance in accordance with the Durham Regional Official Plan, shall comply with the Zone requirements set out in Section 9.2 of this By-law. Notwithstanding the foregoing, where an additional single detached dwelling is provided, said dwelling shall have a total floor area of not less than 60 square metres.
- b. Notwithstanding the above, converted dwellings shall have a minimum total floor area of 60 square metres.

6.3 Regulations for Non-Residential Uses

- a. Lot Area (minimum) 40 hectares
- b. Lot Frontage (minimum)
 - i) Farm Exclusive of Residential Buildings 10 metres
 - ii) All Other Permitted Uses 100 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 15 metres
 - ii) Exterior Side Yard 15 metres
 - iii) Interior Side Yard 15 metres
 - iv) Rear Yard 15 metres
- d. Lot Coverage (maximum) 5 percent
- e. Landscaped Open Space (minimum) 10 percent
- f. Building Height (maximum)
 - i) Buildings Accessory to a Farm No Restriction
 - ii) All Others 10 metres

- g. Residual Lot Area and Frontage Requirements

Section 6

Notwithstanding the minimum lot area and frontage requirements set forth under Section 6.3 and the minimum setback requirements of Section 3.21, where a lot is created in accordance with the provisions of the Durham Regional Official Plan, that portion of the original lot from which the lot has been severed shall be deemed to be an existing non-complying lot and shall be subject to the provisions of Section 3.7 hereto, and shall be deemed to comply with the minimum setback requirements of Section 3.21.

6.4 Special Exceptions - Agricultural (A) Zone

6.4.1 Agricultural Exception (A-1) Zone

Notwithstanding Section 6.1, those lands zoned A-1 on the Schedules to this By-law shall only be used for the following purposes:

a. Residential Uses

- i) 1 single detached dwelling;
- ii) 1 additional single detached dwelling provided that such dwelling is used by persons employed on the lot, and provided that the lot is not less than 20 hectares in area;

Amended by By-Law 85-51
Amended by By-Law 2015-062
- iii) A converted dwelling containing no more than two (2) units and occupied by persons employed on the same lot or members of the owner's immediate household; and
- iv) A home occupation use in accordance with the provisions of Section 3.11.

b. Non-Residential Uses

- i) Cemeteries and places of worship which existed prior to the date of passing of this By-law;
- ii) Conservation and forestry;
- iii) A farm;
- iv) A wayside pit or quarry in accordance with the provisions of The Pits and Quarries Control Act, as amended; and

Deleted by By-Law 2015-062

Repealed by By-law 2005-109

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6.4.3 Agricultural Exception (A-3) Zone

Notwithstanding Section 6.1, those lands zoned A-3 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a garden and nursery sales and supply establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

6.4.4 Agricultural Exception (A-4) Zone

Notwithstanding Section 6.1, those lands zoned A-4 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a farm produce sales outlet on a year-round basis. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

6.4.5 Agricultural Exception (A-5) Zone

Notwithstanding Section 6.1, those lands zoned A-5 on the Schedules to this By-law may, in addition to those other uses permitted in the Agricultural (A) Zone be used for a contractor's yard. Placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3, except that the maximum lot coverage of all buildings and structures shall not exceed 500 square metres.

6.4.6 Agricultural Exception (A-6) Zone

Notwithstanding Section 6.1, those lands zoned A-6 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a farm implement and equipment sales and service establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

6.4.7 Agricultural Exception (A-7) Zone

Notwithstanding Section 6.1, those lands zoned A-7 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a private club. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

6.4.8 Agricultural Exception (A-8) Zone

Notwithstanding Section 6.1, those lands zoned A-8 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a golf course. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

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6.4.9 Agricultural Exception (A-9) Zone

Notwithstanding Section 6.3, those lands zoned A-9 on the Schedules to this By-law shall be subject to the following special regulations:

- | | | |
|----|---|--------------|
| a. | Lot Area (minimum) | 2.4 hectares |
| b. | Lot Frontage (minimum) | 150 metres |
| c. | Front Yard (minimum) | 10 metres |
| d. | Side Yard (minimum) | 3 metres |
| e. | Access to the lands shall be restricted to an area commencing from the limits of the most southerly boundary of the subject lands to a point 56 metres north along the lot frontage and shall be located in accordance with the applicable entranceway policies in effect for the Municipality of Clarington. | |

6.4.10 Agricultural Exception (A-10) Zone

Notwithstanding Section 6.1, those lands zoned A-10 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for an agricultural produce warehouse and an agricultural chemical dealership. The placement of buildings and structures shall be subject to the zone regulations set out in Section 6.3.

6.4.11 Agricultural Exception (A-11) Zone

Notwithstanding Section 6.1, those lands zoned A-11 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a trailer camp or park subject to the following zone regulations:

- | | | |
|----|--|----------------|
| a. | Minimum camping lot area intended to be occupied by one tent, mobile camper trailer, motorized motor home or other recreational vehicle: | 200 sq. metres |
| b. | Front Yard (minimum) | 20 metres |
| c. | Side Yard (minimum) | 20 metres |
| d. | Rear Yard (minimum) | 20 metres |

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- e. a propane dispensing tank as an accessory use for the use of park patrons only in accordance with the provisions of Section 19.3 hereof.

Amended by By-law 96-104

6.4.12 Agricultural Exception (A-12) Zone

Notwithstanding Section 6.1, those lands zoned A-12 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a retail shop for the sale of antiques and crafts; a tea room or tea garden ancillary to the retail shop; a business office ancillary to the retail shop, and a snack-bar ancillary to the retail shop subject to the following zone regulations:

a.	Lot Area (minimum)	4.0 hectares
b.	Lot Frontage (minimum)	45.0 metres
c.	Front Yard (minimum)	7.5 metres
d.	Interior Side Yard (minimum)	15.0 metres
e.	Exterior Side Yard (minimum)	15.0 metres
f.	Rear Yard (minimum)	15.0 metres
g.	Lot Coverage (maximum)	2 percent

6.4.13 Agricultural Exception (A-13) Zone

Notwithstanding Section 6.1, those lands zoned A-13 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a place of worship subject to the following zone regulations:

a.	Lot Area (minimum)	1.0 hectares
b.	Lot Frontage (minimum)	30 metres
c.	Front Yard (minimum)	10 metres
d.	Exterior Side Yard (minimum)	10 metres
e.	Interior Side Yard (minimum)	10 metres
f.	Rear Yard (minimum)	10 metres

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- | | | |
|----|---------------------------------|-------------|
| g. | Height (maximum) | 10.5 metres |
| h. | Landscaped Open Space (minimum) | 20 percent |

Amended by By-Law 2015-062

6.4.14 Agricultural Exception (A-14) Zone

Notwithstanding Section 6.1, those lands zoned A-14 on the Schedules to this By-law may, in addition to those other uses permitted in the Agricultural Exception (A-1) Zone, be used for a kennel, subject to the zone regulations set out in Section 6.3 and the following special zone regulations:

Amended by By-law 86-41
Amended by By-Law 2015-062

- a. Notwithstanding Section 6.3 c. subsections iii) and iv), a kennel may have a minimum interior side yard or rear yard setback of 1.2 metres except that where such yard abuts a residential zone or a lot which has a residential use thereon within 15 metres of such common lot line, such interior side yard or rear yard setback shall be 15 metres.

Added by By-law 97-182
Amended by By-Law 2015-062

6.4.15 Agricultural Exception (A-15) Zone

Notwithstanding Section 6.1, those lands zoned A-15 on the Schedules to this By-law may, in addition to those other uses permitted in the Agricultural Exception (A-1) Zone, be used for a one single detached dwelling and buildings and structures accessory thereto, fitness centre, dog kennel, private zoo, pet cemetery, souvenir shop, campground area and snack bar, subject to the zone regulations set out in Section 6.3 and the following special regulations:

General

- | | | |
|----|--------------------------------------|----------------------|
| a. | Lot Area (minimum) | 40,000 square metres |
| b. | Lot Frontage (minimum) | 100 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 15 metres |
| | ii) Exterior Side Yard | 15 metres |
| | iii) Interior Side Yard | |
| | - Animal Enclosure | 6.5 metres |
| | - Kennel | 2.5 metres |
| | - All Other Buildings and Structures | 7.5 metres |

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	iv) Rear Yard	10.5 metres
d.	Lot Coverage (maximum)	15 percent
e.	Landscaped Area (minimum)	40 percent
f.	Building Height (maximum)	10 metres
g.	Building Floor Area Requirements	
	i) Single Family Dwelling	110 square metres
	ii) Fitness Centre (maximum)	1200 square metres
	iii) Kennel (maximum)	210 square metres
	iv) Animal Enclosure - large (minimum)	185 square metres
	v) Animal Enclosure - small (minimum)	30 square metres
	vi) Temporary Holding Areas - (minimum)	4.45 square metres
h.	Distance between Animal Enclosures and Buildings (minimum)	10 metres
i.	Parking Requirements (minimum)	1 parking area per 30 square metres of total building area excluding animal enclosures and a single family dwelling, plus 2 spaces per animal enclosure.
j.	Single Family Dwelling	
	i) Front Yard (minimum)	15.0 metres
	ii) Side Yard (minimum)	7.5 metres
	iii) Rear Yard (minimum)	10.6 metres
	iv) Setback (minimum)	28.0 metres
	v) Floor Area (minimum)	110 square metres
	vi) Building Height (maximum)	9.0 metres
	vii) Number of Parking Spaces (minimum)	2
k.	Fitness Centre	
	i) Front Yard (minimum)	35.0 metres
	ii) Side Yard (minimum)	25.0 metres
	iii) Rear Yard (minimum)	10.6 metres
	iv) Setback (minimum)	45.0 metres
	v) Floor Area (maximum)	1200 square metres
	vi) Building Height (maximum)	10.0 metres

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l. Dog Kennel

i)	Front Yard (minimum)	65.0 metres
ii)	Side Yard (minimum)	2.5 metres
iii)	Rear Yard (minimum)	10.6 metres
iv)	Setback (minimum)	75.0 metres
v)	Floor Area (maximum)	210 square metres
vi)	Building Height (maximum)	5.0 metres

m. Private Zoo

- i) Distance from Animal Enclosure from any Lot Line (minimum)
6.5 metres
- ii) All animals exclusive of swans, ducks and geese shall be confined at all times to either an animal enclosure or a temporary holding space.
- iii) Land used for the purposes of a private zoo shall be completely enclosed by security fencing having a minimum height of 1.8 metres. Ingress and egress to such lands shall be by means of a controlled access gate which shall be kept locked and secured at all times that the private zoo is not open to the public.

Added by By-Law 97-182

n. Campground Area

For the purpose of this Special Exception Zone, a campground area shall mean an area used for the provision of overnight accommodations within three (3) trailers, which would accommodate a total of not more than 69 persons, as well as one (1) trailer for the provision of sanitary facilities and one (1) trailer for educational purposes in association with the other permitted uses in the (A-15) zone.

Added By OMB Order – Oct. 28/85

Deleted by By-Law 2015-062

6.4.17 Agricultural Exception (A-17) Zone

Notwithstanding Section 6.1, those lands zoned A-17 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a livestock auction room.

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Added By OMB Order – Oct. 28/85

6.4.18 Agricultural Exception (A-18) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-18 on the Schedules to this By-law may also be used for an abattoir containing a refrigerated offal room and a meat cutting and meat smoking operation subject to the following zone regulations:

- | | | |
|----|---|-------------------|
| a. | Front Yard (minimum) | 45 metres |
| b. | Interior Side Yard (minimum) | |
| | i) Abattoir | 30 metres |
| | ii) Meat Cutting & Smoking Establishment | 3 metres |
| c. | Rear Yard (minimum) | 30 metres |
| d. | Setback of Abattoir from Existing Residential Dwellings (minimum) | 180 metres |
| e. | Ground Floor Area (maximum) | |
| | i) Abattoir | 200 square metres |
| | ii) Meat Cutting & Smoking Establishment | 140 square metres |

6.4.19 Agricultural Exception (A-19) Zone

Notwithstanding Section 6.1, those lands zoned A-19 on the Schedules to this By-law may, in addition to those other uses permitted in the Agricultural (A) Zone, be used for a Pigeon Racing Club House and buildings and structures accessory thereto, subject to the following zone regulations:

- | | | |
|----|------------------------|---------------|
| a. | Lot Area (minimum) | 0.40 hectares |
| b. | Lot Frontage (minimum) | 50 metres |

Added by By-Law 85-46

6.4.20 Agricultural Exception (A-20) Zone

Notwithstanding Section 6.1, those lands zoned A-20 on the Schedules to this By-law, shall only be used for conservation and forestry uses.

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Added by By-Law 85-48

6.4.21 Agricultural Exception (A-21) Zone

Notwithstanding Section 6.1, those lands zoned A-21 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used.

Added by By-Law 95-89

for the purposes of a motor vehicle race track, agricultural fairground and music festivals or concerts.

Added by By-Law 85-52

6.4.22 Agricultural Exception (A-22) Zone

Notwithstanding Section 6.4.1, those lands zoned A-22 on the Schedules to this By-law, may only be used for a cemetery.

Added by By-Law 86-52

6.4.23 Agricultural Exception (A-23) Zone (Expired)

Added by By-Law 86-97

Repealed by By-law 2005-109

Added by By-Law 2010-066

6.4.25 Agricultural Exception (A-25) Zone

Notwithstanding the provisions of 3.13 c., e., f., 3.16 a., 6.1 and 6.3 those lands zoned “A-25” on the attached schedule to this By-law, in addition to the permitted residential uses, shall be used in accordance with this By-law and the following zone definitions and regulations.

Deleted by By-Law 2015-062

a. Permitted Non-Residential Uses

i) Golf Driving Range

b. Regulations for Non-Residential Uses

i)	Lot Area (minimum)	16.6 hectares
ii)	Lot Frontage (minimum)	220 metres
iii)	Yard Requirements for a Clubhouse	
a)	Front Yard (minimum)	50 metres
b)	Front Yard (maximum)	150 metres
c)	Interior Side Yard (minimum)	30 metres
d)	Exterior Side Yard (minimum)	50 metres

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e)	Rear Yard (minimum)	15 metres
iv)	Building Floor Area for a Clubhouse (maximum)	225 square metres
v)	Lot Coverage	2%
vi)	Building Height (maximum)	10.5 metres
vii)	Loading Space Requirements	
a)	Loading Space Size (3 metres x 7.5 metres)	1 space
b)	A required loading space may be located in a front yard provided that it is located a minimum of 20 metres from any street line.	
c)	A required loading space is not required to be located abutting a building or structure.	
viii)	Parking Requirements for a golf driving range 60 parking spaces (minimum)	

Added by By-Law 2010-116

6.4.26 Agricultural Exception (A-26) Zone

Notwithstanding Sections 6.1 a. and 6.3 a., d., those lands zoned A-26 on the Schedules to this By-law may, in addition to other uses permitted in the “Agricultural (A)” Zone, be used for one (1) additional single detached dwelling provided that such dwelling is accessory to a farm operation on the subject lot and is used only by persons employed on the lot. Those lands zoned A-26 on the Schedules to this By-law are subject to the following special regulations:

a.	Lot Area (minimum)	4 hectares
b.	Regulations for Non-residential Uses:	
i)	Lot Coverage (maximum) for Greenhouses	57%

*Added by By-Law 87-89
Amended by By-Law 2015-062*

6.4.27 Agricultural Exception (A-27) Zone

Notwithstanding Section 6.1, those lands zoned A-27 on the Schedules to this By-law shall only be used for an existing single detached dwelling and uses accessory thereto. The placement of all buildings shall be in accordance with the provisions of Section 9.2 with the following exceptions:

- | | | |
|----|------------------------|--------------------|
| a. | Lot Area (minimum) | 1200 square metres |
| b. | Lot Frontage (minimum) | 30 metres |

Added by By-law 87-135

6.4.28 Agricultural Exception (A-28) Zone

Notwithstanding Sections 6.1 and 6.3, the lands zoned A-28 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, permit the use of the existing barn for the keeping of not more than three (3) horses and the storage of non-hazardous dry goods. Additionally, the use of the existing drive shed shall be an accessory building or structure as defined within By-law 84-63.

Added by By-Law 87-207

6.4.29 Agricultural Exception (A-29) Zone

Notwithstanding Section 6.1, those lands zoned A-29 on the Schedules to this By-law may only be used for a cemetery and a place of worship, subject to the following regulations:

- | | | |
|----|------------------------|--------------|
| a. | Lot Area (minimum) | 0.4 hectares |
| b. | Lot Frontage (minimum) | 30 metres |

Added by By-Law 88-35

6.4.30 Agricultural Exception (A-30) Zone

Notwithstanding Section 6.3, those lands zoned A-30 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|--------------------|---------------|
| a. | Lot Area (minimum) | 0.65 hectares |
|----|--------------------|---------------|

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Added by By-Law 88-78

6.4.31 Agricultural Exception (A-31) Zone

Notwithstanding Section 6.1, those lands zoned A-31 on the Schedules to this By-law shall only be used for a manse. For the purpose of this Subsection, a manse shall mean a dwelling for a clergyman. The placement of buildings and structures shall be subject to the regulations set out in Section 9.2.

Added by By-Law 89-43

6.4.32 Agricultural Exception (A-32) Zone

Notwithstanding Section 6.3, those lands zoned A-32 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|--------------|
| a. | Lot Area (minimum) | 1.8 hectares |
| b. | Lot Frontage (minimum) | 90 metres |

Added by By-Law 89-53

6.4.33 Agricultural Exception (A-33) Zone

Notwithstanding Section 6.2, those lands zoned A-33 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|--------------------|
| a. | Lot Area (minimum) | 4700 square metres |
| b. | Lot Frontage (minimum) | 75 metres |

Added by By-Law 89-197

6.4.34 Agricultural Exception (A-34) Zone

Notwithstanding Sections 3.8 b., 6.1 and 6.3, the lands zoned A-34 on the attached Schedule "A", in addition to the other uses permitted in Agricultural (A) Zone, shall permit the use of the existing barn for the storage of hay, straw and the housing of livestock on a non-farm residential lot.

*Added by By-Law 90-176
Amended by By-Law 2015-062*

6.4.35 Agricultural Exception (A-35) Zone

Notwithstanding Section 6.1, those lands zoned A-35 on the Schedules to this By-law may, in addition to a single detached dwelling, may be used for a day nursery. The placement of buildings and structures shall be subject to the regulations set out in Section 6.3 in respect of a single detached dwelling.

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Added by By-Law 90-157

6.4.36 Agricultural Exception (A-36) Zone

Notwithstanding Sections 6.1 and 6.3, the lands zoned A-36 on the attached Schedule "A" in addition to the other uses permitted in the "Agricultural (A)" Zone, permit a farm implement and machine sales and service establishment and shall be subject to the following zone regulations:

- | | | |
|----|-----------------------------------|--------------|
| a. | Lot Area (minimum) | 2.8 hectares |
| b. | Lot Frontage (minimum) | 120 metres |
| c. | Yard Requirements | |
| | i) Front Yard (minimum) | 60 metres |
| | ii) Exterior Side Yard (minimum) | 20 metres |
| | iii) Interior Side Yard (minimum) | 72 metres |
| | iv) Rear Yard (minimum) | 144 metres |
| d. | Lot Coverage (maximum) | 3.5% |
| e. | Landscaped Open Space (minimum) | 10% |
| f. | Building Height (maximum) | 10 metres |

Added by By-Law 90-25

6.4.37 Agricultural Exception (A-37) Zone (Expired)

Added by By-Law 90-36

Repealed by By-Law 2005-109

Added by By-Law 90-43

6.4.39 Agricultural Exception (A-39) Zone

Notwithstanding Section 6.3, those lands zoned A-39 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|--------------------|
| a. | Lot Frontage (minimum) | 35 metres |
| b. | Lot Area (minimum) | 3900 square metres |

6.4.41 Agricultural Exception (A-41) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-41 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a Temporary Sales Office, subject to the following provisions:

a. Definitions

- i) Temporary Sales Office: shall mean a temporary building used exclusively by a realtor, builder, building, developer or contractor on a temporary basis for the sale, display and marketing of residential lots or dwellings within a draft approved subdivision or condominium plan.

b) Regulations for Temporary Sales Office

- | | | |
|------|---------------------------------|--------------|
| i) | Lot Area (minimum) | 0.2 hectares |
| ii) | Lot Frontage (minimum) | 30 metres |
| iii) | Yard Requirements (minimum) | |
| | a) Front Yard | 10.0 metres |
| | b) Exterior Side Yard | 10.0 metres |
| | c) Interior Side Yard | 8.5 metres |
| | d) Rear Yard | 10.0 metres |
| iv) | Lot Coverage (maximum) | 15% |
| v) | Landscaped Open Space (minimum) | 10% |
| vi) | Building Height (maximum) | 10.0 metres |

Amended by By-Law 2018-006

Pursuant to the requirements of Section 39 of the Planning Act, 1990, as amended, a temporary sales office use may be permitted for a period of three (3) years, ending on January 15, 2021.

Added by By-Law 92-207

6.4.45 Agricultural Exception (A-45) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-45 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Residential Uses

- i) Prohibited

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b. Non-Residential Uses

- i) Conservation and forestry;
- ii) Flood, erosion and/or situation control works and a storm water management facility;
- iii) Open space which for the purposes of this By-law shall mean an area which is open and unobstructed from ground to sky at finished grade on a lot or portion thereof, which is either maintained in its natural state or which is suitable for planting of trees and reforestation but shall not include any other use or activity otherwise specified herein; and

c. Zone Regulations

- | | | |
|------|---------------------------------|--------------|
| i) | Lot Area (minimum) | 2.5 hectares |
| ii) | Lot Frontage (minimum) | 55 metres |
| iii) | Landscaped Open Space (minimum) | 80 % |
| iv) | Lot Coverage (maximum) | 5 % |

Added by By-Law 94-149

6.4.48 Agricultural Exception (A-48) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-48 on the Schedules to this By-law may be used for a day care and convent facility subject to the following zone regulations:

- | | | |
|----|----------------------------|---------------------|
| a. | Rear Yard | 3.0 metres |
| b. | Total Floor Area (maximum) | 1,080 square metres |

For the purposes of this provision, a Convent shall be as defined within the definition of Place of Worship contained within Section 2 of this By-law.

Added by By-Law 95-158

Revised by Court Order No. 710591/11

6.4.49 Agricultural Exception (A-49) Zone

Notwithstanding Section 6.1, the lands zoned A-49 on the Schedules to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for a garden suite.

For the purpose of this Special Exception, a "Garden Suite" shall mean a one unit detached residential structure containing bathroom and kitchen facilities that are ancillary to an existing residential structure.

Added by By-Law 95-172

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6.4.50 Agricultural Exception (A-50) Zone (Expired)

Added by By-Law 96-20

6.4.51 Agricultural Exception (A-51) Zone

Notwithstanding the provisions of Sections 6.1 and 6.3, those lands zoned A-51 on the Schedules to this By-law shall be used for a parking lot for a place of worship subject to the following zone regulations:

- | | | |
|----|--------------------|--------------------|
| a. | Lot Area (minimum) | 1000 square metres |
| b. | Lot Frontage | 30 metres |

Added by By-Law 96-21

6.4.52 Agricultural Exception (A-52) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-52 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a farm implement and equipment sales and service establishment subject to the following special regulations:

- | | | |
|----|----------|--------------------|
| a. | Lot Area | 8000 square metres |
|----|----------|--------------------|

Added by By-Law 96-192

6.4.53 Agricultural Exception (A-53) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-53 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a home industry, subject to the following special regulations:

- | | | |
|----|--------------------|-------------------|
| a. | Maximum Floor Area | 260 square metres |
|----|--------------------|-------------------|

For the purposes of this subsection, a home industry shall mean small scale industrial use such as a furniture restoration, small engine repair, welding, crafts or producing value-added agricultural products such as cider, honey or wine, which is accessory to a single detached dwelling. It shall not include outside storage of materials or the storage of commercial motor vehicles. A home industry may be conducted in whole or in part in any accessory or farm building.

Added by By-Law 98-076

6.4.54 Agricultural Exception (A-54) Zone (Expired)

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Added by By-Law 97-99

6.4.55 Agricultural Exception (A-55) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-55 on the Schedules to this By-law may also be used for a place of worship, subject to the following special regulations:

- | | | |
|----|----------------------|-------------------|
| a. | Lot Area (minimum) | 1.57 hectares |
| b. | Floor Area (maximum) | 636 square metres |

Added by By-Law 97-133

6.4.56 Agricultural Exception (A-56) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-56 on the Schedules to this By-law shall only be used for a farm related industrial use comprising of warehouse for the storage and sale of bulk and pre-packaged lubricants, outside storage of bulk fuel and a transport depot accessory to the use subject to the following zone regulations:

- | | | |
|----|--|-------------------|
| a. | Lot Area (minimum) | 0.65 hectares |
| b. | Lot Frontage (minimum) | 90 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 27 metres |
| | ii) Side Yard | 20 metres |
| | iii) Rear Yard | 20 metres |
| d. | Building Size (maximum) | 400 square metres |
| e. | Outside Storage Area (maximum) | 165 square metres |
| f. | Yard Requirements for Outside Storage Area | |
| | i) Front Yard | 32 metres |
| | ii) Side Yard | 15 metres |

Added by By-Law 97-132

6.4.57 Agricultural Exception (A-57) Zone

Notwithstanding the provisions of Section 3.1 d. Lot coverage and height, those lands zoned A-57 on the Schedules to this By-law shall permit a non-farm accessory structure with a total floor area of 93 m².

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Added by By-Law 98-030

6.4.58 Agricultural Exception (A-58) Zone

Notwithstanding Sections 6.1, 6.2 and 6.3, those lands zoned A-58 on the Schedules to this By-law shall only be used subject to the following zone regulations:

a. Permitted Uses

- i) A golf driving range facility
- ii) A maintenance office/clubhouse
- iii) A golf course

Added by By-Law 98-108

b. Regulations - Miniature Golf

- i) Front Yard (minimum) 3 metres

c. Regulations – Buildings

- i) Front Yard (minimum) 35 metres

Deleted by By-Law 2015-062

Added by By-Law 99-75

6.4.59 Agricultural Exception (A-59) Zone

Notwithstanding Section 6.1, those lands zoned A-59 on the Schedules to this By-law may, in addition to the other uses permitted in the "Agricultural (A)" Zone, be used for a woodworking shop accessory to a residential dwelling and subject to the following zone regulations:

a. Yard Requirements (minimum)

- i) Eastern Interior Side Yard 29 metres
- ii) Western Interior Side Yard 23 metres
- iii) Rear Yard 70 metres
- iv) Accessory Building for Woodworking Shop Area (maximum)
128 square metres

For the purpose of this subsection, a woodworking shop shall mean a building where a fireplace mantel, other fireplace components, other pieces of residential woodwork and residential furnishings are manufactured and which shop is clearly accessory to a residential dwelling.

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Notwithstanding Section 6.1, on those lands zoned A-59 on the Schedules to this By-law, the total of all accessory buildings and structures may have a lot coverage up to 70% of the total floor area of the main building.

Added by By-Law 99-88

6.4.60 Agricultural Exception (A-60) Zone

Notwithstanding Sections 3.16, 3.21 a., 6.1, 6.2 and 6.3, those lands zoned A-60 on the Schedules to this By-law shall only be used for a place of worship with ancillary uses subject to the following provisions:

a. Definitions

i) Landscaping Strip

Shall mean an area of land with a minimum width of 3.0 metres used for any one or more of the planting of trees, shrubs, flowers, grass or other horticultural elements, such as decorative stonework, fencing or screening.

b. Regulations

i)	Lot Area (minimum)	2.0 metres
ii)	Lot Frontage (minimum)	15.0 metres
iii)	Front Yard (minimum)	20.0 metres
iv)	Interior Side Yard (minimum)	8.0 metres
v)	Building Height (maximum)	12.0 metres
vi)	Setback from EP Zone (minimum)	20.0 metres
vii)	Lot Coverage (maximum)	15 %
viii)	Landscaped Open Space (minimum)	30 %
ix)	Parking Space Size	5.2 metres in length by 2.75 metres in width provided that such a space is next to a landscaping strip
x)	Entrance Setback from a Residential Side Yard Lot Line	1 metre

Added by By-Law 99-103

6.4.61 Agricultural Exception (A-61) Zone (Expired)

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Added by By-Law 98-118

6.4.62 Agricultural Exception (A-62) Zone

Notwithstanding Sections 6.1 and 6.3 of this By-law, those lands zoned A-62 on the Schedules to this By-law shall only be used and any buildings or structures thereon shall only be constructed in accordance with this By-law and the following definitions and zone regulations:

a. Definitions

- i) Reforestation Area: An area of trees, the majority of which are three to five year stock with a minimum height of 30 centimetres, and which have been planted to reintroduce a minimum of three individual species to an area.
- ii) Earth-integrated Structure: A building constructed, in accordance with the provisions of the Ontario Building Code, utilizing construction techniques such as earth berming and sodding which result in the structure blending with the natural landscape and achieving a high level of energy efficiency.
- iii) Coniferous Planting Strip: A landscape feature comprised of coniferous tree species planted in such a manner as to visually screen the view of one property from the adjacent property.
- iv) Conservation: The wise management of land and resources in a way which will result in the preservation, protection, enhancement and/or improvement of private property for the sustained benefit of the ecosystem and society at large.
- v) Fur Garment Manufacturing Facility: The use of an earth-integrated structure for the purposes of designing, assembling, making, preparing, inspecting, finishing, treating, altering and repairing fur garments. It may also include warehousing, displaying and selling of fur garments, but does not include the tanning of furs.

b. Permitted Uses

- i) Fur Garment Manufacturing Facility
- ii) Reforestation
- iii) Conservation

c. Regulations

- | | |
|-----------------------|-------------|
| i) Lot Area (minimum) | 20 hectares |
|-----------------------|-------------|

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ii)	Lot Frontage (minimum)	5 metres
iii)	Floor Space (maximum)	1,250 square metres each storey
iv)	Building Height (maximum)	2 storeys
v)	Reforestation Area (minimum)	10 hectares
vi)	Setbacks	

Notwithstanding Section 3.13, the minimum setback from any watercourse shall be 50 metres.

- | | | |
|-------|-----------------------------|---|
| vii) | Parking | (minimum) 110 spaces
(maximum) 150 spaces |
| viii) | Performance Standards | The permitted uses in the A-62 zone shall not include the outside storage of goods, garbage or waste material and shall not produce noise, glare, heat, electromagnetic emissions or vibrations which can be detected beyond the limits of the lot upon which such use is located. |
| ix) | Planting Strip Requirements | Where a front, rear or side yard lot line abuts a permanent year round residential use and/or zone, a coniferous planting strip shall be required along such lot line. |
| x) | Accessory Structures | Notwithstanding Section 3.1 d. of this By-law, one or more accessory buildings or structures may be constructed and used on the lands zoned A-62 on the Schedules to this By-law, provided that the maximum size of any single accessory building or structure does not exceed 100 square metres of total floor area and that the other applicable provisions of this By-law are complied with. |

Added by By-Law 2000-012

6.4.63 Agricultural Exception (A-63) Zone (Expired)

Added by By-Law 2000-171

Repealed by By-Law 2000-212

Added by By-Law 2001-106

Repealed by By-law 2002-005

Added by By-law 2001-205

6.4.64 Agricultural Exception (A-64) Zone

Notwithstanding Sections 2, 3.13, 3.16, 6.1 and 6.3 to this By-law, those lands zoned A-64 shall be subject to the following provisions:

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a. Definitions

Deleted by By-Law 2015-062

- i) Landscaping Strip: Shall mean an area of land used for any one or more of the planting of trees, shrubs, flowers, grass or other horticultural elements, such as decorative stonework, fencing or screening.

b. Permitted Uses

- i) Crematorium
- ii) Cemetery

c. Regulations

- i) Lot Area (minimum) 0.45 hectares
- ii) Lot Frontage (minimum) 45 metres
- iii) Front Yard Setback (minimum) 3 metres
- iv) Interior Side Yard Setback (minimum) 5 metres
- v) Rear Yard Setback (minimum) 10 metres
- vi) Lot Coverage (maximum) 25 percent
- vii) Landscaped Open Space (minimum) 30 percent
- viii) Building Height (maximum) 10 metres
- ix) Number of Loading Spaces 1
- x) Parking Spaces (minimum) 40
- xi) Parking Space Size 5.2 metres in length by 2.75 metres in width provided that such space is perpendicular to a landscaping strip.
- xii) Section 3.16 f) is not applicable to the lands zoned A-64.
- xiii) No outside storage is permitted on lands zoned A-64.

Added by By-Law 2000-168

6.4.65 Agricultural Exception (A-65) Zone

Notwithstanding Sections 6.1 and 6.3 to this By-law, those lands zoned A-65 on the Schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used only for a flea market and subject to the following provisions:

- a. Lot Coverage (maximum) 10 percent

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Only those structures which existed on January 29, 1996 are permitted. No new structure or any expansion to a structure is permitted.

Deleted by By-Law 2015-062

Added by By-Law 2001-060

6.4.66 Agricultural Exception (A-66) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-66 on the Schedules to this By-law may, in addition to other uses permitted in the Agricultural (A) Zone, be used for the purposes of a motor vehicle body shop subject to the following zone regulations:

- a. Interior Side Yard Setback (minimum) 1.1 metres
- b. Lot Area (minimum) 0.5 hectares
- c. Total Floor Area for Non-Residential Uses (maximum) 120 square metres
- d. Outside Storage Area (maximum) 200 square metres
- e. Setback for Outside Storage Area to a Lot Line (minimum) 1.1 metres
- f. The outside storage area must be enclosed by a solid barrier privacy fence
1.8 metres in height.
- g. All garbage or waste materials generated by the permitted non-residential use and garbage containers must be contained within the outside storage area.

Added by By-Law 2002-040

6.4.67 Agricultural Exception (A-67) Zone (Expired)

Added by By-Law 2002-190

6.4.68 Agricultural Exception (A-68) Zone

Notwithstanding Sections 3.1, 6.1 and 6.2, those lands zoned A-68 on the attached Schedules to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone be used for a home occupation. For the purposes of this subsection a home occupation shall be limited to the administrative office and storage of equipment and supplies for a cleaning business within a 255 square metre accessory building subject to the following conditions:

- a. Lot Coverage Accessory Buildings (maximum) 255 square metres

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- b. No outside storage of goods or materials associated with the home occupation use.

Added by By-Law 2002-203

6.4.69 Agricultural Exception (A-69) Zone (Expired)

Added by By-Law 2003-040

6.4.70 Agricultural Exception (A-70) Zone

Notwithstanding Sections 6.1 and 6.3, those lands zoned A-70 on the attached Schedules to this By-law, shall only be used and any buildings or structure thereon shall only be constructed in accordance with this by-law and the following definitions and zone regulations:

- a. Definitions

- i) Farm Winery: Shall mean the use of land, buildings or structures for the processing of locally grown fruit, fermentation, production, bottling, aging and storage of wine and wine related products as a secondary agricultural use to a vineyard and/or fruit farm, where the fruit used in the production of the wine shall be predominantly from the vineyard and/or fruit from the farm located on the same land as the farm winery, or as part of the farmer's own farm operation.
- ii) Pitch and Putt Golf Course: Shall mean an area of land operated for the purpose of a par 3 golf course in which the maximum distance from the tee to hole shall be 160 metres. A pitch and putt golf course shall not include accessory uses such as a golf driving range, a mini-putt, a club house, a restaurant or a bar. A pitch and putt golf course shall be designed with no changes to existing natural grades with the exception of minimal changes for tees and greens.

- b. Permitted Non-Residential Uses

In addition to the other uses permitted in the Agricultural Exception (A-1) Zone, a pitch and putt golf course is permitted as accessory to a farm winery.

- c. Regulations

- i) The pitch and putt golf course can occupy a maximum area of 1.6 hectares.

Section 6

Added by By-Law 2003-025

6.4.71 Agricultural Exception (A-71) Zone

Notwithstanding Section 6.1, those lands zoned A-71 on the attached Schedule to this By-law, may also be used for a place of worship and a manse. For the purposes of this subsection a manse shall mean a dwelling for a clergy person.

Added by By-Law 2003-079

6.4.72 Agricultural Exception (A-72) Zone (Expired)

*Added by By-Law 2003-122
Amended by By-Law 2007-043*

6.4.73 Agricultural Exception (A-73) Zone

Notwithstanding Sections 6.1, 6.2 and 6.3 to this By-law, those lands zoned A-73 on the Schedules to this By-law, may only be used for a place of worship and ancillary uses subject to the following regulations:

- | | | |
|----|---------------------------------|--------------|
| a. | Lot Area (minimum) | 1.5 hectares |
| b. | Lot Frontage (minimum) | 90 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard Setback | 10 metres |
| | ii) Interior Side Yard Setback | 10 metres |
| | iii) Rear Yard Setback | 150 metres |
| d. | Lot Coverage (maximum) | 30 percent |
| e. | Building Height (maximum) | 12 metres |
| f. | Landscaped Open Space (minimum) | 30 percent |

Added by By-Law 2003-141

6.4.74 Agricultural Exception (A-74) Zone (Expired)

Added by By-Law 2005-001

6.4.75 Agricultural Exception (A-75) Zone (Expired)

Added by By-Law 2005-193

6.4.76 Agricultural Exception (A-76) Zone (Expired)

Section 6

Added by By-Law 2006-165

6.4.77 Agricultural Exception (A-77) Zone

Notwithstanding Sections 6.1 b. and 6.3, those lands zoned A-77 on the Schedules to this By-law, shall only be used for an organic waste composting and wood waste processing facility, with the bulk wholesale of compost and other materials produced on-site permitted as an accessory use. The following special zone regulations shall apply:

- | | | |
|----|--|---------------------|
| a. | Height of Topsoil Berm (minimum) | 1 metre |
| b. | Width of Topsoil Berm (maximum) | 35 metres |
| c. | Width of Interior Vegetated Buffer (minimum) | 10 metres |
| d. | Width of Exterior Vegetated Buffer (minimum) | 15 metres |
| e. | Height of Compost Stockpiles (minimum) | 2.8 metres |
| f. | Gross Floor Area of all Buildings and Structures (maximum) | 3,400 square metres |

Added by By-Law 2007-115

6.4.78 Agricultural Exception (A-78) Zone

Notwithstanding Sections 3.13 c., 3.16 a., 6.1 b., 6.3 b. c. i), iii), iv), and d. the lands zoned A-78 on those Schedules to this By-law may, in addition to the other uses permitted in the A Zone, be used for a farm-related equipment sales and service use, in accordance with the following regulations:

- | | | |
|----|-------------------------------------|---------------------|
| a. | Yard Setback Requirements (minimum) | |
| | i) Front Yard | 0.5 metres |
| | ii) Interior Side Yard | 1.2 metres |
| | iii) Rear Yard | 14 metres |
| b. | Lot Frontages | 50 metres |
| c. | Lot Coverage (maximum) | 15% |
| d. | Loading Space Requirements | Zero Loading Spaces |
| e. | Parking Space Requirements | Six Parking Spaces |

Section 6

Added by By-Law 2007-152

6.4.79 Agricultural Exception (A-79) Zone

Notwithstanding Section 6.1 b., those lands zoned A-79 on the attached Schedule to this By-law shall be subject to the following zone regulations:

a. Permitted Uses:

- i) A farm exclusive of any buildings to house livestock

Added by By-Law 2007-184

6.4.80 Agricultural Exception (A-80) Zone

Notwithstanding Sections 6.1, 6.2 and 6.3 those lands zoned A-80 on the Schedules to this By-law shall only be used for a farm or a photovoltaic grid-connected electricity generation facility subject to the following definitions and zone regulations:

- a. Coniferous Planting Strip: A landscape feature comprised of coniferous tree species planted in such a manner as to visually screen the view of one property from the adjacent property.

b. Regulations

- | | | |
|------|--|-------------------|
| i) | Front Yard Setback (minimum) | 75 metres |
| ii) | Rear Yard Setback (minimum) | 10 metres |
| iii) | Interior Side Yard Setback (minimum) | 10 metres |
| iv) | Lot Area (maximum) | 5 hectares |
| v) | Total Floor Area of Buildings (maximum) | 250 square metres |
| vi) | Planting Strip Requirements | |
| | A coniferous planting strip shall be required along the south and east limits of the solar panels. | |

Added by By-Law 2008-051

6.4.81 Agricultural Exception (A-81) Zone

Notwithstanding Section 6.1, the lands zoned A-81 on the Schedules to this By-law may only be used for the Non-Residential Uses set out in Section 6.4.1 b

Added by By-Law 2008-156

Amended by By-Law 2013-004

Amended by By-law 2017-056

6.4.82 Special Exceptions – Agricultural (A-82) Zone

Section 6

Notwithstanding Section 3.12, 3.26, 6.1, 6.2 and 6.3 c) iii), d), those lands zoned A-82 as shown on Schedule “A” attached to this By-law shall only be used for a Temporary Sales Office with a maximum of 3 sales trailers or a temporary building, subject to the following zone regulations:

- a. Yard Requirements
 - i) Interior Side yard (minimum) 2 metres
- b. Lot coverage (maximum) 10%
- c. Loading Spaces (minimum) 0

Pursuant to the requirements of Section 39 of Planning Act, 1990, as amended, this use may be permitted for a period of three years, ending on June 20, 2020.

Added by By-Law 2008-168

Deleted by By-Law 2009-001

Added by By-Law 2009-001

6.4.83 Agricultural Exception (A-83) Zone

Notwithstanding Sections 3.11, 6.1 b. and 6.3, those lands zoned A-83 on the attached Schedule to this By-Law, in addition to the permitted residential uses, shall be used in accordance with this By-law and the following zone definitions and regulations.

Deleted by By-Law 2015-062

- a. Permitted Non-Residential Uses
 - i) Permitted non-residential uses within the A-83 zone are a golf driving range, an indoor golf driving range, conservation and forestry.
 - ii) Only a golf driving range, conservation and forestry are permitted prior to the removal of the (H) Holding symbol.
- b. Regulations for Non-Residential Uses
 - i) Lot Area (minimum) 8.5 hectares
 - ii) Lot Frontage (minimum) 165 metres
 - iii) Yard Setback Requirements

Section 6

a)	Front Yard (minimum)	
	(i) Building less than 30 square metres	5 metres
	(ii) All Other Buildings	30 metres
	(iii) Club House Facility	30 metres
b)	Interior Side Yard (minimum)	30 metres
c)	Exterior Side Yard (minimum)	30 metres
d)	Rear Yard (minimum)	30 metres
iv)	Lot Coverage (maximum)	15%
v)	Landscaped Open Space (minimum)	10%
vi)	Building Height (maximum)	19m
vii)	Total Floor Area (maximum)	
a)	Indoor Golf Driving Range	6100 square metres
b)	Club House Facility accessory to Indoor Golf Driving Range	410 square metres
c)	Club House Facility accessory to Golf Driving Range	40 square metres

Added by By-Law 2010-031

6.4.84 Agricultural Exception (A-84) Zone

Notwithstanding Sections 6.1 and 6.3 c., those lands zoned “A-84” on the schedules to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for Agri-tourism subject to the following zone regulations:

a. Definitions:

Agri-Tourism: shall mean an activity or use that is accessory to a farm operation, and which promotes and educates the public about farming and agricultural activities. Such activities shall have a direct relationship to the agricultural activities on the farm, and may include farm/educational tours, observation and participation in agricultural activities. It may also include seasonal festivals and social events (charity events and wedding receptions) that benefit from the farm/rural setting.

b. Regulations for Agri-tourism Uses:

i)	Total Floor Area (maximum)	375 square metres
----	----------------------------	-------------------

Section 6

- | | | |
|-----|--------------------------------------|-----------|
| ii) | Interior Side yard Setback (minimum) | 65 metres |
|-----|--------------------------------------|-----------|

Added by By-Law 2010-053

6.4.85 Agricultural Exception (A-85) Zone

Notwithstanding Sections 6.1 and 3.2 a., those lands zoned “A-85” on the schedules to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for an apartment-in-house and shall be subject to the following zone regulations:

a. Regulations for Apartment-in-house

- | | | |
|------|------------------------------------|------------------|
| i) | Floor Area (minimum) | 40 square metres |
| ii) | Number of bedrooms (maximum) | 1 |
| iii) | Number of parking spaces (minimum) | 1 |

Added by By-Law 2012-002

6.4.86 Agricultural Exception (A-86) Zone

Notwithstanding the provisions of Section 3.1 d., e. those lands zoned A-86 on the Schedules to this By-law shall permit accessory structures with an aggregate maximum total floor area of 285 square metres, a maximum floor area for any one building of 155 square metres, and maximum permitted height of 6 metres. No accessory building shall contain habitable space.

Added by By-Law 2012-008

6.4.87 Agricultural Exception (A-87) Zone

Notwithstanding Sections 6.1 and 6.3 a., b., c., and d. those lands zoned A-87 on the Schedules to this By-law shall only be used for one single detached dwelling and an outdoor recreational vehicle storage facility, subject to the following special zone regulations:

a. Regulations for Non-residential uses:

- | | | |
|------|-----------------------------|--------------------|
| i) | Lot Area (minimum) | 8000 square metres |
| ii) | Lot Frontage (minimum) | 50 metres |
| iii) | Yard Requirements (minimum) | |

Section 6

a)	Front Yard	50 metres
b)	Interior Side Yard, building	6 metres
c)	Interior Side Yard, Recreational Vehicle Storage	3 metres
d)	Rear Yard	3 metres

Added by By-Law 2015-051

6.4.88 Agricultural Exception (A-88) Zone

Notwithstanding Sections 3.13, 3.16 a., 3.21 a., 6.1, 6.2 and 6.3 c. i) those lands zoned A-88, as shown on the Schedules to this By-law may only be used for a Temporary Sales Office, subject to the following provision:

- a. Yard Requirements (minimum)
 - i) Front Yard 12 metres
 - ii) Setback to an Environmental Protection (EP) Zone 30 metres
- b. Parking Spaces (minimum) 8 spaces
- c. Loading Spaces (minimum) nil

Pursuant to the requirements of Section 39 of the Planning Act, 1990, as amended, a temporary sales office use may be permitted for a period of three years, ending on June 29, 2018 after which time the building shall be removed or demolished unless the temporary use is extended.

Added by By-Law 2015-061

6.4.89 Agricultural Exception (A-89) Zone

Notwithstanding Section 6.1, those lands zoned “A-89” on the Schedules to this By-Law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for agri-tourism subject to the following zone regulations:

- a. Regulations for Agri-tourism Uses:
 - i) Total floor area (maximum) 400 square metres

Section 6

Added by By-law 2016-034

6.4.90 Agricultural Exception (A-90) Zone

Notwithstanding Sections 6.1 and 6.3 those lands zoned A-90 on the schedules to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a Place of Worship with accessory rooms for overnight stay, subject to the following provisions:

- | | | |
|----|--|------------------|
| a. | Lot Area (minimum) | 1.0 hectares |
| b. | Lot Frontage (minimum) | 30 metres |
| c. | Yard Setback (minimum) | |
| | i) Front Yard | 10 metres |
| | ii) Exterior Side Yard | 10 metres |
| | iii) Interior Side Yard | 10 metres |
| | iv) Rear Yard | 10 metres |
| d. | Height (maximum) | 10.5 metres |
| e. | Landscaped Open Space (minimum) | 20 percent |
| f. | Rooms for overnight stay (maximum) | 2 |
| g. | Floor Area of each room for overnight stay (maximum) | 14 square metres |

Added by By-law 2018-077

6.4.91 Agricultural Exception (A-91) Zone

Notwithstanding Sections 6.1, those lands zoned “A-91” on the Schedules to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for meat processing accessory to a farm but not including an abattoir, subject to the following regulations:

- i. All meat to be processed has been raised on the property
- ii. The floor space devoted to meat processing does not exceed 61 square metres

Section 6

Added by By-law 2017-046

6.4.92 Agricultural Exception (A-92) Zone

Notwithstanding Section 3.12, 3.26, 6.1, 6.2 and 6.3 c) i), those lands zoned A-92 as shown on Schedule “A” attached to this By-law may, in addition to the other uses permitted in the Agricultural (A) Zone, be used for a Temporary Sales Office, subject to the following zone regulations:

a. Yard Requirements

- | | | |
|----|---|-----------|
| i) | Setback from Regional Road 17 (minimum) | 24 metres |
|----|---|-----------|

b. Loading Spaces (minimum) 0

Pursuant to the requirements of Section 39 of the Planning Act, 1990, as amended, this use may be permitted for a period of three years, ending on May 23, 2020.

Added by By-law 2017-063

6.4.93 Agricultural Exception (A-93) Zone

Notwithstanding Sections 6.1 and 3.2a those lands zoned “A-93” on the Schedule to this By-law, may in addition to other uses permitted in the Agricultural (A) Zone, be used for an apartment-in-house and shall be subject to the following zone regulations:

a. Regulations for Apartment-in-house

- | | | |
|----|----------------------|------------------|
| i) | Floor Area (minimum) | 40 square metres |
|----|----------------------|------------------|

Section 7

7. Rural Cluster - (RC) Zone

7.1 Permitted Uses

No person shall, within a Rural Cluster (RC) Zone, use any land or erect, alter, or use any building or structure except as specified hereunder.

a. Residential Uses

- i) A single detached dwelling; and
- ii) A home occupation use in accordance with the provisions of Section 3.11

7.2 Regulations for Residential Uses

- a. Lot Area (minimum) 3000 square metres
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard 2 metres
 - iv) Rear Yard 10 metres
- d. Floor Area (minimum) 110 square metres
- e. Lot Coverage (maximum) 30 percent
- f. Landscaped Open Space (minimum) 30 percent
- g. Building Height (maximum) 10.5 metres

7.3 Special Exceptions - Rural Cluster (RC) Zone

7.3.1 Rural Cluster Exception (RC-1) Zone

Notwithstanding Section 7.2, those lands zoned RC-1 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 2500 square metres
- b. Lot Frontage (minimum) 50 metres

Section 7

Amended by By-law 87-149

- | | | |
|----|--|--|
| c. | Front Yard (minimum) | 7.5 metres |
| d. | Interior Side Yard (minimum) | 1.5 metres |
| | | Except that where no attached garage or carport is provided, the minimum side yard on one side shall be 4.5 metres |
| e. | Exterior Side Yard (minimum) | 6 metres |
| f. | Rear Yard (minimum) | 7.5 metres |
| g. | Floor Area (minimum) | 139 square metres |
| h. | Serviced by a municipal water and private waste disposal system. | |

7.3.2 Rural Cluster Exception (RC-2) Zone

Notwithstanding Section 7.2, those lands zoned RC-2 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|----------------------|
| a. | Lot Area (minimum) | 19,400 square metres |
| b. | Lot Frontage (minimum) | 100 metres |
| c. | Side Yard (minimum) | 7.5 metres |

7.3.3 Rural Cluster Exception (RC-3) Zone

Notwithstanding Section 7.2, those lands zoned RC-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|----------------------|---------------------|
| a. | Lot Area (minimum) | 2,800 square metres |
| b. | Front Yard (minimum) | 15 metres |
| c. | Side Yard (minimum) | 6 metres |

Section 7

7.3.4 Rural Cluster Exception (RC-4) Zone

Notwithstanding Section 7.2, those lands zoned RC-4 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 1,800 square metres

Added by By-law 84-119

7.3.5 Rural Cluster Exception (RC-5) Zone

Notwithstanding Section 7.2, those lands zoned RC-5 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 550 square metres
- b. Lot Frontage (minimum) 15 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 9 metres
 - ii) Interior Side Yard Minimum width shall be 6 metres on one side, 1 metre on the other side.
 - iii) Rear Yard 18.5 metres
- d. Floor Area (minimum) 65 square metres
- e. Lot Coverage (maximum) 15 percent
- f. No accessory buildings or structures shall be permitted in the rear yard.

Added by By-law 86-38

7.3.6 Rural Cluster Exception (RC-6) Zone

Notwithstanding Section 7.2, those lands zoned RC-6 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 2800 square metres
- b. Lot Frontage (minimum) 40 metres

Section 7

Added by By-law 87-152

7.3.7 Rural Cluster Exception (RC-7) Zone

Notwithstanding Section 7.2, those lands zoned RC-7 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 50 metres

Added by By-law 87-146

7.3.8 Rural Cluster Exception (RC-8) Zone

Notwithstanding Sections 7.1 and 7.2, those lands zoned RC-8 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Permitted Uses
 - i) A single detached dwelling and accessory building(s) or structure(s) with the exception of a swimming pool; and
 - ii) A home occupation use in accordance with the provisions of Section 3.11.
- b. Lot Area (minimum) 2140 square metres

Added by By-law 90-30

7.3.9 Rural Cluster Exception (RC-9) Zone

Notwithstanding Section 7.2, those lands zoned RC-9 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 35 metres
- b. Front Yard Setback (minimum) 14 metres

Added by By-law 92-86

7.3.10 Rural Cluster Exception (RC-10) Zone

Notwithstanding Section 7.2, those lands zoned RC-10 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 3200 square metres
- b. Lot Frontage (minimum) 38 metres

Added by By-law 94-84

Section 7

7.3.11 Rural Cluster Exception (RC-11) Zone

Notwithstanding Section 7.2, those lands zoned RC-11 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 15 metres
- b. Lot Area (minimum) 2000 square metres

Added by By-law 94-84

7.3.11 Rural Cluster Exception (RC-12) Zone

Notwithstanding Section 7.2, those lands zoned RC-12 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 6000 square metres

Added by By-law 2005-044

7.3.13 Rural Cluster Exception (RC-13) Zone

Notwithstanding the provisions of Section 7.1, 7.2 a., b., c. i), ii), those lands zoned RC-13 on the Schedules to this By-law may also be used for a private elementary school. Subject to the following regulations:

- a. Lot Area (minimum) 1.2 hectares
- b. Lot Frontage (minimum) 100 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 20 metres
 - ii) Interior Side Yard 7.5 metres

Added by By-law 2008-130

7.3.14 Rural Cluster Exception (RC-14) Zone

Notwithstanding Section 7.2 the lands zoned RC-14 on the Schedules to this By-law shall be subject to the following conditions:

- a. Lot Area (minimum) 4200 square metres
- b. Lot Frontage (minimum) 45 metres

Section 7

- c. Yard Requirements
 - i) Front Yard (minimum)
 - a) Porch a minimum of 7.5 metres
 - b) Dwelling a minimum of 10 metres
 - c) Attached Garage a minimum of 12 metres
 - ii) Exterior Side Yard (minimum)
 - a) Porch a minimum of 7.5 metres
 - b) Dwelling a minimum of 10 metres
 - c) Attached Garage a minimum of 12 metres
 - iii) Interior Side Yard (minimum) 2 metres
 - iv) Rear Yard (minimum) 15 metres
- d. Landscaped Open Space 40 percent
- e. Municipal Servicing Requirement No building or structure may be erected and no use may be established in the Rural Cluster Exception (RC-14) Zone unless the lot upon which it is situated is serviced by a Municipal water system which has sufficient capacity to accommodate the proposed use.
- f. Attached Garage Requirement All garage doors shall not be located any closer to the street line than 2 m further back from the dwelling's ground floor front wall or ground floor exterior side wall

Added by By-law 2017-077

7.3.15 Rural Cluster Exception (RC-15) Zone

Notwithstanding Section 7.2 a., b., and c., iii) and iv), those lands zoned RC-15 on the Schedule to this By-law shall be subject to the following conditions:

- a. Lot Area (minimum) 3800 square metres
- b. Lot Frontage (minimum) 6 metres
- c. Lot Depth (maximum) 140 metres

Section 7

- d. Yard Requirements for lots equal or less than 4500 square metres
 - i) Interior Side Yard (minimum) 2 metres
 - ii) Rear Yard (minimum) 10 metres

- e. Yard Requirements for lots with an area larger than 4500 square metres
 - i) Interior Side Yard setback to the Southern Property line (minimum) 40 metres
 - ii) Rear Yard (minimum) 25 metres

Section 8

8. Residential Estate (RE) Zone

8.1 Permitted Uses

No person shall within a Residential Estate (RE) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) A single detached dwelling

8.2 Regulations for Residential Uses

Deleted by By-Law 87-52

Amended by By-Law 87-18

- a. Lot Area (minimum) 4800 square metres

Amended by By-Law 87-18

- b. Lot Frontage (minimum) 30 metres

c. Yard Requirements (minimum)

- | | | |
|------|--------------------|-----------|
| i) | Front Yard | 15 metres |
| ii) | Exterior Side Yard | 15 metres |
| iii) | Interior Side Yard | 6 metres |
| iv) | Rear Yard | 15 metres |

Amended by By-Law 87-18

- d. Floor Area (minimum) 165 square metres

- e. Lot Coverage (maximum) 38 percent

- f. Landscaped Open Space (minimum) 30 percent

- g. Building Height (maximum) 10.5 metres

Section 8

8.3 Special Exceptions - Residential Estate (RE) Zone

8.3.1 Residential Estate Exception (RE-1) Zone

Notwithstanding Section 8.2, those lands zoned RE-1 on the Schedules to this By-law shall be subject to the following special regulations:

- a. Minimum Setback from the limit of any Environmental Protection (EP) Zone 65 metres

8.3.2 Residential Estate Exception (RE-2) Zone

Notwithstanding Section 8.2, those lands zoned RE-2 on the Schedules to this By-law shall be subject to the following special regulations:

- a. Rear Yard (minimum) 15 metres, except that no part of any dwelling or the water surface area of any swimming pool may be located closer than 30 metres from any lot used for agricultural purposes.

Deleted by By-Law 87-18

8.3.4 Residential Estate Exception (RE-4) Zone

Notwithstanding Section 8.2, those lands zoned RE-4 on the Schedules to this By-law shall be subject to the following special regulations:

- a. Lot Area (minimum) 2940 square metres
- b. Lot Frontage (minimum) 30 metres; where lot lines are not parallel, the lot frontage shall be the distance between the side lot lines measured on a line 30 metres back from the front lot line and parallel to it.

Section 8

Added by By-Law 84-141

8.3.5 Residential Estate Exception (RE-5) Zone

Notwithstanding Section 8.2, those lands zoned RE-5 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 4000 square metres
- b. Lot Frontage (minimum) 30 metres

Deleted by By-Law 87-18

Added by By-Law 89-170

8.3.7 Residential Estate Exception (RE-7) Zone

Notwithstanding Section 3.21(c) those lands zoned RE-7 will permit the erection of a non-farm related residential building with a minimum separation of 190 m from existing agricultural buildings, housing livestock and not located on the same lot.

Added by By-law 92-207

Amended by By-Law 2011-064

8.3.8 Residential Estate Exception (RE-8) Zone

Notwithstanding Sections 3.14 and 8.2, the lands zoned RE-8 on the Schedules to this By-law shall be subject to the following regulations:

- a) Lot Area (minimum) 0.8 hectares
- b) Lot Frontage (minimum) 45 metres
- c) Where this By-law limit divides a property, provided the use of that lot conforms with the zone requirements, this By-law shall not be a zone limit for defining lot area and yard setbacks.

9. Residential Hamlet (RH) Zone

9.1 Permitted Uses

No person shall within a Residential Hamlet (RH) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) A single detached dwelling; and
- ii) A home occupation use in accordance with the provisions of Section 3.11.

b. Non-Residential Uses

- i) Places of worship subject to the zone regulations set out in Section 9.2; and
- ii) Cemeteries which existed prior to the date of passing of this By-law.

9.2 Regulations for Residential Uses

Amended by By-law 91-143

- | | | |
|----|---------------------------------|--------------------|
| a. | Lot Area (minimum) | 4000 square metres |
| b. | Lot Frontage (minimum) | 30 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6 metres |
| | ii) Exterior Side Yard | 6 metres |
| | iii) Interior Side Yard | 2 metres |
| | iv) Rear Yard | 10 metres |
| d. | Floor Area (minimum) | 110 square metres |
| e. | Lot Coverage (maximum) | 30 percent |
| f. | Landscaped Open Space (minimum) | 30 percent |
| g. | Building Height (maximum) | 10.5 metres |

9.3 Special Exceptions - Residential Hamlet (RH) Zone

9.3.1 Residential Hamlet Exception (RH-1) Zone

Notwithstanding Section 9.2, those lands zoned RH-1 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|--------------------|--------------------|
| a. | Lot Area (minimum) | 5000 square metres |
|----|--------------------|--------------------|

Deleted by By-Law 2015-062

9.3.3 Residential Hamlet Exception (RH-3) Zone

Notwithstanding Section 9.2, the minimum lot frontage and lot area requirements for those lands zoned RH-3 shall be as follows:

- | | | |
|----|------------------------|--------------|
| a. | Lot Area (minimum) | 0.8 hectares |
| b. | Lot Frontage (minimum) | 45 metres |

9.3.4 Residential Hamlet Exception (RH-4) Zone

Notwithstanding Section 9.2, those lands zoned RH-4 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|--------------|
| a. | Lot Area (minimum) | 0.4 hectares |
| b. | Lot Frontage (minimum) | 45.0 metres |
| c. | Front Yard (minimum) | 25.0 metres |
| d. | Side Yard (minimum) | 7.5 metres |

9.3.5 Residential Hamlet Exception (RH-5) Zone

Notwithstanding Section 9.2, those lands zoned RH-5 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | |
|--|------------|
| Minimum Setback from the limit of any Environmental Protection (EP) Zone | 2.0 metres |
|--|------------|

9.3.6 Residential Hamlet Exception (RH-6) Zone

Notwithstanding Section 9.2, those lands zoned RH-6 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 20.0 metres

9.3.7 Residential Hamlet Exception (RH-7) Zone

Notwithstanding Section 9.1, those lands zoned RH-7 on the Schedules to this By-law may, in addition to those other uses permitted in the RH Zone, be used for an implement shed not exceeding a floor area of 85.0 square metres and being a building where snow removal and garden or grounds maintenance equipment such as a tractor, plow, cultivator, mower, disc, harrows, snow blower, snow blade and loader shall be stored. In addition, one diesel-fuel storage tank, not exceeding a capacity of 1000 litres, may also be permitted.

9.3.8 Residential Hamlet Exception (RH-8) Zone

Notwithstanding Section 9.2, those lands zoned RH-8 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 1890 square metres
- b. Lot Frontage (minimum) 50.0 metres

9.3.9 Residential Hamlet Exception (RH-9) Zone

Notwithstanding Section 9.2, those lands zoned RH-9 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 4000 square metres
- b. Lot Frontage (minimum) 45.0 metres
- c. Front Yard (minimum) 55.0 metres

9.3.10 Residential Hamlet Exception (RH-10) Zone

Notwithstanding Section 9.2, those lands zoned RH-10 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 1850 square metres

Added by By-law 86-11

9.3.11 Residential Hamlet Exception (RH-11) Zone

Notwithstanding Section 9.2, those lands zoned RH-11 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 2680 square metres

Added by By-Law 89-127

9.3.13 Residential Hamlet Exception (RH-13) Zone

Notwithstanding Section 9.2, those lands zoned RH-13 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 1500 square metres

Added by By-Law 90-200

9.3.14 Residential Hamlet Exception (RH-14) Zone

Notwithstanding Section 9.2, those lands zoned RH-14 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Yard Requirements (minimum)
 - i) Front Yard 13 metres
 - ii) Lot Area 3000 square metres

Added by By-Law 92-124

9.3.15 Residential Hamlet Exception (RH-15) Zone

Notwithstanding Section 9.2, those lands zoned RH-15 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 3000 square metres

Added by By-Law 92-182

9.3.17 Residential Hamlet Exception (RH-17) Zone

Notwithstanding Section 9.2, those lands zoned RH-17 on the Schedules to this By-law shall be subject to the following zone requirements:

- a. Lot Area (minimum) 2000 square metres
- b. Lot Frontage (minimum) 27 metres

Added by By-Law 92-182

9.3.18 Residential Hamlet Exception (RH-18) Zone

Notwithstanding Section 9.1, those lands zoned RH-18 on the Schedules to this By-law shall only be used for single dwelling residential units when municipal water and sanitary sewer are available.

Added by By-Law 95-070

9.3.19 Residential Hamlet Exception (RH-19) Zone

Notwithstanding Section 9.2 and Section 3.21 c., those lands zoned RH-19 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Rear Yard (minimum) 25 metres

Added by By-Law 98-122

9.3.20 Residential Hamlet Exception (RH-20) Zone

Notwithstanding the provisions of Section 3.21, those lands zoned RH-20 on the Schedules to this By-law shall maintain a minimum 50 metre setback from the Environmental Protection Zone boundary as determined by the Ganaraska Region Conservation Authority.

Added by By-Law 2000-064

9.3.21 Residential Hamlet Exception (RH-21) Zone

Notwithstanding Section 9.2, those lands zoned RH-21 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 2000 square metres
- b. Yard Requirements (minimum)
 - i) Front Yard 1.65 metres
 - ii) Exterior Side Yard Nil

For the purpose of this subsection the aforementioned yard requirements shall only apply to the buildings existing prior to May 29, 2000.

Added by By-Law 2000-064

9.3.22 Residential Hamlet Exception (RH-22) Zone

Notwithstanding Section 9.2, those lands zoned RH-22 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 2000 square metres
- b. Yard Requirements (minimum)
 - i) Front Yard 1.04 metres

For the purpose of this subsection the aforementioned yard requirements shall only apply to the buildings existing prior to May 29, 2000.

Added by By-Law 2000-064

9.3.23 Residential Hamlet Exception (RH-23) Zone

Notwithstanding Section 9.2, those lands zoned RH-23 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 1900 square metres

Added by By-Law 2006-036

9.3.24 Residential Hamlet Exception (RH-24) Zone

Notwithstanding Sections 9.2 a. and c. ii), buildings existing prior to February 27, 2006, on those lands zoned RH-24 on the attached Schedule to this By-law, shall be subject to the following zone regulations:

- a. Lot Area (minimum) 1852 square metres
- b. Yard Requirements (minimum)
 - i) Exterior Side Yard Setback 0.25 metres

9.3.25 Residential Hamlet Exception (RH-25) Zone

Notwithstanding Sections 9.2 a., c. i) and 3.1 c., buildings existing prior to February 27, 2006, on those lands zoned RH-25 on the attached Schedule to this By-law, shall be subject to the following zone regulations:

- a. Lot Area (minimum) 1200 square metres
- b. Yard Requirements (minimum)
 - i) Front Yard Setback 4.9 metres
 - ii) Accessory Building Interior Side Yard Setback 0.4 metres
(to the wall of the accessory building)

Added by By-Law 2007-193

9.3.26 Hamlet Residential Exception (RH-26) Zone

Notwithstanding Sections 9.1 and 9.2 those lands zoned RH-26 on the Schedules to this By-law, in addition to other uses permitted in the Residential Hamlet (RH) Zone, may be used for a Personal Service Shop (Aesthetics – Reflexology) subject to the following zone regulations:

- a. Regulations
 - i) Front Yard Setback (minimum) 50 metres
 - ii) Rear Yard Setback (minimum) 60 metres
 - iii) Interior Side Yard Setback (minimum) 6 metres
 - iv) Total Gross Floor Area of Buildings (maximum) 250 square metres

Added by By-Law 2008-048

9.3.27 Residential Hamlet Exception (RH-27) Zone

Notwithstanding Sections 3.21 a. and 9.2 a. those lands zoned RH-27 as shown on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Setback from the Environmental Protection (EP) Zone (minimum) 0 metres
- b. Lot Area (minimum) 1.9 hectares

Added by By-Law 2010-125

9.3.28 Residential Hamlet Exception (RH-28) Zone

Notwithstanding Section 9.2 c. (i), on those lands zoned “RH-28” on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Yard Requirements
 - i) Front Yard 10 metres
 - a) Minimum
 - b) Maximum 20 metres
- b. Garage Requirements
 - i) The maximum permitted outside width of the garage shall be 40% of the total width of the house.

Added by By-Law 2013-095

9.3.29 Hamlet Residential Exception (RH-29) Zone

Notwithstanding the provisions of Sections 9.2 c. (i), on those lands zoned “RH-29” on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Yard Requirements
 - i) Front Yard
 - a) Minimum 10 metres
 - b) Maximum 50 metres

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b. Garage Requirements

- i) Where an attached garage faces a street the maximum permitted outside width of the garage shall be 45% of the total width of the house.

Section 10

10. Residential Mobile Home Park (RM) Zone

10.1 Permitted Uses

No person shall within a Residential Mobile Home Park (RM) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Residential Uses
 - i) A mobile home park not exceeding a density of 7 mobile homes per hectare
- b. Non-Residential Uses
 - i) A mobile home park community centre
 - ii) A private park
 - iii) A mobile home park maintenance depot
 - iv) A cable television reception tower and appurtenant structures
 - v) Storage lockers accessory to a mobile home

10.2 Regulations for Residential Uses

- a. Each mobile home site located within a mobile home park shall be subject to the following zone regulations:
 - i) Site Area (minimum) 325 square metres
 - ii) Site Coverage (maximum) 45 percent
 - iii) Landscaped Open Space (minimum) 30 percent
- b. Each mobile home shall be located on a single mobile home site and shall be subject to the following zone regulations:
 - i) Floor Area (minimum) 60 square metres
 - ii) Setback from any other mobile home 3.0 metres
 - iii) Setback from any mobile home park road 5.0 metres
 - iv) Setback from any lot line 15.0 metres

Section 10

10.3 Regulations for Non-Residential Uses

- a. Mobile Home Park Community Centre
 - i) Floor Area (maximum) 3500 square metres
 - ii) Setback from any mobile home 15.0 metres
 - iii) Setback from any mobile home park road 5.0 metres
 - iv) Setback from any lot line 15.0 metres
- b. Mobile Home Park Maintenance Depot
 - i) Floor Area (maximum) 300 square metres
 - ii) Setback from any mobile home 50 metres
 - iii) Setback from any mobile home park road 5.0 metres
 - iv) Setback from any lot line 15.0 metres
- c. Cable Television Reception Tower and Appurtenances
 - i) Setback from any mobile home 15.0 metres
 - ii) Setback from any mobile home park road 5.0 metres
 - iii) Setback from any lot line 15.0 metres

10.4 Municipal Servicing Requirements

- a. No residential building or structure may be erected and no residential use may be established in the Residential Mobile Home Park (RM) Zone unless the site upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

Added by By-Law 92-195

10.5 Special Exceptions - Residential Mobile Home Park (RM) Zone

10.5.1 Residential Mobile Home Park Exception (RM-1) Zone

Notwithstanding Sections 10.1, 10.2, 10.3 and 10.4, those lands zoned RM-1 on the Schedules to this By-law shall be subject to the following zone regulations:

Section 10

a. Residential Uses

- i) A mobile home park existing at the date of the passing of this By-law
- ii) An existing single detached dwelling

b. Non-Residential Uses

- i) A mobile home park maintenance depot
- ii) A retail sales and/or service establishment with outdoor display area for recreational vehicles, equipment and accessories

c. Regulations for Residential Uses

- i) Mobile Home Units (maximum) 18 units
- ii) Mobile Home Site Area (minimum) 250 square metres
- iii) Mobile Home Floor Area (minimum) 40 square metres
- iv) Mobile Home Side Yard Setbacks (minimum)
For the purposes of this Subsection, the definition of front, rear and side yard shall apply to a mobile home site:

- a) Front Yard 3 metres
- b) Rear Yard 5 metres
- c) Side Yard 1.8 metres on one side,
5.0 metres on the other side

- v) Parking Requirements (minimum) 33 parking spaces

d. Regulations for Non-Residential Uses

- i) Yard Setbacks (minimum)
 - a) Front Yard 14 metres
 - b) Rear Yard 50 metres
 - c) Side Yard 5 metres
- ii) Parking Requirements 7 parking spaces

Section 11

11. Residential Shoreline (RS) Zone

11.1 Permitted Uses

No person shall within the Residential Shoreline (RS) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Residential Uses
 - i) A single detached dwelling;
 - ii) A seasonal dwelling;
 - iii) A home occupation use in accordance with the provisions of Section 3.11 hereinafter set forth in this By-law

11.2 Regulations for Residential Uses

- a. Lot Area (minimum) 2800 square metres
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 8 metres
 - ii) Exterior Side Yard 8 metres
 - iii) Interior Side Yard 3 metres
 - iv) Rear Yard 8 metres
- d. Dwelling Unit Area (minimum)
 - i) Seasonal Dwelling 75 square metres
Amended by By-Law 85-51
 - ii) Single detached dwelling 110 square metres
- e. Lot Coverage (maximum) 30 percent
- f. Landscaped Open Space (minimum) 30 percent
- g. Building Height (maximum) 10.5 metres
- h. An existing seasonal dwelling may be converted to a single detached dwelling in accordance with the requirements of Sections 3.8 and 3.21.

Section 11

11.3 Special Exceptions - Residential Shoreline (RS) Zone

11.3.1 Residential Shoreline Exception (RS-1) Zone

Notwithstanding Section 11.1, those lands zoned RS-1 on the Schedules to this By-law shall only be used in accordance with the following zone regulations:

- a. Permitted Uses
 - i) Seasonal dwellings existing at the date of passing of this By-law;
 - ii) Single detached dwellings existing at the date of passing of this By-law;
 - iii) Greenbelt park;
 - iv) Flood and erosion control works.
- b. Zone Provisions
 - i) Existing seasonal dwellings may be enlarged or expanded or converted to a single detached dwelling subject to the provisions of Sections 3.7, 3.8, 3.9, 3.21 and/or 11.2.
 - ii) Existing single detached dwellings may be enlarged or expanded subject to the provisions of Section 3.7, 3.8, 3.9, 3.21 and/or 11.2.
 - iii) Expansion and enlargement of existing seasonal and single detached dwellings, or conversion of existing seasonal to a single detached dwelling shall be permitted provided no openings, doors or windows, in any structure designed for human habitation, are located, entirely or partially, below an elevation of 76.2 metres C.G.D. being the 1:100 year Floor Level for Lake Ontario.

11.3.2 Residential Shoreline Exception (RS-2) Zone

Notwithstanding Section 11.1, those lands zoned RS-2 on the Schedules to this By-law shall only be used in accordance with the following zone regulations.

- a. Permitted Uses
 - i) Seasonal dwellings existing at the date of passing of this By-law;
 - ii) Single detached dwellings existing at the date of passing of this By-law;
 - iii) Greenbelt park;
 - iv) Flood and erosion control works.

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b. Zone Provisions

- i) Existing seasonal dwellings may be enlarged or expanded or converted to a single detached dwelling subject to the provisions of Sections 3.7, 3.8, 3.9, 3.20 and/or 11.2.
- ii) Existing single detached dwellings may be enlarged or expanded subject to the provisions of Sections 3.7, 3.8, 3.9, 3.20 and/or 11.2.
- iii) Expansion and enlargement of existing seasonal and single detached dwellings or conversion of existing seasonal to a single detached dwelling shall be permitted provided shoreline erosion protection works are provided to a standard acceptable to the Town of Newcastle.

Added by By-Law 89-197

11.3.3 Residential Shoreline Exception (RS-3) Zone

Notwithstanding Section 11.2 those lands zoned RS-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 800 square metres
- b. Lot Frontage (minimum) 12.5 metres
- c. Yard Requirements
 - i) Front Yard 9 metres
 - ii) Interior Side Yard 1.2 metres
 - iii) Rear Yard 34 metres
- d. Ground Floor Area (maximum) 97.5 square metres
- e. Minimum Elevation of any Door Window or Other Structural Opening 78.3 metres (C.G.D.)

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Added by By-Law 95-177

11.3.4 Residential Shoreline Exception (RS-4) Zone

Notwithstanding Sections 11.2 and 3.21 a., those lands zoned RS-4 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|---|---------------------|
| a. | Lot Area (minimum) | 2,000 square metres |
| b. | Rear Yard
where the rear yard abuts an Environmental
Protection (EP) Zone | 7.5 metres |

12. Urban Residential Type One (R1) Zone

12.1 Permitted Uses

No person shall, within an Urban Residential Type One (R1) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) A single detached dwelling;

Amended by By-Law 89-72

- ii) A semi-detached dwelling as per the definition of Section 2;
iii) A duplex; and
iv) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items.

Amended by By-Law 87-19

b. Non-Residential Uses

- i) Places of worship subject to the zone regulations set out in Section 12.2 in respect of a single detached dwelling with an attached garage or carport.

12.2 Regulations for Residential Uses

a. Lot Area (minimum)

- | | | |
|-----|-----------------------------------|-------------------|
| i) | Single detached dwelling | 460 square metres |
| ii) | Semi-detached and duplex dwelling | 550 square metres |

b. Lot Frontage (minimum) Interior Lot

- | | | |
|-----|-----------------------------------|-----------|
| i) | Single detached dwelling | 15 metres |
| ii) | Semi-detached and duplex dwelling | 18 metres |

c. Lot Frontage (minimum) Exterior Lot

- | | | |
|-----|-----------------------------------|-----------|
| i) | Single detached dwelling | 16 metres |
| ii) | Semi-detached and duplex dwelling | 20 metres |

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d. Yard Requirements (minimum)

- | | | |
|------|--------------------|--|
| i) | Front Yard | <i>Amended by By-Law 99-180</i>
6 metres to private garage
or carport and 4.5 metres to dwelling
<i>Amended by By-Law 85-51</i> |
| ii) | Exterior Side Yard | 6 metres |
| iii) | Interior Side Yard | |
| | a) | Single detached dwelling unit with
an attached garage or carport
1.20 metres |
| | b) | Single detached dwelling without
an attached garage or carport
4.5 metres on one side,
1.2 metres on the other
<i>Amended by By-Law 85-36</i> |
| | c) | Semi-detached dwelling and
duplex dwelling with an attached
garage or carport
1.20 metres |
| | d) | <i>Amended by By-Law 85-36 and By-Law 86-41</i>
Semi-detached dwelling <u>and</u>
duplex dwelling without an
attached garage or carport
3.0 metres |
| iv) | Rear Yard | 7.5 metres |

e. Dwelling Unit Area (minimum)

- | | | |
|------|--------------------------|---|
| i) | Single detached dwelling | |
| | a) | 1 storey or split level
85 square metres |
| | b) | 1 1/2 or two storey
100 square metres |
| ii) | Semi-detached dwelling | 80 square metres |
| iii) | Duplex | 50 square metres |

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- f. Lot Coverage (maximum)
 - i) Single detached dwelling 40 percent
 - ii) Semi-detached and duplex dwelling 45 percent
- g. Landscaped Open Space (minimum) 30 percent
- h. Building Height (maximum) 10.5 metres

Amended by By-Law 89-72

- i. Special Yard Regulations
 - i) Notwithstanding the interior side yard requirements above, where a semi-detached dwelling is only connected by the footing and foundation, the horizontal distance between the interior walls of the two (2) dwelling units above finished grade shall be between 1.20 metres and 1.5 metres.

Amended by By-Law 99-180

- ii) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit. This provision shall apply to all lots registered after June 30, 2000.

Added by By-Law 2020-050

12.2.1 Neighbourhood Character Overlay

The following alternate regulations shall apply to the “Urban Residential Type One (R1) Residential Zone” and all special exceptions to that zone located within the Neighbourhood Character Overlay identified on Schedule ‘3’:

- a. For the purpose of Section 12.2.1, the term:
 - i) Height of the Dwelling means the vertical distance, measured between the lowest fixed grade, and
 - a) In the case of a flat roof, the highest point of the roof surface,
 - b) In the case of a mansard roof, the deck roof line, and
 - c) In the case of a gable, hip or gambrel roof, the average height between the eaves and the ridge.
 - ii) Established building line means the average yard setback from the street line to existing principal buildings on one side of the street

measured a minimum of four lots on either side of the lot within the same zone category.

- iii) Fixed grade means the elevation of the ground at the front lot line measured at the midpoint of a lot.
- iv) Soft landscaping means the portion of a lot comprised of any combination of flowers, grass, shrubs, sod, trees or other horticultural elements that is not covered with impervious surfaces. It does not include any buildings or structures, any hard surface areas such as, but not limited to, driveways, parking areas, decorative stonework, walkways, patios, screening or other landscape architectural elements.

b. Yard Requirements

i) Front Yard and Exterior Side Yard

- a) 6.0 metres minimum to the garage or carport;
- b) Minimum to the dwelling is the established building line;
- c) Maximum to the dwelling is 2.0 metres from the established building line

ii) Interior Side Yard (minimum)

- a) 3.0 metres on one side where there is no attached garage;
- b) 1.2 metres for dwellings 1.5 storeys or less; and
- c) 1.8 metres for dwellings greater than 1.5 storeys

c. Lot Coverage (maximum)

i) Single detached dwelling

- | | | |
|----|---|------------|
| a) | With a lot area less than 650 square metres | 35 percent |
| b) | With a lot area between 650 square metres and 799 square metres | 30 percent |
| c) | With a lot area over 800 square metres | 25 percent |

ii) Semi-detached and duplex dwelling

- | | | |
|----|--|------------|
| a) | For dwellings 1.5 storeys or less | 35 percent |
| b) | For dwellings greater than 1.5 storeys | 30 percent |

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- iii) Unenclosed porch/balcony and accessory buildings and structures additional 5 percent
- iv) An area of a covered and unenclosed porch/balcony having no habitable floor space above it is excluded from the maximum lot coverage subject to the following:
 - a) In the case of an interior lot, up to a maximum total area of 12.0 square metres is permitted within the front yard.
 - b) In the case of an exterior lot, up to a maximum total area of 20.0 square metres is permitted within the front yard and/or exterior side yard.
- d. Landscaped Open Space (minimum)
 - i) Overall 40 percent
 - ii) Front Yard 50 percent, which must be soft landscaping
- e. Height of a dwelling (maximum)
 - i) Flat Roof 7.5 metres
 - ii) All other roof types 8.5 metres
- f. Special Regulations
 - i) The combined maximum permitted width of garage door(s) on an attached garage:
 - a) Where facing the exterior side lot line for all dwellings 6 metres
 - b) Where facing the front lot line that is less than 15 metres 3 metres
 - c) Where facing the front lot line that is 15 metres or greater 6 metres
 - ii) A garage door(s) or carport opening(s) shall be setback a minimum of 1.0 metres from the front or exterior side wall of the dwelling.
 - iii) Height of floor deck of an unenclosed porch above finished grade must not exceed 1.0 metres.
 - iv) Entrances for an apartment-in-house can be found in the front building façade through a common entrance with the principal

dwelling. Where a separate entrance is provided it must be in the side or rear yard.

g. Exceptions

i) Minimum front yard setback for a garage at 73 and 74 Lambs Lane is 9.8 metres.

ii) Notwithstanding 12.2.1 b. i) c., c.i), d. ii), and f. ii), 10 Victoria Street shall be subject to the following zone regulations:

- | | | |
|----|---|------------|
| a) | Front yard setback (maximum) | 6.5 metres |
| b) | Lot coverage (maximum) | 43 percent |
| c) | Front yard landscape open space (minimum) | 35 percent |
| d) | A garage door may not extend in front of the front wall of the dwelling | |

iii) Notwithstanding 12.2.1 e. ii) the maximum height of a dwelling at 64 Prospect Street that does not have a flat roof is 9 metres.

12.3 Municipal Servicing Requirement

a. No building or structure may be erected and no use may be established in the Urban Residential Type One (R1) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law.

c. Subsection a. above does not apply to prevent the erection of a dwelling on a lot which existed prior to the date of passing of this By-law or which has been created by consent, provided that soil and groundwater conditions are suitable for the installation of individual services provided a Servicing Agreement has been executed with the Regional Municipality of Durham and provided that all other zone requirements are complied with.

d. Subsection a. above does not apply to prevent the erection of a dwelling on a lot or block within a registered plan of subdivision provided that a subdivision agreement with the Town has been registered on title and further, provided

that such subdivision agreement includes appropriate provisions in respect of the servicing of such lot or block.

12.4 Special Exceptions - Urban Residential Type One (R1) Zone

Added by By-Law 85-51

12.4.1 Urban Residential Type One (R1-1) Zone

Notwithstanding Section 12.1 a., only single detached dwellings and all home occupation uses shall be permitted on those lands zoned R1-1 on the Schedules to this By-law subject to the following zone regulations:

- a. Lot Area (minimum) 650 square metres
- b. Lot Frontage (minimum) 18 metres

Added by By-Law 85-51

12.4.2 Urban Residential Exception (R1-2) Zone

Notwithstanding Section 12.1 a., only single detached dwellings and all home occupation uses shall be permitted on those lands zoned R1-2 on the Schedules to this By-law subject to the following zone regulations:

- a. Lot Area (minimum) 695 square metres
- b. Lot Frontage (minimum) 20 metres
- c. No building or structure may be erected and no use may be established in the R1-2 zone unless the lot upon which it is situated is serviced by a municipal water system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment.

Amended by By-Law 2015-062

12.4.3 Urban Residential Exception (R1-3) Zone

Notwithstanding Section 12.1, those lands zoned R1-3 on the Schedules to this by-law may, in addition to the other uses permitted in the R1 Zone, be used for a long term care facility. The placement of buildings and structures shall be subject to the zone regulations as set out in Section 12.2.

12.4.4 Urban Residential Exception (R1-4) Zone

Notwithstanding Section 12.1, only single detached dwellings and all home occupation uses shall be permitted on those lands zoned R1-4 on the Schedules to this By-law subject to the following zone regulations:

- | | | |
|----|---|-------------------|
| a. | Lot Area (minimum) | 565 square metres |
| b. | Lot Frontage (minimum) | 17.5 metres |
| c. | Interior Side Yard (minimum) | |
| | i) With an attached garage or carport | 1.8 metres |
| | ii) Without an attached garage or carport | 3.7 metres |
| d. | Rear Yard (minimum) | 7.5 metres |
| e. | Floor Area (minimum) | 165 square metres |

12.4.5 Urban Residential Exception (R1-5) Zone

Notwithstanding Section 12.1, those lands zoned R1-5 on the Schedules to this By-law may only be used for a hospital subject to the following zone regulations:

- | | | |
|----|---------------------------|-----------|
| a. | Front Yard (minimum) | 6 metres |
| b. | Rear Yard (minimum) | 6 metres |
| c. | Side Yard (minimum) | 6 metres |
| d. | Building Height (maximum) | 20 metres |

Deleted by By-Law 2015-062

12.4.7 Urban Residential Exception (R1-7) Zone

Notwithstanding Section 12.2, those lands zoned R1-7 on the Schedules to this By-law are also subject to the following zone regulation:

- | | | |
|----|--|-------------|
| a. | Minimum setback from the centreline of the
Canadian National Railway Right-of-way | 53.0 metres |
|----|--|-------------|

12.4.8 Urban Residential Exception (R1-8) Zone

Notwithstanding Section 12.1, those lands zoned R1-8 on the Schedules to this By-law may, in addition to the other uses permitted in the R1 Zone, be used for a residence for the accommodation, education, employment, recreation and therapeutic treatment of handicapped persons. The placement of buildings and structures shall be subject to the regulations set out in Section 12.2 in respect of a single detached dwelling.

12.4.9 Urban Residential Exception (R1-9) Zone

Notwithstanding Section 12.1, those lands zoned R1-9 on the Schedules to this By-law may, in addition to a single detached dwelling, be used for a day nursery. The placement of buildings and structures shall be subject to the regulations set out in Section 12.2 in respect of a single detached dwelling.

12.4.10 Urban Residential Exception (R1-10) Zone

Notwithstanding Section 12.1, those lands zoned R1-10 on the Schedules to this By-law may be only used for the purposes of a private school subject to the following zone regulations:

- | | | |
|----|-----------------------------|----------------------|
| a. | Lot Area (minimum) | 25,000 square metres |
| b. | Lot Frontage (minimum) | 30.0 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 30 metres |
| | ii) Interior Side Yard | 7.5 metres |
| | iii) Exterior Side Yard | 15 metres |
| | iv) Rear Yard | 10 metres |

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- d. Building Height (maximum) 10.5 metres
- e. Off Street Parking (minimum) The greater of 1 space per class room or 1 space per 10 square metres of general purpose rooms or auditorium.

Amended by By-Law 85-51

12.4.11 Urban Residential Exception (R1-11) Zone

Notwithstanding Section 12.2, those lands zoned R1-11 on the Schedules to this By-law shall also be subject to the following provision:

- a. Lot Area (minimum) 445 square metres

12.4.12 Urban Residential Exception (R1-12) Zone

Notwithstanding Section 12.1, those lands zoned R1-12 on the Schedules to this By-law may also be used for a converted dwelling in accordance with the zone regulations for semi-detached and duplex dwellings.

12.4.13 Urban Residential Exception (R1-13) Zone

Notwithstanding Section 12.1, only single detached dwelling and home occupation uses shall be permitted on those lands zoned R1-13 on the Schedules to this By-law, subject to the following zone regulations:

- a. Lot Area (minimum) 695 square metres
- b. Lot Frontage (minimum) 20 metres
- c. No building or structure may be erected and no use may be established in the R1-13 zone unless the lot upon which it is situated is serviced by a private water system and private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment.

Amended by By-Law 95-90

12.4.14 Urban Residential Exception (R1-14) Zone

Notwithstanding Section 12.1, those lands zoned R1-14 on the Schedules to this By-law may be only used for the purposes of a public park, music festivals or concerts

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operated by not-for-profit organizations and an Agricultural Fairground subject to the following zone regulations:

- a. Lot Area (minimum) 4000 square metres
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 15 metres
 - ii) Interior Side Yard 7.5 metres
 - iii) Exterior Side Yard 15 metres
 - iv) Rear Yard 7.5 metres
- d. Lot Coverage (maximum) 10 percent
- e. Building Height (minimum) 12.0 metres

Added by By-Law 85-12

12.4.15 Urban Residential Exception (R1-15) Zone

Notwithstanding Section 12.2, those lands zoned R1-15 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 9.45 metres
- b. Yard Requirements (minimum)
 - i) Front Yard 4.25 metres
 - ii) Interior Side Yard with an attached garage or carport, 0.90 metres without an attached garage or carport 2.80 metres on one side, 0.90 metres on the other

Added by By-Law 86-33

12.4.16 Urban Residential Exception (R1-16) Zone

Notwithstanding Section 12.1, only single detached dwellings and home occupation uses may be permitted on those lands zoned R1-16 on the Schedules to this By-law and shall be subject to the following zone regulations:

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- a. Lot Area (minimum) 3000 square metres
- b. Lot Frontage (minimum) 30 metres

Added by By-Law 86-39

12.4.17 Urban Residential Exception (R1-17) Zone

Notwithstanding Section 12.2, those lands zoned R1-17 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 2100 square metres

Added by By-Law 88-11

12.4.18 Urban Residential Exception (R1-18) Zone

Notwithstanding Section 12.1, those lands zoned R1-18 on the Schedules to this By-law may in addition to other uses permitted in the R1 zone, be used for a triplex. For the purposes of this subsection, a dwelling, triplex shall mean a building that is divided vertically and/or horizontally into three separate dwellings each of which has an independent entrance either directly from the outside or through a common vestibule. The placement of buildings and structures shall be subject to the regulations set out in Section 12.2 in respect of a duplex dwelling.

Added by By-Law 88-57

12.4.19 Urban Residential Exception (R1-19) Zone

Notwithstanding Section 12.2, those lands zoned R1-19 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Lot Area (minimum) 1700 square metres

Added by By-Law 88-92

12.4.20 Urban Residential Exception (R1-20) Zone

Notwithstanding Section 12.2, those lands zoned R1-20 on the Schedules to this By-law are also subject to the following zone regulation:

- a. Minimum setback from the Canadian Pacific Railway property line 30.0 metres

Added by By-Law 89-68

12.4.21 Urban Residential Exception (R1-21) Zone

Notwithstanding Sections 12.1 and 3.16 a., those lands zoned R1-21 on the Schedules to this By-law shall only be used for a professional/medical clinic which includes a laboratory and a dispensing pharmacy, subject to the following zone regulations:

- | | | |
|----|---|--------------------|
| a. | Lot Area (minimum) | 1737 square metres |
| b. | Lot Frontage (minimum) | 28 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6 metres |
| | ii) Exterior Side Yard (easterly) | nil |
| | iii) Exterior Side Yard (westerly) | 20 metres |
| | iv) Rear Yard | 14 metres |
| d. | Lot Coverage (maximum) | 281 square metres |
| e. | Landscaped Open Space (minimum) | 12 percent |
| f. | Building Height (maximum) | 10.5 metres |
| g. | Parking Spaces (minimum) | 38 |
| | 6 Parking Spaces per Doctor | |
| h. | Laboratory Facilities and Dispensing Pharmacy (maximum) | 80 square metres |

Added by By-Law 89-90

12.4.22 Urban Residential Exception (R1-22) Zone

Notwithstanding Section 12.2, those lands zoned R1-22 on the Schedules to this By-law are also subject to the following zone regulations:

- | | | |
|----|---|-------------|
| a. | Minimum Setback from the Canadian Pacific Railway property line | 41.0 metres |
|----|---|-------------|

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*Added by By-Law 89-98
Amended by By-Law 2012-035*

12.4.23 Urban Residential Exception (R1-23) Zone

Notwithstanding Section 12.1, those lands zoned R1-23 on the Schedules to this By-law shall permit a sixplex and shall be subject to the zone regulations:

- | | | |
|----|---------------------------------|----------------------|
| a. | Lot Area (minimum) | 1586.7 square metres |
| b. | Lot Frontage (minimum) | 56.3 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 20.4 metres |
| | ii) Interior Side Yard | 1.3 metres |
| | iii) Rear Yard | 5.8 metres |
| d. | Lot Coverage (maximum) | 40 percent |
| e. | Landscaped Open Space (minimum) | 30 percent |
| f. | Building Height (maximum) | 10.5 metres |

Added by By-Law 90-29

12.4.24 Urban Residential Exception (R1-24) Zone

Notwithstanding Section 12.1, the lands zoned R1-24 on the Schedules to this By-law may only be used as a "Parking Area".

For the purpose of this provision, the definition of "Parking Area" shall not include a private garage, structure or building.

*Added by By-Law 90-175
Amended by By-Law 2015-062*

12.4.26 Urban Residential Exception (R1-26) Zone

Notwithstanding Section 12.1, those lands zoned R1-26 on the Schedules to this By-law may in addition to the other uses in the R1 Zone, be used as a long term care facility or a residence for supervised living arrangements. For the purpose of this subsection, a residence for supervised living arrangements shall mean a dwelling in which the proprietor and/or his agent resides and supplies lodging including the

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provision of meals, and supervised care to the residents, in rooms furnished by the proprietor with necessary furnishings in return for monetary compensation, to a maximum of 44 persons, exclusive of the proprietor and his immediate household. The placement of buildings and structures shall be subject to the following zone regulations:

- a. Yard Requirements
 - i) Front Yard 2.0 metres
 - ii) Rear Yard 18.0 metres
 - iii) Interior Side Yard 9.0 metres on one side
5.5 metres on the other
- b. Lot Coverage (maximum) 25 percent
- c. Building Height (maximum) 10.5 metres

*Added by By-Law 91-24
Amended by By-Law 2015-062*

12.4.27 Urban Residential Exception (R1-27) Zone

Notwithstanding Section 12.1, those lands zoned R1-27 on the Schedules to this By-law may, in addition to the other uses permitted in the R1 zone, be used for a Funeral Services Establishment. The placement of buildings and structures shall be subject to the regulations set out in section 12.2 in respect of a single detached dwelling.

Added by By-Law 91-87

12.4.28 Urban Residential Exception (R1-28) Zone

Notwithstanding Sections 12.1, 12.2, 12.4.1 and 3.16, the lands zoned R1-28 on the Schedules to this By-law, in addition to the other uses permitted in Urban Residential Exception (R1-1) Zone permit the use of the existing structure for the purposes of a Medical Clinic and shall be subject to the following zone regulations:

- a. Exterior Side Yard (minimum) 4.8 metres
- b. Lot Frontage (minimum) 16 metres
- c. Parking Spaces (minimum) 8
8 spaces per doctor

Added by By-Law 92-79

12.4.29 Urban Residential Exception (R1-29) Zone

Notwithstanding Sections 12.1 and 12.2, the lands zoned R1-29 on the Schedules to this By-law may, in addition to the other uses permitted in Urban Residential Type One (R1) Zone, permit the use of the existing structure for the purposes of a Medical Clinic and shall be subject to the following zone regulation:

- a. Front Yard (minimum) 3.0 metres

Added by By-Law 94-98

Amended by By-law 2017-087

12.4.30 Urban Residential Exception (R1-30) Zone

Notwithstanding Section 12.1 and 12.2, the lands zoned R1-30 on the Schedules to this By-law, in addition to the other uses permitted in the Urban Residential Type One (R1) Zone, may be used for a Funeral Service Establishment and Alkaline Hydrolysis Cremation and shall be subject to the following regulation:

- a. Leasable Floor Area (maximum) 250 square metres

Added by By-Law 91-106

Replaced by By-Law 2015-062

12.4.31 Urban Residential Exception (R1-31) Zone

Notwithstanding Section 12.1, only a linked dwelling may be permitted on those lands zoned R1-31 on the Schedules to this By-law. The placement of buildings and structures shall be subject to the zone regulations as set out in Section 12.2

Added by By-Law 2016-098

12.4.32 Urban Residential Exception (R1-32) Zone

Notwithstanding the provisions of Section 12.1 and 12.2, those lands zoned R1-32 on the Schedules to this By-law shall only be used for a single detached dwelling and a home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except for the retail sale of antiques, arts, crafts, or hobby items and shall be subject to the following zone regulations:

- a. Lot Area (minimum) 560 square metres
- b. Lot Frontage (minimum)
 - i) Interior 16 metres

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ii)	Exterior	20 metres
c.	Yard Requirements (minimum)	
i)	Front Yard	8 metres to private garage; 8 metres to dwelling
ii)	Interior Side Yard	With attached private garage or carport 1.5 metres; Without attached garage 1.5 metres on one side and 4.5 metres on the other
iii)	Exterior Side Yard	6 metres to exterior side wall of dwelling to a maximum of 50% of the dwelling depth measured from the front wall, 8 metres to the remainder of the exterior side wall.
iv)	Rear Yard	8 metres
d.	Lot Coverage (maximum)	
i)	Dwelling	30 percent
ii)	Total of all buildings and structures	40 percent
e.	Dwelling Unit Area (minimum)	100 square metres
f.	Landscaped Open Space (minimum)	40 percent
g.	Building Height (maximum)	8 metres
h.	Height of floor deck of unenclosed porch above finished grade (maximum)	1.0 metres
i.	Garage Requirements	
i)	Garage doors shall not be located any closer to the street line than the front wall or exterior side wall of the dwelling.	
ii)	Outside width of the garage (maximum)	6.5 metres

Deleted by By-law 2005-220

Added by By-law 2016-098

12.4.33 Urban Residential Exception (R1-33) Zone

Notwithstanding the provisions of Section 12.1 and 12.2, those lands zone R1-33 on the Schedules to this By-law shall only be used for a semi-detached dwelling and a home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antiques, arts, crafts or hobby items and shall be subject to the following zone regulations:

- | | | |
|----|---|-------------------|
| a. | Lot area (minimum) | 720 square metres |
| b. | Lot frontage (minimum) | 18 metres |
| c. | Lot coverage (maximum) | |
| | i) Dwelling | 30 percent |
| | ii) Total of all buildings and structures | 40 percent |
| d. | Rear Yard (minimum) | 12 metres |
| e. | Dwelling Unit Area (minimum) | 100 square metres |
| f. | Building Height (maximum) | 8 metres |
| g. | Height of floor deck of unenclosed porch above finished grade (maximum) | 1.0 metres |
| h. | Garage Requirements | |
| | i) All garage doors shall not be located any closer to the street line than the front wall of the dwelling | |
| i. | Single detached dwellings existing as of June 13, 2016, can be altered or enlarged subject to the provisions of Section 12.2. | |

Added by By-Law 93-45

12.4.34 Urban Residential Exception (R1-34) Zone

Notwithstanding Section 12.1 b., those lands zoned R1-34 on the Schedules of this By-law may also be used for an assembly hall.

Added by By-Law 93-88

12.4.35 Urban Residential Exception (R1-35) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-35 on the Schedules to this By-law shall be used for a Medical Clinic and a dwelling unit as part of the structure containing this medical clinic in accordance with the following regulations:

- a. Interior Side Yard (minimum) 2.5 metres
- b. Landscaped Open Space (minimum) 65 %

*Added By By-Law 94-150
Amended by By-Law 2015-062*

12.4.36 Urban Residential Exception (R1-36) Zone

Notwithstanding Section 12.4.1, those lands zoned R1-36 on the Schedules to this By-law shall be used for a Residential Care Facility. For the purpose of this Special Exception, a Residential Care Facility shall mean a place for the temporary accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status, require a supervised group living arrangement for their well-being. A residential care facility shall not include a halfway house, any type of correctional facility or any other similar institutional use as defined or classified within Section 2 of this By-law.

*Added by By-Law 94-95
Amended by By-Law 2015-062*

12.4.37 Urban Residential Exception (R1-37) Zone

Notwithstanding Sections 12.1, 12.2 and 12.3, the lands zoned R1-37 on the Schedules to this By-law may only be used for a single detached dwelling and a home occupation subject to the following regulations:

- a. Lot Area (minimum) 3700 square metres
- b. Lot Frontage (minimum) 60 metres
- c. No building or structure may be erected and no use may be established in the "R1-37" Zone unless the lot upon which it is situated is serviced by a private water supply system and a private sanitary waste disposal system which complies with regulations of the Durham Regional Health Department and the Ministry of the Environment and Energy.

*Added by By-Law 94-98
Amended by By-Law 99-134*

12.4.38 Urban Residential Exception (R1-38) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-38 on the Schedules to this By-law, in addition to the other uses permitted in the "Urban Residential Type One (R1)" Zone, may be used for a Medical or Dental Clinic or a Business, Professional or Administrative Office, Commercial School and Day Nursery and shall be subject to the following zone regulations:

Added by By-Law 94-98

- a. Leasable Floor Area (maximum) 425 square metres

Added by By-Law 96-117

12.4.39 Urban Residential Exception (R1-39) Zone

Notwithstanding Section 12.1 and 12.2, those lands zoned R1-39 on the Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following zone regulations:

- a. Lot Area (minimum)
 - i) Interior Lot 614 square metres
 - ii) Exterior Lot 715 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 23.2 metres
 - ii) Exterior Lot 27.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to attached garage,
3.6 metres to front wall of dwelling,
1.5 metres to covered porch
 - ii) Interior Side Yard 1.2 metres
 - iii) Exterior Side Yard 3.6 metres to exterior wall of
dwelling, 1.5 metres to covered porch
 - iv) Rear Yard 5.0 metres to rear wall of dwelling,
2.6 metres to uncovered deck
- d. Special Yard Regulations

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Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metre. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.

e. Building Height (maximum)

i)	Interior Lot	12.0 metres
ii)	Exterior Lot	12.0 metres

f. Lot Coverage (maximum) 60%

Added by By-Law 96-117

12.4.40 Urban Residential Exception (R1-40) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-40 on the Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following zone regulations:

a. Lot Area (minimum)

i)	Interior Lot	424 square metres
ii)	Exterior Lot	583 square metres

b. Lot Frontage (minimum)

i)	Interior Lot	18.0 metres
ii)	Exterior Lot	22.0 metres

c. Yard Requirements (minimum)

i)	Front Yard	6.0 metres to attached garage 3.6 metres to front wall of dwelling 1.5 metres to covered porch
ii)	Interior Side Yard	1.2 metres
iii)	Exterior Side Yard	3.6 metres to exterior wall of dwelling 1.5 metres to covered porch
iv)	Rear Yard	5.0 metres to rear wall of dwelling 2.6 metres to uncovered deck

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d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.

e. Building Height (maximum)

i)	Interior Lot	12.0 metres
ii)	Exterior Lot	12.0 metres

f. Lot Coverage (maximum) 60%

Added by By-Law 96-170, 96-171 and 96-172

12.4.41 Urban Residential Exception (R1-41) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-41 on the Schedules to this By-law shall only be used for a semi-detached/link dwelling in accordance with the following zone regulations:

a. Lot Frontage (minimum)

i)	Interior Lot	18.0 metres
ii)	Exterior Lot	21.3 metres

b. Yard Requirements (minimum)

i)	Front Yard	6.0 metres to attached private garage or carport 4.5 metres to dwelling
ii)	Interior Side Yard	1.2 metres with attached private garage or carport 3.0 metres without attached private garage or carport
iii)	Exterior Side Yard	4.5 metres
iv)	Rear Yard	7.5 metres

c. Building Height (maximum) 10.5 metres

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Added by By-Law 96-170, 96-171 and 96-172

12.4.42 Urban Residential Exception (R1-42) Zone

Notwithstanding Section 12.1, those lands zoned R1-42 on the Schedules to this By-law shall only be used for a Public School as defined in Section 2 of this By-law.

Added by By-Law 96-158

12.4.43 Urban Residential Exception (R1-43) Zone

Notwithstanding Section 12.2, those lands zoned R1-43 on the Schedules to this By-law shall also be subject to the following zone regulation:

- a. Exterior Side Yard 4.5 metres

Added by OMB Order No. 0645

12.4.44 Urban Residential Exception (R1-44) Zone

Notwithstanding the provisions of Section 12.1 and 12.2, those lands zoned (R1-44) on the Schedules to this By-law shall only be used for a single detached dwelling and a home occupation use in accordance with the provisions of Section 3.12 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items. In addition, lands zoned R1-44 on Schedules to this By-law shall also be subject to the following zone regulations:

- a. For the purposes of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport.
- b. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
- c. Parking Requirements
 - i) 2 outdoor parking spaces (minimum)
 - ii) Where the two outdoor parking spaces are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30%.

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- iii) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres.
- iv) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

Added by By-Law 99-106 and OMB Order No. 0645

12.4.45 Urban Residential Exception (R1-45) Zone

Notwithstanding Section 12.2, those lands zoned R1-45 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. For the purposes of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport
- b. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
- c. Parking Requirements
 - i) 2 outdoor parking spaces (minimum)
 - ii) Where the two outdoor parking spaces are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30%.
 - iii) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres.
 - iv) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

Added By By-Law 99-133

12.4.46 Urban Residential Exception (R1-46) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-46 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|----|------------------------|-------------------|
| a. | Lot Area (minimum) | 800 square metres |
| b. | Lot Frontage (minimum) | 16 metres |

Added by By-Law 99-143

12.4.47 Urban Residential Exception (R1-47) Zone

Notwithstanding the provisions of Section 12.2 those lands zoned R1-47 on the Schedules to this By-law may only be used for single detached dwellings subject to the following additional zone regulations:

- | | | |
|----|---|--|
| a. | For the purposes of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport; | |
| b. | Lot Frontage (minimum) | 10.5 metres |
| c. | Yard Requirements (minimum) | |
| | i) | Front Yard 6.0 metres to private garage or carport |
| | ii) | Exterior Side Yard 6.0 metres to private garage or carport |
| d. | Parking Requirements | |
| | i) | 2 outdoor parking spaces (minimum) |
| | ii) | Where the two outdoor parking space are provided side by side, the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30% |
| | iii) | The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres |
| | iv) | Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit. |

Added by By-Law 99-163 and 99-164

12.4.48 Urban Residential Exception (R1-48) Zone

Notwithstanding Section 12.2, those lands zoned R1-48 on the Schedules to this By-law shall also be subject to the following zone regulation:

- a. Yard Requirement (minimum)
 - i) Exterior Side Yard 3 metres

Added by OMB Order No. 0645

12.4.49 Urban Residential Exception (R1-49) Zone

Notwithstanding the provisions of Sections 12.1, 12.2 and 3.21 a., those lands zoned R1-49 on the Schedules to this By-law shall only be used for a single detached dwelling and a home occupation use in accordance with the provisions of Section 3.12 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items. In addition, lands zoned R1-49 on Schedules to this By-law shall also be subject to the following zone regulations:

- a. For the purpose of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport.
- b. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - iii) Rear Yard 10 metres
 - iv) Accessory Structures
All accessory buildings and/or structures shall be setback 5 metres from an Environmental Protection (EP) Zone.
 - v) Naturalized Area
Lands located within 5 metres of the rear yard shall be used only for the preservation of the natural environment and shall remain treed.
- c. Parking Requirements
 - i) 2 outdoor parking spaces (minimum)

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- ii) Where the two outdoor parking spaces are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30%.
- iii) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres.
- iv) Private garage and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

Added by By-Law 2000-014

12.4.50 Urban Residential Exception (R1-50) Zone (Expired)

Added by By-Law 2000-109

12.4.51 Urban Residential Exception (R1-51) Zone

Notwithstanding Sections 3.13a, 3.16a and 12.1, those lands zoned R1-51 on the Schedules to this By-law may, in addition to the other uses permitted in the “Urban Residential Type One (R1) Zone”, be used for a Funeral Services Establishment and shall be subject to the following regulations:

- a. Front Yard Setback Requirement (minimum) 4.0 metres
- b. Landscaped Open Space (minimum) 20 percent
- c. Loading Space Width (minimum) 3.375 metres
- d. Parking Space Length (minimum) 5.2 metres
Provided that such a space is perpendicular to a landscaping strip or a sidewalk

Added by By-Law 2000-111

12.4.52 Urban Residential Exception (R1-52) Zone

Notwithstanding Section 12.2, the lands zoned R1-52 on the Schedules to this By-law shall be subject to the following regulations:

- a. Yard Requirements (minimum)
 - i) Front Yard Setback 3.0 metres

Added by By-Law 2001-022

12.4.53 Urban Residential Exception (R1-53) Zone

Notwithstanding Section 12.4.40, those lands zoned R1-53 on the attached Schedule “A” may be used for a single detached dwelling subject to the zone regulations in Section 12.4.40.

Added by By-Law 2002-129

12.4.56 Urban Residential Exception (R1-56) Zone

Notwithstanding Sections 12.1 and 12.2, those lands zoned R1-56 on Schedules to this Bylaw, in addition to other uses permitted in the “Urban Residential Type One (R1) Zone” may also be used for a crisis care facility subject to the following definition and zone regulations:

- a. Definitions
 - i) Crisis Care Facility: A crisis care facility shall mean an establishment operating as a single housekeeping unit and used for the short term accommodation of persons, who live under supervision and who require a temporary living arrangement for their well-being.
 - ii) Private Amenity Area: A private amenity area shall mean an area immediately abutting a dwelling that is designed and intended for the exclusive leisure and recreational use of the occupants of the dwelling.
- b. Lot Frontage (minimum) 18 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 8.9 metres
- d. Front Yard Landscaped Open Space (minimum) 65%
- e. Lot Coverage (maximum) 40%
- f. Private Amenity Area (minimum) 75 m² located in the rear yard
- g. No parking space shall be permitted in the front yard landscaped open space area
- h. Parking (minimum) 6 outdoor parking spaces

Added by By-Law 2003-063

12.4.57 Urban Residential Exception (R1-57) Zone

Notwithstanding Sections 12.1, 12.2 and 12.3 on lands zoned R1-57 on Schedules to this By-law, a single detached dwelling, serviced by a private water system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment, shall be permitted subject to the following zone regulations:

- a. Lot Area (minimum) 7500 square metres
- b. Lot Frontage (minimum) 35 metres

Added by By-Law 2004-216

12.4.58 Urban Residential Exception (R1-58) Zone

Notwithstanding Section 12.2, the lands zoned R1-58 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Coverage (maximum)
 - i) Semi-detached dwelling 53 percent

Added by By-Law 2005-051

12.4.59 Urban Residential Exception (R1-59) Zone

Notwithstanding Sections 3.1 a. i), iii), 3.22, 12.2 d. i), ii) and f. i), the lands zoned R1-59 on those Schedules to this By-law shall be subject to the following regulations:

- a. Yard Requirements (minimum)
 - i) Front Yard 3.0 metres to an unenclosed porch/balcony, 4.5 metres to dwelling, 6.0 metres to private garage or carport
 - ii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.2 metres to an unenclosed porch/balcony
 - b) 3.0 metres to a dwelling
 - c) 6.0 metres to garage

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- iii) Exterior Side Yard on street side with a municipal sidewalk or Exterior Side Yard where the rear lot line of the corner lot is shared with the side lot line of the immediately adjacent lot:
 - a) 2.0 metres to an unenclosed porch/balcony
 - b) 4.0 metres to a dwelling
 - c) 6.0 metres to a garage
 - iv) Sight Triangle 6.75 metres
 - b. Lot Coverage (maximum) 40 percent
- Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
- i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage. Any portion of said unenclosed porch/balcony over the maximum area of 12.0 square metres is to be included in the lot coverage.
 - ii) In the case of a corner lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- c. Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) 1.0 metre

Added by By-Law 2005-052

12.4.60 Urban Residential Type One (R1-60) Zone

Notwithstanding the provisions of Sections 3.13 a., 12.1, 12.2 a., b., c., d., and 12.3, those lands zoned R1-60 on Schedules to this By-Law shall be used for a “business, professional or administrative office” and/or a “single detached dwelling” subject to the following zone regulations:

- a. Lot Area (minimum) 600 square metres
- b. Lot Frontage (minimum) 18.5 metres

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c. Yard Requirements (minimum)

i)	Front Yard	1.25 metres
ii)	Interior Side Yard	1.25 metres
iii)	Exterior Side Yard	2.5 metres
iv)	Rear Yard	20 metres

d. Loading Space Requirements

i)	300 square metres of Gross Floor Area or less	Nil
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- e, No building or structure may be erected and no use may be established in the R1-60 Zone unless the lot upon which it is situated is serviced by a municipal water system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment.

Added by By-Law 2005-106

12.4.61 Urban Residential Exception (R1-61) Zone

Notwithstanding Sections 3.1 j. i) and iii), 12.1 and 12.2 a., c., d., f., and h., the lands zoned R1-61 on those Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following regulations:

a. Lot Area (minimum)

i)	Interior Lot	424 square metres
ii)	Exterior Lot	583 square metres

b. Lot Frontage (minimum)

i)	Interior Lot	18.0 metres
ii)	Exterior Lot	22.0 metres

c. Yard Requirements (minimum)

i)	Front Yard	1.5 metres to an unenclosed porch 3.6 metres to a dwelling, 6.0 metres to a private garage or carport
ii)	Interior Side Yard	With an attached private garage or carport 1.2 metres

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|------|---|---|
| | | Without an attached private garage or carport 3.0 metres |
| iii) | Exterior Side Yard on street side without a municipal sidewalk | |
| | a) | 1.5 metres to an unenclosed porch |
| | b) | 3.0 metres to a dwelling |
| iv) | Exterior Side Yard on street side abutting a municipal sidewalk | |
| | a) | 1.5 metres to an unenclosed porch |
| | b) | 3.5 metres to a dwelling |
| v) | Rear Yard | 5.0 metres to rear wall of dwelling to a maximum of 70% of the dwelling width 5.6 metres minimum to the remainder of the rear wall of dwelling 2.6 metres to uncovered deck |
- d. Special Yard Regulations
- Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- | | | |
|----|--|--|
| e. | Building Height (maximum) | 12 metres |
| f. | Lot Coverage (maximum) | 60 percent for all structures
55 percent for the dwelling |
| g. | Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) | 1.0 metres |

Added by By-Law 2005-106

12.4.62 Urban Residential Exception (R1-62) Zone

Notwithstanding Sections 3.1 j. i) and iii), 12.1 and 12.2 a., c., d., f. and h., the lands zoned R1-62 on those Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following regulations:

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- a. Lot Area (minimum)
 - i) Interior Lot 614 square metres
 - ii) Exterior Lot 715 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 23.2 metres
 - ii) Exterior Lot 27.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 1.5 metres to an unenclosed porch, 3.6 metres to dwelling, 6.0 metres to private garage or carport
 - ii) Interior Side Yard With attached private garage or carport 3.0 metres
 - iii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.5 metres to an unenclosed porch
 - b) 3.0 metres to dwelling
 - iv) Exterior Side Yard on street side abutting a municipal sidewalk:
 - a) 1.5 metres to an unenclosed porch
 - b) 3.5 metres to dwelling
 - v) Rear Yard 7.5 metres to rear wall of dwelling
5.1 metres to uncovered deck
- d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- e. Building Height (maximum) 12 metres
- f. Lot Coverage (maximum) 60 percent for all structures
55 percent for the dwelling

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- g. Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) 1.0 metres

Added by By-Law 2005-106

12.4.63 Urban Residential Exception (R1-63) Zone

Notwithstanding Sections 3.1 j. i) and iii), 12.1 and 12.2 a., c., d. and f., the lands zoned R1-63 on those Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following regulations:

- a. Lot Area (minimum)
- i) Interior 765 square metres
 - ii) Exterior 832 square metres
- b. Lot Frontage Interior (minimum)
- i) Interior 26.4 metres
 - ii) Exterior 28.7 metres
- c. Yard Requirements (minimum)
- i) Front Yard 1.5 metres to an unenclosed porch 3.6 metres to a dwelling 6.0 metres to a private garage or carport
 - ii) Interior Side Yard With an attached private garage or carport 1.2 metres Without an attached private garage or carport 3.0 metres
 - iii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.5 metres to an unenclosed porch
 - b) 3.0 metres to dwelling
 - iv) Exterior Side Yard on street side abutting a municipal sidewalk
 - a) 1.5 metres to an unenclosed porch
 - b) 3.5 metres to dwelling
 - v) Rear Yard 7.5 metres to rear wall of dwelling 5.1 metres to uncovered deck

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d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.

- | | | |
|----|--|-------------------------------|
| e. | Building Height (maximum) | 12 metres |
| f. | Lot Coverage (maximum) | 60 percent for all structures |
| | 55 percent for the dwelling | |
| g. | Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) | 1.0 metres |

Added by By-Law 2005-106

12.4.64 Urban Residential Exception (R1-64) Zone

Notwithstanding Sections 3.1 j. i) and iii), 12.1 and 12.2 a., b., c., d., f. and h., the lands zoned R1-64 on those Schedules to this By-law shall only be used for a single detached dwelling subject to the following regulations:

- | | | |
|----|-----------------------------|--|
| a. | Lot Area (minimum) | |
| | i) Interior Lot | 440 square metres |
| | ii) Exterior Lot | 490 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 16.8 metres |
| | ii) Exterior Lot | 18.6 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 1.5 metres to an unenclosed porch
3.6 metres to a dwelling
6.0 metres to private garage or carport |
| | ii) Interior Side Yard | With an attached private garage or carport 1.2 metres on one side and 0.6 metres |

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- on the other side.
Without an attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side.
- iii) Exterior Side Yard on street side without a municipal sidewalk
 - a) 1.5 metres to an unenclosed porch
 - b) 3.0 metres to a dwelling
 - iv) Exterior Side Yard on street side abutting a municipal sidewalk
 - a) 1.5 metres to an unenclosed porch
 - b) 3.5 metres to dwelling
 - v) Rear Yard
 - 5.0 metres to rear wall of dwelling to a maximum of 70% of the dwelling width
 - 5.6 metres minimum to the remainder of the rear wall of dwelling, 2.6 metres to an uncovered deck
- d. Special Yard Regulations
- Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- e. Building Height (maximum) 12 metres
 - f. Lot Coverage (maximum) 60 percent for all structures
55 percent for the dwelling
 - g. Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) 1.0 metres

Added by By-Law 2006-007

Replaced by By-Law 2015-062

12.4.65 Urban Residential Exception (R1-65) Zone (Expired)

Added by By-Law 2006-113

12.4.66 Urban Residential Exception (R1-66) Zone

Notwithstanding Sections 3.1 j. i), iii), 12.1 and 12.2, those lands zoned R1-66 on the Schedules to this By-law shall only be used for a semi-detached dwelling subject to the following regulations:

- a. Lot Area (minimum)
 - i) Interior Lot 614 square metres
 - ii) Exterior Lot 715 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 23.2 metres
 - ii) Exterior Lot 27.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to attached garage,
3.6 metres to front wall of dwelling,
1.5 metres to covered porch
 - ii) Interior Side Yard 1.2 metres
 - iii) Exterior Side Yard 3.6 metres to exterior wall
of dwelling, 1.5 metres
to covered porch
 - iv) Rear Yard 7.5 metres to rear wall of
dwelling, 5.1 to uncovered deck
- d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.

- e. Building Height (maximum) 12 metres

- f. Lot Coverage (maximum) 60%

Added by By-Law 2006-197

12.4.67 Urban Residential Exception (R1-67) Zone

Notwithstanding Section 12.2 d. i) and ii) those lands zoned R1-67 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Yard Requirements (minimum)
- i) Setback from the St. Lawrence & Hudson
Railway Right-of-Way 30.0 metres
 - ii) Front Yard 4.5 metres minimum
7.5 metres maximum
 - iii) Exterior Side Yard 4.5 metres minimum
7.5 metres maximum
- b. Garage Requirements
- i) All Garage Doors must be setback a minimum 0.5 metres in relation to the front wall or exterior side wall of the dwelling.
 - ii) Notwithstanding b) i) above, where the rear wall of the house is 1.8 metres below the finished grade of the garage, the garage doors shall not be located any closer to the street line than the dwelling's front wall or exterior side wall;
 - iii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior side lot line.

Added by By-Law 2007-068

12.4.68 Urban Residential Exception (R1-68) Zone (Expired)

Added by By-Law 2007-210

12.4.69 Urban Residential Exception (R1-69) Zone

Notwithstanding Sections 3.13, 3.16 d., 3.17 a. and 12.2 a., e. and d. those lands zoned R1-69 on the Schedules to this By-law shall only be used for a Day Care facility subject to the following zone regulations:

- | | | |
|----|---|-----------|
| a. | Lot Area (maximum) | 835 sq. m |
| b. | Yard Requirements (minimum) | |
| | i) Front Yard | 2.5 m |
| | ii) Interior Side Yard | 2.0 m |
| | iii) Rear Yard | 12.5 m |
| c. | Total Floor Area (maximum) | 180 sq. m |
| d. | Parking Aisle Width for Two-Way Traffic (minimum) | 5.7 m |
| e. | Number of Loading Spaces (minimum) | None |
| f. | Planting Strip Requirement | None |

Added by By-Law 2008-065

Added by By-Law 2008-093

12.4.70 Urban Residential Exception (R1-70) Zone

Notwithstanding Sections 3.1 i, iii); 12.1 a.; 12.2 a.; b.; c.; d. i), ii), iii); f.; h.; and i. ii) those lands zoned R1-70 on the Schedules to this By-law shall only be used for single detached dwellings, subject to the following regulations:

- | | | |
|----|-----------------------------|------------------------------|
| a. | Lot Area (minimum) | |
| | i) Interior | 450 square metres |
| b. | Frontage (minimum) | |
| | i) Interior | 15.0 metres |
| | ii) Exterior | 18.0 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6.0 metres to private garage |

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| | | or carport; 4.0 metres
to front wall; 2.0 metres
to porch |
| ii) | Exterior Side Yard | 6.0 metres to private
garage or carport; 4.0 metres
to front wall; 2.0 metres to
porch |
| iii) | Interior Side Yard | 1.2 metres with private
garage or carport;
Without private garage
or carport 1.2 metres on
one side, 3.0 metres on the other |
- d. Lot Coverage (maximum)
- | | | |
|-----|--|------------|
| i) | 1 Storey | |
| | a) Dwelling | 50 percent |
| | b) Total of Buildings and Structures | 55 percent |
| ii) | All other Residential Units | |
| | a) Dwelling | 40 percent |
| | b) Total of all Buildings and Structures | 45 percent |
- e. Height (maximum)
- | | | |
|-----|-----------------------------|-------------|
| i) | 1 Storey dwelling | 8.5 metres |
| ii) | All other Residential Units | 10.5 metres |
- f. Garage Requirements
- | | | |
|----|--|--|
| i) | All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall. | |
|----|--|--|

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Added by By-Law 2008-093

12.4.71 Urban Residential Exception (R1-71) Zone

Notwithstanding Section 3.1 j. i), iii); 12.1 a.; 12.2 a.; b.; c.; d. i), ii), iii); f.; h.; and i. ii) those lands zoned R1-71 on the Schedules to this By-law shall only be used for single-detached dwellings, subject to the following regulations:

- a. Lot Area (minimum)
 - i) Interior 540 square metres
- b. Lot Frontage (minimum)
 - i) Interior 18.0 metres
 - ii) Exterior 21.3 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard 1.2 metres with private garage or carport; Without private garage or carport 1.2 metres on one side, 3.0 metres on the other
 - iv) Rear Yard 8.5 metres
- d. Lot Coverage (maximum)

Amended by By-law 2018-031

 - i) 1 Storey and or Bungalow loft
 - a) Dwelling 50 percent
 - b) Total of Buildings and Structures 55 percent
 - ii) All other residential units
 - a) Dwelling 40 percent

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- b) Total of Buildings and Structures 45 percent
- e. Height (maximum)
 - i) 1 Storey dwelling 8.5 metres
 - ii) All other Residential Units 10.5 metres

Deleted by By-law 2018-031
Added by By-law 2018-031
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres

Deleted by By-law 2018-031
Added by By-law 2018-031
- g. Garage Requirements
 - i) Garage doors may project no more than 1.0 metres in front of the dwellings first floor wall or exterior side wall or covered porch projection
 - ii) The outside width of the garage (maximum) 6.4 metres

Deleted by By-law 2018-056
Added by By-Law 2016-007
- h. Special Yard Regulations:

Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

Added by By-Law 2008-065

12.4.72 Urban Residential Exception (R1-72) Zone

Notwithstanding Sections 12.1 a.; 12.2 a.; b.; c.; d. i), ii), iii); f. and i. those lands zoned R1-72 on the Schedules to this By-law shall only be used for a semi-detached dwelling, subject to the following regulations:

- a. For the purposes of this Section, the term

Dwelling, Semi-Detached: means a building separated vertically into two separate dwelling units, connected by a common wall, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

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- b. Lot Area (minimum)
 - i) Interior 540 square metres
- c. Lot Frontage (minimum)
 - i) Interior 18.0 metres
 - ii) Exterior 21.0 metres
- d. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard 1.2 metres with private garage or carport; Without private garage or carport 3.0 metres
- e. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of Buildings and Structures 45 percent
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.

Added by By-Law 2009-106

12.4.74 Urban Residential Exception (R1-74) Zone

Notwithstanding Sections 3.1 j. i), iv); 3.22; 12.1; 12.2 a.; b.; c.; d. i), ii), iii); f., h. and i. ii) those lands zoned R1-74 on the Schedules to this By-law shall only be used for single detached dwellings, subject to the following regulations:

- a. Lot Area (minimum) 450 square metres

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b. Frontage (minimum)

- | | | |
|-----|----------|-------------|
| i) | Interior | 15.0 metres |
| ii) | Exterior | 18.0 metres |

Amended by By-Law 2014-047

c. Yard Requirements (minimum)

- | | | |
|------|--------------------|--|
| i) | Front Yard | 6.0 metres to private garage or carport; 4.0 metres to front wall; 2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| iii) | Interior Side Yard | 1.2 metres with private garage or carport; without private garage or carport; 3.0 metres on one side, 1.2 metres on the other side |

d. Special Yard Regulations

- | | | |
|------|--|------------|
| i) | Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metre, but in no instance shall the interior side yard be reduced below 0.6 metres. | |
| ii) | Steps may project into the required front or exterior side yards, but in no instance shall the front yard or exterior side yard be reduced below 1.0 metre. | |
| iii) | Visibility Triangle (minimum) | 6.5 metres |

e. Lot Coverage (maximum)

- | | | |
|-----|--|------------|
| i) | 1 Storey | |
| | a) Dwelling | 50 percent |
| | b) Total of all buildings and structures | 55 percent |
| ii) | 2 Storey | |
| | a) Dwelling | 40 percent |
| | b) All other residential units | 45 percent |

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- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential units 10.5 metres
- h. Garage Requirement
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.
- i. In addition to the regulations of Section 3.11 with respect to the removal of the “Holding (H)” symbol, Council shall only enact a By-law to remove the Holding (H) symbol from the lands zoned (H)R1-74 on Schedule1 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The “Motor Vehicle Wrecking Yard” use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts of the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A record of Site Condition has been submitted for said lands zoned (H)R1-74. Added by By-Law 2009-106

12.4.75 Urban Residential Exception (R1-75) Zone

Notwithstanding Sections 3.1 j. i) and iv); 3.22; 12.1; 12.2 a.; b.; c.; d. i), ii), iii); f. and i. those lands zoned R1-75 on the Schedules to this By-law shall only be used for a semi-detached dwelling, subject to the following regulations:

- a. For the purposes of this Section, the term
Dwelling, Semi-Detached: means a building separated vertically into two separate dwelling units, connected by a common wall, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.
- b. Lot Area (minimum) 540 square metres
- c. Lot Frontage (minimum)
 - i) Interior 18.0 metres
 - ii) Exterior 21.0 metres
- d. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard 1.2 metres with private garage or carport; Without private garage or carport 3.0 metres
- e. Special Yard Regulation
 - i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.

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- ii) Steps may project into required the front or exterior side yard, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- f. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- g. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- h. Garage Requirement
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection.

Added by By-Law 2009-106

12.4.76 Urban Residential Exception (R1-76) Zone

Notwithstanding Sections 3.1 b., c. and g.; 3.9 a.; 3.16 a. vi); 3.16 a. vii); 3.22; 12.1 a.; 12.2 a. b., c., d., f., g. and i.; on those lands zoned “R1-76” on the Schedule to this By-law shall be subject to the following zone provisions:

a. Private Street for Access

Access to lands illustrated on the attached Schedule “A” hereto shall occur via a private street registered on title which provides legal ingress and egress to

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McBride Avenue. For the purposes of establishing regulations for each residential dwelling unit, the regulations in this by-law shall apply as if each unit is located on a lot, having frontage along McBride Avenue, with access restricted to the rear of the residential units along a private street.

b. Permitted Residential Uses

- i) A single detached dwelling
- ii) A semi-detached dwelling

c. Regulations for Residential Uses

- i) Number of units (maximum)
 - a) Single detached dwelling 2
 - b) Semi-detached dwelling 42
- ii) Lot Area (minimum)
 - a) Single detached dwelling 315 square metres
 - b) Semi-detached dwelling 240 square metres
- iii) Lot Coverage (maximum)
 - a) Single detached or semi-detached dwelling only 33%
 - b) Accessory buildings and structures not including a private garage 5%
 - (i) Private garage providing two of the required parking spaces; or, 20%
 - (ii) Private garage providing one of the required parking spaces 10%
- iv) Special Lot Coverage Regulations
Notwithstanding Section iii) a) above, a maximum of fourteen (14) lots within the R1-76 Zone may have a dwelling unit coverage of 37%.
- v) Landscaped Open Space for all unit types (minimum) 40%
- vi) Yard Requirements for all unit types (minimum)
 - a) Front Yard 3.0 metres
 - b) Rear Yard 14.0 metres
 - c) Interior Side Yard 1.25 metres

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- d) Exterior Side Yard 4.0 metres
- vii) Special Yard Regulations
Notwithstanding the interior side yard requirement above, where a semi-detached dwelling is only connected by the footing and foundation, the horizontal distance between the interior walls of the two (2) dwelling units above finished grade shall be between 1.0 metre and 1.25 metres.
- d. Regulations for Parking Spaces and Private Garages
 - i) A minimum of 2 indoor and/or outdoor parking spaces per dwelling unit are required.
 - ii) Maximum number of parking spaces within private garages 50
 - iii) Minimum setback from private garage or parking space to principle dwelling 6.0 metres
 - iv) Minimum setback from private garage to private street 1.5 metres
 - vi) Minimum interior side yard setback 1.25 metres or nil
where a private garage shares common wall with a private garage on an adjacent lot, in the same zone
- e. Visibility triangle for private streets 5.0 metres

Added by By-Law 2009-151

12.4.77 Urban Residential Exception (R1-77) Zone

Notwithstanding Sections 3.1 j. iv) and 12.1, those lands zoned R1-77 on the Schedules to this By-law shall only be used for a single detached dwelling, subject to the following regulations:

- a. Lot Area (minimum) 450 square metres
- b. Lot Frontage (minimum)
 - i) Exterior Lot 18.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.5 metres to dwelling,
4.5 metres to unenclosed porch

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- | | | |
|------|--------------------------------------|---|
| ii) | Exterior Side Yard | 4.5 metres to dwelling;
2.5 metres to unenclosed porch |
| iii) | Rear Yard | 7.5 metres |
| d. | Lot Coverage (maximum)
structures | 45% for dwelling, 50% for all |

Added by By-Law 2009-151

12.4.78 Urban Residential Exception (R1-78) Zone

Notwithstanding Sections 3.1 j. iv) and 12.1, those lands zoned R1-78 on the Schedules to this By-law shall only be used for a single detached dwelling, subject to the following regulations:

- | | | |
|----|-----------------------------|--|
| a. | Lot Area (minimum) | 420 square metres |
| b | Lot Frontage (minimum) | |
| | i) | Interior Lot 13.5 metres |
| | ii) | Exterior Lot 16.8 metres |
| c. | Yard Requirements (minimum) | |
| | i) | Front Yard 7.5 metres to dwelling;
4.5 metres to unenclosed porch |
| | ii) | Exterior Side Yard 4.5 metres to dwelling;
2.5 metres to unenclosed porch |
| | iii) | Interior Side Yard 1.2 metres on one side
and 0.6 metres on the other
with attached private garage
or carport |
| | iv) | Rear Yard 7.5 metres |
| d. | Lot Coverage (maximum) | 45% for dwelling,
50% for all structures |

12.4.79 Urban Residential Exception (R1-79) Zone

Notwithstanding Sections 3.1 g.; j. i) and iv); 3.16 i. iv); 3.22; 12.1; 12.2 a); b); c); d) i), ii), iii), f); h); i), those lands zoned R1-79 on the Schedules to this By-law shall only be used for single detached and linked dwellings, subject to the following zone regulations:

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- a. For the purpose of this Section, the term:

Dwelling, Linked shall mean a building separated vertically into two separate dwelling units, which are horizontally connected at the footing, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

- b. Lot Area (minimum)

- | | | |
|------|---|-------------------|
| i) | Single detached dwellings with minimum of 11.6 metre frontage | 345 square metres |
| ii) | Single detached dwellings with minimum of 12.8 metre frontage | 380 square metres |
| iii) | Linked dwellings | 585 square metres |

- c. Lot Frontage Interior (minimum)

- | | | |
|------|--------------------------|-------------|
| i) | Single detached dwelling | 11.6 metres |
| ii) | Single detached dwelling | 12.8 metres |
| iii) | Linked dwellings | 19.6 metres |

- d. Lot Frontage Exterior (minimum)

- | | | |
|-----|--------------------------|-------------|
| i) | Single detached dwelling | 14.5 metres |
| ii) | Linked dwellings | 22.2 metres |

- e. Yard Requirements for single detached dwellings (minimum)

- | | | |
|-----|-----------------------------|---|
| i) | Front or exterior side yard | 6.0 metres to the garage;
3.0 metres to dwelling;
1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk
6.0 metres to the garage;
3.6 metres to dwelling;
1.5 metres to the unenclosed porch |
| ii) | Interior side yard | 1.2 metres on one side and
0.6 metres on the other side |

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- f. Yard Requirements for linked dwelling (minimum)
- i) Front or exterior side yard
 - 6.0 metres to the garage;
 - 3.0 metres to dwelling;
 - 1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk
 - 6.0 metres to the garage;
 - 3.6 metres to dwelling;
 - 1.5 metres to the unenclosed porch
 - ii) Interior side yard 1.2 metres
- g. Special Yard Regulation
- i) Notwithstanding the interior side yard requirements above, a linked dwelling connected by the footing shall have a horizontal distance between the interior walls of the two (2) dwelling units above finished grade between 1.2 metres and 1.5 metres.
 - ii) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - iii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
 - iv) Visibility Triangle (minimum) 5.0 metres
- h. Lot Coverage (maximum)
- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All other residential dwellings
 - a) Dwelling 45 percent
 - b) Total of all buildings and structures 50 percent

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- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage
- i. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- j. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential units 12.5 metres
- k. Linked dwelling driveway width (maximum) 4.6 metres
- l. Garage Requirements: all garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection.

Added by By-Law 2010-071

12.4.80 Urban Residential Exception (R1-80) Zone

Notwithstanding the provisions of 12.1, those lands zoned R1-80 on the Schedules to this By-law may only be used for the purposes of a private school.

Approved by OMB (Sept. 23, 2010)

12.4.81 Urban Residential Exception (R1-81) Zone

Notwithstanding Sections 12.1. and 12.2 on those lands zoned “R1-81” on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Permitted Uses:

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- i) Assembly hall
 - ii) Private club
- b. Regulations:
 - i) Yard Requirements (minimum)
 - a) Front yard setback 6.0 metres
 - b) Interior side yard setback 3.0 metres
 - c) Rear yard setback 3.0 metres
 - d) CNR property line 30.0 metres
 - ii) Lot Coverage (maximum) 40 percent
 - iii) Landscaped Open Space (minimum) 30 percent
 - iv) Building Height (maximum) 10.5 metres
- c. The (H) Holding Symbol shall only be removed from the “Holding-Urban Residential Zone ((H)R1-81) Zone as follows:
 - i) At such time a site plan agreement for Block 3 of S-C-2002-002 has been executed with the Municipality; and
 - ii) At such time Council of the Municipality of Clarington has approved budgeting for the expenditure of funds for the infrastructure required to support Block 3 of S-C-2002-002.

Added by By-Law 2010-121

12.4.82 Urban Residential Exception (R1-82) Zone

Notwithstanding Sections 3.1 j. i) and iv); 3.16 i. iv); 12.1; 12.2 a); b); d) i), iii), f); h); those lands zoned R1-82 on the Schedules to this By-law shall only be used for single detached, subject to the following zone regulations:

- a. Lot Area (minimum)
 - i) Single detached dwellings with minimum of 11.6 metre frontage 345 square metres
 - ii) Single detached dwellings with minimum of 12.8 metre frontage 380 square metres
- b. Lot Frontage Interior (minimum)
 - i) Single detached dwelling 11.6 metres

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- ii) Single detached dwelling 12.8 metres
- c. Yard Requirements for single detached dwellings (minimum)
 - i) Front 6.0 metres to the garage;
3.6 metres to dwelling;
1.5 metres to the unenclosed porch
 - ii) Interior side yard 1.2 metres on one side and
0.6 metres on the other side
- d. Special Yard Regulation
 - i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the required front yard, but in no instance shall the front yard be reduced below 1.0 metre.
- e. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted up to a maximum area of 12.0 square metres provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential units 12.5 metres

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- h. Garage Requirements: all garage doors shall not be located any closer to the street line than the dwellings front wall or covered porch projection.

Added by By-Law 2011-075

12.4.83 Urban Residential Exception (R1-83) Zone

Notwithstanding Sections 12.2 d. iii) b); and 12.2 e. i) a) those lands zoned R1-83 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Interior Side Yard 2.4 metres on one side ,
and 0.5 metres on the other
- b. Dwelling Unit Area – single detached dwelling (minimum)
 - i) 1 storey or split level 75 square metres

Added by By-Law 2011-095

12.4.85 Urban Residential Exception (R1-85) Zone

Notwithstanding Section 3.21 a) those lands zoned R1-85 as shown on Schedule “A” attached to this By-law shall be subject to the following zone regulations:

- a. Setback from the Environmental Protection (EP) Zone (min) 0 metres

Added by By-Law 2012-057 & By-Law 2012-058

12.4.86 Urban Residential Exception (R1-86) Exception

Notwithstanding Sections 3.1 j. i) and iv); 3.16 i. iv); 3.22; 12.1; 12.2 a); b); c); d) i), ii), iii), f); h); i), those lands zoned R1-86 on the Schedules to this By-law shall only be used for single detached, linked dwellings, subject to the following zone regulations:

- a. For the purpose of the Section, the terms:

Dwelling, Linked, shall mean a building separated vertically into two separate dwelling units, which are horizontally connected at the footing, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

- b. Lot area (minimum)
 - i) Single detached dwellings with a minimum

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- | | | |
|------|---|-------------------|
| | of 11.6 metre frontage | 345 square metres |
| ii) | Single detached dwellings with a minimum of 13.1 metre frontage | 410 square metres |
| iii) | Linked dwellings | 585 square metres |
- c. Lot frontage Interior (minimum)
- | | | |
|------|--------------------------|-------------|
| i) | Single detached dwelling | 11.6 metres |
| ii) | Single detached dwelling | 13.1 metres |
| iii) | Linked dwellings | 19.6 metres |
- d. Lot Frontage Exterior (minimum)
- | | | |
|-----|--------------------------|-------------|
| i) | Single detached dwelling | 14.5 metres |
| ii) | Linked dwellings | 22.5 metres |
- e. Yard requirements for single detached dwellings (minimum)
- | | | |
|-----|--------------------|---|
| i) | Front or exterior | 6.0 metres to the garage;
4.0 metres to dwelling;
2 metres to the unenclosed porch; |
| ii) | Interior side yard | 1.2 metres on one side,
0.6 metres on the other side
without private garage or carport;
3.0 metres on one side,
0.6 metres on the other side. |
- f. Yard requirements for linked dwelling (minimum)
- | | | |
|-----|-----------------------------|---|
| i) | Front or exterior side yard | 6.0 metres to the garage;
4.0 metres to dwelling;
2 metres to the unenclosed porch; |
| ii) | Interior side yard | 1.2 metres without private garage
or carport 3.0 metres |
- g. Special Yard Regulation
- | | | |
|-----|---|--|
| i) | Notwithstanding the interior side yard requirements above, a linked dwelling connected by the footing shall have a horizontal distance between the interior walls of the two (2) dwelling units above finished grade between 1.2 metres and 1.5 metres. | |
| ii) | Bay windows with foundations may project into any required yard to | |

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- a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - iii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
 - iv) Visibility Triangle (minimum) 6.5 metres
- h. Lot coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All other residential dwellings
 - a) Dwelling 45 percent
 - b) Total of all buildings and structures 50 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage
- i. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- j. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential units 10.5 metres

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- k. Garage Requirements
- all garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection.

Added by By-Law 2013-012

12.4.87 Urban Residential Exception (R1-87) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv) 3.22; 14.1; 14.2; 14.3 a.: b.; c.; e.; and g.; and h. those lands zoned R1-87 on the Schedules to this By-law shall only be used for linked dwellings having frontage on both a public lane and a public street, subject to the following;

- a. For the purposes of this Section, the terms:
- Dwelling, Linked: shall mean a building separated vertically into two separate dwelling units, which are horizontally connected at the footing, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.
- Lane, Public: shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Clarington, having a right of way width of 10 metres or less which is maintained so as to allow normal vehicular access to garages and parking spaces on adjacent properties throughout all seasons of the year.
- | | | |
|-----|------------------------|-------------------|
| i) | Lot Area (minimum) | 588 square metres |
| ii) | Lot frontage (minimum) | |
| | a) Interior | 19.6 metres |
| | b) Exterior | 22.0 metres |
- b. Yard Requirements (minimum)
- | | | |
|-----|----------------------------------|---|
| i) | Front yard or exterior side yard | 3.0 metres to dwelling;
1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk 3.6 metres to dwelling; 1.5 metres to the unenclosed porch |
| ii) | Interior Side Yard (minimum) | 1.2 metres on one side and 0.6 metres on the other side |

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- iii) Rear Yard
 - a) Dwelling to a public lane 13 metres
 - b) Garage to a public lane 1.0 metres
- c. Special Yard Regulation
 - i) Dwelling may be attached to the garage by a single storey enclosure not measuring more than 2.6 metres in width such that the separation between dwelling and garage on the same lot is a minimum of 6 metres.
 - ii) A detached private garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another private garage on an adjacent lot located in the R1-87 zone.
 - iii) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard may be reduced below 0.6 metres.
 - iv) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- d. Visibility Triangle (minimum) 5.0 metres
- e. Lot Coverage (maximum)
 - i) Total for all Buildings and Structures 55 percent
 - ii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subjected to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, and unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

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- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. No parking space shall be located in any front or exterior side yard.

Added by By-Law 2013-012

12.4.88 Urban Residential Exception (R1-88) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a.; b.; c.; e.; g.; and h. those lands zoned R1-88 on the Schedules to this By-law shall only be used for single detached and linked dwellings, having frontage on both a public lane and a public street, subject to the following:

- a. For the purpose of this Section, the term:

Dwelling, Linked: shall mean a building separated vertically into two separate dwelling units, which are horizontally connected at the footing, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

Lane, Public: shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Clarington, having a right of way width of 10 metres or less which is maintained so as to allow normal vehicular access to garages and parking spaces on adjacent properties throughout all seasons of the year.

Lot Area (minimum)

- | | | |
|-----|---------------------------|-------------------|
| i) | Single Detached Dwellings | 345 square metres |
| ii) | Linked Dwellings | 585 square metres |

- b. Lot Frontage Interior (minimum)

- | | | |
|-----|--------------------------|-------------|
| i) | Single Detached Dwelling | 11.6 metres |
| ii) | Linked Dwellings | 19.6 metres |

- c. Lot Frontage Exterior (minimum)

- | | | |
|-----|--------------------------|-------------|
| i) | Single Detached Dwelling | 14.5 metres |
| ii) | Linked Dwellings | 22.2 metres |

- d. Yard Requirements (minimum)

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- i) Front Yard
 - a) Dwelling 13 metres
 - b) Garage 1.0 metres
- ii) Interior Side Yard (minimum)
 - a) Single Detached Dwelling 1.2 metres
 - b) Linked Dwelling 1.2 metres on one side and 0.6 metres on the other side
- iii) Exterior Side Yard 3.6 metres to dwelling;
1.5 metres to the unenclosed porch
- iv) Rear Yard 3.0 metres to dwelling;
1.2 metres to the unenclosed porch
- e. Special Yard Regulation
 - i) Dwelling may be attached to the garage by a single storey enclosure not measuring more than 2.6 metres in width such that the separation between dwelling and garage on the same lot is a minimum of 6 metres.
 - ii) A detached private garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another private garage on an adjacent lot located in the R1-88 zone.
 - iii) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - iv) Steps may project into the required rear or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- f. Visibility Triangle (minimum) 5.0 metres
- g. Lot Coverage (maximum)
 - i) Total of all buildings and structures 55 percent

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- ii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch /balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- h. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- i. Height (maximum) 12.5 metres

Added by By-Law 2013-054

12.4.89 Urban Residential Exception (R1-89) Zone

Notwithstanding Section 12.2 d., ii) and d., iv), those lands zoned R1-89 on Schedules to this By-law shall be subject to the following zone regulations:

- a. Yard Requirements (minimum)
 - i) Exterior Side Yard 4.5 metres
 - ii) Rear Yard 7.0 metres

*Added by By-Law 2013-094
Amended by By-Law 2014-0039*

12.4.90 Urban Residential Exception (R1-90) Zone

Notwithstanding Sections 3.1 j. iv); 12.1; 12.2 a., b., c., d. i), ii), iii), f., h., and i. ii), those lands zoned R1-90 on the Schedules to this By-law shall only be used for semi-detached dwellings and home occupations therein and shall be subject to the following zone provisions:

- a. Lot Area (minimum) 540 square metres
- b. Lot Frontage (minimum)

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- | | | |
|-----|--------------|-----------|
| i) | Interior Lot | 18 metres |
| ii) | Exterior Lot | 21 metres |
- c. Yard Requirements (minimum)
- | | | |
|------|--------------------|--|
| i) | Front Yard | 6.0 metres to private garage
or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage
or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| iii) | Interior Side Yard | 1.2 metres with private garage or
carport;
3.0 metres without private garage
or carport |
- d. Lot coverage (maximum)
- | | | |
|-----|--|------------|
| i) | 1 Storey | |
| | a) Dwelling | 50 percent |
| | b) Total of all buildings and structures | 55 percent |
| ii) | All other residential units | |
| | a) Dwelling | 45 percent |
| | b) Total of all buildings and structures | 50 percent |
- e. Height (maximum)
- | | | |
|-----|-----------------------|-------------|
| i) | 1 Storey | 8.5 metres |
| ii) | All other residential | 10.5 metres |
- f. Height of floor deck of unenclosed porch above finished grade (maximum)
- 1.0 metre
- g. Garage Requirements
- | | | |
|----|--|--|
| i) | All garage doors shall not be located any closer | |
|----|--|--|

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to the street line than the dwelling's front or exterior wall or covered porch except that 50% of the lots zoned R1-90 may have garage doors project to a maximum of 1.25 metres from the dwelling's front wall or exterior side wall or covered porch.

- ii) The outside width of the garage shall be a maximum of 50% of the width of the lot.

Added by By-Law 2014-109

12.4.91 Urban Residential Exception (R1-91) Zone

Notwithstanding Sections 12.1 and 12.2 b., those lands zoned R1-91 on the Schedules to this By-law shall only be used for semi-detached dwelling, subject to the following regulations:

- a. Lot Frontage (minimum) 17 metres

Added by OMB order September 17, 2015

12.4.92 Urban Residential Exception (R1-92) Zone

Notwithstanding 12.1, 12.2 a., 12.2b., 12.2c., 12.2d. and 12.2f. those lands zoned "R1-92" on the Schedules to this By-Law shall only be used for semi-detached dwellings subject to the following zone provisions:

- a. Regulations for semi-detached dwellings
 - i) Lot area (minimum) 450 square metres
 - ii) Lot frontage (minimum) interior lot 15 metres
 - iii) Lot frontage (minimum) exterior lot 17.5 metres
 - iv) Yard Requirements (minimum)
 - a) Front Yard 6 metres to garage;
4 metres to dwelling;
2 metres to unenclosed porch
 - b) Exterior Side Yard 6 metres to garage;
4 metres to dwelling;
2 metres to unenclosed porch
 - c) Interior Side Yard 1.2 metres
 - d) Rear Yard 7.5 metres

12.4.93 Urban Residential Exception (R1-93) Zone

Notwithstanding Sections 2, 3.1 j. i), 12.2 b., d. i), f. i), and h) those lands zoned R1-93 on the Schedules to this By-law shall only be used for single detached dwellings, subject to the following regulations:

- a. Lot Frontage (minimum) 17 metres
- b. Yard Requirements
 - i) Front Yard 7.5 metres to private garage;
7.0 metres to the dwelling
- c. Special Yard Requirements
 - i) Bay Windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
- d. Lot Coverage (maximum)
 - i) Dwelling 45 percent
 - ii) Total of all buildings and structures 50 percent
- e. Height of the floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- f. Height (maximum) 7.5 metres

For the purpose of this zone, height shall be measured at the front wall of the dwelling.
- g. Garage Requirements
 - i) The outside width of the garage shall be a maximum 6.8 metres

12.4.94 Urban Residential Exception (R1-94) Zone

Notwithstanding Sections 2, 12.1, and 12.2 b., d. i), iii), iv) f. and h. those lands zoned R1-94 on the Schedules to this By-law shall only be used for semi-detached dwellings and link townhouse dwellings, subject to the following regulations.

- | | | |
|----|-----------------------------|----------------------|
| a. | Density (maximum) | 21 units per hectare |
| b. | Lot Frontage (minimum) | 8.5 metres |
| c. | Yard Requirements (minimum) | |
| | i) Northerly | 6.5 metres |
| | ii) Easterly | 2.5 metres |
| | iii) Southerly | 95.0 metres |
| | iv) Westerly | 9.0 metres |
| d. | Lot Coverage (maximum) | 50% |
| e. | Building Height (maximum) | 7.5 metres |

For the purpose of this zone, height shall be measured at the front wall of the dwelling

- | | | |
|----|---------------------------------|-----|
| f. | Landscaped Open Space (minimum) | 35% |
| g. | Unit Setback Requirements | |

For the purpose of establishing yard regulations for each semi-detached dwelling and link townhouse the following minimum yard requirements shall apply as if each unit is located on a lot:

- | | | |
|------|--------------------|--|
| i) | Front Yard | 6.0 metres to garage;
4.0 metres to dwelling; |
| ii) | Rear Yard | 6.0 metres |
| iii) | Interior Side Yard | 3.0 metres, Nil where a
building has a common wall
with any building on an adjacent
lot in the same Zone. |
| iv) | Exterior Side Yard | 2.5 metres to the private driveway |

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h. Lot Coverage (maximum)

- | | | |
|-----|---------------------------------------|------------|
| i) | Dwelling | 60 percent |
| ii) | Total of all buildings and structures | 65 percent |

Added by By-Law 2016-089

12.4.95 Urban Residential Exception (R1-95) Zone

Notwithstanding the provisions of 12.1, 12.2 b., c., d.i) and f. those lands zoned “R1-95” on the Schedules to this By-law shall be subject to the following regulations:

a. Permitted Uses

- i) A single detached dwelling
- ii) A home occupation use in accordance with the provisions of Section 3.11 of the By-law, save and except the retail sale of antiques, arts, crafts or hobby items.

b. Lot Frontage (minimum)

- | | | |
|-----|----------|-----------|
| i) | Interior | 17 metres |
| ii) | Exterior | 20 metres |

c. Yard Requirements (minimum)

- | | | |
|----|------------|--|
| i) | Front Yard | 7.5 metres to private garage
7 metres to dwelling |
|----|------------|--|

d. Lot Coverage (maximum)

- | | | |
|-----|---------------------------------------|------------|
| i) | Dwelling | 40 percent |
| ii) | Total of all buildings and structures | 45 percent |

Added by By-law 2017-074

12.4.96 Urban Residential Exception (R1-96) Zone

Notwithstanding the provisions of 12.2 d. i) those lands zoned R1-96 on the Schedules to the By-law shall be subject to the following regulations:

a. Yard Requirement

- | | | |
|----|----------------------|------------|
| i) | Front Yard (minimum) | 9.5 metres |
| | (maximum) | 11 metres |

12.4.97 Urban Residential Exception (R1-97) Zone

Notwithstanding Sections 3.1 g., i) and iv); 3.16 i. iv); 12.1; 12.2 a., b., c., d., i), ii), iii), f., i), those lands zoned R1-97 on the Schedules to this By-law shall only be used for single detached and semi-detached dwellings, subject to the following zone regulations:

- a. Lot Area (minimum)
 - i) Single detached dwellings with minimum of 10.0 metre frontage 300 square metres
 - ii) Single detached dwellings with minimum of 12.0 metre frontage 370 square metres
 - iii) Semi-detached dwellings with a minimum of 18.0 metre frontage 550 square metres
- b. Lot Frontage Interior (minimum)
 - i) Single detached dwelling 10.0 metres
 - ii) Single detached dwelling 12.0 metres
 - iii) Semi-detached dwellings 18.0 metres
- c. Lot Frontage Exterior (minimum)
 - i) Single detached dwelling 12.0 metres
 - ii) Semi-Detached dwellings 20.0 metres
- d. Yard Requirements (minimum)
 - i) Front or exterior side yard 6.0 metres to the garage;
3.0 metres to dwelling;
1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk;
6.0 metres to the garage;
3.6 metres to dwelling;
1.5 metres to the unenclosed porch
 - ii) Interior side yard for single-detached dwellings 1.2 metres on one side and
0.6 metres on the other side
 - iii) Interior side yard for semi-detached dwellings 1.2 metres

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e. Special Yard Regulation

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- iii) Visibility Triangle (minimum) 5.0 metres

f. Lot Coverage (maximum)

- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
- ii) All other residential dwellings
 - a) Dwelling 45 percent
 - b) Total of all buildings and structures 50 percent
- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage

g. Height of floor deck of unenclosed porch above the average finished grade measured at the front lot line (maximum) 1.0 metre

h. Height (maximum)

- i) 1 storey 8.5 metres

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- ii) All other residential units 12.5 metres
- i. Semi-detached driveway width (maximum) 4.6 metres
- j. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection
 - ii) Garage width for a 10.0 single detached dwelling shall be a maximum 40% of the width of the lot¹³

Added by By-law 2017-083

12.4.98 Urban Residential Exception (R1-98) Zone

Notwithstanding 12.1, 12.2 a., 12.2 b., 12.2 d. i), and 12.2 h., those lands zoned “R1-98” on the Schedules to this By-law shall only be used for single detached dwellings subject to the following zone provisions:

- a. Lot Area (minimum) 700 square metres
- b. Lot Frontage (minimum) 18 metres
- c. Yard Requirements (minimum)
 - i) Front Yard Setback 11 metres
 - ii) Side Yard Setback 1.5 metres
- d. Building Height (maximum) 8 metres

Added by By-law 2017-083

12.4.99 Urban Residential Exception (R1-99) Zone

Notwithstanding 3.12 c., 12.1, 12.2, and 12.3, those lands zoned “R1-99” on the Schedules to this By-law shall only be used for a public use and a Temporary Sales Office, subject to terms and conditions of a municipal lease agreement and subject to the following zone provisions:

- a. Lot Area (minimum) 1500 square metres

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b.	Lot Frontage (minimum)	50 metres
c.	Yard Requirements (minimum)	
	i) Front Yard Setback	15 metres
	ii) Interior Side Yard Setback	2.5 metres
	iii) Rear Yard Setback	4 metres
d.	Building Height (maximum)	5 metres
e.	Floor Area (maximum)	400 square metres
f.	Parking Spaces (minimum)	20
g.	Loading Spaces	nil

Pursuant to the requirements of Section 39 of the Planning Act, 1990, as amended, the temporary sales office use shall cease on December 31, 2019.

Added by By-law 2018-084

12.4.100 Urban Residential Exception (R1-100) Zone

Notwithstanding 12.2 b. i) those lands zoned “R1-100” on the Schedules to this By-law shall only be used subject to the following zone provisions:

a.	Lot Frontage (minimum)	6 metres
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13. Urban Residential Type Two (R2) Zone

13.1 Permitted Uses

No person shall, within an Urban Residential Type Two (R2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) A single detached dwelling; and
- ii) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items.

b. Non-Residential Uses

- i) Places of worship, subject to the zone regulations set out in Section 12.2 in respect of a single detached dwelling with an attached garage or carport. *Amended by By-Law 87-19*

13.2 Regulations for Residential Uses

a. Lot Area (minimum) 370 square metres

b. Lot Frontage (minimum)

- i) Interior Lot 12 metres
- ii) Corner Lot 15 metres

c. Yard Requirements (minimum)

- i) Front Yard *Amended by By-Law 99-180*
6 metres to private garage or carport and 4.5 metres to dwelling
- ii) Exterior Side Yard *Amended by By-Law 85-51*
6 metres

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- iii) Interior Side Yard
 - a) With an attached garage or carport 1.20 metres
 - b) Without an attached garage or carport
 - 4.5 metres on one side,
 - 1.2 metres on the other
- iv) Rear Yard 7.5 metres
- d. Dwelling Unit Area (minimum)
 - i) Single Detached Dwelling
 - a) 1 storey or split level 85 square metres
 - b) 1 1/2 or 2 storey 100 square metres
- e. Lot Coverage (maximum) 40 percent
- f. Landscaped Open Space (minimum) 30 percent
- g. Building Height (maximum) 10.5 metres
- Amended by By-Law 99-180*
- h. Special Yard Requirements

Private garages or carports may extend a maximum of 3.0 metres in front of the dwelling unit. This provision shall apply to all lots registered after June 30, 2000.

13.3 Municipal Servicing Requirement

- a. No building or structure may be erected and no use may be established in the Urban Residential Type Two (R2) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.
- b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law and which does not meet the servicing requirement set out above.

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- c. Subsection a. above does not apply to prevent the erection of a dwelling on a lot or block within a registered plan of subdivision provided that a subdivision agreement with the Town has been registered on title and further, provided that such subdivision agreement includes appropriate provisions in respect of the servicing of such lot or block.

13.4 Special Exceptions – Urban Residential Type Two (R2) Zone

Amended by By-Law 85-36

13.4.1 Urban Residential Exception (R2-1) Zone

Notwithstanding Section 13.1, only single-detached dwellings and home occupation uses shall be permitted on those lands zoned R2-1 on the Schedules to this By-law subject to the following zone regulation:

- a. Lot Area (minimum) 365 square metres

13.4.2 Urban Residential Exception (R2-2) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-2 on the Schedules to this By-law may only be used in accordance with the following zone regulations:

- a. Permitted Uses
- i) A single detached dwelling;
 - ii) A semi-detached dwelling; and
 - iii) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items.
- b. Regulations for Residential Uses
- i) Lot Area (minimum)
 - a) Single detached dwelling 370 square metres
 - b) Semi-detached dwelling 460 square metres

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ii)	Lot Frontage (minimum) Interior Lot	
	a) Single detached dwelling	12 metres
	b) Semi-detached dwelling	18 metres
iii)	Lot Frontage (minimum) Exterior Lot	
	a) Single detached dwelling	15 metres
	b) Semi-detached dwelling	21 metres
iv)	Yard Requirements (minimum)	
	a) Front Yard	6 metres
	b) Exterior Side Yard	6 metres
	c) Interior Side Yard	
	- with an attached garage or carport	1.2 metres
	- without an attached garage or carport	4.5 metres on one side, 1.2 metres on the other
	d) Rear Yard	7.5 metres
v)	Dwelling Unit Area (minimum)	
	a) single detached dwelling	88 square metres
	b) semi-detached dwelling	83.5 square metres
vi)	Lot Coverage (maximum)	
	a) single detached dwelling	40 percent
	b) semi-detached dwelling	45 percent
vii)	Landscaped Open Space (minimum)	30 percent
viii)	Building Height (maximum)	10.5 metres
ix)	Special Yard Regulations:	

Notwithstanding the interior side yard requirements above, where a semi-detached dwelling is only connected at some point below finished grade, the minimum horizontal distance between the walls of such dwelling units above finished grade, shall be 1.20 metres.

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Added by By-Law 85-03

13.4.3 Urban Residential Exception (R2-3) Zone

Notwithstanding Section 13.2, those lands zoned R2-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 850 square metres
- b. Lot Frontage (minimum) 25 metres

Added by By-Law 87-72

13.4.4 Urban Residential Exception (R2-4) Zone

Notwithstanding Sections 3.1 and 13.2, those lands zoned R2-4 on the Schedules to this By-law shall be used only in accordance with the following zone provisions:

- a. Permitted Uses
 - i) Single detached dwelling with an attached garage; and
 - ii) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retails sales of antiques, arts, crafts, or hobby items.
- b. Regulations for Residential Uses
 - i) Lot Area (minimum) 370 square metres
 - ii) Lot Frontage (minimum)
 - a) Interior Lot 12 metres
 - b) Corner Lot (minimum) 15 metres
 - iii) Yard Requirements (minimum)
 - a) Front Yard 6 metres
 - b) Exterior Side Yard 3 metres
 - c) Interior Side Yard 0.6 metres on one side
1.2 metres on the other
 - d) Rear Yard 7.5 metres
 - iv) Dwelling Unit Area (minimum)

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a)	Single Detached Dwelling	
	- 1 storey or split level	85 square metres
	- 1 1/2 or 2 storey	100 square metres
v)	Lot Coverage (maximum)	40 percent
vi)	Landscaped Open Space (minimum)	30 percent
vii)	Building Height (maximum)	10.5 metres

Added by By-Law 88-158

13.4.5 Urban Residential Exception (R2-5) Zone

Notwithstanding Section 13.2, those lands zoned R2-5 on the Schedules to this By-law are also subject to the following regulations:

a.	Setback from the Canadian Pacific Railway Right-of-Way (minimum)	30 metres
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Added by By-Law 95-51

13.4.6 Urban Residential Exception (R2-6) Zone

Notwithstanding Sections 3.21 and 13.2, those lands zoned R2-6 on the Schedules to this By-law shall have a 5.0 metre sight triangle and shall be subject to the following zone regulations:

a.	Lot Area (minimum)	290 square metres
b.	Lot Frontage (minimum)	
	i) Interior Lot	10 metres
	ii) Exterior Lot	13 metres
b.	Yard Requirements (minimum)	
	i) Exterior Side Yard	3 metres

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Added by By-Law 95-51

13.4.7 Urban Residential Exception (R2-7) Zone

Notwithstanding Section 13.2, those lands zoned R2-7 on the Schedules to this By-law shall be subject to the following regulations:

- a. Setback from the C.N.R. Right-of-Way (minimum) 15 metres

Added by By-Law 95-176

13.4.8 Urban Residential Exception (R2-8) Zone

Notwithstanding Section 13.2, those lands zoned R2-8 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 325 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.5 metres
 - ii) Exterior Lot 14.0 metres

Added by By-Law 95-176

13.4.9 Urban Residential Exception (R2-9) Zone

Notwithstanding Section 13.2, those lands zoned R2-9 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 420 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 13.5 metres
 - ii) Exterior Lot 17.0 metres

Added by By-Law 96-117

13.4.10 Urban Residential Exception (R2-10) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-10 on the Schedules to this By-law shall only be used for a single detached dwelling subject to the following zone regulations:

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- a. Lot Area (minimum)
- | | | |
|-----|--------------|-------------------|
| i) | Interior Lot | 365 square metres |
| ii) | Exterior Lot | 424 square metres |
- b. Lot Frontage (minimum)
- | | | |
|-----|--------------|-------------|
| i) | Interior Lot | 13.8 metres |
| ii) | Exterior Lot | 16.0 metres |
- c. Yard Requirements (minimum)
- | | | |
|------|--------------------|--|
| i) | Front Yard | 6.0 metres to attached garage,
3.6 metres to front wall of dwelling,
1.5 metres to covered porch |
| ii) | Interior Side Yard | 1.2 metres |
| iii) | Exterior Side Yard | 3.6 metres to exterior wall of
dwelling, 1.5 metres to
covered porch |
| iv) | Rear Yard | 5.0 metres to rear wall
of dwelling, 2.6 metres to
uncovered deck |
- d. Special Yard Regulations
- Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- e. Building Height (maximum)
- | | | |
|-----|--------------|-------------|
| i) | Interior Lot | 12.0 metres |
| ii) | Exterior Lot | 12.0 metres |
- f. Lot Coverage (maximum) 60%

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Added by By-Law 96-170, 96-171 & 96-172

13.4.11 Urban Residential Exception (R2-11) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-11 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|----|-----------------------------|--|
| a. | Lot Area (minimum) | 310 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 10.5 metres |
| | ii) Exterior Lot | 13.8 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6.0 metres to attached private garage or carport, 4.5 metres to dwelling |
| | ii) Interior Side Yard | 1.2 metres with attached private garage or carport, 3.0 metres on one side and 1.2 metres on the other side without attached private garage or carport |
| | iii) Exterior Side Yard | 4.5 metres |
| | iv) Rear Yard | 7.5 metres |
| d. | Building Height (maximum) | 10.5 metres |

Added by By-Law 96-170, 96-171 & 96-172

13.4.12 Urban Residential Exception (R2-12) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-12 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|----|------------------------|-------------------|
| a. | Lot Area (minimum) | 370 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 12.0 metres |

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- | | | |
|--------------------------------|---------------------------|--|
| ii) | Exterior Lot | 15.3 metres |
| c. Yard Requirements (minimum) | | |
| i) | Front Yard | 6.0 metres to attached private garage or carport, 4.5 metres to dwelling |
| ii) | Interior Side Yard | 1.2 metres with attached private garage or carport, 3.0 metres on one side and 1.2 metres on the other side without attached private garage or carport |
| iii) | Exterior Side Yard | 4.5 metres |
| iv) | Rear Yard | 7.5 metres |
| d. | Building Height (maximum) | 10.5 metres |

Added by By-Law 96-170, 96-171 & 96-172

13.4.13 Urban Residential Exception (R2-13) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-13 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|--------------------------------|--------------------|---|
| a. | Lot Area (minimum) | 430 square metres |
| b. Lot Frontage (minimum) | | |
| i) | Interior Lot | 13.5 metres |
| ii) | Exterior Lot | 16.8 metres |
| c. Yard Requirements (minimum) | | |
| i) | Front Yard | 6.0 metres to attached private garage or carport, 4.5 metres to dwelling |
| ii) | Interior Side Yard | 1.2 metres with attached private garage or carport, 3.0 metres on one side and 1.2 metres on the other side without attached private garage |

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- | | | |
|------|---------------------------|-------------|
| | | or carport |
| iii) | Exterior Side Yard | 4.5 metres |
| iv) | Rear Yard | 7.5 metres |
| d. | Building Height (maximum) | 10.5 metres |

Added by By-Law 96-172

13.4.14 Urban Residential Exception (R2-14) Zone

Notwithstanding Sections 2, 13.1 and 13.2, those lands zoned R2-14 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following definitions and zone regulations:

a. Definitions

Single Car Attached Private Garage: shall mean a portion of a dwelling which is fully enclosed and roofed and designed for the sheltering of one motor vehicle as a parking space. Incidental storage of household equipment is also permitted.

Double Car Attached Private Garage: shall mean a portion of a dwelling which is fully enclosed and roofed and designed for the sheltering of two motor vehicles as parking spaces. Incidental storage of household equipment is also permitted.

b. Regulations for Dwelling with Single Car Attached Private Garage:

- | | | |
|------|-----------------------------|---|
| i) | Lot Area (minimum) | 300 square metres |
| ii) | Lot Frontage (minimum) | |
| | a) Interior Lot | 11.4 metres |
| | b) Exterior Lot | 14.7 metres |
| iii) | Yard Requirements (minimum) | |
| | a) Front Yard | 6.0 metres to attached private garage, 4.5 metres to dwelling |
| | b) Interior Side Yard | 1.2 metres |
| | c) Exterior Side Yard | 4.5 metres |
| | d) Rear Yard | 5.0 metres |

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- iv) Building Height (maximum) 10.5 metres
- c. Regulations for Dwelling with Double Car Attached Private Garage:
 - i) Lot Area (minimum) 300 square metres
 - ii) Lot Frontage (minimum)
 - a) Interior Lot 14.4 metres
 - b) Exterior Lot 17.7 metres
 - iii) Yard Requirements (minimum)
 - a) Front Yard 6.0 metres to attached private garage, 4.5 metres to dwelling
 - b) Interior Side Yard 1.2 metres
 - c) Exterior Side Yard 4.5 metres
 - d) Rear Yard 5.0 metres
 - iv) Building Height (maximum) 10.5 metres

Added by By-Law 96-158

13.4.15 Urban Residential Exception (R2-15) Zone

Notwithstanding Section 13.2, those lands zoned R2-15 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Exterior Side Yard 4.5 metres

Added by By-Law 96-168

13.4.16 Urban Residential Exception (R2-16) Zone

Notwithstanding Section 13.2, those lands zoned R2-16 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Residential Uses
 - i) A mobile home park consisting of mobile home dwellings and single detached dwellings not exceeding a density of 7.75 mobile homes and/or single detached dwellings per hectare.

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- b. Non-Residential Uses
- i) Mobile home park community centre;
 - ii) A private park;
 - iii) A mobile home park maintenance depot;
 - iv) A cable television reception tower and appurtenant structures; and
 - v) Storage lockers accessory to a mobile home.
- c. Regulations for Residential Uses
- i) Each mobile home and/or single detached dwelling site located within an Urban Residential Type Two – Special Exception (R2-16) Zone shall be subject to the following zone regulations:
 - a) Site Area (minimum) 300 square metres
 - b) Site Coverage (maximum) 45 percent
 - c) Landscaped Open Space (minimum) 30 percent
 - ii) Each mobile home and/or single detached dwelling shall be located on a single mobile home site and shall be subject to the following zone regulations:
 - a) Floor Area (minimum) 60 square metres
 - b) Setback from any other mobile home or single detached dwelling 3.0 metres
 - c) Setback from any mobile home park road 5.0 metres
 - d) Setback from any lot line 7.5 metres
 - e) Special Yard Requirements
Notwithstanding Sections 13.1 b. and 13.4.16 b. iii) and c., a carport may be permitted to have a 1.0 metre setback from any mobile home park road.

For the purposes of this By-law, a carport shall mean a roofed enclosure which may be attached or detached to a mobile home or single detached dwelling, used for the storage or parking of a motor vehicle and has at least 40% of its total perimeter open and unobstructed.
 - iii) Mobile Home Community Centre

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- | | | |
|----|--|--------------------|
| a) | Floor Area (maximum) | 3500 square metres |
| b) | Setback from any other mobile home or single detached dwelling | 15.0 metres |
| c) | Setback from any mobile home park road | 5.0 metres |
| d) | Setback from any lot line | 7.5 metres |
- iv) Mobile Home Maintenance Depot
- | | | |
|----|--|-------------------|
| a) | Floor Area (maximum) | 300 square metres |
| b) | Setback from any other mobile home or single detached dwelling | 50.0 metres |
| c) | Setback from any mobile home park road | 5.0 metres |
| d) | Setback from any lot line | 15.0 metres |
- v) Cable Television Reception Tower and Appurtenances
- | | | |
|----|--|-------------|
| a) | Setback from any other mobile home or single detached dwelling | 15.0 metres |
| b) | Setback from any mobile home park road | 5.0 metres |
| c) | Setback from any lot line | 15.0 metres |

*Added by By-Law 97-010
Amended by By-Law 2015-062*

13.4.17 Urban Residential Exception (R2-17) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-17 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|----|-----------------------------|---|
| a. | Lot Area (minimum) | 330 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 10.0 metres |
| | ii) Exterior Lot | 13.5 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6.0 metres to attached private garage or carport,
4.5 metres to dwelling |

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- | | | |
|------|--------------------|---|
| ii) | Interior Side Yard | 1.2 metres on both sides
with attached private
garage or carport
3.0 metres on one side and
1.2 metres on the other side
without attached private
garage or carport |
| iii) | Exterior Side Yard | 4.5 metres |

Added by By-Law 99-007

13.4.18 Urban Residential Exception (R2-18) Zone

Notwithstanding Section 3.1 f. and 13.2, those lands zoned R2-18 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|--|---|
| a. | Lot Area (minimum) | 370 square metres |
| b. | Yard Regulations (minimum) | |
| | i) Front Yard | 6 metres to attached private
garage, 4.5 metres to dwelling |
| | ii) Interior Side Yard | 1.2 metres with attached
garage, 4.5 metres without
attached garage |
| | iii) Exterior Side Yard | 4.5 metres |
| | iv) Rear Yard | 9.5 metres |
| c. | Accessory Building/Structure Rear Yard (minimum) | 2 metres |

Added by By-Law 99-007

13.4.19 Urban Residential Exception (R2-19) Zone

Notwithstanding Sections 3.1 f. and 13.2, those lands zoned R2-19 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|----------------------------|---|
| a. | Lot Area (minimum) | 420 square metres |
| b. | Yard Regulations (minimum) | |
| | i) Front Yard | 6 metres to attached private
garage 4.5 metres to dwelling |

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- | | | |
|------|--------------------|---|
| ii) | Interior Side Yard | 1.2 metres with attached garage
4.5 metres without attached garage |
| iii) | Exterior Side Yard | 4.5 metres |
| iv) | Rear Yard | 10.5 metres |
- c. Accessory Building/Structure
Rear Yard (minimum) 4 metres

Added by By-Law 99-007

13.4.20 Urban Residential Exception (R2-20) Zone

Notwithstanding Section 13.2, those lands zoned R2-20 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 370 square metres
- b. Lot Frontage (minimum)
- | | | |
|-----|--------------|-----------|
| i) | Interior Lot | 11 metres |
| ii) | Exterior Lot | 13 metres |
- c. Yard Regulations (minimum)
- | | | |
|------|--------------------|---|
| i) | Front Yard | 6 metres to attached private garage, 4.5 metres to dwelling |
| ii) | Interior Side Yard | 1.2 metres with attached garage, 4.5 metres without attached garage |
| iii) | Exterior Side Yard | 4.5 metres |
| iv) | Rear Yard | 7.5 metres |

Added by By-Law 99-08

13.4.21 Urban Residential Exception (R2-21) Zone

Notwithstanding Section 13.2, those lands zoned R2-21 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 590 square metres
- b. Lot Frontage (minimum)

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- | | | |
|-----|--------------|-----------|
| i) | Interior Lot | 23 metres |
| ii) | Exterior Lot | 26 metres |
- c. Yard Regulations (minimum)
- | | | |
|------|--------------------|---|
| i) | Front Yard | 6 metres to attached private garage, 4.5 metres to dwelling |
| ii) | Interior Side Yard | 1.2 metres with attached garage, 4.5 metres without attached garage |
| iii) | Exterior Side Yard | 4.5 metres |
| iv) | Rear Yard | 5 metres |

Added by By-Law 99-73

13.4.22 Urban Residential Exception (R2-22) Zone

Notwithstanding Section 3.16, those lands zoned R2-22 on the Schedules to this By-law shall provide two outdoor parking spaces per dwelling.

Added by By-Law 99-76

13.4.23 Urban Residential Exception (R2-23) Zone

Notwithstanding Sections 13.1 and 13.2, those lands zoned R2-23 on the Schedules to this By-law shall only be used for a single detached dwelling in accordance with the following zone regulations:

- | | | |
|----|----------------------------|-------------------|
| a. | Lot Area (minimum) | 310 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot (minimum) | 10.5 metres |
| | ii) Exterior Lot (minimum) | 13.8 metres |
- c. Yard Requirements (minimum)
- | | | |
|-----|--------------------|---|
| i) | Front Yard | 6.0 metres to private garage or carport, 4.5 metres to dwelling |
| ii) | Interior Side Yard | With attached private garage or carport, 1.2 metres on one side and 0.6 metres on the other side
Without attached private garage |

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- iii) Exterior Side Yard
 - or carport, 3.0 metres on one side and 0.6 metres on the other side.
 - 4.5 metres to the dwelling,
 - 6.0 metres to attached private garage or carport

Added by By-Law 99-106

OMB Order No. 0645

13.4.24 Urban Residential Exception (R2-24) Zone

Notwithstanding Section 13.2, those lands zoned R2-24 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. For the purposes of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport.
- b. Yard Requirements (minimum)
 - i) Front Yard
 - 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard
 - 6.0 metres to private garage or carport, 4.5 metres to dwelling
- c. Parking Requirements
 - i) 2 outdoor parking spaces (minimum)
 - ii) Where the two outdoor parking spaces are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30%.
 - iii) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres.
 - iv) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

Added by By-Law 99-106

13.4.25 Urban Residential Exception (R2-25) Zone

Notwithstanding Section 13.2, those lands zoned R2-25 on the Schedules to this By-law shall also be subject to the following zone regulations:

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- a. For the purposes of this zone, an Outdoor Parking Space shall mean a parking space excluding a private garage or carport.
- b. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport ,4.5 metres to dwelling
 - ii) Exterior Side Yard 6.0 metres to private garage or carport 4.5 metres to dwelling
 - iii) Setback from the Canadian Pacific Railway 30 metres
- c. Parking Requirements
 - i) 2 outdoor parking spaces (minimum)
 - ii) Where the two outdoor parking spaces are provided side by side the combined minimum width of the two spaces may be reduced to 4.6 metres provided the minimum landscaped open space within the front yard is 30%.
 - iii) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres.
 - iv) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

Added by By-Law 2000-059

13.4.26 Urban Residential Exception (R2-26) Zone

Notwithstanding Sections 3.1 j. i), iii) and 13.2, those lands zoned R2-26 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 280 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 9.5 metres
 - ii) Exterior Lot 11.5 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage

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- | | | |
|------|--------------------|---|
| | | or carport, 4.5 metres
to dwelling |
| ii) | Interior Side Yard | 1.2 metres on one side
and 0.6 metres on the other side
with attached private garage or
carport; 3.0 metres on one side
and 0.6 metres on the other side
without an attached |
| iii) | Exterior Side Yard | 3.0 metres to dwelling,
1.5 metres to unenclosed porch |

Added by By-Law 2000-059

13.4.27 Urban Residential Exception (R2-27) Zone

Notwithstanding Sections 3.1 j. i), iii) and 13.2, those lands zoned R2-27 on the Schedules to this By-law shall also be subject to the following zone regulations:

- | | | |
|----|-----------------------------|--|
| a. | Lot Area (minimum) | 310 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 10.5 metres |
| | ii) Exterior Lot | 12.5 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 6.0 metres to private garage
or carport, 4.5 metres
to dwelling |
| | ii) Interior Side Yard | 1.2 metres on one side and
0.6 metres on the other side with
attached private garage or carport
3.0 metres on one side and 0.6 metres
on the other side without an attached
private garage or carport |
| | iii) Exterior Side Yard | 3.0 metres to dwelling,
1.5 metres to unenclosed porch |

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Added by By-Law 2000-059

13.4.28 Urban Residential Exception (R2-28) Zone

Notwithstanding Sections 3.1 j. i), iii) and 13.2, those lands zoned R2-28 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Frontage (minimum)
 - i) Exterior Lot 14.0 metres
- b. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 3.0 metres to dwelling, 1.5 metres to unenclosed porch

Added by By-Law 2000-096

13.4.29 Urban Residential Exception (R2-29) Zone

Notwithstanding Section 13.2, those lands zoned R2-29 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 12.0 metres
 - ii) Exterior Lot 15.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 4.5 metres
 - iii) Rear Yard 5.0 metres

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Added by By-Law 2000-096

13.4.30 Urban Residential Exception (R2-30) Zone

Notwithstanding Section 13.2, those lands zoned R2-30 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior lot 10.0 metres
 - ii) Exterior lot 13.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 4.0 metres

Added by By-Law 2001-111

13.4.31 Urban Residential Exception (R2-31) Zone

Notwithstanding the provisions of Sections 3.21 a. and 13.2, those lands zoned R2-31 on the Schedules to this By-law shall also be subject to the following zone regulations:

Yard Requirements (minimum)

- a. Setback of all buildings and structures to Environmental Protection (EP) Zone 1.2 metres

Added by By-Law 2003-160

13.4.32 Urban Residential Exception (R2-32) Zone

Notwithstanding the provisions of Section 13.2, those lands zoned R2-32 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Frontage (minimum) 14 metres
- b. Setback from South Lot Line (minimum) 7.5 metres

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Added by By-Law 2004-145

13.4.33 Urban Residential Exception (R2-33) Zone

Notwithstanding Sections 13.2 and 3.22, those lands zoned R2-33 on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Yard Requirements (minimum)
 - i) Exterior Side Yard 3.0 metres
 - ii) Sight Triangle 5.0 metres

Added by By-Law 2004-145

13.4.34 Urban Residential Exception (R2-34) Zone

Notwithstanding Section 13.2, those lands zoned R2-34 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 340 sq. m.
- b. Yard Requirements (minimum)
 - i) Exterior Side Yard 3.0 metres
 - ii) Sight Triangle 5.0 metres

Added by By-Law 2004-015

13.4.35 Urban Residential Exception (R2-35a) Zone

Notwithstanding Section 13.2, those lands zoned R2-35 on the Schedules to this By-law shall be subject to the following zone provision:

- a. Lot Area (minimum) 340 sq. m.

Amended by By-Law 2005-145

13.4.36 Urban Residential Exception (R2-35b) Zone

Notwithstanding Sections 3.1 j. i), iii), 3.22, 13.2 b. i), c. i), ii) and e., the lands zoned R2-35 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Frontage (minimum)
 - i) Corner Lot 13.8 metres

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- b. Yard Requirements (minimum)
- i) Front Yard 3.0 metres to an unenclosed porch/balcony, 4.5 metres to dwelling, 6.0 metres to private garage or carport
 - ii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.2 metres to an unenclosed porch/balcony
 - b) 3.0 metres to a dwelling
 - c) 6.0 metres to garage
 - ii) Exterior Side Yard on street side with a municipal sidewalk or Exterior Side Yard where the rear lot line of the corner lot is shared with the side lot line of the immediately adjacent lot:
 - a) 2.0 metres to an unenclosed porch/balcony
 - b) 4.0 metres to a dwelling
 - c) 6.0 metres to garage
 - iv) Sight Triangle 6.75 metres
- c. Lot Coverage (maximum) 40 percent
- Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
- i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot; and
 - ii) in the case of a corner lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot.
- d. Height of floor deck of unenclosed porch to finished grade (maximum) 1.0 metre

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Added by By-Law 2005-051

13.4.37 Urban Residential Exception (R2-36) Zone

Notwithstanding Sections 3.1 j. i), iii), 3.22, 13.2 a., b. i), ii), c. i), ii), iii) and e., the lands zoned R2-36 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 270 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 9 metres
 - ii) Corner Lot 12 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 3.0 metres to an unenclosed porch/balcony, 4.5 metres to dwelling, 6.0 metres to private garage or carport
 - ii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.2 metres to an unenclosed porch/balcony
 - b) 3.0 metres to a dwelling
 - c) 6.0 metres to a garage
 - iii) Exterior Side Yard on street side with a municipal sidewalk or Exterior Side Yard where the rear lot line of the corner lot is shared with the side lot line of the immediately adjacent lot:
 - a) 2.0 metres to an unenclosed porch/balcony
 - b) 4.0 metres to a dwelling
 - c) 6.0 metres to a garage
 - iv) Sight Triangle 6.75 metres
 - v) Interior Side Yard
 - Added by By-Law 2005-082*
 - With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
 - Without attached private

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garage or carport 3.0 metres on
one side and 0.6 metres on
the other side

Where the interior side yard setback
is less than 1.2 metres, the side yard
setback on the abutting lot must
also be less than 1.2 metres

- d. Lot Coverage (maximum) 45 percent

Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:

- i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
- ii) In the case of a corner lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

- e. Height of Floor Deck of Unenclosed Porch
to Finished Grade(maximum) 1.0 metres

Added by By-Law 2005-051

13.4.38 Urban Residential Exception (R2-37) Zone

Notwithstanding Sections 3.1 j. i), iii), 3.22, 13.2 a., b. i), ii), c. i), ii), iii) and e., the lands zoned R2-37 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 270 square metres
- b. Lot Frontage (minimum)
- i) Interior Lot 9 metres
 - ii) Corner Lot 12 metres

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c. Yard Requirements (minimum)

- i) Front Yard 3.0 metres to an unenclosed porch, 4.5 metres to a dwelling, 6 metres to a private garage or carport
 - ii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.2 metres to an unenclosed porch/balcony
 - b) 3.0 metres to a dwelling
 - c) 6.0 metres to garage
 - iii) Exterior Side Yard on street side with a municipal sidewalk or Exterior Side Yard where the rear lot line of the corner lot is shared with the side lot line of the immediately adjacent lot:
 - a) 2.0 metres to an unenclosed porch/balcony
 - b) 4.0 metres to a dwelling
 - c) 6.0 metres to garage
 - iv) Sight Triangle 6.75 metres
Added by By-Law 2005-082
 - v) Interior Side Yard
 - With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
 - Without attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side
 - Where the interior side yard setback is less than 1.2 metres, the side yard setback on the abutting lot must also be less than 1.2 metres
 - vi) Driveway Width (maximum) 4.6 metres
 - vii) Lot Coverage (maximum) 45 percent
- Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot;
 - b) In the case of a corner lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot.
-
- viii) Height of floor deck of unenclosed porch to finished grade(maximum) 1.0 metres

Added by By-Law 2005-106

13.4.39 Urban Residential Exception (R2-38) Zone

Notwithstanding Sections 3.1 a. i), iii), 13.1 and 13.2 b., d., f. and h., the lands zoned R2-38 on the Schedules to this By-law shall only be used for a single detached dwelling be subject to the following regulations:

- a. Lot Area (minimum)
 - i) Interior Lot 290 square metres
 - ii) Exterior Lot 350 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.9 metres
 - ii) Exterior Lot 13 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 1.5 metres to an unenclosed porch, 3.6 metres to dwelling, 6.0 metres to private garage or carport
 - ii) Interior Side Yard With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
Without attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side
 - iii) Exterior Side Yard on street side without a municipal sidewalk:

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- a) 1.5 metres to an unenclosed porch
 - b) 3.0 metres to dwelling
 - iv) Exterior Side Yard on street side abutting a municipal sidewalk
 - a) 1.5 metres to an unenclosed porch
 - b) 3.5 metres to dwelling
 - v) Rear Yard 5.0 metres to rear wall of dwelling to a maximum of 70% of the dwelling width, 5.6 metres minimum to the remainder of the rear wall of dwelling, 2.6 metres to uncovered deck
- d. Special Yard Regulations
- Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- e. Building Height (maximum) 12 metres
 - f. Lot Coverage (maximum) 60 percent for all structures
55 percent for the dwelling
 - g. Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) 1.0 metres

Added by By-Law 2005-106

13.4.40 Urban Residential Exception (R2-39) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.1 and 13.2 a., b., d., f. and h., the lands zoned R2-39 on the Schedules to this By-law shall only be used for a single detached dwelling subject to the following regulations:

- a. Lot Area (minimum)
 - i) Interior Lot 360 square metres
 - ii) Exterior Lot 410 square metres

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b. Lot Frontage (minimum)

- | | | |
|-----|--------------|-------------|
| i) | Interior Lot | 13.7 metres |
| ii) | Exterior Lot | 15.5 metres |

c. Yard Requirements (minimum)

- | | | |
|------|---|---|
| i) | Front Yard | 1.5 metres to an unenclosed porch, 3.6 metres to dwelling, 6.0 metres to private garage carport |
| ii) | Interior Side Yard | With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
Without attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side |
| iii) | Exterior Side Yard on street side without a municipal sidewalk: | |
| | a) | 1.5 metres to an unenclosed porch |
| | b) | 3.0 metres to dwelling |
| iv) | Exterior Side Yard on street side abutting a municipal sidewalk | |
| | a) | 1.5 metres to an unenclosed porch |
| | b) | 3.5 metres to dwelling |
| v) | Rear Yard | 5.0 metres to rear wall of dwelling to a max., 70% of the dwelling width, 5.6 metres minimum of the remainder of the rear wall of dwelling, 2.6 metres to uncovered deck |

d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. i), iii), covered porches may project 0.3 metres into any interior side yard.

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|----|--|--|
| e. | Building Height (maximum) | 12 metres |
| f. | Lot Coverage (maximum) | 60 percent for all structures
55 percent for the dwelling |
| g. | Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) | 1.0 metre |

Added by By-Law 2005-106

13.4.41 Urban Residential Exception (R2-40) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.1 and 13.2 a., b., d. f. and h., the lands zoned R2-40 on the Schedules to this By-law shall only be used for a single detached dwelling subject to the following regulations:

- | | | |
|----|--|---|
| a. | Lot Area (minimum) | |
| | i) Interior Lot | 360 square metres |
| | ii) Exterior Lot | 410 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 13.7 metres |
| | ii) Exterior Lot | 15.5 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 1.5 metres to an unenclosed porch, 3.6 metres to dwelling, 6.0 metres to private garage or carport |
| | ii) Interior Side Yard | With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
Without attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side |
| | iii) Exterior Side Yard on street side without a municipal sidewalk: | |

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- a) 1.5 metres to an unenclosed porch
 - b) 3.0 metres to dwelling
- iv) Exterior Side Yard on street side with a municipal sidewalk
 - a) 1.5 metres to an unenclosed porch
 - b) 3.5 metres to dwelling
- v) Rear yard
 - 7.5 metres to rear wall of dwelling
 - 5.1 metres to uncovered deck
- d. Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. i) bay windows may project into any yard a distance of not more than 1.0 metres. In addition, notwithstanding the provisions of Section 3.1 j. iii), covered porches may project 0.3 metres into any interior side yard.
- e. Building Height (maximum) 12 metres
- f. Lot Coverage (maximum)
 - 60 percent for all structures
 - 55 percent for the dwelling
- g. Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) 1.0 metres

Added by By-Law 2005-221

13.4.42 Urban Residential Exception (R2-41) Zone

Notwithstanding Section 13.2, those lands zoned R2-41 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 280 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 9.5 metres
 - ii) Exterior Lot 11.5 metres
- c. Yard Requirements (minimum)

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- | | | |
|------|--------------------|---|
| i) | Front Yard | 6.0 metres to private garage or carport, 4.5 metres to dwelling |
| ii) | Interior Side Yard | 1.2 metres with attached private garage or carport, 3.0 metres on one side and 1.2 metres on the other side without an attached private garage or carport |
| iii) | Exterior Side Yard | 3.0 metres to dwelling, 1.5 metres to unenclosed porch |

*Added by By-Law 2006-024
Repealed by By-Law 2006-092
Added by By-Law 2006-092*

13.4.43 Urban Residential Exception (R2-42) Zone

For the purposes of establishing density, the total number of dwelling units in the R2-16, R4-20 and R2-42 zones shall not exceed 960 mobile home/single detached dwellings.

a. Permitted Uses

Only single detached dwellings are permitted.

b. Regulations for Permitted Uses

Each single detached dwelling shall be located on a single land-leased parcel. For the purposes of this exception zone, the following specific regulations shall apply as if the land-leased parcels are lots:

- | | | |
|------|--|--|
| i) | Site Area (minimum) | 400 square metres |
| ii) | Site Coverage (maximum) | 45% |
| iii) | Landscaped Open Space (minimum) | 30% |
| iv) | Gross Floor Area (minimum) | 80 square metres |
| v) | Yard Requirements (minimum) | |
| | a) Front and Exterior Side Yards | 4.5 metres to dwelling and 1.0 metres to garage or carport |
| | b) Rear Yard | 7.5 metres |
| | c) Side Yard that abuts a Residential Zone | 1.5 metres |
| | d) Side Yard that abuts a Non-Residential Zone | 3.0 metres |

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- vi) Building Height (maximum) 10.0 metres
- vii) For the purposes of this By-law a carport shall mean a roofed enclosure which may be attached or detached to a single detached dwelling, used for the storage or parking of a motor vehicle and has at least 40% of its total perimeter open and unobstructed.

Added by By-Law 2006-131

13.4.44 Urban Residential Exception (R2-43) Zone

Notwithstanding Sections 3.21 and 13.2, those lands zoned R2-43 on the Schedules to this By-law shall be subject to following zone regulations:

- a. Lot Area (minimum) 275 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 9 metres
 - ii) Exterior Lot 14 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling
 - ii) Exterior Side Yard 6.0 metres to private garage or carport, 4.5 metres to dwelling

Added by By-Law 2006-197

13.4.45 Urban Residential Exception (R2-44) Zone

Notwithstanding Sections 13.2 a., b., c. ii), iii) and h. those lands zoned R2-44 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.3 metres
- c. Yard Requirements (minimum)

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- i) Setback from the St. Lawrence & Hudson Railway Right-of-Way 30.0 metres
 - ii) Exterior Side Yard 6.0 metres to private garage or carport and 4.5 metres to dwelling
 - iii) Interior Side Yard With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side; without an attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side
- d. Lot Coverage One and a Half-Storey and Two Storey Dwelling (maximum)
 - i) Dwelling 40 percent
 - ii) Total 45 percent
- e. Lot Coverage Single-Storey Dwelling (maximum)
 - i) Dwelling 45 percent
 - ii) Total 50 percent
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwelling's front wall or exterior side wall or covered porch projection;
 - ii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior side lot line; and
 - iii) The outside width of the garage shall be a maximum of 40% of the width of the lot frontage.

Added by By-Law 2006-197

13.4.46 Urban Residential Exception (R2-45)

Notwithstanding Sections 13.2 c. ii), iii), e. and h. those lands zoned R2-45 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Yard Requirements (minimum)

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- i) Setback from the St. Lawrence & Hudson Railway Right-of-Way 30.0 metres
 - ii) Exterior Side Yard 6.0 metres to private garage or carport and 4.5 metres to dwelling
 - iii) Interior Side Yard With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
Without an attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side
- b. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total 45 percent
- c. Garage Requirements
 - i) All garage doors shall be located no closer to the street line than the dwelling's front or exterior side wall or covered main entry feature or covered porch projection; and
 - ii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior side lot line.

Added by By-Law 2007-042

13.4.47 Urban Residential Exception (R2-46) Zone

Notwithstanding Sections 13.2 e. and h. the lands zoned R2-46 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Coverage (maximum)
 - i) Single Detached Dwelling 45 percent
 - ii) All Structures 50 percent
- b. No garage door shall project greater than a maximum of 0.6 metres from the front wall of the dwelling.

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Added by By-Law 2007-042

13.4.48 Urban Residential Exception (R2-47) Zone

Notwithstanding Sections 3.1 j. i), iii) and Section 13.2 e. and h. the lands zoned R2-47 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Coverage (maximum)
 - i) Single Detached Dwelling 45 percent
 - ii) All Structures 50 percent
- b. Unenclosed Deck Projection into the Rear Yard from the Dwelling (maximum) 2.5 metres
- c. No garage door shall project greater than a maximum of 0.6 metres from the front wall of the dwelling

Added by By-Law 2007-113

Repealed by By-Law 2007-014

Added by By-Law 2007-147

13.4.49 Urban Residential Exception (R2-48) Zone

Notwithstanding Sections 3.22, 13.2 b. ii), c. i), ii) and e., the lands zoned R2-48 on those Schedules to this By-law shall be subject to the following regulations:

- a. Lot Frontage (minimum)
 - i) Corner Lot 11.5 metres
- b. Yard Requirements (minimum)
 - i) Front Yard 3.0 metres to an unenclosed porch/balcony 4.5 metres to dwelling 6.0 metres to private garage or carport
 - ii) Exterior Side Yard
 - 1.2 metres to an unenclosed porch/balcony on street side without a municipal sidewalk
 - 2.0 metres to an unenclosed porch/balcony on street side with a municipal sidewalk
 - 3.0 metres to dwelling on

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- | | | |
|------|--|-------------|
| | street side without a municipal sidewalk, 4.0 metres to dwelling on street side with a municipal sidewalk, 6.0 metres to private garage or carport | |
| iii) | Sight Triangle | 6.25 metres |
| c. | Lot Coverage (maximum) | 45 percent |
- Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
- | | | |
|----|---|------------|
| i) | An unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot. | |
| d. | Height of Floor Deck of Unenclosed Porch to Finished Grade (maximum) | 1.0 metres |

Added by By-Law 2007-147

13.4.50 Urban Residential Exception (R2-49) Zone

Notwithstanding Sections 3.1 j. i), iii), 3.22, 13.2 a., b. i), ii), c. i), ii), iii) and e., the lands zoned R2-49 on those Schedules to this By-law shall be subject to the following regulations:

- | | | |
|----|-----------------------------|--|
| a. | Lot Area (minimum) | 270 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 9 metres |
| | ii) Corner Lot | 12 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 3.0 metres to an unenclosed porch/balcony, 4.5 metres to dwelling, 6.0 metres to private garage or carport |

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- ii) Exterior Side Yard on street side without a municipal sidewalk:
 - a) 1.2 metres to an unenclosed porch/balcony
 - b) 3.0 metres to a dwelling
 - c) 6.0 metres to a garage
 - iii) Exterior Side Yard on street side with a municipal sidewalk or Exterior Side Yard where the rear lot line of the corner lot is shared with the side lot line of the immediately adjacent lot:
 - a) 2.0 metres to an unenclosed porch/balcony
 - b) 4.0 metres to a dwelling
 - c) 6.0 metres to garage
 - iv) Interior Side yard
 - With attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side
 - Without attached private garage or carport 3.0 metres on one side and 0.6 metres on the other side
 - d. Driveway Width (maximum) 4.6 metres
 - e. Lot Coverage (maximum) 45 percent
- Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it shall be permitted subject to the following:
- i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot;
 - ii) In the case of a corner lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot.
- f. Height of Deck Floor of Unenclosed Porch to Finished Grade (maximum) 1.0 metres

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Approved by OMB (Oct. 4, 2007)

13.4.51 Urban Residential Exception (R2-50) Zone

Notwithstanding Section 13.2 a., those lands zoned “R2-50” on the attached Schedule to this By-law shall also be subject to the following regulations

- a. Lot Area 355 square metres

Added by By-Law 2008-004

13.4.52 Urban Residential Exception (R2-52) Zone

Notwithstanding Section 13.4 a., b., and c. ii) those lands zoned R2-52 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Lot Area (minimum) 350 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 11.5 metres
 - ii) Exterior Lot 14.5 metres
- c. Exterior Side Yard (minimum) 6.0 metres to private garage or carport, 4.5 metres to the dwelling

Added by By-Law 2008-065 & By-Law 2008-093

13.4.53 Urban Residential Exception (R2-53) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., b., c. i), ii), iii), e. and h. those lands zoned R2-53 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.0 metres
- c. Yard Requirements

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- i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 m on one side, 0.6 metres on the other side
Without private garage or carport 3.0 metres on one side, 0.6 metres on the other side
- d. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of all Buildings and Structures 45 percent
- e. Driveway Width (maximum) 4.6 metres
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.

Deleted by By-Law 2009-068
Added by By-Law 2009-068
 - ii) The outside width of the garage shall be a maximum of 40% of the width of the lot frontage.
- g. In addition to the regulations of Section 3.11 with respect to the removal of the “Holding (H)” symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-53 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as the “Motor Vehicle Wrecking Yard” use of the lands identified at 18-17-010-080-15900 has ceased;
 - i) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 have been removed from the property; and
 - ii) A Record of Site Condition has been submitted for said lands zoned (H)R2-53.

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Added by By-Law 2008-065

Added By By-Law 2014-047

13.4.54 Urban Residential Exception (R2-54) Zone

Notwithstanding Sections 3.1 j), i), iv); 3.22, 13.2 a); b); c) i), ii), iii), e), and g) on those lands zoned R2-54 on Schedules to this By-law shall be subject to the following regulations:

- a. For the purposes of the Section, the term Bungalow shall mean a one storey dwelling with a partial second storey that is not more than 50% of the ground floor area of the dwelling (excluding the garage); the habitable area of the second storey is contained within the roof area and may have dormers on the front or rear elevations not more than 33% of the width of the wall of the dwelling, directly below, including garage.
- b. Lot Area (minimum) 330 square metres
- c. Lot Frontage (minimum)
 - i) Interior Lot 11.3 metres
 - ii) Exterior Lot 14.3 metres
- d. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard
 - With private garage or carport 1.2 metres on one side, 0.6 metres on the other side;
 - Without private garage or 3.0 metres on one side, 1.2 metres on the other side

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e. Special Yard Regulations

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

f. Lot Coverage (maximum)

i) 1 storey

- | | | |
|----|--------------------------------------|------------|
| a) | Dwelling | 50 percent |
| b) | Total of all buildings and structure | 55 percent |

ii) Bungaloft

- | | | |
|----|--------------------------------------|------------|
| a) | Dwelling | 48 percent |
| b) | Total of all buildings and structure | 53 percent |

iii) All other residential units

- | | | |
|----|--|------------|
| a) | Dwelling | 40 percent |
| b) | Total for all buildings and structures | 45 percent |

- iv) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:

- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
- b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

- g. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre

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- h. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential dwellings 10.5 metres
- i. Garage Requirements
 - i) The outside width of the garage shall be a maximum of 6.4 metres
- j. Visibility Triangle 6.5 metres
- k. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zoned (H)R2-54 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 have been removed from the property; and
 - iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-54.

Added by By-Law 2008-065

Added by By-Law 2014-047

13.4.55 Urban Residential Exception (R2-55) Zone

Notwithstanding Sections 3.1 j), i), iv); 3.22, 13.2 a); b), c) i), ii), iii), e); and g) on those lands zoned R2-55 on the Schedules to this By-law shall be used subject to the following regulations:

- a. For the purposes of this Section, the term Bungalow shall mean a one storey dwelling with a partial second storey that is not more than 50% of the ground floor area of the dwelling (excluding the garage); the habitable area of the second storey is contained within the roof area and may have dormers on the the front or rear elevations not more than 33% of the width of the wall of the dwelling, directly below, including garage.
- b. Lot Area (minimum) 405 square metres

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c. Lot Frontage (minimum)

- | | | |
|-----|----------|-------------|
| i) | Interior | 13.5 metres |
| ii) | Exterior | 16.5 metres |

d. Yard Requirements

- | | | |
|------|--------------------|---|
| i) | Front Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| iii) | Interior Side Yard | With private garage or carport 1.2 metres on one side and 0.6 metres on the other; Without private garage or carport 3.0 metres on one side, 1.2 metres on the other side |

e. Special Yard Regulations

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.

Added by By-law 2017-007

- iii) Where a side yard abuts a 0.3 metres reserve and a landscaped strip in municipal ownership between an individual lot and a public road allowance, the side yard setback can be reduced to 1.2 metres.

f. Lot Coverage (maximum)

- | | | |
|----|-----------------------------------|------------|
| i) | 1 Storey | |
| a) | Dwelling | 50 percent |
| b) | Total of Buildings and Structures | 55 percent |

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- ii) Bungalow
 - a) Dwelling 48 percent
 - b) Total of all Building or Structures 53 percent
- iii) All other residential units
 - a) Dwelling 40 percent
 - b) Total of all Building or Structures 45 percent
- iv) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following;
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- g. Garage Requirements
 - i) The outside width of the garage shall be a maximum of 6.4 metres
- h. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- i. Height (maximum)
 - i) 1 Storey dwelling 8.5 metres
 - ii) All other residential units 10.5 metres
- j. Visibility Triangle 6.5 metres
- k. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-55 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:

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- i) The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased;
- ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 have been removed from the property; and
- iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-55.

Added by By-Law 2008-065

13.4.56 Urban Residential Exception (R2-56) Zone

Notwithstanding Sections 13.2 a., b., c. i), ii), iii), e., g., and h. those lands zoned R2-56 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 405 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 13.5 metres
 - ii) Exterior Lot 16.5 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 m; Without private garage or carport 3.0 metres on one side, 1.2 metres on the other side
- d. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of Buildings and Structures 55 percent
 - ii) All Other Residential Units

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- | | | | |
|--|----|---------------------------------------|------------|
| | a) | Dwelling | 40 percent |
| | b) | Total of all Buildings and Structures | 45 percent |
- e. Height (maximum)
- | | | | |
|--|-----|-----------------------------|-------------|
| | i) | 1 Storey Dwelling | 8.5 metres |
| | ii) | All Other Residential Units | 10.5 metres |
- f. Garage Requirements
- i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall.
- g. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-56 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
- | | | | |
|--|------|---|--|
| | i) | The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased; | |
| | ii) | The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 have been removed from the property; and | |
| | iii) | A Record of Site Condition has been submitted for said lands zoned (H)R2-56. | |

Added by By-Law 2008-065

Added by By-Law 2014-047

13.4.57 Urban Residential Exception (R2-57) Zone

Notwithstanding Sections 3.1 j), i), iv); 3.22, 13.2 a); b), c) i), ii), iii), e); and g) on those lands zoned R2-57 on the Schedules to this By-law shall be subject to the following regulations:

- | | | | |
|----|------------------------|-------------------|-------------|
| a. | Lot Area (minimum) | 300 square metres | |
| b. | Lot Frontage (minimum) | | |
| | i) | Interior Lot | 10.0 metres |
| | ii) | Exterior Lot | 13.0 metres |

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c. Yard Requirements

- i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
- ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
- iii) Interior Side Yard With private garage or carport, 1.2 metres on one side and 0.6 metres on the other side;
Without private garage or carport 3.0 metres on one side, 1.2 metres on the other side

d. Special Yard Regulations

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

e. Lot Coverage (maximum)

- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all Buildings and Structures 55 percent
- ii) All other residential units
 - a) Dwelling 40 percent
 - b) Total of all Buildings and Structures 45 percent
- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height (maximum)
 - i) 1 Storey dwelling 8.5 metres
 - ii) All other residential units 10.5 metres
- g. Garage Requirements
 - i) Garage doors may project no more than 1.0 metres in front of the dwellings first floor front wall or exterior side wall or covered porch projection;
Replaced by By-law 2016-007
 - ii) The outside width of the garage shall be a maximum of 4 metres for lots with frontage less than 11.3 metres.
- h. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
Deleted by By-Law 2009-068
Added by By-Law 2009-068
- i) Visibility Triangle 6.5 metres
- j) In addition to the regulations of Section 3.11 with respect to the removal of the “Holding (H)” symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zoned (H)R2-57 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 have been removed from the property; and

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- iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-57.

Added by By-Law 2008-077

Repealed by By-Law 2008-155

Added by By-Law 2008-155

13.4.58 Urban Residential Exception (R2-58) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., b., c. i), ii), iii), e. and h. those lands zoned R2-58 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10 metres
 - ii) Exterior Lot 13 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 metres on one side, 0.6 metres on the other side; without private garage or carport, 3.0 metres on one side, 0.6 metres on the other side
- d. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of all Buildings and Structures 45 percent
- e. Driveway Width (maximum) 4.6 metres

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f. Garage Requirements

- i) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection.

Deleted by By-Law 2009-068

Added by By-Law 2009-068

- ii) The outside width of the garage shall be a maximum of 40% of the width of the lot frontage.

Added by By-Law 2008-075

13.4.59 Urban Residential Exception (R2-59) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., b., c. i), ii), iii), e. and h. those lands zoned R2-59 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 330 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 11 metres
 - ii) Exterior Lot 14 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
 - iii) Interior Side Yard with private garage or carport
1.2 metres on one side,
0.6 metres on the other side; without private garage or carport
3.0 metres on one side,
0.6 metres on the other side.

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- d. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of all Buildings and Structures 45 percent
- e. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 40% of the width of the house.

*Added by By-Law 2008-075
Repealed by By-Law 2008-155*

13.4.60 Urban Residential Exception (R2-60) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., c. i), ii), iii), e., g. and h. those lands zoned R2-60 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 360 square metres
- b. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard with private garage or carport 1.2 metres on one side, 0.6 metres on the other side
Without private garage or carport, 3.0 metres on one side, 0.6 metres on the other side
- c. Lot Coverage (maximum)
 - i) Dwelling 40 percent

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- ii) Total of all Buildings and Structures 45 percent
- d. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection
- e. Height (maximum)
 - i) 1 Storey Dwelling 8.5 metres
 - ii) All Other Residential Units 10.5 metres

Added by By-Law 2008-077

13.4.61 Urban Residential Exception (R2-61) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., b. i), ii), c. i), ii), iii), and e. the lands zoned R2-61 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 270 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 9 metres
 - ii) Exterior Lot 12 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard
 - With private garage or carport, 1.2 metres on one side, 0.6 metres on the other side
 - Without private garage or carport 3.0 metres on one side, 0.6 metres on the other side

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- d. Lot Coverage (maximum)
- | | | |
|-----|---------------------------------------|------------|
| i) | Dwelling | 40 percent |
| ii) | Total of all Buildings and Structures | 45 percent |
- e. Driveway Width (maximum) 4.6 metres
- f. Garage Requirements
- i) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection.
- Deleted by By-Law 2009-068*
Added by By-Law 2009-068
- ii) The outside width of the garage shall be a maximum of 40% of the width of the lot frontage.
- Added by By-Law 2008-093*

13.4.62 Urban Residential Exception (R2-62) Zone

Notwithstanding Sections 3.1 j. i), iii), 13.2 a., b., c. i), ii), iii), e., g. and h. those lands zoned R2-62 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 405 square metres
- b. Lot Frontage (minimum)
- | | | |
|-----|--------------|-------------|
| i) | Interior Lot | 13.5 metres |
| ii) | Exterior Lot | 16.5 metres |
- c. Yard Requirements
- | | | |
|-----|--------------------|--|
| i) | Front Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |

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- iii) Interior Side Yard
 - With private garage or carport 1.2 m
 - Without private garage or carport,
3.0 metres on one side, 1.2 metres
on the other
- d. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of Buildings and Structures 55 percent
 - ii) All other residential units
 - a) Dwelling 40 percent
 - b) Total of all Buildings and Structures 45 percent
- e. Height (maximum)
 - i) 1 Storey Dwelling 8.5 metres
 - ii) All other Residential Units 10.5 metres
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwelling's front wall or exterior side wall.

Added by By-Law 2008-108

13.4.63 Urban Residential Exception (R2-63) Zone

Notwithstanding Section 13.1 those lands zoned R2-63 on the attached Schedule to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.3 metres

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c. Yard Requirements (minimum)

- | | | |
|-----|--------------------|---|
| i) | Interior Side Yard | with attached private garage or carport 1.2 metres on one side and 0.6 metres on the other side;
without an attached garage or carport 0.6 metres on one side and 3.0 metres on the other side |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport and 4.5 metres to a dwelling |

d. Lot Coverage of One and a Half-Storey and Two Storey Dwellings (maximum)

- | | | |
|-----|----------|------------|
| i) | Dwelling | 40 percent |
| ii) | Total | 45 percent |

e. Lot Coverage of Single-Storey Dwellings (maximum)

- | | | |
|-----|----------|------------|
| i) | Dwelling | 45 percent |
| ii) | Total | 50 percent |

f. Attached Garage Requirements (maximum)

- i) All garage doors shall not be located any closer to the street line than the dwelling's front or exterior wall or covered porch projection, except that 33% of the lots within the R2-63 Zone may have garage doors project to a maximum of 2.0 metres from the dwelling's front wall or exterior side wall or covered porch;
- ii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior side lot line;
- iii) The outside width of the garage shall be a maximum of 44% of the width of the lot frontage for a total of 33% of the lots zoned R2-63; and.
- iv) Except as provided for in f. iii) above, the outside width of the garage shall be a maximum of 40% of the width of the lot frontage.

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Added by By-Law 2008-108

13.4.64 Urban Residential Exception (R2-64) Zone

Notwithstanding Section 13.1 those lands zoned R2-64 on the attached Schedule to this By-law shall be subject to the following regulations:

- a. Yard Requirements (minimum)
 - i) Exterior Side Yard 6.0 metres to private garage or carport and 4.5 metres to a dwelling
- b. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total 45 percent
- c. Attached Garage Requirements (maximum)
 - i) All garage doors shall not be located any closer to the street line than the dwelling's front or exterior wall or covered porch except that 50% of the lots zoned R2-64 may have garage doors project to a maximum of 1.25 metres from the dwelling's front wall or exterior side wall or covered porch; and
 - ii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior side lot line.

Added by By-Law 2009-106

13.4.65 Urban Residential Exception (R2-65) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b., c. i), ii), iii), e., g. and h. those lands zoned R2-65 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.0 metres
- c. Yard Requirements

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- i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 m on one side; 0.6 metres on the other side; Without private garage or 3.0 metres on one side 0.6 metres on the other side
- d. Special Yard Regulation
 - i) Bay windows with foundation may project into any yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the required front or exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- e. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All Other Residential Units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Driveway Width (maximum) 4.6 metres
- h. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential units 10.5 metres
- i. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 40% of the width of the lot.
- j. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-65 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The Motor Vehicle Wrecking Yard use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-65.

Added by By-Law 2009-106

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13.4.66 Urban Residential Exception (R2-66) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b., c. i), ii), iii), e., g. and h. and those lands zoned R2-66 on Schedules to this By-law shall be subject to the following regulations:

- a. For the purposes of this Section, the terms single car attached garage and double car attached garage shall mean:

Single Car Attached Private Garage: means a portion of a dwelling which is fully enclosed and roofed and designed for the sheltering of one motor vehicle as a parking space. Incidental storage of household equipment is also permitted.

Double Car Attached Private Garage: means a portion of a dwelling which is fully enclosed and roofed and designed for the sheltering of two motor vehicles as parking spaces. Incidental storage of household equipment is also permitted.

- b. Regulations for dwelling with single car attached private garage:

- | | | |
|-----|------------------------|-------------------|
| i) | Lot Area (minimum) | 330 square metres |
| ii) | Lot Frontage (minimum) | |
| | a) Interior Lot | 11.0 metres |
| | b) Exterior Lot | 14.0 metres |

- c. Regulation for dwelling with double car attached garage:

- | | | |
|-----|------------------------|-------------------|
| i) | Lot Area (minimum) | 330 square metres |
| ii) | Lot Frontage (minimum) | |
| | a) Interior Lot | 11.3 metres |
| | b) Exterior Lot | 14.3 metres |

- d. Yard Requirements:

- | | | |
|-----|--------------------|---|
| i) | Front Yard | 6.0 metres to private garage
or carport 4.0 metres to dwelling;
2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage |

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- or carport; 4.0 metres to dwelling;
2.0 metres to porch
 - iii) Interior Side Yard
 - With private garage or carport
1.2 m on one side; 0.6 metres
on the other side
 - Without private garage or 3.0
metres on one side 0.6 metres
on the other side
- e. Special Yard Regulation:
 - i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the required front or exterior side yards, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- f. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All Other Residential Units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- g. Height of floor deck of unenclosed porch above finished grade (maximum)

1.0 metre
- h. Height (maximum)
 - i) 1 Storey

8.5 metres
 - ii) All other residential units

10.5 metres

Garage Requirements

- i) All garage doors shall not be located any closer to the street line than the dwellings front walls or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 53% of the width of the lot.
- j. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-66 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The Motor Vehicle Wrecking Yard use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-66.

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Added by By-Law 2009-106

13.4.67 Urban Residential Exception (R2-67) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b. ii), c. i), ii), iii), e., g. and h. those lands zoned R2-67 on the Schedules to this By-law shall be used subject to the following regulations:

- a. Lot Area (minimum) 360 square metres
- b. Lot Frontage (minimum)
 - i) Exterior 14.8 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior With private garage or carport 1.2 m on one side, 0.6 metres on the other side; Without private garage or 3.0 metres on one side 0.6 metres on the other side
- d. Special Yard Regulation
 - i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the front or exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- e. Lot Coverage (maximum)

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- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structure 55 percent
- ii) All other residential units
 - a) Dwelling 40 percent
 - b) Total of all Building or Structures 45 percent
- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum)

1.0 metre
- g. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.
- h. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential units 10.5 metres
- i. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-67 on Schedule 3 to this By-law

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located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:

- i) The Motor Vehicle Wrecking Yard use of the lands identified as 18-17-010-080-15900 has ceased;
- ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
- iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-67.

Added by By-Law 2009-106

13.4.68 Urban Residential Exception (R2-68) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b., c. i), ii), iii), e., g. and h. those lands zoned R2-68 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 405 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 13.5 metres
 - ii) Exterior 16.5 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to front wall; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to front wall; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 m on one side, 0.6 metres on the other side; Without private garage or 3.0 metres on one side 1.2 metres on the other side
- d. Special Yard Regulation

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- i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres to a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced is below 0.6 metres.
 - ii) Steps may project into the required front or exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- e. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all building and structures 55 percent
 - ii) All other residential units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall.

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- h. Height (maximum)
- | | | |
|-----|-----------------------------|-------------|
| i) | 1 Storey | 8.5 metres |
| ii) | All other residential units | 10.5 metres |
- i. The Motor Vehicle Wrecking Yard use of the lands identified as 18-i. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-68 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
- | | | |
|------|--|--|
| i) | The Motor Vehicle Wrecking Yard use of the lands identified as 17-010-080-15900 has ceased; | |
| ii) | The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and | |
| iii) | A Record of Site Condition has been submitted for said lands zoned (H)R2-68. | |

Added by By-Law 2009-106

Section 13.4.69 Urban Residential Exception (R2-69) Zone

Notwithstanding Sections 3.1 j. i), iv), 13.2 a., b., c. i), ii), iii), e. and h., those lands zoned R2-69 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 275 square metres
- b. Lot Frontage (minimum)
- | | | |
|-----|--------------|-------------|
| i) | Interior Lot | 10 metres |
| ii) | Exterior Lot | 13.0 metres |
- c. Yard Requirements
- | | | |
|-----|--------------------|--|
| i) | Front Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |

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- iii) Interior Side Yard With private garage or carport
1.2 m on one side; 0.6 metres
on the other side; Without private
garage or 3.0 metres on one
side 0.6 metres on the other side
- d. Special Yard Regulation
 - i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres with the bay windows having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.3 metres.
 - ii) Steps may project into the required front or exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- e. Lot Coverage (maximum)
 - i) Dwelling 40 percent
 - ii) Total of all Buildings and Structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch to finished grade (maximum) 1.0 metre
- g. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.

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- ii) The outside width of the garage shall be a maximum of 40% of the width of the lot.
- h. Driveway width (maximum) 4.6 metres
- i. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R2-69 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A Record of Site Condition has been submitted for said lands zoned (H)R2-69.

Added by By-Law 2010-028

13.4.71 Urban Residential Exception (R2-71) Zone

Notwithstanding Sections 13.2 a), b), c) i), ii), iii), e), g), and h), those lands zoned R2-71 shall be subject to the following zone provisions:

- a. Lot area (minimum) 270 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport, 4.0 metres to dwelling, 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport, 4.0 metres to dwelling, 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport,

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1.2 m on one side, 0.6 m on the other side;
Without private garage or carport 3.0 m on
one side, 0.6 m on the other side

d. Lot coverage (maximum)

i) One Storey

- | | | |
|----|---------------------------------------|------------|
| a) | Dwelling | 50 percent |
| b) | Total of all buildings and structures | 55 percent |

ii) All other Residential Units

- | | | |
|----|---------------------------------------|------------|
| a) | Dwelling | 40 percent |
| b) | Total of all buildings and structures | 45 percent |

iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:

- | | |
|----|---|
| a) | In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage; |
| b) | In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage. |

e.	Height of floor deck of enclosed porch above finished grade	(maximum) 1.0 metre
----	---	------------------------

f.	Driveway Width	4.6 metres
----	----------------	------------

g. Height (maximum)

- | | | |
|-----|-----------------------|-------------|
| i) | 1 Storey | 8.5 metres |
| ii) | All other residential | 10.5 metres |

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h. Garage Requirements

- i) All garage doors shall not be located any closer to the street line than the dwelling front wall or exterior side wall or covered porch projection.
- ii) The outside width of the garage shall be a maximum of 45% of the width of the lot.

Added by By-Law 2010-028

13.4.72 Urban Residential Exception (R2-72) Zone

Notwithstanding Sections 13.2 a), b), c) i), ii), iii), e), g), and h), those lands zoned R2-72 shall be subject to the following zone provisions:

- a. Lot area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 12.0 metres
 - ii) Exterior Lot 15.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport,
4.0 metres to dwelling,
2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage
or carport, 4.0 metres to dwelling,
2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport
1.2 m on one side, 0.6 m on the
other side; Without private garage
or carport, 3.0 m on one side,
0.6 m on the other side

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- d. Lot coverage (maximum)
- i) One Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All other Residential Units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted
 - c) Provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot of coverage.
- e. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- f. Height (maximum)
- i) 1 Storey 8.5 metres
 - ii) All other residential 10.5 metres
- g. Garage Requirements
- All garage doors shall not be located any closer to the street line than the dwelling front wall or exterior side wall or covered porch projection.

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Added by OMB Hearing PL100417

13.4.73 Urban Residential Exception (R2-73) Zone

Notwithstanding Sections 13.2 c. iii), iv), h. and 3.1 j. iv), those lands zoned “R2-73” on the Schedules to this By-law shall be subject to the following zone provisions:

- a) Yard Requirements (minimum)
 - i) Interior Side Yard 1.2 metres
 - a) Where an interior side yard abuts a rear yard 4 metres
 - ii) Rear Yard 5 metres
- b) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or covered porch.
- c) Special Yard Regulations

Notwithstanding the provisions of Section 3.1 j. iv) balconies, canopies, unenclosed porches, steps, patios or decks may only project into any required front yard, to a distance of not more than 1.5 metres.

Added by By-Law 2010-023

13.4.74 Urban Residential Exception (R2-74) Zone

Notwithstanding Sections 13.2 a., c. i), ii), iii), e., g. and h. those lands zoned R2-74 on the Schedules to this by-law shall be used subject to the following regulations.

- a. Lot Area (minimum) 360 square metres
- b. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch

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- iii) Interior Side Yard
With private garage or carport 1.2 metres; without private garage or carport - 3.0 metres on one side and 1.2 metres on the other side
- c. Lot Coverage (maximum)
 - i) One Storey
 - a) Dwelling 50%
 - b) Total of Buildings and Structures 55%
 - ii) All Other Residential Units
 - a) Dwelling 40%
 - b) Total of Buildings and Structures 45%
- d. Attached Garage Requirements (maximum)
 - i) All garage doors shall not be located any closer to the street line than the dwelling's front wall or exterior side wall or covered porch except that 50% of the lots zoned R2-74 may have garage doors that project to a maximum of 1.25 metres from the dwelling's front wall or exterior side wall or covered porch;
 - ii) In no case shall the garage door be closer than 6.0 metres from the front lot line or exterior lot line
- e. Height (maximum)
 - i) One Storey 8.5 metres
 - ii) All Other Residential Units 10.5 metres

Added by By-Law 2011-022

13.4.75 Urban Residential Exception (R2-75) Zone

Notwithstanding the provisions of 3.1 j. i), iii), 13.2 a., b., c. i), ii), iii), e. g, and h. those lands zoned "R2-75" on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 360 square metres

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b. Yard Requirements

- | | | |
|------|--------------------|--|
| i) | Front Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| iii) | Interior Side Yard | with private garage or carport 1.2 metres on one side, 0.6 metres on the other side; without private garage or carport, 3.0 metres on one side, 0.6 metres on the other side |

c. Lot Coverage (maximum)

One Storey

- | | | |
|-----|---------------------------------------|-----|
| i) | Dwelling | 45% |
| ii) | Total of all buildings and structures | 50% |

All Other Residential Units

- | | | |
|-----|---------------------------------------|-----|
| i) | Dwelling | 40% |
| ii) | Total of all buildings and structures | 45% |

d. Garage Requirements

- | | |
|----|--|
| i) | All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection except that 50% of the lots zoned "R2-75" may have garage doors project to a maximum of 1.25 metres from the dwellings first floor front wall or exterior side wall or covered porch |
|----|--|

e. Height (maximum)

- | | | |
|-----|-----------------------------|-------------|
| i) | 1 Storey dwelling | 8.5 metres |
| ii) | All other residential units | 10.5 metres |

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Added by By-Law 2011-022

13.4.76 Urban Residential Exception (R2-76) Zone

Notwithstanding the provisions of 3.1 j. i), iii), 13.2 a., b. c. i), ii), iii), e. and h. those lands zoned “R2-76” on the Schedules to this By-law shall be subject to the following regulations:

- | | | |
|----|---|--|
| a. | Lot Area (minimum) | 270 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior Lot | 9 metres |
| | ii) Exterior Lot | 12 metres |
| c. | Yard Requirements | |
| | i) Front Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| | ii) Exterior Side Yard | 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch |
| | iii) Interior Side Yard | with private garage or carport; 1.2 metres on one side, 0.6 metres on the other side without private garage or carport; 3.0 metres on one side, 0.6 metres on the other side |
| d. | Lot Coverage (maximum) | |
| | One Storey | |
| | i) Dwelling | 45% |
| | ii) Total of all buildings and structures | 50% |
| | All Other Residential Units | |
| | i) Dwelling | 40% |
| | ii) Total of all buildings and structures | 45% |
| e. | Driveway width (maximum) | 4.6 metres |

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f. Garage Requirements

- i) All garage doors shall not be located any closer to the street line than the dwellings first floor front wall or exterior side wall or covered porch projection except that 33% of the lots zoned “R2-76” may have garage doors project to a maximum of 1.0 metres from the dwellings first floor front wall or exterior side wall or covered porch
- ii) The outside width of the garage shall be a maximum of 50% of the width of the lot frontage.

Added by By-Law 2012-051

13.4.77 Urban Residential Exception (R2-77) Zone

Notwithstanding Sections 13.2 a), b), c) i), c) ii), c) iii), e), g), and h), those lands zoned R2-77 shall be subject to the following zone provisions:

a. Lot area (minimum)

- i) Single detached dwelling with a minimum lot frontage of 10 metres
300 square metres
- ii) Single detached dwelling with a minimum lot frontage of 12 metres
360 square metres

b. Lot frontage (minimum)

- i) Single detached dwelling 10 metres
- ii) Single detached dwelling 12 metres

c. Yard requirements (minimum)

- i) Front Yard 6.0 metres to private garage or carport 4.0 metres to dwelling 2.0 metres to porch
- ii) Exterior Side Yard 6.0 metres to private garage or carport 4.0 metres to dwelling 2.0 metres to porch
- iii) Interior Side Yard With private garage or carport 1.2 m on one side, 0.6 m on the other side; Without private garage or carport

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3.0 m on one side, 0.6 m on the other side

d. Lot coverage (maximum)

i) One Storey

- | | |
|--|------------|
| a) Dwelling | 50 percent |
| b) Total of all buildings and structures | 55 percent |

ii) All other Residential Units

- | | |
|--|------------|
| a) Dwelling | 40 percent |
| b) Total of all buildings and structures | 45 percent |

e. Height (maximum)

- | | |
|---------------------------|-------------|
| i) 1 Storey | 8.5 metres |
| ii) All other residential | 10.5 metres |

f. Garage Requirements:

- i) All garage doors shall not be located any closer to the street line than the dwelling front wall or exterior side wall or covered porch projection, except that a maximum of 50% of the lots within the R2-77 Zone may have garage doors project to a maximum of 1.25 metres from the dwelling's front wall or exterior side wall or covered porch.
- ii) The outside width of the garage shall be a maximum of 40% of the width of the lot, except in the case of a lot having a minimum lot frontage of 12 metres where the outside width of the garage shall be a maximum of 6 metres

Added by By-Law 2013-094

13.4.78 Urban Residential Exception (R2-78) Zone

Notwithstanding Sections 3.1 j. iv); 13.2 a., c. i), ii), iii), e., g., and h., those lands zoned R2-78 on the Schedules to this By-law shall be subject to the following zone provisions:

a. Lot area (minimum) 360 square metres

b. Yard Requirements (minimum)

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- i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard with private garage or carport 1.2 metres on one side, 0.6 metres on the other side; without private garage or carport, 3.0 metres on one side, 0.6 metres on the other side
- c. Lot coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All other residential units
 - a) Dwelling 45 percent
 - b) Total of all buildings and structures 50 percent
- d. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential 10.5 metres
- e. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwelling's front or exterior wall or covered porch except that 50% of the lots zoned R2-78 may have garage doors project to a maximum of 1.25 metres from the dwelling's front wall or exterior side wall or covered porch

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Added by By-Law 2015-030

13.4.79 Urban Residential Exception (R2-79) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b., c. i), ii), iii), e., g. and h. those lands zoned R2-79 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 300 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 10.0 metres
 - ii) Exterior Lot 13.0 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport except where there is no sidewalk in front of the dwelling; 7.0 metres to the private garage or carport: 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport except where there is no sidewalk in front of the dwelling; 7.0 metres to the private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 metres on one side; 0.6 metres on the other side; Without private garage 3.0 metres on one side; 0.6 metres on the other side

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d. Special Yard Regulation

- i) Bay Windows with foundation may project into any yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.
- ii) Steps may project into the required front or exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
- iii) Visibility Triangle (minimum) 6.5 metres

e. Lot Coverage (maximum)

- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
- ii) All Other Residential Units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
- iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following :
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) in the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre

- g. Driveway Width (maximum) 4.6 metres

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- h. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential units 10.5 metres
- i. Garage Requirements:
 - i) All garage doors shall not be located any closer to the street line than the dwellings front wall or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 40% of the width of the lot.

Added by By-Law 2015-030

13.4.80 Urban Residential Exception (R2-80) Zone

Notwithstanding Sections 3.1 j. i), iv), 3.22, 13.2 a., b., c. i), ii), iii), e., g. and h. and those lands zoned R2-80 on Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 330 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 11.3 metres
 - ii) Exterior Lot 14.3 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport except where there is no sidewalk in front of the dwelling; 7.0 metres to the private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch

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- ii) Exterior Side Yard 6.0 metres to private garage or carport except where there is no sidewalk in front of the dwelling; 7.0 metres to the private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 metres on one side; 0.6 metres on the other side. Without private garage 3.0 metres on one side; 0.6 metres on the other side
- d. Special Yard Regulation:
 - i) Bay windows with foundation may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the required front of exterior side yards, but in no instance shall the front or exterior yard be reduced below 1.0 metre.
 - iii) Visibility Triangle (minimum) 6.5 metres
- e. Lot Coverage (maximum)
 - i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All Other Residential Units
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/ balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage;
 - b) In the case of an exterior lot, an unenclosed porch/ balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Height (maximum)
 - i) 1 Storey 8.5 metres
 - ii) All other residential units 10.5 metres
- h. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwellings front walls or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 53% of the width of the lot.

Added by By-Law 2015-025

13.4.81 Urban Residential Exception (R2-81) Zone

Notwithstanding Sections 13.2 a), b) c) i), ii), iii), e) and h) on those lands zoned R2-81 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

- a. Lot Area (minimum) 330 square metres
- b. Lot Frontage (minimum)
 - i) Interior 11.3 metres
 - ii) Exterior 12.0 metres
- c. Yard Requirements (minimum)

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- i) Front Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
 - iii) Portion of exterior side yard formed by Site Triangle 1.2 metres to porch;
2.0 metres to dwelling
 - iv) Interior Side Yard With private garage or carport
1.2 metres on one side;
0.6 metres on the other side
Without private garage or carport
3.0 metres on one side,
0.6 metres on the other side
- d. Lot Coverage (maximum)
 - i) 1 Storey Bungalowft
 - a) Dwelling 50 percent
 - b) Total of all buildings and structures 55 percent
 - ii) All other residential units
 - a) Dwelling 40 percent
 - b) Total for all buildings and structures 45 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum lot area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot coverage and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- e. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- f. Garage Requirements
 - i) All garage doors shall not be located any closer to the street line than the dwelling front wall or exterior side wall or covered porch projection.
 - ii) The outside width of the garage shall be a maximum of 53% of the width of the lot.

Added by OMB order September 17, 2015

13.4.82 Urban Residential Exception (R2-82) Zone

Notwithstanding 13.1, 13.2a., 13.2b., 13.2c., and 13.2d. those lands zoned “R2-82” on the Schedules to this By-Law shall only be used for single detached dwellings and live-work units, subject to the following zone provisions:

- a. Regulations
 - i) Lot area (minimum) 405 square metres
 - ii) Lot frontage (minimum) interior lot 13.5 metres
 - iii) Lot frontage (minimum) exterior lot 16.5 metres
 - iv) Yard requirements (minimum)
 - a) Front Yard 6 metres to garage;
4 metres to dwelling;
2 metres to unenclosed porch
 - b) Exterior Side Yard 6 metres to garage
4 metres to dwelling
2 metres to unenclosed porch

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- c) Interior Side Yard 1.2 metres on one side
and 0.6 metres on the other side
 - d) Rear Yard 7.5 metres
- v) Lot Coverage (maximum)
 - a) 1 Storey
 - (i) Dwelling 45 percent
 - (ii) Total of all buildings and structures 50 percent
 - b) All other residential units
 - (i) Dwelling 40 percent
 - (ii) Total of all buildings and structures 45 percent
 - (iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - (a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - (b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- vi) Height of floor deck of unenclosed porch above finished grade (maximum) 0.5 metres
- vii) Garage Requirements
 - a) The outside width of the garage shall be a maximum of 6.4 metres

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Added by By-Law 2016-016

13.4.83 Urban Residential Exception (R2-83)

Notwithstanding Sections 13.2 c.i), 13.2 c iii) b), and 13.2 g. those lands zoned R2-83 as shown on the Schedules to this By-law shall permit one single detached dwelling unit or bungalow dwelling. Residential dwelling shall comply with the following zone regulations:

- a. Yard Requirements:
 - i) Front yard setback (minimum) 4.5 metres
Front yard setback (maximum) 6.0 metres
Front yard setback to garage (minimum) 9.0 metres
 - ii) Interior side yard without an attached garage or carport
4.0 metres on one side,
0.75 metres on the other side
- b. Building Height (maximum): 6.5 metres

Added by By-Law 2016-032

13.4.84 Urban Residential Exception (R2-84) Zone

Notwithstanding Sections 13g, i), iv), 13.2 a.; b.; c.; i), ii), iii), e., g. and h. those lands zoned R2-84 on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum)
 - i) Lots with minimum frontage of 10.8 metres 340 square metres
 - ii) Lots with minimum frontage of 12.2 metres 380 square metres
 - iii) Lots with minimum frontage of 15 metres 450 square metres
- b. Lot Frontage Interior (minimum)
 - i) Interior Lot 10 metres
 - ii) Exterior Lot 15.0 metres

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c. Yard Requirements

- | | | |
|------|--------------------|---|
| i) | Front Yard | 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| ii) | Exterior Side Yard | 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| iii) | Interior Side Yard | With private garage or carport
1.2 metres on one side;
0.6 metres on the other side;
Without private garage or 3.0 metres on one side
0.6 metres on the other side. |

d. Special Yard Regulation

- i) Bay windows with foundations may project into only the rear yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.5 metres.
- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metres.

e. Lot coverage (maximum)

- | | | |
|-----|---|------------|
| i) | 1 Storey and Bungalow | |
| | (a) Dwelling | 50 percent |
| | (b) Total of all Buildings and Structures | 55 percent |
| ii) | All other residential dwellings | |
| | (a) Dwelling | 45 percent |
| | (b) Total of all Buildings and Structures | 50 percent |

Amended by By-law 2017-042

- | | | |
|----|---|------------|
| f. | Height of floor deck of unenclosed porch above finished grade (maximum) | 1.2 metres |
|----|---|------------|

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- g. Height (maximum)
 - i) 1 Storey dwelling 8.5 metres
 - ii) All other residential units 11.0 metres

Added by OMB Order PL160773

13.4.85 Urban Residential Exception (R2-85)

Notwithstanding Sections 3.1 g. i) and iv), 3.28, 13.2 a., b., c. i), ii) and iii), e., and g. on those lands zoned R2-85 on Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 330 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 11.3 metres
 - ii) Exterior Lot 14.3 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard With private garage or carport 1.2 metres on one side, 0.6 metres on the other side; Without private garage or 3.0 metres on one side, 1.2 metres on the other side
- d. Special Yard Regulations
 - i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

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- e. Lot Coverage (maximum)
- i) 1 Storey
 - a) Dwelling 50 percent
 - b) Total of all buildings and structure 55 percent
 - ii) Bungalow
 - a) Dwelling 48 percent
 - b) Total of all building and structure 53 percent
 - iii) All other residential units
 - a) Dwelling 40 percent
 - b) Total for all buildings and structures 45 percent
 - iv) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Height of floor deck located in the rear yard shall not be higher than the elevation of the first storey measured at the front of the building

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- h. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential dwellings 10.5 metres
- i. Garage Requirements
 - i) The outside width of the garage shall be a maximum of 6.4 metres
- j. Visibility Triangle 6.5 metres

13.4.86 Urban Residential Exception (R2-86) Zone

Notwithstanding Sections 3.1 g. i) and iv), 3.28, 13.2 a., b., c., e., and g. on those lands zoned R2-86 on Schedules to this By-law shall be subject to the following regulations:

- a. Lot Area (minimum) 330 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 11.3 metres
 - ii) Exterior Lot 14.3 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard with private garage or carport 1.2 metres on one side, 0.6 metres on the other side
Without private garage or carport 3.0 metres on one side, 1.2 metres on the other side
 - iv) Rear Yard 10.0 metres

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d. Special Yard Regulations

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

e. Lot Coverage (maximum)

i) 1 storey

- a) Dwelling 50 percent
- b) Total of all building and structures 55 percent

ii) Bungalow

- a) Dwelling 48 percent
- b) Total of all buildings and structure-s 53 percent

iii) All other residential units

- a) Dwelling 40 percent
- b) Total for all buildings and structures 45 percent

iv) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:

- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
- b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

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- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- g. Height of floor deck located in the rear yard shall not be higher than the elevation of the first storey measured at the front of the building.
- h. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential dwellings 10.5 metres
- i. Garage requirements
 - i) The outside width of the garage shall be a maximum of 6.4 metres
- j. Visibility Triangle 6.5 metres

Added by By-law 2019-025

13.4.87 Urban Residential Exception (R2-87) Zone

Notwithstanding Sections 3.1 c). 3.16 c) ii), 13.2 b., c. i), iii), e., g., h., those lands zoned “R2-87” on the Schedules to this By-law shall be subject to the following regulations:

- a. Lot Frontage (minimum) 12.9 metres
- b. Yard Requirements
 - i) Front Yard Setback to dwelling (minimum) 4.5 metres to
(maximum) 5 metres
 - ii) Interior Side Yard (minimum) 4.3 metres on one side,
1.2 metres on the other side
- c. Building Height (maximum) 7 metres
- d. A roof pitch (minimum) 4/12 to
(maximum) 8/12
- e. Lot coverage (maximum) 35%

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- f. Lot coverage for accessory buildings and structures (maximum) 12%
- g. The location of a detached garage shall only be in the rear yard. An attached garage is not permitted.
- h. Total accessory building floor area (maximum) 54 square metres
- i. Height for accessory buildings (maximum) 3 metres with a floor area equal to or less than 10 square metres;
4 metres with a floor area greater than 10 square metres
- j. Rear and side yard setbacks for accessory buildings (minimum) 0.6 metres
- k. Driveway width shall be 3.0 metres
- l. The dwelling must contain a front porch which faces the street
- m. Only one door entrance is permitted on the front façade of the building which must face the street.
- n. Entrances for an apartment-in-house must be located in the side or rear yard unless it is through a common entrance of a front façade.

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14. Urban Residential Type Three (R3) Zone

14.1 Permitted Uses

No person shall, within an Urban Residential Type Three (R3) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) All uses permitted in the R1 Zone subject to the regulations contained therein;
- ii) A street townhouse dwelling;
- iii) A link townhouse dwelling;
- iv) A converted dwelling;
- v) A boarding house or rooming; and
- vi) A duplex dwelling

Amended by By-Law 2015-062

b. Non-Residential Uses

- i) Places of worship, subject to the zone regulations set out in Section 12.2 in respect of a single detached dwelling with an attached garage or carport.

Added by By-law 87-19

14.2 Regulations for Duplex Dwelling, Converted Dwelling, Boarding House

- a. Lot Area (minimum) 550 square metres
- b. Lot Frontage (minimum) 20 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6 metres
 - ii) Exterior Side Yard 6 metres
 - iii) Interior Side Yard Minimum width shall be 3.2 metres on one side, 1.5 metres on the other side, plus 0.6 metres on the narrow side for each additional or partial storey above the second.

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iv)	Rear Yard	10 metres
d.	Total Floor Area (minimum) for a duplex dwelling or a dwelling unit within a converted dwelling	60 square metres
e.	Lot Coverage (maximum)	45 percent
f.	Landscaped Open Space (minimum)	30 percent
g.	Building Height (maximum)	10.5 metres

14.3 Regulations for Street Townhouse Dwelling

a.	Lot Area (minimum)	
i)	Interior Lot	170 square metres
ii)	Exterior Lot	280 square metres
b.	Lot Frontage (minimum)	
i)	Interior Lot	6 metres
ii)	Exterior Lot	10 metres
c.	Yard Requirements (minimum)	
i)	Front Yard	6.0 metres to private garage or carport and 3.0 metres to a dwelling <i>Amended by By-law 99-172</i>
ii)	Interior Side Yard	1.5 metres, nil where building has a common wall with any building on an adjacent lot located in an R-3 zone
iii)	Exterior Side Yard	4.5 metres
iv)	Rear Yard	7.5 metres
d.	Dwelling Unit Area (minimum)	85 square metres
e.	Lot Coverage (maximum)	50 percent
f.	Landscaped Open Space (minimum)	30 percent

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g. Building Height (maximum) 10.5 metres

h. Special Yard Regulations

Private garages or carports may extend a maximum of 2.0 metres in front of the dwelling unit. This provision shall apply to all lots registered after January 1, 2000.

Amended by By-law 99-172

14.4 Regulations for Link Townhouse Dwelling

a. Density (maximum) 40 units per ha

b. Lot Frontage (minimum) 13.5 metres

c. Yard Requirements (minimum)

i) Front Yard 6.0 metres to private garage or carport and 3.0 metres to a dwelling

Amended by By-law 99-172

ii) Interior Side Yard 4.5 metres

iii) Exterior Side Yard 6.0 metres

iv) Rear Yard 7.5 metres

d. Dwelling Unit Area (minimum) 85 square metres

e. Lot Coverage (maximum) 40 percent

f. Landscaped Open Space (minimum) 40 percent

g. Building Height (maximum) 10 metres

h. Special Yard Regulations

Private garages or carports may extend a maximum of 2.0 metres in front of the dwelling unit. This provision shall apply to all lots registered after January 1, 2000.

Amended by By-law 99-172

14.5 Municipal Servicing Requirement

a. No building or structure may be erected and no use may be established in the Urban Residential Type Three (R3) Zone unless the lot upon which it is situated is

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served by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

- b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law and which does not meet the servicing requirement set out above.
- c. Subsection a. above does not apply to prevent the erection of a dwelling on a lot or block within a registered plan of subdivision provided that a subdivision agreement with the Town has been registered on title and further, provided that such subdivision agreement includes appropriate provisions in respect of the servicing of such lot or block.

14.6 Special Exceptions – Urban Residential Type Three (R3) Zone

14.6.1 Urban Residential Exception (R3-1) Zone

Notwithstanding the provisions of Section 14.3, those lands zoned R3-1 on the Schedules to this by-law shall be limited to a maximum of fifteen (15) street townhouse dwelling units.

14.6.2 Urban Residential Exception (R3-2) Zone

Notwithstanding the provisions of Section 14.3, those lands zoned R3-2 on the Schedules to this By-law shall be limited to a maximum of eighteen (18) street townhouse dwelling units.

14.6.3 Urban Residential Exception (R3-3) Zone

Notwithstanding the provisions of Section 14.4, those lands zoned R3-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Dwelling Units (maximum) 25 link townhouse dwelling units
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6 metres
 - ii) Interior Side Yard 3 metres
 - iii) Exterior Side Yard 6 metres

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iv)	Rear Yard	6 metres
d.	Dwelling Unit Area (minimum)	115 square metres
e.	Lot Coverage (maximum)	45 percent
f.	Landscaped Open Space (minimum)	25 percent

14.6.4 Urban Residential Exception (R3-4) Zone

Notwithstanding the provisions of Section 14.4, those lands zoned R3-4 on the Schedules to this By-law shall be subject to the following zone regulations:

a.	Dwelling Units (maximum)	63 link townhouse units
b.	Lot Frontage (minimum)	nil where access provided from a private road
c.	Yard Requirements (minimum)	nil provided the specified building separation standards are complied with
d.	Building Separation (minimum)	
	i) Separation between buildings or structures	2.5 metres
	ii) Separation between buildings or structures and any private driveway, road or lane	6.0 metres
	a) Separation between buildings or structures and any public road	7.5 metres
	b) Separation between buildings or structures and any lot line abutting public lands, buildings or structures	4.0 metres
e.	Dwelling Unit Area (minimum)	33.5 square metres
f.	Lot Coverage (maximum)	25 percent
g.	Landscaped Open Space (minimum)	40 percent
h.	Building Height (maximum)	10.5 metres
i.	Parking (minimum)	90 spaces

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Amended by By-law 85-51

14.6.5 Urban Residential Exception (R3-5) Zone

Notwithstanding the provisions of Section 14.1 and 14.3, those lands zoned R3-5 on the Schedules to this By-law may only be used in accordance with the following zone regulations:

- a. Permitted Uses
 - i) A street townhouse dwelling
 - ii) A semi-detached dwelling
 - iii) A single detached dwelling
- b. Regulations for Residential Uses

Single detached and semi-detached dwellings shall be subject to the zone regulations for such dwellings set out by Section 13.4.2 of this By-law for the R2-2 zone. Street Townhouse dwellings shall be subject to the following zone regulations:

- i) Lot Area (minimum)
 - a) Interior Lot 167.0 square metres
 - b) Exterior Lot 278.0 square metres
- ii) Dwelling Unit Area (minimum) 83.0 square metres
- iii) Building Height (maximum) 10.5 metres
- iv) There shall be no more than 10 attached street townhouses in one continuous row

14.6.6 Urban Residential Exception (R3-6) Zone

Notwithstanding the provisions of Section 14.4, those lands zoned R3-6 on the Schedules to this by-law shall be subject to the following zone regulations:

- a. Dwelling Units (maximum) 4 link Townhouse Dwelling Units
- b. Lot Area (minimum) 2900 square metres
- c. Lot Frontage (minimum) 9.0 metres
- d. Front Yard Setback from any R1 Zone (minimum) 15.0 metres

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- e. Interior Side Yard (minimum) 12.0 metres
- f. Rear Yard (minimum) 15.0 metres
- g. Dwelling Unit Area (minimum) 110 square metres
- h. Building Height (maximum) 10.5 metres
- i. Parking Area Regulations
 - i) Minimum Off-street Parking Requirement 2 spaces per dwelling unit
 - ii) Parking Area Surface
 - a) Each parking area and driveway connecting the parking area with a street shall comply with the requirements of Section 3.16, Subsection (d).
 - b) Ingress and egress to and from the required parking spaces and areas shall be provided by means of an unobstructed driveway or passageway having a clear width of 6.1 metres and constructed to a standard capable of supporting loads imposed by firefighting equipment.
 - c) The minimum distance between a parking area, space or a driveway in an abutting lot shall be 1.5 metres.
 - iii) Parking areas shall be permitted only within the required side or front yard.

Added by By-Law 85-36

14.6.7 Urban Residential Exception (R3-7) Zone

Notwithstanding the provisions of Section 14.3, those lands zoned R3-7 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 220 square metres
- b. Lot Frontage (minimum) 7.25 metres
- c. Interior Side Yard (minimum) 1.2 metres except that an attached garage may extend into an interior side yard to any lot line provided the lot line is not also a zone boundary.

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Added by By-law 90-48

14.6.8 Urban Residential Exception (R3-8) Zone

Notwithstanding Section 14.1 and 14.3 those lands zoned R3-8 on the schedules to this By-law are also subject to the following zone regulations:

- | | | |
|----|---|-----------|
| a. | Minimum setback from Canadian Pacific Railway property line | 30 metres |
|----|---|-----------|

Added by By-Law 91-154

14.6.9 Urban Residential Exception (R3-9) Zone

Notwithstanding Section 14.1 and 14.4, the lands zoned R3-9 on the attached Schedule “A” in addition to the other uses permitted in “Urban Residential Type Three (R3)” zone shall permit one or more stacked townhouse dwelling units which shall be subject to the following zone regulations:

- | | | |
|----|---|------------------------------|
| a. | Dwelling Units (maximum) | 39 stacked townhouse units |
| b. | Lot Area (minimum) | 0.8 hectares |
| c. | Lot Frontage (minimum) | 100 metres |
| d. | Front Yard (minimum) | 7.5 metres |
| e. | Side Yard (minimum) | 7.5 metres |
| f. | Rear Yard (minimum) | 7.5 metres |
| g. | Separations between buildings or structures (minimum) | 2.5 metres |
| h. | Separation between walls containing a habitable room window and any private driveway road or lane (minimum) | 4.5 metres |
| i. | Separation between structures or walls without a habitable room window and any private driveway, road or lane (minimum) | 1.5 metres |
| j. | Dwelling Unit Area (minimum) | 83.5 m ² |
| k. | Lot Coverage (maximum) | 25 percent |
| l. | Landscaped Open Space (minimum) | 45 percent |
| m. | Building Height (maximum) | 10.5 metres |
| n. | Parking Space | 2.0 spaces per dwelling unit |

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Added by By-Law 91-64

14.6.10 Urban Residential Exception (R3-10) Zone

Notwithstanding the provisions of Section 14.1 and 14.4, those lands zoned R3-10 on the Schedules to this By-law may, in addition to the permitted uses, may also be used for apartment building. All uses shall be subject to the following zone regulations.

- | | | |
|----|----------------------------------|--------------------|
| a. | Dwelling Units (maximum) | 40 units per ha |
| b. | Lot Area (minimum) | 4000 square metres |
| c. | Lot Frontage (minimum) | 30 metres |
| d. | Yard Requirements (minimum) | |
| | i) Front Yard | 7.5 metres |
| | ii) Interior Side Yard | 6.0 metres |
| | iii) Exterior Side Yard | 7.5 metres |
| | iv) Rear Yard | 10 metres |
| | v) Yard Setback from any R1 Zone | 10 metres |
| e. | Lot Coverage (maximum) | 40 percent |
| f. | Landscaped Open Space (minimum) | 40 percent |
| g. | Building Height (maximum) | 10.5 metres |

Added by By-Law 91-134

14.6.11 Urban Residential Exception (R3-11) Zone

Notwithstanding Section 14.6, those lands zoned R3-11 on the schedules to this by-law shall be subject to the following zone regulations:

- | | | |
|----|----------------------------------|-------------------|
| a. | Permitted Uses | |
| | i) A single detached dwelling | |
| | ii) A semi-detached dwelling | |
| b. | Regulations for Residential Uses | |
| | i) Lot Area (minimum) | |
| | a) Single detached dwelling | 430 square metres |

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b)	Semi-detached dwelling	550 square metres
ii)	Lot Frontage (minimum)	
a)	Single detached dwelling	6.0 metres
b)	Semi-detached dwelling	14.0 metres
iii)	Dwelling Unit Area (minimum)	90 square metres

Added by By-Law 94-57

14.6.12 Urban Residential Exception (R3-12) Zone

Notwithstanding Section 14.4, those lands zoned R3-12 on the Schedules to this by-law shall be used for stacked townhouse dwelling units subject to the following zone regulations:

a.	Building Height (maximum)	11 metres
----	---------------------------	-----------

Added by By-Law 94-123

14.6.13 Urban Residential Exception (R3-13) Zone

Notwithstanding Section 14.4 and 3.21(a), the lands zoned R3-13 on the Schedules to this by-law shall be subject to the following zone regulations:

a.	Interior side yard	6.0 metres where the interior side yard abuts an Environmental Protection (EP) Zone nil
b.	Rear yard	7.5 metres where the rear yard abuts an Environmental Protection (EP) zone nil
c.	Parking spaces (minimum)	195

Added by By-Law 95-51

14.6.14 Urban Residential Exception (R3-14) Zone

Notwithstanding Section 3.22 and 14.3, those lands zoned R3-14 on the Schedules to this by-law shall have a 5.0 metre sight triangle and shall be subject to the following zone regulations:

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- | | | |
|----|-----------------------------|-------------------|
| a. | Lot Area (minimum) | |
| | i) Interior lot | 156 square metres |
| | ii) Exterior lot | 226 square metres |
| b. | Lot Frontage (minimum) | |
| | i) Interior lot | 5.4 metres |
| | ii) Exterior lot | 8.4 metres |
| c. | Yard Requirements (minimum) | |
| | i) Interior side yard | 1.2 metres |
| | ii) Exterior side yard | 3 metres |

Added by By-Law 96-78

14.6.15 Urban Residential Exception (R3-15) Zone

Notwithstanding Section 3.1(f), 14.3(b)(ii), 14.3(c)(i) and 14.3(c)(iv), those lands zoned R3-15 on the Schedules to this by-law are subject to the following zone regulations:

- | | | |
|----|---|------------|
| a. | Interior side yard where an accessory building or structure contains a common wall with an accessory building or structure on the adjacent property | nil |
| b. | Exterior lot frontage | 9.0 metres |
| c. | Front yard | 3.0 metres |
| d. | Exterior side yard | 3.0 metres |

Added by By-Law 96-78

14.6.16 Urban Residential Exception (R3-16) Zone

Notwithstanding Section 3.1(f) and 14.3(i)(iv), those lands zoned R3-16 on the Schedules to this by-law are subject to the following zone regulations:

- | | | |
|----|---|------------|
| a. | Interior side yard where an accessory building or structure contains a common wall with an accessory building or structure on the adjacent property | nil |
| b. | Exterior side yard | 3.5 metres |

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Added by By-Law 96-170 & 96-172

14.6.17 Urban Residential Exception (R3-17) Zone

Notwithstanding Section 2, 3.1 (a), (b) and (f), 14.1 and 14.2, those lands zoned R3-17 on the Schedules to this By-law shall only be used for a street townhouse dwelling in accordance with the following definitions and zone regulations:

a. Definitions

Arterial Road: Shall mean an improved public street with a right-of-way width of 26 metres or greater.

Local Road: Shall mean an improved public street with a right-of-way width of 20 metres or less.

Front Lot Line: For the purposes of this Special Exception, front lot line shall mean the line dividing the lot from the arterial road. In the case of a lot having frontage on two arterial roads, the shorter lot line abutting the arterial road shall be deemed the front lot line.

Rear Lot Line: The lot line dividing the lot from a local road shall be deemed the rear lot line. In the case of a lot having frontage on two local roads, the shorter lot line abutting the local road shall be deemed the rear lot line.

b. Regulations

i)	Lot Area (minimum)	200 square metres
ii)	Lot Frontage (minimum)	
	a) Interior lot	6.0 metres
	b) Exterior lot	10.5 metres
iii)	Yard Requirements (minimum)	
	a) Front yard	4.5 metres
	b) Interior side yard	1.5 metres, nil where the building has a common wall with any dwelling on an adjacent lot located in the R3-17 zone.
	c) Exterior side yard	4.5 metres
	d) Rear yard	18.0 metres
iv)	Building Height (maximum)	10.5 metres

c. Special Building Regulations

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Notwithstanding 3.1(a), no accessory structures are permitted in the R3-17 zone except detached private garage subject to the special regulations contained herein.

Notwithstanding 3.1(b) and (f), a detached private garage shall have a minimum 6.0 metre setback to the rear lot line and must have a minimum separation from the main dwelling of 5.0 metres. The side yard setback shall be a minimum of 0.6 metres, nil where the detached private garage has a common wall with another private garage on an adjacent lot located in the R3-17 zone.

Added by By-Law 96-158

14.6.18 Urban Residential Exception (R3-18) Zone

Notwithstanding Section 14.3 and 14.4, those lands zoned R3-18 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Exterior Side Yard 4.5 metres

Added by By-Law 98-106

14.6.19 Urban Residential Exception (R3-19) Zone

Notwithstanding Section 14.3 and 14.4, those lands zoned R3-19 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Front Yard (minimum) 4.5 metres
- b. Special Building Regulations

Notwithstanding 3.1(f), a detached private garage may have a side yard setback of nil, where the detached private garage has a common wall with another detached private garage on an adjacent lot located in the same zone category.

Added by By-Law 99-143

14.6.20 Urban Residential Exception (R3-20) Zone

Notwithstanding the provisions of Section 14.3 those lands zoned (R3-20) on the schedules to this By-law may only be used for street townhouse dwellings subject to the following additional zone regulations:

- a. Lot Frontage (minimum) 7.0 metres
- b. Yard Requirements (minimum)

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- i) Front Yard 6.0 metres to private garage or carport
 - ii) Exterior Side Yard 6.0 metres to private garage or carport
- c. Parking Requirements
 - i) The minimum area of a private garage or carport shall be 18.58 square metres and the minimum width shall be 3.0 metres;
 - ii) Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit.

14.6.21 Urban Residential Exception (R3-22) Zone

Notwithstanding Section 14.3 those lands zoned R3-22 on Schedules to this by-law shall be subject to the following zoning provisions:

- a. Dwelling Units (maximum) 42 townhouse units
- b. Lot Area (minimum) 1.20 hectares
- c. Lot Frontage (minimum) 60 metres
- d. Yard Requirements (minimum)
 - i) Front Yard 3.5 metres
 - ii) Rear Yard 4 metres
 - iii) Interior Side Yard 5 metres
- e. Dwelling Unit Area (minimum) 75 sq. m.
- f. Lot Coverage (maximum) 46%
- g. Landscaped Open Space (minimum) 30%
- h. Building Height (maximum) 12 metres
- i. Parking Spaces 2 spaces per dwelling unit and additional .25 for visitor parking per dwelling unit

14.6.22 Urban Residential Exception (R3-23) Zone

Notwithstanding Sections 14.3 those lands zoned R3-23 on Schedules to this By-law shall be subject to the following provisions:

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- a. Lot Area (minimum)
 - i) Interior 200 square metres
 - ii) Exterior 350 square metres
- b. Lot Frontage (minimum)
 - i) Interior 7.5 metres
 - ii) Exterior 12 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 2.0 metres
 - ii) Interior Side Yard to private right of way 5.5 metres
 - iii) Interior Side Yard 5 metres
 - iv) Exterior Side Yard 4.5 metres
 - v) Rear Yard (detached garage) 1.5 metres to the detached garage and 12 metres to the dwelling
 - vi) Rear Yard (attached garage) 9 metres to the dwelling and 6 metres to the garage
- d. Accessory Buildings (minimum)
 - i) Rear Yard 1.5 metres
 - ii) Interior Side Yard on one side where an accessory building or structure contains a common wall with an accessory building or structure on the adjacent lot Nil
 - iii) Interior Side Yard from accessory building to the lot line 1.5 metres
 - iv) Exterior Side Yard 7.5 metres
- e. Dwelling Unit Area (minimum) 110 square metres
- f. Lot Coverage (maximum) 55%
- g. Landscaped Open Space (minimum) 35%
- h. Building Height (maximum) 13 metres

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Added by By-Law 2003-153

14.6.24 Urban Residential Exception (R3-24) Zone

Notwithstanding Sections 3.6, 3.13(a), 3.16(i)(iii), 3.16 (i)(iv), 3.16(e), 3.17, 3.22, 14.1, 14.2, 14.3(c), 14.4(a), 14.4(b) and 14.4(c), no person shall use any land or erect or use any building or structure in an R3-24 zone for any purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

- a. Only an apartment building, link townhouse dwellings, stacked townhouse dwellings, street townhouse dwellings, or a single mixed use building containing a combination of residential uses and commercial uses permitted by this Section, may be erected and used on the lot;
- b. In the cases of street townhouse dwellings, yards with the widths set out below shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - ii) Interior Side Yard 1.5 metre, except (i) where a building has a common wall with a building on an adjacent lot located in the R3-24 zone, in which case no interior side yard is required, and (ii) where the lot line is also the boundary of a different zone, in which case an interior side yard of 4.5 metres wide is required,
 - iii) Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - iv) Rear Yard a minimum width of 7.5 metres.
- c. In the cases of link townhouse dwellings, yards with the widths set out below shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - ii) Interior Side Yard a minimum width of 4.5 metres,

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- iii) Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - iv) Rear Yard a minimum width of 7.5 metres.
- d. Also in the case of link townhouse dwellings the following regulations shall be complied with:
 - i) The maximum building height shall be 10.5 metres; and
 - ii) Notwithstanding Section 3.16(e)(iv) of the aforesaid By-law 84-63, parking spaces shall not be located in the required front yard or in a required exterior side yard.
- e. In the case of stacked townhouse dwellings yard shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - ii) Interior Side Yard a minimum width of 4.5 metres,
 - iii) Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - iv) Rear Yard a minimum width of 7.5 metres.
- f. Also in the case of stacked townhouse dwellings, the following regulations shall be complied with:
 - i) Dwelling Unit Area minimum of 85 square metres,
 - ii) Lot Coverage maximum 40%
 - iii) Landscaped Open Space minimum 40%
 - iv) Building Height maximum 4 stories
 - v) Parking Space Location:
Notwithstanding Section 3.16(e)(iv) of the aforesaid By-law 84-63, parking spaces shall not be located in the required front yard or in a required exterior side yard.
- g. In the case of an apartment building, yards with the widths set out below shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - ii) Interior Side Yard a minimum width of 7.5 metres,

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- h. Also in the case of an apartment building, the following regulations shall be complied with:
- i) Dwelling Unit Area (minimum)
 - a) Bachelor Dwelling Unit 40 square metres
 - b) One Bedroom Dwelling Unit 55 square metres
 - c) Two Bedroom Dwelling Unit 70 square metres
 - d) Dwelling Unit Containing Three or more bedrooms 80 square metres plus 7 square metres for each bedroom in excess of three
 - ii) Lot Coverage maximum 40%
 - iii) Landscaped Open Space minimum 40%
 - iv) Building Height maximum 4 stories
 - v) Parking space location:
Notwithstanding Section 3.16(e)(iii) of the aforesaid By-law 84-63, parking spaces shall not be located in the required front yard or in a required exterior side yard
- i. With respect to the single mixed use building that may be constructed or used on the lot;
- i) The permitted commercial uses are the following:
 - a) A business, professional or administrative office
 - b) A dry cleaners distribution centre which does not contain more than 200 square metres of gross floor area
Amended by By-Law 2015-062
 - c) A laundry, which does not contain more than 200 square metres of gross floor area
 - d) A service shop, personal, which does not contain more than 200 square metres of gross floor area
 - e) A retail commercial establishment which is not a general merchandise store and which does not contain more than 200 square metres of gross floor area
 - f) Either a convenience store or a drugstore, neither of which may contain more than 100 square metres of gross floor area
 - g) A video store which does not contain more than 100 square metres of gross floor area;

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- ii) The permitted residential uses are dwellings which have individual or a common entrance from street level and the occupants of which have equal rights to the use of all common halls and/or stairs and/or elevators and/or yards serving the residential uses within the permitted mixed use building;
 - iii) The permitted mixed use building shall not contain an eating establishment or a drive-through facility;
 - iv) The total amount of the gross commercial floor area contained in the permitted mixed use building shall not exceed 400 square metres;
 - v) The permitted mixed use building shall contain an amount of gross residential floor area which is at least equal to 50% of the aggregate of the gross residential floor area and gross commercial floor area contained in the building;
- j. Also, with respect to the mixed use building that may be constructed or used on the lot,
 - i) A front yard and an exterior side yard shall be provided and maintained on the lot with a minimum width of 1.5 metres and a maximum width of 2.0 metres;
 - ii) The building shall be set back a minimum distance of 10 metres from the northerly lot line and a minimum distance of 5.0 metres from the westerly lot line;
 - iii) The building shall not be less than 2 stories nor more than 4 stories above grade;
 - iv) The length of a business establishment façade of the building on the lot with a lot frontage on King Street East shall not be less than 50% of the length of the lot frontage;
 - v) Landscaped open space at least 3.0 metres wide abutting the northerly and westerly limits of the lot, respectively, comprising a total area of at least 30% of the area of the lot, shall be provided and maintained on the lot;
 - vi) At the northwest corner of King Street East and Galbraith Court, within the triangle space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 5.0 metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the Highway Traffic Act, as amended, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and, no land shall be used for the purposes of growing shrubs or trees in excess of 0.75 metres in height.

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- vii) One loading space with a minimum width of 4.0 metres and a minimum length of 9.0 metres shall be provided and maintained for the permitted mixed use building on the lot;
- viii) Notwithstanding the “Parking Space Requirement Table” contained in Section 3.16 (a) of the aforesaid By-law 84-63, minimum off-street parking spaces shall be provided and maintained on the lot as follows:
 - a) For commercial uses contained in the permitted mixed use building, 1 parking space for each 30 square metres of gross commercial floor area,
 - b) For dwellings contained in the permitted mixed use building, parking spaces shall be provided at the following rates:

(i)	1 bedroom apartment	1 space per unit
(ii)	2 bedroom apartment	1.25 spaces per unit
(iii)	A dwelling containing 3 or more bedrooms	1.5 spaces per unit, provided that parking spaces shall not be located in the required front yard or in an exterior side yard.
- k. Notwithstanding any other provision of this By-law, no portion of the lot shall be used to provide motor vehicle access directly from it to King Street East, nor to provide motor vehicle access from any portion of the lot to Galbraith Court nearer than 25 metres northerly from the northerly street line of King Street East and which is nearer than 7.5 metres southerly from the northerly lot line of the lot.
- l. For the purposes of this Section, the term
 - Business Establishment: means a building which contains any one or more commercial uses permitted by this By-law;
 - Business Establishment Façade: means the portion of the exterior wall located between finished grade and the level which is 3 metres above finished grade of a business establishment which wall faces King Street East;
 - Drive-Through Facility: has the same meaning that it is assigned by Subsection 16.5.30(3);
 - Drug Store: means part of a permitted mixed use building which is used primarily for the combination of storage and display for the retail sale of non-prescription medicines, health and beauty aids, personal hygiene products, confectionary items, stationary, and a prescription pharmacy;
 - Floor Area: means the total horizontal area of a floor or floors;

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General Merchandise Store: means a retail commercial establishment primarily accommodating the sale of a variety of commodities which include all or several representatives of the following categories of merchandise: clothing, hardware, home furnishings, household appliances, sporting goods and toys. However, the term “general merchandise store” does not include a convenience store, a drug store, and a speciality retail store engaged primarily in the sale of a particular commodity such as, but not limited to, a book store, a clothing store, a jewellery store and a shoe store;

Gross Commercial Floor Area: means the total of the floor area of each floor of the permitted mixed use building measured from the exterior face of the exterior walls, whether such floor is above or below finished grade, which is designed and/or used for permitted commercial purposes, but excluding any part of the building used for mechanical equipment, parking, loading, common garbage storage, elevators, stairs or storage below finished grade. Where a floor is used for both residential and commercial uses permitted by this By-law, the gross commercial floor area shall be measured from the exterior face of exterior walls and/or the centre line of interior walls separating the commercial uses from the residential uses;

Gross Residential Floor Area: means the total of the floor area of each floor of the permitted mixed use building measured from the exterior face of the exterior walls, excluding garages, mechanical equipment, parking, loading, common garbage storage, elevators, stairs, cellars, unfinished attics, and sunrooms which are not habitable year round. Where two or more dwellings share a common wall, gross residential floor area shall be measured from the centre line of the common wall. Gross residential floor area shall also include common indoor areas located within the building. Where a floor is used for both permitted residential and permitted commercial uses, the gross residential floor area shall be measured from the exterior face of exterior walls and/or the centre line of interior walls separating the residential uses from the commercial uses;

Stacked Townhouse Dwelling: means one of a group of three or more building units separated vertically and/or horizontally; and

Video Store: means a retail commercial establishment contained in the permitted mixed use building which is used primarily for the sale or rental of video tapes or DVD discs to individual customers.

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Added by By-law 2005-034

OMB Order 0764

Amended by By-Law 2014-092

14.6.25 Urban Residential Exception (R3-25) Zone

Notwithstanding Sections 2, 14.1 and 14.4, those lands zoned R3-25 on the Schedules to this By-law shall only be used subject to the following zone regulations:

Deleted by By-Law 2015-062

- a. Special Yard Requirements
 - i) Separation between buildings (minimum) 8 metres
- b. Dwelling Unit Area (minimum) 64 square metres
- c. Lot Coverage (maximum) 35 %

Added by By-law 2005-036

OMB Order 0764

14.6.26 Urban Residential Exception (R3-26) Zone

Notwithstanding Sections 2, 14.1 and 14.4, those lands zoned R3-26 on the Schedules to this By-law shall also be used subject to the following zone regulations:

Deleted by By-Law 2015-062

Deleted by By-Law 2015-062

- a. Permitted Residential Uses
 - i) Link townhouse dwelling
 - ii) Long Term Care Facility;
 - iii) Retirement home
 - iv) Apartment building; and
 - v) Stacked townhouse dwelling
- b. Regulations for Long Term Care Facility, Retirement Home, and Apartment Building
 - i) Density (maximum) 60 units per hectare
 - ii) Yard Requirements
 - a) Front yard 4.5 metres (minimum) to 7.5

Replaced by By-Law 2015-062

Amended by By-Law 2015-062

Amended by By-Law 2015-062

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		metres (maximum)
b)	Exterior side yard	4.5 metres (minimum) to 7.5 metres (maximum)
c)	Interior side yard (minimum)	10 metres
d)	Rear (minimum)	10 metres
iii)	Lot coverage (maximum)	40 percent
iv)	Building height (maximum)	12 metres
c.	Regulations for Link Townhouse Dwellings and Stacked Townhouse Dwellings	
i)	Density (maximum)	60 units per hectare
ii)	Lot frontage (minimum)	13.5 metres
iii)	Yard requirements	
a)	Front yard to an improved public street or private street	4.5 metres (minimum) to 7.5 metres (maximum)
b)	Exterior side yard to an improved public street or private street	4.5 metres (minimum) to 7.5 metres (maximum)
c)	Interior side yard (minimum)	7.5 metres
d)	Interior side yard separation between buildings without common wall (minimum)	3.0 metres
e)	Rear yard (min)	7.5 metres
f)	Rear yard separation between buildings (minimum)	15 metres
iv)	Dwelling Unit Area (minimum)	85 square metres
v)	Lot Coverage (maximum)	40 percent
vi)	Landscaped Open Space (minimum)	40 percent
vii)	Building Height (maximum)	10.5 metres

Added by By-law 2005-234

14.6.28 Urban Residential Exception (R3-28) Zone

Notwithstanding Sections 3.16 e) and 14.3 a) to c) those lands zoned R3-28 on those Schedules to this By-law shall only be used for on-street townhouses, subject to the following regulations:

a.	Lot Area (minimum)	
i)	Interior	220 square metres

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- ii) Exterior 270 square metres
- b. Lot Frontage (minimum)
 - i) Interior 7.0 metres
 - ii) Exterior 8.5 metres
- c. Yard Requirements (minimum)
 - i) Front yard 3.0 metres
 - ii) Interior side yard to private right of way 4.5 metres to the dwelling;
6.0 metres to the attached garage
 - iii) Interior side yard 1.5 metres
 - iv) Exterior side yard 4.5 metres to the dwelling;
6.0 metres to the attached garage
 - v) Rear yard 1.5 metres to the detached garage and 10 metres to the dwelling;
6.0 metres to the attached garage;
and 9.0 metres to the dwelling
- d. No driveway or garage shall be located in the front yard of any dwelling.

Approved By OMB (Oct. 4, 2007)

14.6.30 Urban Residential Exception (R3-30) Zone

Notwithstanding Sections 14.4 b) and 14.4 c) ii) those lands zoned “R3-30” on the attached Schedule to this By-law shall also be subject to the following zone regulations:

- a. Lot frontage (minimum) 90 metres
- b. Yard Requirements
 - i) Interior side yard (minimum) 1.2 metres on the east side
9.0 metres on the west side
- c. Private garages and their access shall be located within the south building facade of the dwelling unit.

Added by By-Law 2008-065 & By-Law 2008-093

14.6.31 Urban Residential Exception (R3-31) Zone

Notwithstanding Sections 3.16 i), iv); 14.1; 14.2; 14.3 a), b), c) i), ii), iii) 14.4 a), 14.4 b) 14.4 c); 14.4 g), and 14.4 h) those lands zoned R3-31 shall only be used for an apartment

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building, link townhouse dwellings, stacked townhouse dwellings, or street townhouse dwellings, subject to the following regulations:

a. For the purposes of this Section, the term:

Deleted by By-Law 2015-062

i) Landscaping Strip Easement: Shall mean an area of land used for any one or more of the planting of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements which such land is subject to an easement.

b. Street Townhouse dwelling yards shall be permitted as follows:

i) Lot Area (minimum) 210 square metres

ii) Lot Frontage (minimum)

a) Interior Lot 7.0 metres

b) Exterior Lot 11.0 metres

iii) For the purposes of this zone, the lot line dividing the lot from Concession Road 3 shall be deemed the front lot line;

iv) For the purposes of this zone, the lot line dividing the lot from Middle road shall be deemed the exterior lot line;

v) Front Yard a minimum width of 4.0 metres and a maximum width of 6.5 metres;

Amended by By-Law 2011-048

Amended by By-law 2018-031

vi) Interior Side Yard 1.2 metre, except (i) where a building has a common wall with a building on an adjacent lot located in the R3-31 zone, in which case no interior side yard is required, and (ii) where the lot line is also the boundary of a different zone, in which case an interior side yard of 1.2 metres wide is required;

vii) Exterior Side Yard minimum width of 4.0 metres and a maximum width of 6.5 metres;

viii) Setback from the limits of a Landscaping Strip Easement shall be a minimum of 2.0 metres.

c. Link townhouse dwellings or stacked townhouse dwellings shall be permitted as follows:

i) Density (maximum) 45 units per hectare

ii) Lot Area (minimum) 1.0 hectare

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- iii) For the purposes of this zone, the lot line dividing the lot from Concession Road 3 shall be deemed the front lot line;
 - iv) For the purposes of this zone, the lot line dividing the lot from Middle Road shall be deemed the exterior lot line;
 - v) Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres;
 - vi) Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres;
 - vii) Yard between the rear wall of the dwelling and a lot line other than a street line (minimum) 7.5 metres
 - viii) Yard between the end wall of the town house block and a lot line other than a street line (minimum) 1.2 metres
 - ix) Setback from the limits of a Landscaping Strip Easement shall be a minimum of 2.0 metres;
 - x) Building Height (maximum)
 - a) Link townhouse dwellings 10.5 metres
 - b) stacked townhouse dwellings 12.0 metres
 - xi) No parking spaces shall be located in any yard between a dwelling and a lot line dividing the lot from an improved public street.
- d. The following additional regulations for stacked townhouse dwellings shall be provided:
- i) Dwelling Unit Area (minimum) 85 square metres
 - ii) Lot Coverage (maximum) 45 percent
 - iii) Landscaped Open Space (minimum) 40 percent
 - iv) Building Height (maximum) 12 metres
- e. Apartment building shall be permitted as follows:
- i) Density (maximum) 45 units per hectare
 - ii) Lot Area (minimum) 1.0 hectare
 - iii) For the purposes of this zone, the lot line dividing the lot from Concession Road 3 shall be deemed the front lot line;
 - iv) For the purposes of this zone, the lot line dividing the lot from Middle Road shall be deemed the exterior lot line;
 - v) Front Yard a minimum width of 4.5 metres and a maximum width of 7.5 metres;
 - vi) Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 7.5 metres;

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- vii) Interior Side Yard (minimum) 7.5 metres
 - viii) Rear Yard (minimum) 7.5 metres
 - ix) Setback from the limits of a Landscaping Strip Easement shall be a minimum of 3.5 metres and a maximum width of 6.5 metres;
 - x) Dwelling Unit Area (minimum)
 - a) Bachelor Dwelling Unit 40 square metres;
 - b) One Bedroom Dwelling Unit 55 square metres;
 - c) Two Bedroom Dwelling Unit 70 square metres; and
 - d) Dwelling Unit Containing Three or more bedrooms 80 square metres plus 7 square metres for each bedroom in excess of three
 - xi) Lot Coverage (maximum) 45 percent
 - xii) Landscaped Open Space (minimum) 40 percent
 - xiii) Building Height (maximum) 12 metres
 - xiv) No parking spaces shall be located in any yard between a dwelling and a lot line dividing the lot from an improved public street.
- f. Visibility Triangle 6.5 metres
- g. In addition to the regulations of Section 3.11 with respect to the removal of the “Holding (H)” symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zoned (H)R-31 on Schedule 1 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time;
- i) The “Motor Vehicle Wrecking Yard” use of the lands identified as 18-17-010-080-15900 has ceased:
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A record of site condition has been submitted for said lands zoned (H)R3-31.

Added by By-Law 2014-047

14.6.32 Urban Residential Exception (R3-32) Zone

Notwithstanding Sections 14.1; 14.2; 14.3 a), b), c); and 14.4 shall only be used for street townhouse dwellings, subject to the following regulations:

- a. Lot Area (minimum) 190 square metres

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- b. Lot Frontage (minimum)
 - i) Interior Lot 7.0 metres
 - ii) Exterior Lot 11.0 metres
- c. Yard Requirements
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Exterior Side Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - iii) Interior Side Yard 1.2 metres; nil where a building has a common wall with any building on an adjacent located in a R3-32 zone
- d. Special Yard Regulations
 - i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- e. Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - ii) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.

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- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- g. Visibility Triangle 6.5 metres
- h. In addition to the regulations of Section 3.11 with respect to the removal of the "Holding (H)" symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zone (H)R3-32 on Schedule 3 to this By-law located within 70 metres of the boundary of lands identified by roll number 18-17-010-080-15900, at such time as:
 - i) The "Motor Vehicle Wrecking Yard" use of the lands identified as 18-17-010-080-15900 has ceased;
 - ii) The vehicles and motor vehicles parts on the lands identified as 18-17-010-080-15900 has been removed from the property; and
 - iii) A Record of Site Condition has been submitted for said lands zoned (H)R3-32.

Added by By-Law 2008-171

14.6.33 Urban Residential Exception (R3-33) Zone

Notwithstanding Section 14.4, those lands zoned R3-33 on the Schedules to this By-law shall be used for linked townhouse dwelling units subject to the following zone regulations:

- a. Density (maximum) 66 units per hectare
- b. Front Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres
- c. Exterior Side Yard a minimum width of 4.5 metres and a maximum width of 6.5 metres
- d. No parking spaces shall be located in any yard between a dwelling and a lot line dividing the lot from an improved public street

Added by By-Law 2009-010

14.6.34 Urban Residential Exception (R3-34) Zone

For the purposes of establishing density, the total number of dwelling units in the R2-16, R4-20, R2-42 and R3-34 zones shall not exceed 960 mobile home/single detached dwellings.

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a. Permitted Uses

Townhouse Dwellings

b. Regulations for Permitted Uses

Each townhouse dwelling shall be located on a single land-leased parcel. For the purposes of this exception zone, the following specific regulations shall apply as if the land-leased parcels are lots:

i)	Site Area (minimum)	300 square metres
ii)	Site Frontage (minimum)	9.0 metres
iii)	Site Coverage (maximum)	55%
iv)	Site Landscaped Open Space (minimum)	30%
v)	Gross Floor Area (minimum)	60 square metres
vi)	Yard Requirements (minimum)	
	a) Front and Exterior Side Yards	4.5 metres to dwelling and 1.0 metres to garage or carport
	b) Rear Yard	6.5 metres
	c) Between Dwelling Blocks	4.0 metres
vii)	Building Height (maximum)	10.0 metres

Added by By-Law 2009-106

Amended by By-Law 2014-014

14.6.35 Urban Residential Exception (R3-35) Zone

Notwithstanding Sections 3.1 j. iv); 3.16 c. ii); 3.22; 14.1; 14.2; 14.3 a., b., c. i), ii), iii) 14.4 a., 14.4 b. 14.4 c. i), ii) iii); 14.4 g., and 14.4 h. those lands zoned R3-35 shall only be used for an apartment building, link townhouse dwellings, stacked townhouse dwellings, or street townhouse dwellings, subject to the following regulations:

Deleted by By-Law 2015-062

a. Street Townhouse dwellings shall be permitted as follows:

i)	Lot Area (minimum)	210 square metres
ii)	Lot Frontage (minimum)	
	a) Interior Lot	7.0 metres
	b) Exterior Lot	11.0 metres

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|------|----------------------|------------|
| iii) | Front Yard (minimum) | 4.5 metres |
| | (maximum) | 6.5 metres |

Amended by By-Law 2011-048

- | | |
|-----|--|
| iv) | Interior Side Yard, 1.2 metres, nil where a building has a common wall with a building on an adjacent lot located in the R3-35 Zone; and |
| v) | Exterior Side Yard minimum of 4.5 metres and a maximum width of 6.5 metres. |

b. Lot Coverage

A covered and unenclosed porch/balcony having no habitable space above it, shall be permitted subject to the following:

- | | |
|-----|---|
| i) | In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage; |
| ii) | In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage; |

c.	Height of floor deck of unenclosed porch above finished grade (maximum)	1.0 metre
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d. Link townhouse dwellings or stacked townhouse dwellings shall be permitted as follows:

- | | | |
|------|--------------------------------|--|
| i) | Density (maximum) | 45 units per hectare |
| | Lot Area (minimum) | 1.0 hectare |
| ii) | Front Yard | a minimum width of 4.5 metres and a maximum width of 6.5 metres; |
| iii) | Interior Side Yard (minimum) | 1.2 metres |
| iv) | Exterior Side Yard | a minimum width of 4.5 metres and a maximum width of 6.5 metres; |
| v) | Building Height (maximum) | |
| | a) Link townhouse dwellings | 10.5 metres |
| | b) Stacked townhouse dwellings | 12.0 metres |

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- vi) No parking spaces shall be located in any yard between a dwelling and a lot line dividing the lot from an improved public street.
- e. In addition to the provisions of 14.6.35 c) the following provisions shall apply to stacked townhouse dwellings:
 - i) Dwelling Unit Area (minimum) 85 square metres
 - ii) Lot Coverage (maximum) 45 percent
 - iii) Landscaped Open Space (minimum) 40 percent
 - iv) Building Height (maximum) 12 metres

Added by By-Law 2009-091

14.6.36 Urban Residential Exception (R3-36) Zone

Notwithstanding Sections 3.1 j. iv), 3.9, 3.13 c., 14.1 a., 14.2, 14.3 and 14.4 a., c., e. and f., on those lands zoned R3-36 on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Permitted Residential Uses
 - i) Apartment Building
 - ii) Dwelling, Linked Townhouse
- b. Regulations for Apartment Building
 - i) Maximum Number of Units 82
 - ii) Lot Area (minimum) 1.25 hectares
 - iii) Lot Frontage (minimum) Nil
 - iv) Yard
 - a) Easterly 5.0 m to building
3.0 m to balcony
 - b) Northerly 35.0 metres
 - c) Westerly 17.0 m to building
15.0 m to balcony
 - d) Southerly 8.5 metres
 - v) Lot Coverage (maximum) 20%
 - vi) Landscaped Open Space (minimum) 50%
 - vii) Building Height (maximum) 16.5 metres
 - viii) Outdoor Amenity Space (minimum) 240 square metres

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ix)	Parking Spaces (minimum)	124 spaces
c.	Regulations for Link Townhouse Dwellings	
i)	Maximum Number of Units	119
ii)	Lot Area (minimum)	3.7 hectares
iii)	Yard Requirements	
	a) Easterly	7.5 metres
	b) Northerly	30.0 metres
	c) Westerly	7.5 metres
	d) Southerly	4.3 metres
iv)	Lot Coverage (maximum)	25%
v)	Outdoor Amenity Space (minimum)	560 square metres
vi)	Parking Spaces (minimum)	268 spaces
vii)	Unit Setback Requirements	

For the purpose of establishing regulations for each Link Townhouse dwelling unit, the following specific regulations shall apply as if each unit is located on a lot:

a)	Lot Area (minimum)	150 square metres
b)	Lot Coverage (maximum)	50%
c)	Landscaped Open Space (minimum)	30%
d)	Yard Requirements (minimum)	
	(i) Front Yard	6.0 metres
	(ii) Rear Yard	7.5 metres
	(iii) Side Yard	1.5 metres

nil where a building has a common wall with any building on an adjacent lot in the same zone.

Approved by OMB (Dec. 02, 2009)

14.6.37 Urban Residential Exception (R3-37) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a.; b.; c.; e.; g.; and h. those lands zoned R3-37 on the Schedules to this By-law shall only be used for single detached; semi-detached dwellings, and street townhouse dwellings having frontage on both a public lane and a public street, subject to the following:

- a. The purposes of this Section, the terms

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Dwelling, Semi Detached: shall mean a building separated vertically into two separate dwelling units, connected by a common wall, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

Lane, Public: shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Clarington, having a right of way width of 10 metres or less which is maintained so as to allow normal vehicular access to garages and parking spaces on adjacent properties throughout all seasons of the year.

b. Single detached dwellings shall be permitted as follows:

- | | | |
|-----|------------------------|-------------------|
| i) | Lot area (minimum) | 225 square metres |
| ii) | Lot frontage (minimum) | 7.5 metres |

c. Semi-detached shall be permitted as follows:

- | | | |
|-----|------------------------|-------------------|
| i) | Lot area (minimum) | 400 square metres |
| ii) | Lot frontage (minimum) | 13.4 metres |

d. Street townhouse dwelling shall be permitted as follows:

- | | | |
|-----|------------------------|-------------------|
| i) | Lot area (minimum) | 180 square metres |
| ii) | Lot frontage (minimum) | 6.1 metres |

e. Yard Requirements (minimum)

- | | | |
|------|---|---|
| i) | Front yard or exterior side yard – abutting a road allowance that is 20 metres wide or less | 3.0 metres to dwelling;
1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk 3.6 metres to dwelling; 1.5 metres to the unenclosed porch |
| ii) | Front or exterior side yard – abutting a road allowance that is 23 metres wide or greater | 4.0 metres to dwelling;
2.0 metres to the unenclosed porch; |
| iii) | Interior side yard (minimum) | |
| | a) Single detached dwelling | 1.2 metres on one side and 0.6 metres on the other side |

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|-----|---------------------------|--|
| b) | Semi-detached dwelling | 1.2 metres, nil where building has a common wall with any building on an adjacent lot located in an R3-37 zone |
| c) | Townhouse dwelling unit | 1.2 metres, nil where building has a common wall with any building on an adjacent lot located in an R3-37 zone |
| iv) | Rear yard | |
| a) | Dwelling to a public lane | 13 metres |
| b) | Garage to a public lane | 1.0 metres |
- f. Special Yard Regulation
- | | | |
|------|---|--|
| i) | Separation between dwelling and garage on the same lot a minimum of 6 metres. | |
| ii) | A detached private garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another private garage on an adjacent lot located in the R3-37 zone. | |
| iii) | Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres. | |
| iv) | Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre. | |
- g. Visibility Triangle (minimum) 5.0 metres
- h. Lot Coverage (maximum)
- | | | |
|------|---|------------|
| i) | Single and semi-detached dwelling | 40 percent |
| ii) | Single and semi-detached dwelling and total of all buildings and structures | 50 percent |
| iii) | Townhouse dwelling | 45 percent |
| iv) | Townhouse dwelling and total of all buildings and structures | 55 percent |
| v) | Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following: | |

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- a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage
- i. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- j. Height (maximum) 12.5 metres
- k. No parking space shall be located in any front or exterior side yard.

Approved by OMB (Dec. 02, 2009)

14.6.38 Urban Residential Exception (R3-38) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a.; b.; c.; e.; g.; and h; and 14.4. those lands zoned R3-38 on the Schedules to this By-law shall only be used for single detached; semi-detached dwellings, and street townhouse dwellings having frontage only on a public lane, subject to the following:

- a. For the purposes of this Section, the term
 - Dwelling, Semi Detached: shall mean a building separated vertically into two separate dwelling units, connected by a common wall, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.
 - Lane, Public: shall mean a street or road under the jurisdiction of the Corporation of the Municipality of Clarington, having a right of way width less than 10 m which is maintained so as to allow normal vehicular access to garages and parking spaces on adjacent properties throughout all seasons of the year.
- b. Single detached dwellings shall be permitted as follows:
 - i) Lot area (minimum) 225 square metres
 - ii) Lot frontage (minimum) 7.5 metres

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c. Semi-detached dwelling shall be permitted as follows:

- | | | |
|-----|--------------------|-------------------|
| i) | Lot area (minimum) | 400 square metres |
| ii) | Lot frontage | 13.4 metres |

d. Street Townhouse dwellings shall be permitted as follows:

- | | | |
|-----|--------------------|-------------------|
| i) | Lot area (minimum) | 180 square metres |
| ii) | Lot frontage | 6.1 metres |

e. Yard Requirements (minimum)

- | | | |
|----|-------------|------------|
| i) | Front yard | |
| | a) Dwelling | 13 metres |
| | b) Garage | 1.0 metres |

- | | | |
|-----|------------------------------|--|
| ii) | Interior side yard (minimum) | |
| | a) Single detached dwelling | 1.2 metres on one side
and 0.6 metres on the
other side |
| | b) Semi-detached dwelling | 1.2 metres, nil where
building has a common
wall with any building on an
adjacent lot located in an R3-38
zone |
| | c) Townhouse dwelling unit | 1.2 metres, nil where building
has a common wall with any
building on an adjacent lot
located in an R3-38 zone |

- | | | |
|------|--------------------|--|
| iii) | Exterior side yard | 3.6 metres to dwelling;
1.5 metres to the unenclosed
porch |
| iv) | Rear yard | 3.0 metres to dwelling;
1.2 metres to the unenclosed porch |

f. Special Yard Regulation

- | | |
|----|---|
| i) | Separation between dwelling and garage on the same lot a minimum of 6 metres. |
|----|---|

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- ii) A detached private garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another private garage on an adjacent lot located in the R3-38 zone.
 - iii) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
 - iv) Steps may project into the required rear or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- g. Visibility Triangle (minimum) 5.0 metres
- h. Lot Coverage (maximum)
- i) Dwelling 40 percent
 - ii) Total of all buildings and structures 55 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- i. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- j. Height (maximum) 12.5 metres

Approved by OMB (Dec. 02, 2009)

14.6.39 Urban Residential Exception (R3-39) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3; a.; b.; c.; e.; g.; and h; and 14.4. those lands zoned R3-39 shown on the Schedules to this By-law shall only be used for linked dwellings and street townhouse dwellings, subject to the following zone regulations:

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- a. For the purposes of this Section, the terms:

Dwelling, Linked: shall mean a building separated vertically into two separate dwelling units, which are horizontally connected at the footing, each of which has an independent entrance directly from the outside of the building and each of which is located on a separate lot.

Lot Area (minimum)

- | | | |
|-----|--------------------|-------------------|
| i) | Linked dwelling | 585 square metres |
| ii) | Townhouse dwelling | 185 square metres |

- b. Lot Frontage Interior (minimum)

- | | | |
|-----|--------------------|-------------|
| i) | Linked dwelling | 19.6 metres |
| ii) | Townhouse dwelling | 6.6 metres |

- c. Lot Frontage Exterior (minimum)

- | | | |
|-----|--------------------|-------------|
| i) | Linked dwelling | 22.2 metres |
| ii) | Townhouse dwelling | 10.0 metres |

- d. Yard Requirements (minimum)

- | | | |
|------|-----------------------------|--|
| i) | Front or exterior side yard | 6.0 metres to the garage, 3.0 metres to dwelling; 1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk 3.6 metres to dwelling; 1.8 metres to the unenclosed porch |
| ii) | Interior side yard | 1.2 metres, nil where building has a common wall with any building on an adjacent lot located in an R3-39 zone |
| iii) | Rear yard | 7.5 metres |

- e. Special Yard Regulation

- | | |
|----|--|
| i) | Notwithstanding the interior side yard requirements above, a linked dwelling connected by the footing shall have a horizontal distance |
|----|--|

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- between the interior walls of the two (2) dwelling units above finished grade between 1.2 metres and 1.5 metres.
 - ii) On a corner lot where an attached garage door is accessed over the exterior lot line, the minimum required rear yard may be reduced to 1.2 metres;
 - iii) On a corner lot where an attached garage door is accessed over the exterior lot line, air conditioning and heat exchange units shall be permitted within that portion of the yard located between the dwelling and the garage, provided that such units do not encroach into the required exterior yard setback;
 - iv) On a corner lot where an attached garage door is accessed over the exterior lot line, a deck may be located within the exterior side yard provided that the deck complies with the greater of the minimum exterior side yard requirement applicable to the dwelling units or the Actual side yard measured between the property line and the dwelling face.
 - v) Bay windows with foundations may project into any required front yard or exterior side yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres.
 - vi) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
 - vii) Visibility triangle (minimum) 5.0 metres
- f. Lot Coverage (maximum)
- i) Dwelling 50 percent
 - ii) Total of all buildings and structures 55 percent
 - iii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 12.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 20.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage

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- g. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- h. Height (maximum)
 - i) 1 storey 8.5 metres
 - ii) All other residential units 12.5 metres
- i. Driveway Width (maximum)
 - i) Interior lot 4.6 metres
 - ii) Exterior lot 6.0 metres
- j. Garage Requirements all garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection

Added by By-Law 2010-104

14.6.40 Urban Residential Exception (R3-40) Zone

Notwithstanding Sections 14.1, and 14.3 a., b., c., those lands zoned R3-40 on the Schedules to this By-law shall only be used for street townhouse dwellings, subject to the following regulations:

- a. Lot Area (minimum) 220 square metres
- b. Lot Frontage (minimum)
 - i) Interior Lot 7.0 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 6.0 metres to private garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - ii) Interior Side Yard 1.2 metres;
Nil where a building has a common wall with any building on an adjacent lot located in the

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- | | | |
|------|---|--|
| | | same zone |
| iii) | Exterior Side Yard or 0.3 metre reserve | 4.0 metres to dwelling;
2.0 metres to porch |
| iv) | Rear Yard | 7.5 metres |

Added by By-Law 2010-104

14.6.41 Urban Residential Exception (R3-41) Zone

Notwithstanding sections 3.9, 14. a., 14.4 a., b., c., and f., on those lands zoned R3-41 on the schedules to this By-law shall be subject to the following zone provisions:

Deleted by By-Law 2015-062

a. Permitted Residential Uses

- i) Apartment Building
- ii) Dwelling, Linked Townhouse
- iii) Dwelling, Stacked Townhouse

b. Regulations for Apartment Building

- | | | |
|-------|---------------------------------|----------------------|
| i) | Density (maximum) | 40 units per hectare |
| ii) | Lot Area (minimum) | 3.3 hectares |
| iii) | Lot Frontage (minimum) | 150 metres |
| iv) | Yard Requirements | |
| | a) Northerly (minimum) | 4.5 metres |
| | (maximum) | to 7.5 metres |
| | b) Easterly (minimum) to | 4.5 metres |
| | (maximum) | 7.5 metres |
| | c) Southerly (minimum) | 10 metres |
| | d) Westerly (minimum) | 7.5 metres |
| v) | Lot Coverage (maximum) | 40% |
| vi) | Landscaped Open Space (minimum) | 50% |
| vii) | Outdoor Amenity Space (minimum) | 255 square metres |
| viii) | Building Height (maximum) | 12 metres |

c. Regulations for Link Townhouse Dwellings and Stacked Townhouse Dwellings

- | | | |
|----|-------------------|----------------------|
| i) | Density (maximum) | 40 units per hectare |
|----|-------------------|----------------------|

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ii)	Lot Area (minimum)	3.3 hectares
iii)	Yard Requirements to dwelling	
	a) Northerly (minimum) to	4.0 metres
	(maximum)	6.5 metres
	b) Easterly (minimum) to	4.0 metres
	(maximum)	6.5 metres
	c) Southerly (minimum)	4.0 metres
	d) Westerly (minimum)	4.0 metres
iv)	Outdoor Amenity Space (minimum)	255 square metres
v)	Unit Setback Requirements	

For the Purpose of establishing regulations for each Link Townhouse or Stacked Townhouse dwelling unit, the following specific regulations shall apply as if each unit is located on a lot:

a)	Lot Area (minimum)	180 square metres
b)	Lot Frontage (minimum)	6 metres
c)	Lot Coverage (maximum)	50%
d)	Landscaped Open Space (minimum)	30%
e)	Yard Requirements (minimum)	
	(i) Front Yard	6 metres to garage or carport; 4.0 metres to dwelling; 2 metres to porch
	(ii) Rear Yard	7.5 metres
	(iii) Side Yard	1.5 metres Nil where a building has a common wall with any building on an adjacent lot in the same Zone

Added by By-Law 2010-104

14.6.42 Urban Residential Exception (R3-42) Zone

Notwithstanding sections 3.9, 14. a., 14.4 a., b., c., and f., those lands zoned R3-42 on the schedules to this By-law shall be subject to the following zone provisions:

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Deleted by By-Law 2015-062

a. Permitted Residential Uses

- i) Apartment Building
- ii) Dwelling, Linked Townhouse
- iii) Dwelling, Stacked Townhouse

b. Regulations for Apartment Building

- i) Density (maximum) 35 units per hectare
- ii) Lot Area (minimum) 3.5 hectares
- iii) Lot Frontage (minimum) 140 metres
- iv) Yard Requirements
 - a) Northerly 10 metres (minimum)
 - b) Easterly 4.5 metres (minimum) to 7.5 metres (maximum)
 - c) Southerly 7.5 metres (minimum)
 - d) Westerly 7.5 metres (minimum)
- v) Lot Coverage (maximum) 40%
- vi) Landscaped Open Space (minimum) 50%
- vii) Outdoor Amenity Space (minimum) 300 square metres
- vi) Building Height (maximum) 12 metres

c. Regulations for Link Townhouse Dwellings and Stacked Townhouse Dwellings

- i) Density (maximum) 35 units per hectare
- ii) Lot Area (minimum) 3.5 hectares
- iii) Yard Requirements
 - a) Northerly (minimum) 4.0 metres
 - b) Easterly (minimum) 4.0 metres
 - (maximum) to 6.5 metres
 - c) Southerly (minimum) 4.0 metres
 - d) Westerly (minimum) 4.0 metres
- iv) Outdoor Amenity Space (minimum) 300 square metres
- v) Unit Setback Requirements

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For the Purpose of establishing regulations for each Link Townhouse or Stacked Townhouse dwelling unit, the following specific regulations shall apply as if each unit is located on a lot:

- | | | |
|-------|---------------------------------|--|
| a) | Lot Area (minimum) | 180 square metres |
| b) | Lot Frontage (minimum) | 6 metres |
| c) | Lot Coverage (maximum) | 50% |
| d) | Landscaped Open Space (minimum) | 30% |
| e) | Yard Requirements (minimum) | |
| (i) | Front Yard | 6 metres to garage or carport;
4.0 metres to dwelling;
2 metres to porch |
| (ii) | Rear Yard | 7.5 metres |
| (iii) | Side Yard | 1.5 metres |
| | | Nil where a building has a
common wall with any building
on an adjacent lot in the same zone |

Approved by OMB (Sept. 23, 2010)

Deleted by By-law 2018-063

Replaced by By-law 2018-063

14.6.43 Urban Residential Exception (R3-43) Zone

Notwithstanding Sections 3.1, 3.16 f., 14.1, 14.2, 14.3 and 14.4, on those lands zoned “R3-43” on the Schedules to this By-law shall be used for Link Townhouse Dwellings and/or Stacked Townhouse Dwellings subject to the following zone provisions:

- | | | |
|----|--|----------------------------|
| a. | Density (minimum) | 40 units per hectare |
| b. | Lot coverage (maximum) | 50% |
| c. | Landscaped Open Space (minimum) | 30% |
| d. | Private Street Width (minimum) | 6.5 metres |
| e. | Outdoor Amenity Space (minimum) | 4.0 square metres per unit |
| f. | The following setback regulations apply to each dwelling unit (minimum): | |
| i) | Yard Setbacks to a Public Street, Private Street or Private Sidewalk | |
| a) | Garage | 6 metres, where an outdoor |

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parking space is provided,
3 metres where no outdoor
Parking space is provided

- | | | | |
|--|------|----------|----------|
| | (i) | Dwelling | 4 metres |
| | (ii) | Porch | 2 metres |
- b) Interior Side Yard Separation between Link or Stacked Townhouse Dwellings 3.0 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone
- c) Rear Yard Separation between Link or Stacked Townhouse Dwellings 15 metres
- d) Rear yard Setback for Link Townhouse Dwellings 7.5 metres
- e) Exterior Side Yard Setback to a Private Street 4 metres
- f) Exterior Side Yard Setback to a Private Sidewalk or Parking Space 2 metres
- g) Building Height (maximum)
- | | | | |
|--|-------|----------------------------|-------------|
| | (i) | Unit width of 4.27 m | 12.5 metres |
| | (ii) | Unit width of 4.5 m | 12 metres |
| | (iii) | Unit width of 5.33 m | 10 metres |
| | (iv) | Unit width of 5.49 m | 14.5 metres |
| | (v) | Stacked Townhouse Dwelling | 13.5 metres |
- h) An unenclosed and uncovered deck with a minimum height of 2.5 metres may encroach in the required rear yard a maximum of 4.2 metres provided the outdoor parking space is provided at grade.
- i) At-grade Decks for the Link Townhouse having a minimum unit width of 5.33 metres are permitted up to a maximum area of 4 square metres.
- g. Parking Space
- i) Where one of the required parking spaces is provided indoor for a Stacked Townhouse Dwelling unit, the minimum indoor width of the parking space shall be 2.75 metres, unless adjacent to a wall in which case the parking space shall have a minimum width of 2.95 metres.

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- ii) Each parking space may be obstructed by a fixed object, such as a structural column or pipe, provided that it does not encroach in to the parking space by more than 0.2 metres from the side of the parking space and no more than 1.0 metre from the front or rear of the parking space.
- h. Accessory Structures are prohibited with the exception of condominium utility buildings having a total cumulative area of 60 square metres
- i. The provisions of Section 3.1 g. (iv) continue to apply, except where they are in conflict with the yard requirements in this zone.

Added by By-Law 2012-057 & By-Law 2012-058

14.6.44 Urban Residential Exception (R3-44) Zone

Notwithstanding Sections 3.1 j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a.; b.; c. i), ii) and iii); e.; and h. those lands zoned R3-44 on the Schedules to this By-law shall only be used for street townhouse dwellings subject to the following:

- a. Lot area (minimum) 210 square metres
- b. Lot Frontage Interior (minimum) 7.6 metres
- c. Lot Frontage Exterior (minimum) 11.6 metres
- d. Yard Requirements (minimum)
 - i) Front yard or exterior side yard 6.0 metres to the garage;
4.0 metres to dwelling;
2.0 metres to the unenclosed porch;
 - ii) Interior side yard 1.2 metres;
nil where building has a common wall with any building on an adjacent lot located in an R3-44 zone;
 - iii) Rear yard 7.5 metres
- e. Special Yard Regulation
 - i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with a bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

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- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.
- f. Visibility Triangle (minimum) 6.5 metres
- g. Lot Coverage (maximum)
 - i) Townhouse dwelling 45 percent
 - ii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- h. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metre
- i. Garage Requirements all garage doors shall not be located any closer to the street line than the dwellings front wall or exterior wall or covered porch projection.

Added by By-Law 2012-058

14.6.46 Urban Residential Exception (R3-46) Zone

Notwithstanding Sections 2, 3.1 a., b. and f., 14.1 and 14.2, those lands zoned R3-17 on the Schedules to this By-law shall only be used for a street townhouse dwelling in accordance with the following definitions and regulations:

a. Definitions

Arterial Road: Shall mean an improved public street with a right-of-way width of 26 metres or greater.

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Local Road: Shall mean an improved public street with a right-of-way width of 20 metres or less.

Front Lot Line: For the purposes of this Special Exception, front lot line shall mean the line dividing the lot from the arterial road. In the case of a lot having frontage on two arterial roads, the shorter lot line abutting the arterial road shall be deemed the front lot line.

Rear Lot Line: The lot line dividing the lot from a local road shall be deemed the rear lot line. In the case of a lot having frontage on two local roads, the shorter lot line abutting the local road shall be deemed the rear lot line.

b. Regulations

- | | | |
|------|-----------------------------|--|
| i) | Lot area (minimum) | 200 square metres |
| ii) | Lot frontage (minimum) | |
| | a) Interior Lot | 6.0 metres |
| | b) Exterior Lot | 10.5 metres |
| iii) | Yard Requirements (minimum) | |
| | a) Front Yard | 4.0 metres to dwelling;
2.0 metres to the unenclosed porch; |
| | b) Interior Side yard | 1.5 metres,
nil where the building has a
common wall with any dwelling on
an adjacent lot located in the R3-46
Zone; |
| | c) Exterior Side Yard | 4.5 metres |
| | d) Rear Yard | for a dwelling with a detached
garage 18.0 metres; for a dwelling
with an attached garage 12.0
metres |
| iv) | Building Height (maximum) | 10.5 metres |

c. Special Building Regulations

- i) Notwithstanding 3.1 a., no accessory structures are permitted in the R3-46 Zone except detached private garage subject to the special regulations contained herein.
- ii) Notwithstanding 3.1 b. and f., a detached private garage shall have a minimum 6.0 metre setback to the rear lot line and must have a minimum separation from the main dwelling of 5.0 metres. The side

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yard setback shall be a minimum of 0.6 metres, nil where the detached private garage has a common wall with another private garage on an adjacent lot located in the R3-17 Zone.

Added by By-Law 2012-070

14.6.47 Urban Residential Exception (R3-47) Zone

Notwithstanding Sections 14.2 c. i), ii) and iii) those lands zoned R3-47 on the Schedules to this By-law shall be subject to the following zone regulation:

- a. Frontage (minimum) 7.0 metres
- b. Front and Exterior Side Yard Setback (minimum) 6.0 metres to private garage or carport; 4.0 metres to dwelling; and 2.0 metres to porch
- c. Interior Side Yard Setback (minimum) 1.2 metres, nil where a building has a common wall with any building on an adjacent lot located in the same zone

OMB Order PL121026

14.6.48 Urban Residential Exception (R3-48) Zone

Notwithstanding Sections 2; 3.1g. and j. iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a., b., c., e., and h. those lands zoned R3-48 on the Schedules to this By-law shall only be used for street townhouse dwellings having frontage on both an improved public street and a private street. For the purpose of establishing regulations for each Street Townhouse Dwelling unit, the following specific regulations shall apply as if each unit is located on a lot:

- a. Lot Area (minimum) 170 square metres
- b. Lot Frontage (minimum) 6.0 metres
- c. Yard Requirements (minimum)
 - i) Front yard or exterior side yard 4.0 metres to dwelling; 2.0 metres to the unenclosed porch;
 - ii) Interior side yard (minimum) 1.2 metres, nil where building has a common wall with any building on an adjacent lot

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- located in an R3-48 zone
- iii) Rear Yard (minimum)
 - a) Dwelling without attached garage to a private street 13.0 metres
 - b) Detached garage, or garage attached to a dwelling by a single storey enclosure to a private street 2.0 metres
 - c) Dwelling with an attached garage to a private street 6.0 metres
 - iv) For the purpose of this zone the front lot line shall be, the line dividing the lot from the public street.
 - d. Special Yard Regulation
 - i) The dwelling may be attached to the garage by a single storey enclosure measuring not more than 2.6 metres in width such that the separation between the main part of the dwelling and the garage is a minimum of 6.5 metres;
 - ii) Where the dwelling and garage on the same lot are not attached the minimum separation between the dwelling and garage shall be 6.5 metres;
 - iii) A detached garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another garage on an adjacent lot located in the R3-48 zone; and
 - iv) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.2 metres.
 - e. Visibility Triangle (minimum) 5.0 metres
 - f. Lot Coverage (maximum)
 - i) Townhouse dwelling and total of all buildings and structures 65 percent
 - ii) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum are of 10.0 square metres shall be permitted provided it is located in the front yard of

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- the lot and shall not be calculated as lot coverage.
- b) In the case of an exterior lot, an unenclosed porch/ balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- g. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- h. No parking space shall be located in any front or exterior side yard.

*Added by By-law 2016-032
Amended by By-law 2018-057*

14.6.49 Urban Residential Exception (R3-49) Zone

Notwithstanding Sections 3.1 g) and i), iv), 14.3 a., b., c., i), ii), iii), e., g., and 14.4 shall only be used for street townhouse dwellings and link townhouse dwellings, subject to the following regulations. The regulations shall apply to link townhouse units as if each unit is located on a lot.

- a. Lot Area (minimum) 190 square metres
- b. Lot Frontage (minimum)
- i) Interior Lot 6.0 metres
- ii) Exterior Lot 10.5 metres
- c. Yard Requirements
- i) Front Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
- ii) Exterior Side Yard 6.0 metres to private garage or carport;
4.0 metres to dwelling;
2.0 metres to porch
- iii) Interior Side Yard 1.2 metres;
Nil where a building has a common wall with any building on an adjacent lot located in a R3-49 zone.

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d. Special Yard Regulation

- i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.
- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metres.

e. Lot Coverage (maximum)

- i) Dwelling 55 percent

Amended by By-law 2017-042

- f. Height of floor deck of unenclosed porch above finished grade (maximum) 1.2 metres

g. Height (maximum)

- i) 1 storey dwelling 8.5 metres
- ii) All other residential units 11.0 metres

Added by By-law 2016-089

14.6.50 Urban Residential Exception (R3-50) Zone

Notwithstanding the provisions of 14.1, 14.2 and 14.3 those lands zoned “R3-50” on the Schedules to the By-law shall be subject to the following regulations:

a. Permitted Uses:

- i) A single detached dwelling
- ii) A link townhouse dwelling
- iii) A home occupation use in accordance with the provisions of Section 3.11 of this By-law, save and except the retail sale of antique, arts, crafts or hobby items.

b. Regulations for Single Detached Dwelling

- i) Lot Frontage for single detached dwellings (minimum)
 - a) Interior 17 metres
 - b) Exterior 20 metres

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- ii) Yard Requirements (minimum)
 - a) Front Yard 7.5 metres to private garage
7 metres to dwelling
 - b) Interior Side Yard
 - (i) With an attached garage 1.2 metres
 - (ii) Without an attached garage 1.2 metres on one side
4.5 metres on the other
 - c) Exterior Side Yard 4.5 metres
 - d) Rear Yard 7.5 metres
- iii) Lot Coverage (maximum)
 - a) Dwelling 40 percent
 - b) Total of all buildings and structures 45 percent
- iv) Dwelling Unit Area (minimum)
 - a) 1 storey or split level 85 square metres
 - b) 1 ½ or two storey 100 square metres
- v) Landscaped Open Space (minimum) 30 percent
- vi) Building Height (maximum) 10.5 metres
- c. Regulations for Link Townhouse Dwelling
 - i) Lot Area (minimum) 1 hectare
 - ii) Unit Requirements

For the purpose of establishing regulations for each Link Townhouse Dwelling Unit, the following specific regulations shall apply as if each unit is located on a lot:

- a) Lot Area (minimum) 180 square metres
- b) Lot Frontage (minimum) 6 metres
- c) Lot Coverage (maximum) 50 percent
- d) Landscaped Open Space (minimum) 30 percent
- e) Yard requirements (minimum)
 - (i) Front Yard
 - (a) Garage or carport 6.0 metres

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- | | | | |
|-------|-----|-----------|---|
| | (b) | Dwelling | 4.0 metres |
| | (c) | Porch | 2.0 metres |
| (ii) | | Rear Yard | 7.5 metres |
| (iii) | | Side Yard | 1.5 metres, Nil where a building has a common wall with any building on an adjacent lot in the same zone. |
- f) Parking spaces shall not be located in the required yard between a public street and Link Townhouse Dwelling Unit.

OMB Hearing June 27, 2016 without Prejudice

14.6.51 Urban Residential Exception (R3-51) Zone

Notwithstanding Sections 3.1g.; j. i), iv); 3.16 i. iv); 3.22; 14.1; 14.2; 14.3 a.; b.; c.; e.; g.; and h. those lands zoned R3-51 on the Schedules to this By-law shall only be used for semi-detached dwellings and street townhouse dwellings having frontage on both a public lane and an improved public street, subject to the following:

- a. Semi-detached shall be permitted as follows (minimum):
- | | | |
|------|-------------------------|-------------------|
| i) | Lot Area | 450 square metres |
| ii) | Lot Frontage - Interior | 14.8 metres |
| iii) | Lot Frontage - Exterior | 18.0 metres |
- b. Street townhouse dwelling shall be permitted as follows (minimum):
- | | | |
|------|-------------------------|-------------------|
| i) | Lot Area | 180 square metres |
| ii) | Lot Frontage - Interior | 6.0 metres |
| iii) | Lot Frontage – Exterior | 9.0 metres |
- c. Yard Requirements (minimum)
- | | | |
|-----|--|---|
| i) | Front yard or exterior side yard – abutting an improved public street that is 20 metres wide or less | 3.0 metres to dwelling;
1.2 metres to the unenclosed porch; on a street abutting a municipal sidewalk 3.6 metres to dwelling; 1.5 metres to the unenclosed porch |
| ii) | Front or exterior side yard – abutting an improved public street | |

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	that is 23 metres wide or greater	4.0 metres to dwelling; 2.0 metres to the unenclosed porch
iii)	Interior side yard	1.2 metres, nil where building has a common wall with any building on an adjacent lot located in an R3-XX zone
iv)	Rear yard	
	a) Dwelling to a public lane	13 metres
	b) Garage to a public lane	1.0 metres
d.	Special Yard Regulation	
i)	Minimum separation between the dwelling and detached garage on the same lot shall be 6.0 metres.	
ii)	A detached private garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another private garage on an adjacent lot located in the R3-51 zone.	
iii)	Bay windows with foundations may project into any rear or exterior side yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 3.0 metres.	
iv)	Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metre.	
e.	Visibility Triangle (minimum)	5.0 metres
f.	Lot Coverage (maximum)	
i)	Semi-detached dwelling	40 percent
ii)	Semi-detached dwelling and total of all buildings and structures	50 percent
iii)	Townhouse dwelling	45 percent
iv)	Townhouse dwelling and total of all buildings and structures	55 percent
v)	Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:	
	a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted	

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provided it is located in the front yard of the lot and shall not be calculated as lot coverage.

- b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage
- g. Height of floor deck of unenclosed porch above the average finished grade measured at the front lot line (maximum) 1.0 metre
- h. Height (maximum) 12.5 metres
- i. No parking space shall be located in any front or exterior side yard.

*Deleted by By-law 2018-025
Replaced by By-law 2018-025*

14.6.52 Urban Residential Exception (R3-52) Zone

Notwithstanding Sections 14.1, 14.2, 14.3 and 14.4, on those lands zoned “R3-52” on the Schedules to this By-law shall subject to the following zone provisions:

- a. Permitted Residential Uses Link townhouse dwelling
Semi-detached dwelling
- b. Density (minimum) 40 units per hectare
- c. Lot coverage (maximum) 50%
- d. Landscaped Open Space (minimum) 27%
- e. Private Street Width (minimum) 6.5 metres
- f. Outdoor Amenity Space (minimum) 4.0 square metres
per unit
- g. Regulations for Linked Townhouse Dwellings and Semi-detached Dwellings
 - i) For the purpose of establishing regulations for each Link Townhouse Dwelling and Semi-detached Dwelling unit, the following specific regulations shall apply as if each unit is located on a lot.
 - ii) Where a Link Townhouse Dwelling Lot is a through lot with frontage on both a Public Street or Municipal Park and a Private Street, the lot line along the Public Street or Municipal Park shall be deemed the Front Lot Line.
 - iii) Lot Area (minimum) 120 square metres

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- iv) Lot Frontage on a Public or Private Street (minimum) 4.5 metres
- v) Yard Requirements for units fronting onto Public Street or Municipal Park (minimum)
 - (a) Front Yard
 - (i) Dwelling 4.0 metres
 - (ii) Porch 2.0 metres
 - (b) Rear Yard adjacent to a Private Street 5.7 metres
 - (c) Exterior Side Yard
 - (i) Garage 6.0 metres
 - (ii) Dwelling 4.0 metres
 - (iii) Porch 2.0 metres
 - (d) Interior Side Yard 1.5 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone
 - (e) Notwithstanding 14.6.52 g. v) (b), an unenclosed and uncovered deck with a minimum height of 2.5 metres may encroach in the required rear yard a maximum of 3.7 metres provided the outdoor parking space is provided at grade.
 - (f) Where a setback is measured to a lot line formed by a radius at the intersection of two private streets, the minimum setback to the dwelling shall be 4.5 metres provided 1 outdoor parking space is provided.
- vi) Yard Requirements for units fronting onto Private Street (minimum)
 - (a) Front Yard
 - (i) Garage 6.0 metres
 - (ii) Dwelling 4.0 metres
 - (iii) Porch 2.0 metres
 - (b) Rear Yard 7.5 metres
 - (c) Exterior Side Yard 1.5 metres
 - (d) Interior Side Yard 1.5 metres, nil where a building has a common wall with any building on

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an adjacent lot in the same
zone

- (e) Notwithstanding 14.6.52 g. vi) (a) iii., Where a setback is measured to a lot line formed by a radius at the intersection of two private streets, the minimum setback to the unenclosed porch shall be 1.5 metres.

vii)	Building Height (maximum)	12 metres
viii)	Driveway Length (minimum)	5.7 metres

- h. The provisions of Section 3.1 g. (iv) continue to apply, except where they are in conflict with the yard requirements for a porch in Section 14.6.52 g. v) (a) ii., 14.6.52 g. vi) (a) iii., 14.6.52 g. vi) (e), and for a deck in Section 14.6.52 g. v) (e) of this exception zone.”

Added by By-law 2017-083

14.6.53 Urban Residential Exception (R3-53) Zone

Notwithstanding 3.16 d., 14.1 a., 14.4 a., 14.4 b., 14.4 c., 14.4 g., those lands zoned “R3-53” on the Schedules to this By-law shall only be used subject to the following zone provisions:

- a. Permitted Uses
- i) Link Townhouse Dwelling
- b. Density (maximum) 45 units per hectare
- c. Regulations for townhouse dwelling units
- i) Front yard setback to a private street or sidewalk (minimum) 6 metres to garage, 3 metres to dwelling
- ii) Exterior side yard setback to a private street or sidewalk (minimum) 1.2 metres
- iii) Setback between dwellings without a common wall (minimum) 2.0 metres
- iv) Setback to residential zone (minimum) 1.2 metres
- v) Minimum outdoor private amenity space per unit 30 square metres
- vi) Minimum outdoor shared amenity space 4 square metres per unit and may be located in whole or in part on lands zoned R4-30
- viii) Maximum Height

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8 metres for units within 70 metres of Darlington Boulevard
Streetline, otherwise the maximum height shall be 12 metres

- d. Private Lane Width (minimum) 6.5 metres

*Added by By-law 2018-052
Amended by By-law 2018-074*

14.6.54 Urban Residential Exception (R3-54) Zone

Notwithstanding Sections 3.16 i. iv); 3.28 a. i); 14.1 a.; 14.3 a., b., c., e., f., and h. those lands zoned R3-54 on the Schedules to this By-law shall only be used for street townhouse dwellings subject to the following zone provisions:

- a. Lot Area (minimum)
- i) Interior Lot 125 square metres
 - ii) Exterior Lot 210 square metres
- b. Lot Frontage (minimum)
- i) Interior Lot 5.0 metres
 - ii) Exterior Lot 8.2 metres
- c. Yard Requirements (minimum)
- i) Front Yard or exterior side yard 3.5 metres to a dwelling
2.0 metres to an unenclosed porch
 - ii) Interior Side Yard 1.5 metres, nil where
building has a common wall with
an adjacent building
 - iii) Rear Yard 2.0 metres to a private street
5.0 metres to a dwelling
6 metres to a garage door
 - iv) For the purpose of this zone the front lot line shall be the line dividing
the lot from the improved public street
- d. Special yard Regulations
- i) Steps may project into the required front or exterior side yard, but in no
instance shall the front or exterior side yard be reduced below 1.2 metres
- e. Visibility Triangle (minimum) 5.0 metres
- f. Lot Coverage

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- i) Townhouse dwelling and total of all buildings
and structures 65 percent
 - a) In the case of an interior lot an unenclosed porch/balcony up to a maximum area of 10 square metres is permitted in the front yard and is not calculated as lot coverage
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15 square metres is permitted in the front yard and is not calculated as lot coverage
- g. Landscaped Open Space (minimum) 18.5 percent
- h. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- i. No parking space shall be located in any front or exterior side yard

Added by By-law 2018-047

14.6.55 Urban Residential Exception (R3-55) Zone

Notwithstanding 3.1 g. iv), 3.16 d., 14.1, 14.2, 14.3 and 14.4, on those lands zoned “R3-55” on the Schedules to this By-law shall only be used subject to the following zone provisions:

- a. Permitted Residential Uses
 - Link townhouse dwelling
 - Stacked townhouse dwelling
- b. Density
 - i) Minimum 43 units per net hectare
 - ii) Maximum 60 units per net hectare
- c. Lot coverage (maximum) 50%
- d. Landscaped Open Space (minimum) 30%
- e. Private Street Width (minimum) 6.5 metres
- f. Outdoor Amenity Space (minimum) 4.0 square metres per unit
- g. Building Height (maximum) 12 metres
- h. Driveway Length (minimum) 5.7 metres

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i. Regulations for Link Townhouse Dwellings

- i) For the purpose of establishing regulations for each Link Townhouse Dwelling, the following specific regulations shall apply as if each unit is located on a lot
- ii) Where a Link Townhouse Dwelling Lot is a through lot with frontage on both a Public Street and a Private Street, the lot line along the Public Street shall be deemed the Front Lot Line
- iii) Lot Area (minimum) 100 square metres
- iv) Lot Frontage on a Public Street (minimum) 4.5 metres
- v) Yard Requirements for units fronting onto a Public Street (minimum)
 - a) Front Yard and Exterior Side Yard to a Public Street
 - (i) Dwelling 4.0 metres
 - (ii) Porch 2.0 metres
 - b) Interior Side Yard 1.5 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone
 - c) Rear Yard Adjacent to a Private Street 5.7 metres
 - d) Dwelling Setback
 - (i) To a Sidewalk 2.0 metres
 - (ii) To a Private Street 3.5 metres
 - e) Notwithstanding 14.6.55 g. v) (b), an unenclosed and uncovered deck with a minimum height of 2.5 metres may encroach in the required rear yard a maximum of 3.7 metres provided the outdoor parking space is provided at grade

j. Regulations for Stacked Townhouse Dwellings

- i) For the purposes of establishing regulations for each Stacked Townhouse Dwelling, the following specific regulations shall apply as if each unit is located on a lot
- ii) Lot Area (minimum) 85 square metres
- iii) Lot Frontage on a Public Street (minimum) 6.5 metres
- iv) Yard Requirements for Stacked Townhouse Dwellings fronting onto a Private Street (minimum)
 - a) Front Yard

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	(i)	Dwelling	4.0 metres
	(ii)	Porch	2.0 metres
b)	Interior Side Yard	1.5 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone	
c)	Rear Yard Setback	1.5 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone	
d)	Dwelling setback		
	(i)	To the Sidewalk	1.5 metres
	(ii)	To a Private Street	2 metres
	(iii)	To a Public Street	30 metres

Added by By-law 2018-064

14.6.56 Urban Residential Exception (R3-56) Zone

Notwithstanding the provisions of Section 3.16 d., 14.1 and 14.4, those lands zoned “R3-56” on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Residential Uses
 - i) Link townhouse dwelling; and
 - ii) Dwelling units as part of a building containing a permitted non-residential use(s)
- b. Non-Residential Uses
 - i) Commercial School;
 - ii) Eating Establishment, Dine-in;
 - iii) Financial Office;
 - iv) Veterinarian Clinic; and
 - v) All non-residential uses permitted in 17.1 b.
- c. Density
 - i) minimum 35 units per net hectare
 - ii) maximum 40 units per net hectare
- d. Lot coverage (maximum) 50 percent
- e. Landscaped Open Space (minimum) 30 percent

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- i) A Landscaped Open Space area of at least 300 square metres is required as a neighbourhood square, which must abut a Street Line and a non-residential or mixed-use building.
- f. Private Street Width (minimum) 6.5 metres
- g. Outdoor Amenity Space (minimum) 12 square metres per unit
- h. Building Height (maximum) 12 metres
- i. Number of Storeys (minimum) 2 storeys
- j. Regulations for Townhouse Dwellings
 - i) Front Yard setback (minimum) 3 metres
 - ii) Exterior Side Yard setback (minimum) 4 metres
 - iii) Interior Side Yard setback (minimum) 7.5 metres
 - iv) Rear Yard setback (minimum) 9 metres
 - v) For the purpose of establishing regulations for each Townhouse Dwelling unit, the following specific regulations shall apply as if each unit is located on a lot:
 - a) Where a Townhouse Dwelling lot is a through lot with frontage on both a Public Street and a Private Street, the lot line along the Public Street shall be deemed the Front or Exterior Side Lot Line.
 - b) Lot area (minimum) 110 square metres
 - c) Lot frontage on a Public or Private Street (minimum) 6 metres
 - d) Yard Requirements (minimum)
 - (i) Front or Exterior Side Yard adjacent to a Private Street
 - (a) Garage 6 metres
 - (b) Dwelling 4 metres
 - (c) Porch 2 metres
 - (ii) Rear Yard 7.5 metres
4 metres where adjacent to a Private Street
Nil where a building has a common wall with any building

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- | | | |
|-------|-----------|--|
| | | on an adjacent lot in the same zone |
| (iii) | Side Yard | 1.5 metres |
| | | Nil where a building has a
common wall with any building
on an adjacent lot in the same zone |
- k. Regulations for non-residential or mixed-use buildings
- | | | |
|------|---|---------------------|
| i) | Yard Requirements (minimum) | |
| a) | Front Yard | |
| | (i) Minimum | 2 metres |
| | (ii) Maximum | 4 metres |
| b) | Exterior Side Yard | |
| | (i) Minimum | 2 metres |
| | (ii) Maximum | 12 metres |
| c) | Interior Side Yard | 7.5 metres |
| d) | Rear Yard | 7.5 metres |
| ii) | Floor Area (minimum) | 1,600 square metres |
| iii) | Total Floor Area of each unit (maximum) | 300 square metres |
| iv) | At least one entrance for each business shall be
located in Street Façade. | |

Added by By-law 2018-084

14.6.57 Urban Residential Exception (R3-57) Zone

Notwithstanding Sections 3.1 g. i) and iv), 14.2, 14.3a., b., c., i), ii), iii), e. g.; and 14.4 shall only be used for street townhouse dwellings, subject to the following regulations:

- | | | |
|----|------------------------|-----------------------|
| a. | Lot Area (minimum) | 210 square metres |
| b. | Lot Frontage (minimum) | |
| | i. Interior Lot | 7.0 metres |
| | ii. Exterior Lot | 10.5 metres |
| c. | Yard Requirements | |
| | i. Front Yard | 6.0 metres to private |

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|------|--------------------|--|
| | | garage or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| ii. | Exterior Side Yard | 6.0 metres to private garage
or carport;
4.0 metres to dwelling;
2.0 metres to porch |
| iii. | Interior Side Yard | 1.2 metres; nil where a
building has a common wall with
any building on an adjacent
located in a R3-57 zone |
- d. Special Yard Regulation
- | | | |
|-----|---|--|
| i. | Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres. | |
| ii. | Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metres. | |
- e. Lot Coverage (maximum)
- | | | |
|----|----------|------------|
| i. | Dwelling | 55 percent |
|----|----------|------------|
- f. Height of floor deck of unenclosed porch above finished grade (maximum)
- | | | |
|--|--|------------|
| | | 1.0 metres |
|--|--|------------|
- g. Height (maximum)
- | | | |
|-----|-----------------------------|-------------|
| i. | 1 Storey dwelling | 8.0 metres |
| ii. | All other residential units | 10.5 metres |

Added by PL180334

14.6.58 URBAN RESIDENTIAL EXCEPTION (R3-58) ZONE

Notwithstanding Sections 3.1, 14.1, 14.2, 14.3 and 14.4, on those lands zoned “R3-58” on the Schedules to this By-law shall be used for Link Townhouse Dwellings and Stacked Townhouse Dwellings subject to the following zone provisions:

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- a. Density (minimum) 40 units per hectare
(maximum) 52 units per hectare
- b. Lot coverage (maximum) 50%
- c. Landscaped Open Space (minimum) 30%
- d. Private Street Width (minimum) 6.5 metres
- e. Outdoor Amenity Space (minimum) 4.0 square metres per unit
- f. No portion of any Stacked Townhouse Dwelling shall be located at a distance that exceeds 100 metres measured from the streetline adjacent to Bloor Street.
- g. The following setback regulations apply to each dwelling unit (minimum):
 - i) Yard setbacks to a Public Street, Private Street or Private Sidewalk
 - a) Garage 6 metres
 - b) Dwelling 4 metres
 - c) Porch or Balcony 2 metres
 - ii) Interior Side Yard Separation between Link or Stacked Townhouse Dwellings 3.0 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone
 - iii) Rear Yard Setback for Link Townhouse Dwellings 6 metres,
 - iv) Exterior Side Yard Setback to a Private Street 3.5 metres
 - v) Exterior Side Yard Setback to a Private Sidewalk or Parking Space 2 metres
 - vi) Building Height (maximum)
 - a) Link Townhouse Dwelling 12 metres
 - b) Stacked Townhouse Dwelling 13.5 metres
- h. Notwithstanding 14.6.58 g. i) b) above, a projection of the stacked townhouse dwelling, at the second storey or higher may encroach up to 1.5

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metres into the required yard setback where an outdoor parking space is provided at grade directly below.

- i. An unenclosed and uncovered deck with a minimum height of 2.5 metres and attached to a link townhouse dwelling may encroach in the required rear yard a maximum of 1.5 metres provided the outdoor parking space is provided at grade.
- j. Where a link townhouse dwelling has a rear yard setback of 6 metres or greater, accessory buildings or structures are permitted provided the total floor area does not exceed 10% of the area of the lot or parcel of tied land.
- k. An accessory building or structure functioning as a condominium utility building may have a total floor area of 60 square metres and shall have a minimum setback of 1.2 metres from a parking space, sidewalk, or private street and 4 metres from a public street.
- l. The provisions of Section 3.1 g. (iv) continue to apply, except where they are in conflict with the yard requirements in this zone.”
- m. Special Provisions for Removal of the (H) Holding Symbol

In addition to the general provisions of the Official Plan with respect to the removal of the (H) Holding symbol, Council shall only enact a by-law to remove the (H) Holding Symbol from the R3-58 Zone once the following provisions have been satisfied:

- i) Stormwater outlet location and design prepared by a qualified Engineer, Environmental Consultant and related disciplines to the satisfaction of the Director of Engineering Services, the Director of Planning Services and the Central Lake Ontario Conservation Authority;
- ii) Tree removals justification and compensation plan prepared by a qualified Environmental Consultant, Arborist and Landscape Architect to the satisfaction Director of Engineering Services, the Director of Planning Services and the Central Lake Ontario Conservation Authority;
- iii) Final subdivision approval for the purposes of creating blocks for residential development, and the conveyance of Open Space lands to the Municipality of Clarington; and,
- iv) Approval of site plan drawings and execution of a site plan agreement.

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Added by By-law 2020-012

14.6.59 Urban Residential Exception (R3-59) Zone

Notwithstanding Sections 3.1.g.i), iv), 14.1, and 14.3 b.i), c.ii) iii). h. shall only be used for street townhouse dwellings, subject to the following regulations:

- a. Lot Frontage
 - i) Interior Lot 7 metres
- b. Yard Requirements
 - i) Interior Side Yard 1.2 metres, nil where a building has a common wall with any building on an adjacent lot in the same zone
 - ii) Exterior Side Yard 3 metres
- c. Height of floor deck of unenclosed porch above finished grade (maximum) 1 metre
- d. A covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted the following;
 - i) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 square metres shall be permitted, provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - ii) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 square metres shall be permitted, provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage.
- e. Special Yard Regulations
 - i) Bay windows with foundations may project into any required yard to a distance of not more than 0.75 metres with the bay window having a maximum width of 2.4 metres, but in no instance shall the interior side yard be reduced below 0.6 metres.

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- ii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.0 metres.

f. Garage Requirements

All garage doors shall not be located any closer to the street line than the dwellings front wall, exterior side wall, or covered porch.

Added by By-law 2020-048

14.6.60 Urban Residential Exception (R3-60) Zone

Notwithstanding Sections 3.1.g. iv., 14.1. a., b., 14.4 a., c., g., h., those lands zoned R3-60 on the schedules to this By-law shall only be used for Linked Townhouse Dwellings.

- a. Dwelling Units (maximum) 15
- b. Yard Requirements (minimum)
 - i) Front Yard 3.0 metres
 - ii) Exterior Side Yard 2.5 metres
 - iii) Interior Side Yard 3.0 metres
 - iv) Rear Yard 18.0 metres
- c. Building Height 10.0 metres
- d. Special Yard Regulations
 - i) Steps may project into the required exterior side yard, but in no instance shall the exterior side yard be reduced below 1.2 metres.
- e. Height of floor deck of unenclosed porch above finished grade (maximum) 1.0 metres
- f. No parking space shall be located in any front or exterior side yard
- g. The maximum number of attached link townhouse units shall be six (6). Link townhouse blocks must be separated by a minimum of 1.2 metres between walls.

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15. Urban Residential Type Four (R4) Zone

15.1 Permitted Uses

No person shall, within an Urban Residential Type Four (R4) Zone use land or erect, alter, or use any building or structure except as specified hereunder:

a. Residential Uses

- i) An apartment building
- ii) Long Term Care Facility
- iii) Retirement Home

Added by By-Law 2015-062

b. Non-Residential Uses

- i) Prohibited

15.2 Regulations for Residential Uses

- a. Density (maximum) 80 units per hectare
- b. Lot Frontage (minimum) 20 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 7.5 metres
 - ii) Interior Side Yard 7.5 metres
 - iii) Exterior Side Yard 7.5 metres
 - iv) Rear Yard 7.5 metres
- d. Dwelling Unit Area (minimum)
 - i) Bachelor Dwelling Unit 40 square metres
 - ii) One Bedroom Dwelling Unit 55 square metres
 - iii) Two Bedroom Dwelling Unit 70 square metres
 - iv) Dwelling Unit Containing Three or more bedrooms 80 square metres plus 7 square metres for each bedroom in excess of three
- e. Lot Coverage (maximum) 40 percent

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- f. Landscaped Open Space (minimum) 35 percent
- g. Building Height (maximum) 12 metres
- h. Building Height Exemption
 - i) A building in excess of 12 metres may be erected provided that the applicable yard requirements shall be increased directly proportion to the increase in building height above 12 metres.
- i. Yard Requirement Exception
 - i) Where an apartment building is located within any commercial zone the yard requirements of the commercial zone shall apply provided that where a building in excess of 12 metres is erected, the applicable yard requirements shall be increased in direct proportion to the increase in building height above 12 metres.
 - ii) Where a lot zoned R4 abuts any lot zoned R3 or R4, the minimum interior and rear yard requirements shall be 3.0 metres and 4.5 metres respectively for that yard abutting the lot zoned R3 or R4.

15.3 Municipal Servicing Requirement

No buildings or structures may be erected and no use may be established in the Urban Residential Type Four (R4) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

15.4 Special Exceptions – Urban Residential Type Four (R4) Zone

Amended By By-Law 92-173

15.4.1 Urban Residential Exception (R4-1) Zone

Notwithstanding Section 15.2, those lands zoned R4-1 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Dwelling Units (maximum) 61 units
- b. Parking Spaces (minimum) 29 spaces
- c. Yard Requirements (minimum)

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- | | | |
|-----|-----------|------------|
| i) | Rear Yard | 4.5 metres |
| ii) | Side Yard | 3.5 metres |
- d. Dwelling Unit Area (minimum)
- | | | |
|------|---------------------------|------------------|
| i) | Bachelor Unit | 34 square metres |
| ii) | One Bedroom Dwelling Unit | 40 square metres |
| iii) | Two Bedroom Dwelling Unit | 55 square metres |

*Amended by By-Law 92-173
Replaced by By-law 2017-058*

15.4.2 Urban Residential Exception (R4-2) Zone

Notwithstanding Section 15.1 b., 15.2, 3.12 a., c., 3.16 b. ii), e., i., iv), those lands zoned R4-2 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Non-Residential Uses
- i) Service shop, personal
- b. Regulations
- | | | |
|----|-----------------------------|------|
| i) | Floor Space Index (maximum) | 0.80 |
|----|-----------------------------|------|
- c. Lot Frontage (minimum) 50 metres
- d. Yard Requirements (minimum unless otherwise indicated)
- | | | |
|----|---|------------|
| i) | Front Yard | |
| a) | First two storeys (minimum) | 2.0 metres |
| | (maximum) | 4.0 metres |
| b) | The third storey and higher of the building
façade facing King Avenue East shall be setback
a minimum of 1.0 metres from the wall of the
second storey facing King Avenue East | |
| c) | To a balcony, deck or canopy | 2.0 metres |

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	ii)	Interior Side Yard (west)	6.0 metres
	iii)	Interior Side Yard (east)	10.0 metres
	iv)	Interior Side Yard (north)	7.5 metres
	v)	Rear Yard	7.5 metres
e.		Dwelling Unit Area (minimum)	
	i)	One Bedroom Dwelling Unit	40 square metres
	ii)	Two Bedroom Dwelling Unit	55 square metres
f.		Building Height (maximum)	4 storeys
g.		Landscape Open Space (minimum)	40%
h.		Indoor Amenity Space (minimum)	2.0 square metres/dwelling unit
i.		Outdoor Amenity Space (minimum)	4.0 square metres/dwelling unit
j.		Length of the street façade along King Avenue East (minimum)	50 %
k.		Parking (minimum)	
	i)	Parking	0.25 spaces per dwelling unit of which 10% are to be accessible parking spaces
	ii)	Parking visitors	0.25 spaces per dwelling unit of which 10% are to be accessible parking spaces
	iii)	Staff Parking	2
	iv)	No parking may be located between the front building line and the street.	
l.		Loading (minimum)	two spaces, 7.5 metres by 3.0 metres each
m.		Non-Residential Floor area (maximum)	75 square metres

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15.4.3 Urban Residential Exception (R4-3) Zone

Notwithstanding Sections 15.2 and 15.3, those lands zoned R4-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|--|-------------------------------|
| a. | Lot Area (minimum) | 24000 square metres |
| b. | Dwelling Units (maximum) | 40 units |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 15 metres |
| d. | Lot Coverage (maximum) | 10 percent |
| e. | Building Height (maximum) | 5 metres |
| f. | No building or structure may be erected and no use may be established in the R4-3 Zone unless the lot upon which it is situated is serviced by a municipal water system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment. | |
| g. | Parking (minimum) | 0.25 spaces per dwelling unit |

15.4.4 Urban Residential Exception (R4-4) Zone

Notwithstanding Section 15.2, those lands zoned R4-4 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|-----------------------------|--------------------------------|
| | | <i>Amended by By-law 87-13</i> |
| a. | Dwelling Units (maximum) | 121 units |
| b. | Lot Area (minimum) | 10000 square metres |
| c. | Lot Frontage (minimum) | 50 metres |
| d. | Yard Requirements (minimum) | |
| | i) Front Yard | 50 metres |
| | ii) Interior Side Yard | 6 metres |
| | iii) Exterior Side Yard | 8 metres |
| | iv) Rear Yard | 6 metres |
| e. | Lot Coverage (maximum) | 20 percent |

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|----|--|---------------------|
| f. | Landscaped Open Space (minimum) | 20 percent |
| g. | Building Height (maximum) | 20 metres |
| h. | Play Area 1 having a minimum area of | 35 square metres |
| i. | Parking | 1.3 spaces per unit |
| j. | Dwellings units may be permitted within that portion of the building which is located partially below finished grade provided that at least half of the distance between finished floor and finished ceiling of such units is located above finished grade adjacent to the exterior wall of such unit. | |

15.4.5 Urban Residential Exception (R4-5) Zone

Notwithstanding Section 15.2, those lands zoned R4-5 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|---|--|
| a. | Dwelling Units (maximum) | 70 units |
| b. | Lot Frontage (minimum) | nil where access provided from a private road |
| c. | Yard Requirements (minimum) | nil provided the specified building separation standards are complied with |
| d. | Building Separation (minimum) | |
| | i) Separation between buildings or structures | 2.5 metres |
| | ii) Separation between buildings or structures and any private driveway, road or lane | 6.0 metres |
| | iii) Building Separation (minimum) | |
| | iv) Separation between buildings or structures and any public road | 7.5 metres |
| | v) Separation between buildings or structures and any lot line abutting public lands, buildings or structures | 4.0 metres |
| e. | Dwelling Unit Area (minimum) | 33.5 square metres |
| f. | Lot Coverage (maximum) | 25 percent |

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- | | | |
|----|---------------------------------|-------------|
| g. | Landscaped Open Space (minimum) | 40 percent |
| h. | Building Height (maximum) | 10.5 metres |
| i. | Parking (minimum) | 50 spaces |

Added by By-Law 86-62

15.4.6 Urban Residential Exception (R4-6) Zone

Notwithstanding Section 15.2, those lands zoned R4-6 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------------|-----------------------|
| a. | Density (maximum) | 140 units per hectare |
| b. | Yard Requirements (minimum) | |
| | i) Front Yard | 10.5 metres |
| | ii) Interior Side Yard | 9.8 metres |
| | iii) Rear Yard | 10.5 metres |
| c. | Dwelling Unit Area (minimum) | |
| | i) One Bedroom Dwelling Unit | 45 square metres |
| d. | Building Height (maximum) | 20 metres |

Added by By-Law 88-100

15.4.7 Urban Residential Exception (R4-7) Zone

Notwithstanding Section 15.1, and 15.2, those lands zoned (H) R4-7 on the Schedules to this By-law shall be developed in four (4) separate apartment buildings. The entire site shall be subject to the following zone regulations.

- | | | |
|----|---|--------------------|
| a. | Commercial uses are defined in Section 16.1 shall be restricted to the ground floor of one of the four (4) buildings having a total floor area of (maximum) | 1100 square metres |
| b. | Maximum number of dwelling units for the entire site shall not exceed 333 units provided no single apartment building shall exceed | 95 units |
| c. | Building Separation (minimum) above grade | 15 metres |

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- d. Setback from public road (minimum) 15 metres
- e. Setback from abutting properties 10 metres
- f. Lot coverage shall be 20% of the entire site provided no single building shall exceed 35% coverage
- g. Landscaped Open Space (minimum) 40 percent
- h. Building Height (maximum) 12 stories plus mechanical penthouse
- i. Parking shall be in accordance with Section 3.16 of this By-law.

Added by By-Law 89-104

15.4.8 Urban Residential Exception (R4-8) Zone

Notwithstanding Section 15.1 and 15.2 those lands zoned R4-8 on the Schedules to this by-law may also be used in accordance with the following zone regulations:

- a. Residential Uses
 - i) An apartment building
(for the purposes of this provision an apartment building shall be defined as within Section 2 of By-law 84-63 and contain 1 and 2 bedroom dwelling units.)
- b. Non-Residential Uses
 - i) Bank or financial establishment, business, professional or administration office.
 - ii) Retail commercial establishment.
 - iii) Service shop, personal
- c. Regulation for Residential Uses
 - i) Density (maximum) 150 units per hectare
 - ii) Yard Requirements (minimum)
 - a) Front yard 9.0 metres
 - b) Interior side yard 9.0 metres on one side and 4.5 metres on the other

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- d. Rear yard 9.0 metres
 - i) Building Height (maximum) 14.8 metres
- e. Regulations for Commercial Uses
 - i) Yard Requirements (minimum)
 - a) Front yard nil
 - b) Interior side yard 8 metres
 - c) Exterior side yard 6 metres
 - ii) Height (maximum) 6.5 metres
 - iii) Total Floor Area (maximum) 1400 square metres provided that not more than one building may be erected or used on the lands to which this paragraph 15.4.8 applies, and provided further that the first floor at or above grade of the portion of any building erected or used on the lands to which Amendment No. 32 of the Official Plan for the Town of Newcastle applies shall be erected and used exclusively for the purposes of one or more of the non-residential uses permitted by clause 15.4.8 (ii).

Added by By-Law 89-163

15.4.9 Urban Residential Exception (R4-9) Zone

Notwithstanding Section 15.1 and 15.2 (a) those lands zoned R4-9 on the Schedules to this by-law may also be used in accordance with the following zone regulations

- a. Residential Uses
 - i) A townhouse complex
- b. Non-Residential Uses
 - i) Prohibited

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c. Regulations for Residential Uses

- i) Density (maximum) 39 units

Added by By-Law 90-83

15.4.10 Urban Residential Exception (R4-10) Zone

Notwithstanding Section 15.2, those lands zoned R4-10 on the Schedules to this By-law are also subject to the following zone regulations:

- a. Minimum setback from the Canadian Pacific Railway property line 30 metres

Added by By-Law 91-118

15.4.11 Urban Residential Exception (R4-11) Zone

Notwithstanding Section 15.2 and 3.16(a), the lands zoned R4-11 on the Schedules to this by-law shall be subject to the following zone regulations:

- a. Density (maximum) 58 units per net hectare
- b. Interior side yard 7.5 metres
 - i) Where the interior side yard abuts an Environmental Protection (EP) zone. Nil
- c. Parking spaces (minimum) 187
- d. Rear yard 7.5 metres
 - i) Where the interior side yard abuts an Environmental Protection (EP) zone. Nil

Added by OMB Order Feb. 21/92

15.4.12 Urban Residential Exception (R4-12) Zone

Notwithstanding Section 15.1 and 15.2, those lands zoned (H) R4-12 on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Residential Uses
 - i) An apartment building
 - ii) A link townhouse dwelling

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- b. Regulations for Residential Uses
- i) Density (maximum) 30 units per hectare
 - ii) Number of units (maximum)
 - a) Apartment units 26
 - b) Link townhouse units 42
 - iii) Yard requirements apartment building (minimum)
 - a) To top of bank 10.0 metres
 - b) To east lot line 12.0 metres
 - iv) Yard requirements link townhouse dwelling (minimum)
 - a) To top of bank 5.0 metres
 - b) To east lot line 8.0 metres
 - c) To north lot line 6.5 metres
 - v) Building height (maximum) 10.5 metres
 - vi) Lot coverage (maximum) 20 percent
 - vii) Landscape open space (minimum) 70 percent
 - viii) Link townhouse dwelling unit area (minimum) 60 square metres
 - ix) Parking requirements (minimum) 130 parking spaces

Added by By-Law 93-188

15.4.13 Urban Residential Exception (R4-13) Zone

Notwithstanding Section 15.2 a), e), g) and 3.16 a), those lands zoned R4-13 on the Schedules to this by-law shall be used for an apartment building and shall be subject to the following zone provisions:

- a. Dwelling units (maximum) 57 units
- b. Lot coverage (maximum) 45 percent
- c. Building height (maximum) 5 stories or 21 metres; whatever is less
- d. Setback requirements from Environmental Protection (EP) zone nil

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Added by By-Law 95-24

15.4.14 Urban Residential Exception (R4-14) Zone

Notwithstanding Section 15.1 and 15.2, Section 3.16 and Section 3.22, those lands zoned R4-14 on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Residential Uses
 - i) An apartment building
- b. Non-Residential Uses
 - i) Seniors drop-in centre

For the purposes of this provision, a senior's drop-in centre shall refer to the following:

Seniors Drop-In Centre: Shall mean a building or part of a building used as a place of assembly for senior citizens sponsored and administered by any public agency or service club, church or other non-profit organization, which obtains its financing from Federal, Provincial, Regional or Municipal Governments or agencies, or by public subscription or donation, or by a combination thereof.

Furthermore, for the purposes of this provision, the "Non-Residential Uses" are to be located on the first floor of the Apartment building.

- c. Regulations for Residential Uses
 - i) Density (maximum) 120 units per hectare
 - ii) Yard requirements (minimum)
 - a) Front yard Nil
 - b) Exterior side yard 2.3 metres
 - c) Interior side yard Nil
 - d) Rear yard 7.1 metres
 - iii) Dwelling unit area (minimum)
 - a) 1 bedroom dwelling unit 52 square metres
 - b) 2 bedroom dwelling unit 61 square metres

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iv)	Lot coverage (maximum)	42 percent
v)	Landscaping open space (minimum)	30 percent
vi)	Building height (maximum)	11.5 metres
vii)	Off-street parking (minimum)	42
viii)	Parking area location on lot	

- a) No entrance shall be permitted within 1.2 metres of the boundary of the side yard lot line boundary of a Residential zone.

d. Regulations for Non-Residential Uses

i)	Floor area total (maximum)	1010 square metres
ii)	Off-street parking (minimum)	34
iii)	Parking area location on lot	

- a) No entrance shall be permitted within 1.2 metres of the boundary of the side yard lot line boundary of a Residential zone.

e. Sight Triangle Provisions

- i) On a corner lot, within the triangle space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 5.0 metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the Highway Traffic Act, as amended, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and, no land shall be used for the purposes of growing shrubs on trees in excess of 0.75 metres in height.

Added by By-Law 96-129

15.4.15 Urban Residential Exception (R4-15) Zone

Notwithstanding Section 15.1 and 15.2, those lands zoned R4-15 on the Schedules to this By-law shall only be used for an apartment building or buildings subject to the following zone provisions:

- a. Dwelling Units (maximum) 56
- b. Yard Requirements (minimum)

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|------|--------------------|------------|
| i) | Front yard | 3.0 metres |
| ii) | Interior side yard | 3.0 metres |
| iii) | Exterior side yard | 3.0 metres |
| iv) | Rear yard | 3.0 metres |
- c. Building Height (maximum) 12.0 metres

Added By by-Law 96-129
Deleted by by-law 2000-052
Added by By-Law 97-98

15.4.17 Urban Residential Exception (R4-17) Zone

Notwithstanding the provisions of Section 15.2, those lands zoned R4-17 on the Schedules to this By-law, shall be subject to the following zone regulations:

- a. Yard Requirements (minimum)
- | | | |
|------|--------------------|--|
| i) | Front yard | 2 metres |
| ii) | Interior side yard | 3 metres except where
a side lot line abuts a property
other than an R4-17 zone the
minimum side yard shall be
7.5 metres. |
| iii) | Rear yard | 3 metres except where
a rear lot line abuts a property
other than an R4-17 zone the
minimum rear yard shall be 7.5
metres. |

Added by By-Law 97-219

15.4.18 Urban Residential Exception (R4-18) Zone

Notwithstanding the provisions of Section 15.2, those lands zoned “R4-18” on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Yard Requirements (minimum)
- | | | |
|------|--------------------|------------|
| i) | Front Yard | 3.0 metres |
| ii) | Interior Side Yard | 3.0 metres |
| iii) | Exterior Side Yard | 3.0 metres |
| iv) | Rear Yard | 3.0 metres |

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- b. Lot Coverage (maximum) 50%
- c. Landscape Open Space (minimum) 30%

Added by By-Law 97-219

15.4.19 Urban Residential Exception (R4-19) Zone

Notwithstanding the provisions of Section 15.2, those lands zoned R4-19 on the schedules to this By-law shall be subject to the following zone regulations

- a. Permitted Residential Uses:
 - i) An apartment building
- b. Permitted Non-Residential Uses:
 - i) Assembly hall;
 - ii) Bakery shop;
 - iii) Bank or financial establishment, business, professional or administrative office;
 - iv) Day nursery;
 - v) Dry cleaners distribution centre;
 - vi) Eating establishment;
 - vii) Eating establishment, take out;
 - viii) Laundry;
 - ix) Library;
 - x) Medical or dental clinic;
 - xi) Parking lot;
 - xii) Place of entertainment;
 - xiii) Place of worship;
 - xiv) Printing or publishing establishment;
 - xv) Private club;
 - xvi) Retail commercial establishment;
 - xvii) School commercial;
 - xviii) Service shop, light;
 - xix) Service shop, personal;
 - xx) Supermarket;
 - xxi) Theatre;
 - xxii) Veterinary clinic.
- c. Regulations for Residential Uses

Amended by By-Law 2015-062

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- | | | |
|------|---------------------------------|------------|
| i) | Front yard (minimum) | 3.0 metres |
| ii) | Interior side yard (minimum) | 3.0 metres |
| iii) | Exterior Side Yard (minimum) | 3.0 metres |
| iv) | Rear yard (minimum) | 3.0 metres |
| v) | Lot Coverage (maximum) | 60% |
| vi) | Landscaped Open Space (minimum) | 20% |
- d. Regulations for Non-Residential Uses
- | | | |
|-------|---|--------------------|
| i) | Front Yard (minimum) | 3.0 metres |
| i) | Interior Side Yard (minimum) | 3.0 metres |
| iii) | Exterior Side Yard (minimum) | 3.0 metres |
| iv) | Rear Yard (minimum) | 3.0 metres |
| v) | Lot Coverage (maximum) | 60% |
| vi) | Landscaped Open Space (minimum) | 20% |
| vii) | Retail Floor Space (maximum) | 2000 square metres |
| viii) | Business, professional or administrative office floor space (maximum) | 500 square metres |

Added by By-Law 97-223

Amended by By-Law 2015-062

15.4.20 Urban Residential Exception (R4-20) Zone

- a. Notwithstanding the provisions of Section 15.1, those lands zoned R4-20 on the Schedules to this By-law shall permit one or more of the following: Long Term Care Facility, Retirement home, Apartment building, Link townhouse, Semi-detached and Mobile home and/or single detached dwelling. A Long Term Care facility and/or a retirement home may have associated health related facilities and may also include ancillary uses such as a beauty salon, barber shop and tuck shop. For the purposes of this subsection, a retirement home shall mean any privately-owned premises maintained and operated for persons over the age of 60 in need of residential care. Accommodations, meals and socialization are provided for those who cannot continue to live independently in the community. Between one and three meals a day may be provided in a central dining room.
- b. For the purposes of establishing density, the total number of dwelling units in the R2-16 and R4-20 zones shall not exceed 960 mobile home/single detached dwellings with a population set at 1.7 people per unit (ppu) or the equivalent population based on the conversion rates as given below:
- | | |
|----|---|
| i) | Semi-detached and link townhouse units shall have a ppu of 1.7; |
|----|---|

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- ii) Apartment shall have a ppu of 1.4;
- iii) A retirement home shall have a ppu of 1.2;
- iv) A Long Term Care Facility shall have a ppu or “population per bed” of 1.0.

Amended by By-Law 2015-062

Amended by By-Law 2015-062

- c. For Long Term Care Facility, Retirement home and Apartment building the following regulations shall apply:

- i)
 - a) Apartment Density (maximum) 80 units per hectare
 - b) Retirement Home and Nursing Home Density (maximum) 125 units per hectare
- ii) Building Site Area Coverage (maximum) 45 %
- iii) Building Height (maximum) 12 metres
A building in excess of 12 metres may be erected provided that the applicable yard requirements shall be increased directly in proportion to the increase in building height above
- iv) Landscaped Open Space (minimum) 30 %
- v) Apartment Dwelling Unit Floor Area (minimum)
 - a) Bachelor Dwelling Unit 40 square metres
 - b) One Bedroom Dwelling Unit 48 square metres
 - c) Two Bedroom Dwelling Unit 60 square metres
 - d) Dwelling Unit Containing Three or more Bedrooms 70 square metres plus 7 square metres for each bedroom in excess of three
- vi) Retirement Home Bed-Sitting Dwelling Unit Area (minimum) 25 square metres
- vii) Setback Requirements (minimum)
 - a) From any other residential/ institutional building 3.0 metres per storey
 - b) From any private road 7.5 metres
 - c) From any lot line 7.5 metres

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- viii) Nursing Home and Retirement Home
Parking Requirements 0.5 spaces per bed
- d. For link townhouse units the following regulations shall apply:
 - i) Density (maximum) 40 units per hectares
 - ii) Site Area Frontage (minimum) 13.5 metres
 - iii) Building Site Area Coverage (maximum) 40 %
 - iv) Building Height (maximum) 10 metres
 - v) Landscaped Open Space (minimum) 40 %
 - vi) Dwelling Unit Floor Area (minimum) 60 square metres
 - vii) Setback Requirements (minimum)
 - a) From any other residential/
institutional building 3.0 metres per storey
 - b) From any private road 5.0 metres
 - c) From any lot line 7.5 metres
- e. For semi-detached dwellings the following regulations shall apply:
 - i) Site Area (minimum) 500 square metres
 - ii) Building Site Area Coverage (maximum) 40 %
 - iii) Building Height (maximum) 10 metres
 - iv) Landscaped Open Space (minimum) 30 %
 - v) Dwelling Unit Floor Area (minimum) 60 square metres
 - vi) Setback Requirements (minimum)
 - a) From any other residential/
institutional building 3.0 metres per storey
 - b) From any private road 5.0 metres
 - c) From any lot line 7.5 metres
 - vii) Special Yard Requirements

Notwithstanding Sections 3.1(b) and 15.4.20 E.f)ii), a carport may be permitted to have a 1.0 metre setback from any private road.

For the purposes of this By-law a carport shall mean a roofed enclosure which may be attached or detached to a semi-detached dwelling, used for the storage or parking of a motor vehicle and has at least 40% of its total perimeter open and unobstructed.

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- f. For mobile homes and/or single detached dwellings the regulations found in Subsection 13.4.16 shall apply.

*Added by By-law 2001-019
Repealed by By-law 2001-045
Added by OMB Order No. 0352*

15.4.21 Urban Residential Exception (R4-21) Zone

Notwithstanding Sections 2, 3.16, and 15.2, those lands zoned (R4-21) shall be subject to the following provisions:

a. Definitions

Deleted by By-Law 2015-062

- i) Dwelling: Shall mean one (1) or more habitable rooms, designed or intended for use by one or more persons, in which sanitary facilities are provided for the exclusive or shared use of the persons, in which a heating system is provided, and which has a private entrance from a common hallway or stairway inside the building. For the purpose of this definition, dwelling shall also mean dwelling unit.

b. Permitted Uses

- i) Apartment building
ii) Nursing home

c. Regulations

- | | | |
|------|------------------------------|--|
| i) | Density (maximum) | 105 units per ha |
| ii) | Dwelling Units (maximum) | 88 |
| iii) | Interior Side Yard (minimum) | 8.7 metres |
| iv) | Parking Space Size | 5.2 metres in length by 2.75 metres in width provided that such space is perpendicular to a landscaping strip. |

Added by By-law 2001-094

15.4.22 Urban Residential Exception (R4-22) Zone

Notwithstanding Sections 2, 3.16, 15.1 and 15.2, those lands zoned (R4-22) as shown on the schedules to this By-law shall be subject to the following regulations:

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a. Definitions

Deleted by By-Law 2015-062

- i) Dwelling: Shall mean one (1) or more habitable rooms, designed or intended for use by one or more persons, in which sanitary facilities are provided for the exclusive or shared use of the persons, in which a heating system is provided, and which has a private entrance from a common hallway or stairway inside the building. For the purpose of this definition, dwelling shall also mean dwelling unit.

b. Permitted Residential Uses

Amended by By-Law 2015-062

- i) An apartment building

c. Regulations for Residential Uses

- | | | |
|-------|---------------------------------|---|
| i) | Density (maximum) | 180 units/hectare |
| ii) | Dwelling Units (maximum) | 126 units |
| iii) | Front Yard (minimum) | 21.0 metres |
| iv) | Interior Side Yard (minimum) | 18.0 metres, except where a single storey portion of a building is adjacent to a residential zone then the setback shall be 11.0 metres, or 4.0 metres adjacent to a commercial zone. |
| v) | Rear Yard (minimum) | 16.5 metres, except where a single storey portion of a building is adjacent to a residential zone, then the setback shall be 2.0 metres. |
| vi) | Dwelling Unit Area (minimum) | |
| | a) Bachelor Dwelling Unit | 30 square metres |
| | b) One Bedroom Dwelling Unit | 45 square metres |
| | c) Two Bedroom Dwelling Unit | 65 square metres |
| vii) | Building Height (maximum) | 4 storeys |
| viii) | Landscaped Open Space (minimum) | 30% |
| ix) | Parking Space Size | 5.2 metres in length by 2.7 in width provided that such space is |

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- x) Parking Spaces (minimum) perpendicular to a landscaping strip
32

Added by By-Law 2002-068

15.4.23 Urban Residential Exception (R4-23) Zone

Notwithstanding Section 2, 3.1(i), 15.1 and 15.2 those lands zoned R4-23 on the Schedules to this By-law shall be subject to the following regulations:

Deleted by By-Law 2015-062

a. Permitted Uses

- i) An apartment building
- ii) A retirement home

b. Regulations

- i) Lot frontage (minimum) 12 metres
- ii) Yard Requirements (minimum)
 - a) Front Yard 4.5 metres
 - b) Interior Side Yard the greater of 4.5 metres or
1.5 m for each storey or
partial storey
 - c) Rear Yard 7.5 metres: 30 metres from a railway property line
- iii) Canopy (minimum) 1.2 metres

Added By By-Law 2003-0163

15.4.24 Urban Residential Exception (R4-24) Zone

Notwithstanding the provisions of Section 15.1 and 15.2, those lands zoned R4-24 on the Schedules to the By-law shall only be used for an apartment building subject to the following zone provisions:

- a. Density (maximum) 60 units per hectare
- b. Setback from Railway (minimum) 30 metres

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Added by By-law 2003-153

15.4.25 Urban Residential Exemption (R4-25) Zone

Notwithstanding Sections 3.16(i)(iv), 15.1(b), 15.2(b), 15.2(c), 15.2(f), 15.2(g) and 15.2 (i) no person shall use a lot or erect or use a building or structure in an R4-25 zone for any purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

Amended by By-Law 2015-062

- a. Only an apartment building or a Long Term Care Facility may be erected and used on a lot provided the lot has a minimum lot frontage of 40 metres.
- b. Yards with the widths set out below shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 4.5 metres
and a maximum width of 6.5 metres,
 - ii) Interior Side Yard a minimum width of 7.5 metres,
 - iii) Exterior Side Yard a minimum width of 4.5 metres
and a maximum width of 6.5 metres,
 - iv) Rear Yard a minimum width of 7.5 metres,
 - v) Parking Space Location Notwithstanding Section 3.16(i)(iv)
of the aforesaid By-law 84-63, parking
spaces shall not be located in the
required front yard or in a required
exterior side yard.
- c. Part of the landscaped open space shall comprise areas having a minimum depth of 1.5 metres from the front lot line and from each of the exterior lot lines, except where a driveway or walkway is located within 1.5 metres from the front lot line or an exterior lot line in which case no landscaped open space is required to be provided in such area.
- d. A building erected or used on a lot zoned R4-25 shall not exceed 6 stories above grade provided that notwithstanding Sections 15.4.25(b)(i) and (iii), the third and higher stories of the building which face King Street East are set back not less than 1.5 metres from the upward projection of the wall of the second storey of the building which faces a portion of King Street East.

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- e. Notwithstanding the provisions of Section 15.4.25(1), in a R4-25 zone all uses that in fact were made of land, buildings or structures, and all buildings or structures that in fact were constructed and existed on October 19, 2003 and were not prohibited by the provisions of the aforesaid By-law 84-63 on October 19, 2003, shall be deemed to be permitted by the provisions of the aforesaid By-law 84-63, as amended by this By-law.

15.4.26 Urban Residential Exception (R4-26) Zone

Notwithstanding Sections 3.16(i)(iv), 15.2(b), 15.2(c), 15.2(f), 15.2(g), and 15.2(i), no person shall use any land or erect or use any building or structure in a R4-26 zone unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

- a. Only an apartment building may be erected and used on a lot, provided that the lot has a minimum lot frontage of 40 metres.
- b. Yards with the widths set out below shall be provided and maintained on the lot:
- | | | |
|------|-------------------------|--|
| i) | Front Yard | A minimum width of 4.5 metres and a maximum width of 6.5 metres, |
| ii) | Interior Side Yard | A minimum width of 7.5 metres, |
| iii) | Exterior Side Yard | A minimum width of 4.5 metres and a maximum width of 6.5 metres, |
| iv) | Rear Yard | A minimum width of 7.5 metres, |
| v) | Parking Space Location: | Notwithstanding Section 3.16(i)(iv) of the aforesaid By-law 84-63, parking spaces shall not be located in the required front yard or in a required exterior side yard. |
- c. Part of the landscaped open space shall comprise areas having a minimum depth of 1.5 metres from the front lot line and from each of the exterior lot lines, except where a driveway or walkway is located within 1.5 metres from the front lot line or an exterior lot line in which case no landscaped open space is required to be provided in such area.
- d. Buildings erected or used on a lot zoned R4-26 shall not exceed 6 stories above grade provided that notwithstanding Sections 15.4.26(b)(i) and (iii), the third and

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higher stories of the building facing King Street are set back not less than 1.5 metres from the upward projection of the wall of the second storey of the building which faces a portion of a King Street East street line.

- e. Notwithstanding the provisions of Section 15.4.26(1), in a R4-26 C1-30 zone all uses that in fact were made of land, buildings or structures, and all buildings or structures that in fact were constructed and existed on October 19, 2003 and were not prohibited by the provisions of the aforesaid By-law 84-63 on October 19, 2003, shall be deemed to be permitted by the provisions of the aforesaid By-law 84-63, as amended by this By-law.

15.4.27 Urban Residential Exception (R4-27) Zone

Notwithstanding Sections 15.2(c)(i), no person shall use any land or erect or use any building or structure in a R4-27 zone unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

- a. Front yard (minimum) 30 metres

Added by By-law 2006-125

15.4.28 Urban Residential Exception (R4-28) Zone

Notwithstanding Section 15.2 a), b), c), g), h), those lands zone R4-28 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Density (Maximum) 100 Units per hectare
- b. Building Height (Maximum) 16.5 metres
- c. Setback (Minimum)
- i) Front yard to the west end of building 18 metres
 - ii) Front yard to east end of building 30 metres
 - iii) Interior Side Yard 25 metres
 - iv) Rear Yard 30 metres
- d. Landscaped Open Space 50%
- e. A 3000 square metres minimum area landscape open space court yard in-between the buildings shall be provided

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- f. A minimum 20% of the building elevation facing the public street shall have a max height of three (3) storeys

Added by By-law 2007-069

15.4.29 Urban Residential Exception (R4-29) Zone

Notwithstanding Sections 15.2 a., 15.2c., 15.2e., 15.2f., 15.2g. and 15.2 h. on those lands zoned “R4-29” on the attached Schedule to this By-law shall be subject to the following zone regulations:

Deleted by By-Law 2015-062

- | | | |
|----|--|---|
| a. | Density (maximum) | 206 units per hectare |
| b. | Yard Requirements | |
| | i) Front Yard | A minimum width of 5 metres
and a maximum width
of 6 metres |
| | ii) Exterior Side Yard | A minimum width of 2 metres
and a maximum width
of 4 metres |
| | iii) Interior Side Yard (minimum) | 9 metres |
| | iv) Rear Yard (minimum) | 18 metres |
| c. | Lot Coverage (maximum) | 35% |
| d. | Landscaped Open Space (minimum) | 40% |
| e. | Building Height (maximum) | 24 metres |
| f. | Parking Spaces (minimum) | 170 |
| g. | Underground Parking Structure Setback Requirements (minimum) | |
| | i) Front yard setback | 2.0 metres |
| | ii) Interior side yard setback | 0.5 metres |
| | iii) Rear yard setback | 1.5 metres |
| | iv) Exterior side yard setback | 0.3 metres |

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- h. Notwithstanding Section 15.4.29 a)i), a portion of the underground parking structure located within the exterior side yard may be permitted to a maximum of 0.75 metres above adjacent finished grade.
- i. Notwithstanding Section 15.4.29 a)i), air intake or exhaust shafts constructed in association with the underground parking structure may be permitted to project to a maximum of 1.2 metres above adjacent finished grade in any required yard

Added by By-law 2009-033

Deleted by By-law 2017-083

Replaced by By-law 2017-083

15.4.30 Urban Residential Exception (R4-30) Zone

Notwithstanding 3.16 a., 3.16 d., 15.1 a., 15.2 a., 15.2 c., 15.2 g., 15.2 h., 15.2 i, those lands zoned “R4-30” on the Schedules to this By-law shall only be used subject to the following zone provisions:

- a. Permitted Uses
 - i) Apartment Building
 - ii) Link Townhouse Dwelling
- b. Density
 - i) Minimum 100 units per net hectare
 - ii) Maximum 130 units per net hectare
 - iii) The number of Link Townhouse Dwelling units shall not exceed 15% of the total number of units within the R4-30 zone.
- c. Private Lane Width (minimum) 6.5 metres
- d. Regulations for Apartment Buildings:
 - i) The street façade (minimum) shall be 70% of the length of Sreet Line along Highway 2 and shall have a setback between 1.7 metres and 8.5 metres
 - ii) Setback to R3-53 Zone (minimum) 40 metres
 - iii) Setback to Environmental Protection Zone (minimum) 1.5 metres
 - iv) Setback to Commercial Zone (minimum) 10 metres
 - v) Setback to a Link Townhouse unit 15 metres
 - vi) Maximum height 10 storeys
 - vii) Minimum height 9 storeys
 - viii) Parking Structure Setbacks (minimum)

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- | | | |
|------|---|-----------------------------|
| | 1.5 metres to an Environmental Protection Zone, otherwise | |
| | 1.2 metres from any property line | |
| ix) | Visitor Parking (minimum) | |
| | 0.15 spaces for each apartment dwelling unit, 10% of which shall be accessible parking spaces. In all other respects, the Parking Table referred to in 3.16 a. shall continue to apply. | |
| x) | Bicycle Parking (minimum) | 0.5 space per dwelling unit |
| | A minimum of 75% of the required spaces shall be within a building or structure. | |
| xi) | Minimum indoor amenity space | 2 square metres per unit |
| xii) | Minimum outdoor amenity space | 4 square metres per unit |
- e. Regulations for Link Townhouse Dwellings:
- | | | |
|-------|--|--|
| i) | Front yard setback to a private street or sidewalk (minimum) | 6 metres to garage, 4 metres to dwelling |
| ii) | Exterior side yard setback to a private street or sidewalk (minimum) | 1.2 metres |
| iii) | Minimum setback between dwellings without a common wall | 2.0 metres |
| iv) | Minimum setback to adjacent residential zone | 9 metres |
| v) | Minimum setback to commercial zone | 6 metres |
| vi) | Minimum setback to EP zone | 4 metres for an interior side yard, all other yards 7.5 metres |
| vii) | Minimum outdoor private amenity space per unit | 30 square metres |
| viii) | Minimum outdoor shared amenity space | 4 square metres per unit and may be located in part of lands zoned R3-53 |
| iv) | Maximum Height | 12 metres |

Approved By OMB (Sept. 23, 2010)

15.4.31 Urban Residential Exception (R4-31) Zone

Notwithstanding Sections 3.16 a., 15.2.a., c., g., h., and i. on those lands zoned “R4-31” on the Schedules to this By-law shall be subject to the following zone provisions:

- | | | |
|----|-------------------|-----------------------|
| a. | Density (maximum) | 120 units per hectare |
|----|-------------------|-----------------------|

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- b. Building height (maximum) 8 storeys
- c. Yard Requirements (minimum)
 - i) Front Yard 7.5 metres
 - ii) Exterior Side Yard 7.5 metres
 - iii) Interior Side Yard 12.0 metres
 - iv) Rear Yard 12.0 metres
 - v) Setback to CNR property line 30 metres
- d. Notwithstanding the yard requirements for this zone a portion of the underground parking structure may be permitted within a required yard, provided it is setback a minimum 1.0 metres from a property line. The parking structure may project a maximum of 0.45 metres above adjacent finished grade.
- e. Notwithstanding 15.4.31 d. a pedestrian and vehicular access constructed in association with the structure may project 0.45 metres above adjacent finished grade in a required yard. Air intake or exhaust shafts constructed in association with the underground parking structure may be permitted to project to a maximum of 1.2 metres above adjacent finished grade in any required yard.
- f. Outdoor Amenity Space (minimum) 4.0 square metres per unit
- g. Indoor Amenity Space (minimum) 2.0 square metres per unit
- h. Parking spaces (minimum)
 - i) 1 bedroom apartment 1.25 spaces
 - ii) 2 bedroom apartment 1.5 spaces
 - iii) 3 or more bedroom apartment 1.75 spaces
- i. The (H) Holding Symbol shall only be removed from the “Holding –Urban Residential ((H)R4-34) Zone as follows:
 - i) At such time a site plan agreement for Block 2 of S-C-2002-002 has executed with the Municipality of Clarington; and
 - ii) At such time Council of the Municipality of Clarington has approved budgeting for the expenditure of funds for the infrastructure required to support Block 2 of S-C-2002-002.

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*Added by By-Law 2012-057
Amended by By-Law 2015-062*

15.4.32 Urban Residential Exception (R4-32)

Notwithstanding Sections 15.1 a. and 15.2. those lands zoned “R4-32” on the Schedules to this By-law may be used for an apartment building, a long term care facility, retirement home ; or linked townhouse dwelling units subject to the following zone provisions:

Deleted by By-Law 2015-062

- a. Density (maximum) 60 units per hectare
- b. Regulations for apartment building, a nursing home, or retirement home:
 - i) Yard Requirements (minimum)
 - a) Front Yard 7.5 metres
 - b) Exterior Side Yard 7.5 metres
 - c) Interior Side Yard 7.5 metres
 - d) Rear Yard 7.5 metres
 - ii) Dwelling Unit Area (minimum)
 - a) Bachelor Dwelling Unit 40 square metres
 - b) One Bedroom Dwelling Unit 55 square metres
 - c) Two Bedroom Dwelling Unit 70 square metres
 - d) Dwelling Unit containing Three or more bedrooms 80 square metres plus 7 square metres for each bedroom in excess of three
 - iii) Lot coverage (maximum) 40 percent
 - iv) Landscaped Open Space (minimum) 35 percent
 - v) Building Height (maximum) 12 metres
- c. Regulations for linked townhouse dwelling units:
 - i) Yard Requirements (minimum)
 - a) Front Yard 6.0 metres to private garage or carport and 3.0 metres to a dwelling

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b)	Interior Side Yard	4.5 metres
c)	Exterior Side Yard	6.0 metres
d)	Rear Yard	7.5 metres
ii)	Lot Coverage (maximum)	40 percent
iii)	Landscaped Open Space (minimum)	40 percent
iv)	Building Height (maximum)	10 metres

Added by By-Law 2014-015

15.4.35 Urban Residential Exception (R4-35) Zone

Notwithstanding Sections 3.10, 3.13 c., 3.16 e., 15.1 a., 15.2 a., 15.2 c., d. i), g., h. and i. those lands zoned R4-35 on the Schedules to this By-law shall be used subject to following zone regulations:

Deleted by By-Law 2015-062

a. Permitted Uses

- i) Apartment Building
- ii) Retirement Home
- iii) Long Term Care Facility

b. Regulations

i)	Density (maximum)	200 units/suites per net hectare
ii)	Yard Requirements	
a)	Front Yard	3.5 metres (minimum) 6.5 metres (maximum)
b)	Interior Side Yard	10 metre (minimum)
c)	Exterior Side Yard (within 30 metres or less of the front lot line)	5 metre (minimum) 7 metre (maximum)
d)	Exterior Side Yard (greater than 30 metres of the front lot line)	45 metres (minimum)
e)	Setback to R4-36 zone	0 metres
f)	Underground Parking Space Structure	1.0 metre to any property line or 3.0 metres to any EP zone boundary
iii)	Building Height (maximum)	5 storeys

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- iv) An operating pedestrian entrance to the building will be located in the north facing building façade on Queen Street.
 - v) No outdoor amenity area shall be permitted in the required rear or exterior side yard.
 - vi) Dwelling Unit Area (minimum)
 - a) Bachelor Dwelling Unit 33 square metres
 - vii) Parking for uses permitted in the R4-35 zone may be provided on lands zoned R4-36.
 - viii) One loading space shall be provided with a minimum size of 11 metres by 4 metres.
 - ix) Any communication equipment other than an antenna must be contained within the building or mechanical penthouse.
- c. The Holding symbol shall only be removed from the Urban Residential Exception (R4-35) Zone when the following provisions are met:
- i) A clearance letter has been received to the satisfaction of the Region of Durham from the Ministry of the Environment for Record of Site Condition for a Phase 1 and Phase 2 Environmental Site Assessment; and
 - ii) A site plan agreement is executed with the Municipality.

15.4.36 Urban Residential Exception (R4-36) Zone

Notwithstanding Sections 3.10, 3.13 c., 3.16 e., 15.1 a., 15.2 a., c. i), iii), and iv), d. i), g., h. and i., those lands zoned R4-36 on the Schedules to this By-law shall be used for subject to the following zone regulations:

Deleted by By-Law 2015-062

- a. Permitted Uses
 - i) Apartment Building
 - ii) Retirement Home
 - iii) Long Term Care Facility
- b. Regulations
 - i) Density (maximum) 185 units/suites per net hectare
 - ii) Yard setbacks (minimum)

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- | | | |
|----|----------------|-----------|
| a) | East Lot Line | 29 metres |
| b) | South Lot Line | 31 metres |
| c) | To R4-35 zone | 0 metres |
- iii) Dwelling Unit Area (minimum)
- | | | |
|----|------------------------|------------------|
| a) | Bachelor Dwelling Unit | 33 square metres |
|----|------------------------|------------------|
- iv) Building Height (maximum) 9 storeys
- v) Underground Parking Structure 0 metre to any property line
or 3.0 metres to any EP zone boundary
- vi) Parking for uses permitted in the R4-36 zone may be provided on lands zoned R4-35
- vii) No outdoor amenity area shall be permitted within 30 metres of the east lot line
- viii) Loading spaces Nil
- ix) Any communication equipment other than an antenna must be contained within the building or mechanical penthouse.
- c. The Holding symbol shall only be removed from the Urban Residential Exception (R4-36) Zone when the following provisions are met:
- i) A clearance letter has been received to the satisfaction of the Region of Durham from the Ministry of the Environment for Record of Site Condition for a Phase1 and Phase 2 Environmental Site Assessment;
- ii) A site plan agreement is executed with the Municipality which provides for an Odour and Dust assessment to be completed in accordance with Ontario Regulation 419/05 to the satisfaction of the Municipality of Clarington and Region of Durham or an Environmental Compliance Approval is issued to Veyance Technologies by the Ministry of the Environment, among other matters; and
- iii) Noise mitigation as required to meet applicable Ministry of the Environment Guidelines has been implemented to the satisfaction of the Region of Durham and/or confirmation of a Legal Agreement between the Owner and Veyance Technologies guaranteeing mitigation measures will be implemented prior to the occupancy of Phase 2 as required to meet applicable Ministry of the Environment Guidelines.

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Added by By-Law 2014-024

15.4.37 Urban Residential Exception (R4-37) Zone

Notwithstanding Sections 3.1 d. and e., 15.2 d. i) and ii) and 15.3 those lands zoned R4-37 on the Schedule to this By-law shall be subject to the following zone regulations:

- a. Accessory Building Floor Area (maximum) 625 square metres
- b. Accessory Building Height (maximum) 12 metres
- c. Dwelling Unit Area: One Bedroom and Bachelor (minimum) 30.75 square metres
- d. Municipal Servicing Requirement – No use may be established on the property unless the private, individual water supply system is approved by the Ministry of the Environment and the private, individual sanitary sewage system is approved by the Durham Region Health Department.

Added by By-Law 2015-0030

15.4.38 Urban Residential Exception (R4-38) Zone

Notwithstanding 15.1 a., 15.2 a., 15.2 c., 15.2 g., and 15.2 h. those lands zoned “R4-38” on the Schedules to the By-law shall be subject to the following zone provisions:

- a. Permitted Residential Uses
 - i) Apartment Building
 - ii) Dwelling, Linked Townhouse
 - iii) Dwelling, Stacked Townhouse
 - iv) Long Term Care Facility
 - v) Retirement Home
- b. Regulations for Apartment Building; Stacked Townhouse Dwelling; Long Term Care Facility; and Retirement Home
 - i) Number of dwelling units (minimum) 70
(maximum) 80
 - ii) Density (minimum) 80 units per hectare
 - iii) Yard Requirements (minimum)
 - a) To a public street 6 metres to building
4 metres to balcony/porch
 - b) Abutting residential lots 12 metres

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	c)	All other yards	7.5 metres
iv)		Yard Requirements (maximum)	
	a)	To a public street	9 metres to building 7 metres to balcony/porch
v)		Height	
	a)	Buildings abutting Bloor Street or Prestonvale Road street line (minimum) (maximum)	4 storeys 6 storeys
	b)	All other buildings (maximum)	6 storeys
vi)		Amenity Space (minimum)	
	a)	Outdoor	4.0 square metres per unit
	b)	Indoor	2.0 square metres per unit
vii)		Visitor parking spaces (minimum)	0.25 spaces per unit
c.		Regulations for Link Townhouse Dwellings	
	i)	Number of units (minimum) (maximum)	40 60
	ii)	Minimum density	40 units per hectare
	iii)	Maximum permitted area for Link Townhouse Dwelling	1.1 hectare
	iv)	Link Townhouse Dwellings shall not abut Bloor Street or Prestonvale Road street line within 75 metres of the intersection of Bloor Street and Prestonvale Road.	
	v)	Yard Requirements	
	a)	Setback to a zone boundary (minimum)	7.5 metres
	b)	Setback to public street (minimum) (maximum)	4.5 metres 6.0 metres
	vi)	Visitor parking spaces (minimum)	0.25 spaces per dwelling unit
	vii)	Unit Setback Requirements For the purposes of establishing regulations for each Link Townhouse Dwelling, the following specific regulations shall apply as if each unit is located on a lot:	

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|----|--|---|
| a) | Lot area (minimum) | 150 square metres |
| b) | Lot coverage (maximum) | 50% |
| c) | Landscaped Open Space (minimum) | 30% |
| d) | In the case of a through lot, the lot line dividing the lot from a public street shall be deemed to be the front lot line. | |
| e) | Yard Requirements | |
| | (i) Setback to public street (minimum) | |
| | (a) Dwelling | 4.0 metres |
| | (b) Porch | 2.0 metres |
| | (ii) Setback to private street (minimum) | |
| | (a) Garage | 6.0 metres |
| | (b) Dwelling | 4.0 metres |
| | (c) Porch | 2.0 metres |
| | (iii) Rear Yard (minimum) | 7.5 metres |
| | (iv) Side Yard (minimum) | 1.5 metres,
Nil where a building has a
Common wall with any building
on an adjacent lot in the same
zone. |
- d. The provisions of Section 3.1 j. (iv) continue to apply, except where they are in conflict with the yard requirements for a balcony as specified in Section 15.4.38 c. ii) and iii), and for a porch in Section 15.4.38 d. v) of this exception zone.
- e. In addition to the regulations of Section 3.11 with respect to the removal of the “Holding (H)” symbol, Council shall only enact a by-law to remove the Holding (H) symbol from the lands zoned (H)R4-38 once Council is satisfied that the site plan agreement contains provisions with respect to phasing and construction of this site.

OMB Order PL121026

15.4.39 Urban Residential Exception (R4-39) Zone

Notwithstanding sections 3.1j. iv); 15.1; 15.2 a.,b., c., e., f., g., h. and i., those lands zoned R4-39 on the schedules to this By-law shall be subject to the following zone provisions:

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a. Permitted Residential Uses

- i) Apartment Building;
- ii) Dwelling, Link Townhouse;
- iii) Dwelling, Stacked Townhouse;
- iv) Long Term Care Facility; and
- v) Retirement Home

b. Permitted Non-Residential Uses

- i) Bank or financial establishment, business, professional or administration office;
- ii) Dry cleaners distribution centre;
- iii) Eating establishment;
- iv) Eating establishment, take-out;
- v) Retail commercial establishment;
- vi) School, commercial; and
- vii) Service shop, personal

c. Regulations for Residential Uses

- i) Density minimum of 45 units or suites per hectare
- ii) Lot Frontage (minimum) 75 metres
- iii) Building Height (minimum) 3 storey
(maximum) 6 storey
- iv) Lot coverage (maximum) 50%
- v) Landscaped Open Space (minimum) 30%
- vi) Parking spaces shall not be located in the required yard between a public street and stacked townhouse unit.
- vii) Regulations for an Apartment Building, Long Term Care Facility and Retirement Home

a) Yard Requirements

- (i) Northerly (minimum) 4.5 metres
(maximum) 7.5 metres
- (ii) Easterly (minimum) 4.5 metres
(maximum) 7.5 metres
- (iii) Southerly (minimum) 10.0 metres
- (iv) Westerly (minimum) 7.5 metres

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- b) An operating pedestrian entrance to the building will be located in the building façade facing a public street
- viii) Regulations for Dwelling, Link Townhouse and Dwelling, Stacked Townhouse
 - a) Yard Requirements to dwelling
 - (i) Public Street 4.0 metres minimum
6.5 metres maximum
 - b) Unit Setback Requirements

For the purpose of establishing yard regulations for each Link Townhouse and Stacked Townhouse dwelling unit, the following minimum yard requirements shall apply as if each unit is located on a lot:

 - (i) Front Yard 6.0 metres to garage or carport; 4.0 metres to dwelling; 2.0 metres to porch
 - (ii) Rear Yard 7.5 metres
 - (iii) Side Yard 1.2 metres, Nil where a building has a common wall with any building on an adjacent lot in the same Zone
- d. Regulations for Non-residential uses
 - i) Non-residential uses permitted only on the ground floor of an apartment building containing a permitted residential use(s).
 - ii) Total Floor Area of an individual business establishment shall be a maximum of 200 square metres.

Added by By-Law 2015-090

15.4.40 Urban Residential Exception (R4-40) Zone

Notwithstanding 3.16 a., 3.16 c., 15.2 a., c., g., h., and i. on those lands zoned “R4-40” on the Schedules to this By-law shall be subject to the following zone provisions:

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a. Regulations for Apartment Buildings

- | | | |
|-------|--|--|
| i) | Density (minimum) | 50 units |
| | (maximum) | 75 units |
| ii) | Yard Requirements (minimum) | |
| | a) Front Yard | 6 metres to building;
4 metres to balcony |
| | b) Interior Side Yard | 7.5 metres |
| | c) Rear Yard | 7.5 metres |
| iii) | Building Height (maximum) west building facade | 13.2 metres |
| iv) | Indoor Amenity Space (minimum) | 2.0 square metres/unit |
| v) | Outdoor Amenity Space (minimum) | 4.0 square metres/unit |
| vi) | In addition to the requirements of 3.16 e., a minimum of 0.25 spaces per unit shall be provided for visitor parking. | |
| vii) | Bicycle Parking Spaces (minimum) | 25% of the required parking spaces. |
| viii) | Notwithstanding the requirements of 3.16 e., a maximum of 10% of the required parking spaces may be tandem parking spaces. Each tandem parking space shall be a minimum of 2.75 metres wide and 11.5 metres long and shall be equal to 2 parking spaces. All other spaces shall be a minimum of 2.75 metres wide and 5.7 metres long, unless designated accessible parking spaces. | |
| ix) | The provisions of Section 3.1 j. (iv) continue to apply, except where they are in conflict with the yard requirements for a balcony as specified in Section 15.4.40 a. ii) and iii). | |

b. Special Provisions for Removal of the (H) Holding Symbol

In addition to the general provisions of the Official Plan with respect to the removal of the (H) Holding symbol, Council shall only enact a by-law to remove the (H) Holding Symbol from the R4-40 Zone including a site plan agreement that provides for:

- i) A driveway location that aligns opposite to Hartwell Avenue, being the location of future traffic signals to the satisfaction of the Region of Durham Works Department and the Clarington Engineering Services Department;
- ii) Construction and maintenance of a temporary sidewalk along the east side of Regional Road 57 from the subject site to Aspen Springs Drive if the development proceeds in advance of the signalization of Hartwell Avenue;

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- iii) Dedication of lands east of the development area to allow for a future public pedestrian connection to Rhonda Park (approximately 0.6 hectares);
- iv) Undertaking and implementing a scoped Environmental Impact Brief that addresses the proposed storm sewer connection and provides standard mitigation measures; and
- v) An appropriate design and provision of easements to facilitate shared access connection between the approved entrance and a minimum of four parcels to the north.

OMB Order June 27 2016 without Prejudice

15.4.41 Urban Residential Exception (R4-41) Zone

Notwithstanding Section 3.11, 3.16 b) (ix) , 3.28, 15.1, 15.2, a., c., e., g., h., and i., those lands zoned (R4-41) as shown on the Schedules to this By-law shall have frontage on an improved public street, and access on a public lane or private street subject to the following uses and regulations:

- a. Permitted Residential Uses:
 - i) Apartment Building
 - ii) Stacked Townhouses
 - iii) Street Townhouses
- b. Permitted Non-residential Uses for Apartment Buildings only:
 - i) Bank or financial establishment, business, professional or administrative office;
 - ii) Convenience store;
 - iii) Dry cleaning distribution centre;
 - iv) Eating establishment;
 - v) Eating establishment, take-out;
 - vi) Medical or dental clinic;
 - vii) Retail commercial establishment;
 - viii) Service shop, personal;
 - ix) A public square
- c. Drive-through facility is not permitted.
- d. Regulations for Residential Uses
 - i) Density

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- | | | | |
|--|----|-------------------|-----------------------|
| | a) | Minimum per block | 75 units per hectare |
| | b) | Maximum per block | 120 units per hectare |
- e. Regulations for Apartment Buildings
- | | | | |
|------|---|------------------------------|--|
| i) | Lot Frontage (minimum) | 30 metres | |
| ii) | Yard Requirements | | |
| | a) | Front yard (north) (minimum) | 3 metres; |
| | b) | Interior side yard (minimum) | 2.0 metres |
| | c) | Exterior side yard (minimum) | 2.5 metres |
| | | (maximum) | 4.5 metres |
| | d) | Rear Yard (minimum) | 3.0 metres to private street
or public lane |
| iii) | Lot Coverage (maximum) | 60% | |
| iv) | Landscape Open Space (minimum) | 25% | |
| v) | Building Height (minimum) | 3 storeys | |
| | (maximum) | 6 storeys | |
| vi) | Landscape Strip adjacent to the front
or exterior lot line (minimum) | 1.5 metres | |
- f. Regulations for Stacked Townhouses and Street Townhouses (minimum)
- | | | | |
|------|--|----------------------------------|---|
| i) | Lot Area | 185 square metres | |
| ii) | Lot Frontage | 6.0 metres | |
| iii) | Yard Requirements | | |
| | a) | Front yard or exterior side yard | 3.0 metres to the dwelling
1.2 metres to the
Unenclosed porch on a
street abutting a
municipal sidewalk |
| | b) | Interior Side Yard | 1.2 metres; Nil where a building
has a common wall with
any building on the adjacent lot in
the same zone |
| | c) | Rear Yard | 5.0 metres |
| iv) | Height of floor deck of unenclosed porch
above the average finished grade measured
at the front lot line | 0.5 metres | |

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g. Regulations for Stacked Townhouses

i)	Rear Yard (minimum)	6.0 metres
ii)	Lot Coverage (maximum)	60%
iii)	Landscape Open Space (minimum)	25%
iv)	Building height (minimum)	3 storeys
	(maximum)	4 storeys
v)	Parking spaces shall not be located in the required yard between an improved public street and a residential use	
vi)	2 parking spaces for each Live Work Unit (minimum)	
vii)	Landscape Strip adjacent to the front or exterior lot line (minimum)	1.5 metres
viii)	Second story decks may encroach into the rear yard (maximum)	4.0 metres

h. Regulations for Street Townhouses

i)	Only permitted where the dwellings front on an improved public street on the south side of the block.	
ii)	Rear Yard (minimum)	
	a) Dwelling without attached garage to a private street	13.0 metres
	b) Dwelling with an attached garage to a private street	6.0 metres
iii)	Lot Coverage (maximum)	
	a) Townhouse dwelling	45%
	b) Townhouse dwelling and total of all structures	55%
iv)	Landscape Open Space	30%

i. Special Yard Regulation for Street Townhouses

- i) Minimum separation between the dwelling and detached garage on the same lot shall be 6.0 metres
- ii) A detached garage may have a 0.0 metre side yard setback where the detached garage has a common wall with another garage on an adjacent lot located in the R4-41 zone
- iii) Steps may project into the required front or exterior side yard, but in no instance shall the front or exterior side yard be reduced below 1.2 metres

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- iv) Visibility Triangle (minimum) 5.0 metres
- v) Notwithstanding the above lot coverage provision, a covered and unenclosed porch/balcony having no habitable floor space above it, shall be permitted subject to the following:
 - a) In the case of an interior lot, an unenclosed porch/balcony up to a maximum area of 10.0 metres shall be permitted provided it is located in the front yard of the lot and shall not be calculated as lot coverage.
 - b) In the case of an exterior lot, an unenclosed porch/balcony up to a maximum area of 15.0 metres shall be permitted provided it is located in the front and/or exterior side yard of the lot and shall not be calculated as lot coverage
- vi) No parking space shall be located in any front or exterior side yard.
- j. Building height (minimum) 2 storeys
(maximum) 3 storeys
- k. Regulations for Non-Residential uses
 - i) Non-residential uses permitted only in the street front facing portion of the ground floor of a building containing a permitted residential use.
 - ii) Total Floor Area of a non-residential use shall be a maximum of 500 square metres
 - iii) Transparent Glazing (minimum) 60% of the first storey
 - iv) An outdoor patio will not be permitted for a business licensed to serve alcohol
 - v) Loading spaces may not be permitted in the front or exterior side yard and may only be accessed by a public lane or private street
 - vi) Refuse areas may not be permitted in the front or exterior side yard and may only be accessed by a public lane or private street and must be fully enclosed

Added by PL171467

15.4.42 Urban Residential Exception (R4-42) ZONE

Notwithstanding 3.16 d., 15.1 a., 15.2 a., 15.2 c., 15.2 g., 15.2 h., 15.2 i, those lands zoned “R4-42” on the Schedules to this By-law shall only be used subject to the following zone provisions:

- a. Permitted Uses
 - i) Apartment Building
 - ii) Retirement Home

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- iii) Long Term Care Facility
- iv) Link Townhouse Dwelling
- b. Density
 - i) Minimum 120 units per net hectare
 - ii) Maximum 150 units per net hectare
 - iii) The number of Link Townhouse Dwelling units shall not exceed 12 units.
- c. Required Visitor Parking is permitted within the adjacent C1-64 Zone
- d. Regulations for Apartment Buildings, Retirement Homes and Long Term Care Facilities:
 - i) The street façade (minimum) shall be 60% of the length of Street Line along King Avenue West and shall have a setback between 2 metres and 8 metres, but in no case shall the setback be less than 2 metres
 - ii) The street façade (minimum) shall be 60% of the length of Street Line along Rudell Road and shall have a setback between 2 metres and 15 metres, but in no case shall the setback be less than 2 metres
 - iii) Transparent Glazing on first storey along King Avenue West and Ruddell Road street façade (minimum) 30%
 - iv) Setback to Street Line along Given Road (minimum) 6 metres
 - v) Height
 - a) Minimum 6 metres
 - b) Maximum 13 metres,
With the exception that a maximum height of 16 metres is permitted for the portion of a building within 25 metres of Ruddell Road, measured along Given Road, and within 35 metres of Ruddell Road, measured along King Avenue
 - vi) Parking Structure Regulations
 - a) Minimum Setbacks to Parking Structure below Grade 1.2 metres
 - b) Minimum setback for air intake, parking structures, and stairwells above grade 1.5 metre setback to any property line
 - c) Maximum height of air intake/exhaust 1 metre

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- | | | |
|-------|---|--------------------------|
| d) | Maximum height of stairwell for access to underground parking | 2.5 metres |
| vii) | Bicycle Parking (minimum) | |
| a) | 0.5 space per dwelling unit | |
| b) | 75% of the required spaces shall be within a building or structure. | |
| viii) | Minimum indoor amenity space | 2 square metres per unit |
| ix) | Minimum outdoor amenity space | 4 square metres per unit |
- e. Regulations for Link Townhouse Dwellings (minimum):
- | | | |
|------|--|--------------------------|
| i) | Setback to the Street Line along Given Road | 1.5 metres |
| ii) | Setback to a private street or sidewalk | 1.2 metres |
| iii) | Setback between Link Townhouse Dwellings without a common wall | 5 metres |
| iv) | Minimum outdoor private amenity space per unit | 25 square metres |
| v) | Minimum outdoor shared amenity space | 4 square metres per unit |
| vi) | Maximum height | 13.5 metres |

Added by By-law 2018-039

15.4.44 Urban Residential Exception (R4-44) Zone

Notwithstanding 3.16 d., 15.2 a., 15.2 c. i) and ii), 15.2 g., 15.2 h., and 15.2 i., those lands zoned “R4-44” on the Schedules to this By-law shall be subject to the following zone provisions:

- | | | |
|-----|-----------------------------|---------------------------|
| a. | Density | |
| i) | Minimum | 200 units per net hectare |
| ii) | Maximum | 240 units per net hectare |
| b. | Yard Requirements (minimum) | |
| i) | Front Yard | 6 metres |
| ii) | Interior Side Yard | 9 metres |
| c. | Height (maximum) | 12 storeys |
| d. | Height (minimum) | 10 storeys |

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- e. Parking Aisle Width (minimum) 6.5 metres
- f. Parking Structure Regulations (minimum)
 - i) Setback from property line (minimum) 0.5 metres
 - ii) No portion of the underground parking structure, above finish grade, shall be located within the front yard or exterior side yard, with the exception of air intake or exhaust shafts not exceeding 0.5 metres above finished grade
- g. Bicycle Parking (minimum)
 - i) 0.5 space per dwelling unit
 - ii) 75% of the required spaces shall be within a building or structure
- h. Minimum indoor amenity space 2 square metres per unit
- i. Minimum outdoor amenity space 4 square metres per unit
- j. Any communication equipment other than an antenna must be contained within the building or mechanical penthouse.

Added by By-law 2018-040

15.4.45 Urban Residential Exception (R4-45) Zone

Notwithstanding 3.1 c., 3.12 c., 3.16 d., 3.22 g., 15.2 a., 15.2 c. i) and iii), 15.2 c. iv), 15.2 g., and 15.2 h., those lands zoned “R4-45” on the Schedules to this By-law shall be subject to the following zone provisions:

- a. Density
 - i) Minimum 148 units per net hectare
 - ii) Maximum 180 units per net hectare
- b. Yard Requirements (minimum)
 - i) Front Yard 6 metres
 - ii) Exterior Side Yard 5 metres
 - iii) Setback to railway property line 20 metres
- c. Height
 - i) Maximum 12 storeys

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	ii) Minimum	2 Storeys
d.	Parking Aisle Width (minimum)	6.5 metres
e.	Loading Spaces (4 metres by 11 metres) (minimum)	4
f.	Accessory Building Floor Area (maximum)	90 square metres
g.	Parking Structure Regulations (minimum)	
	i) Setback from property line (minimum)	0.5 metres
	ii) No portion of the underground parking structure, above finish grade, shall be located within the front yard or exterior side yard with the exception of air intake or exhaust shafts not exceeding 0.5 metres above finished grade	
h.	Bicycle Parking (minimum)	
	i) 0.5 space per dwelling unit	
	ii) 75% of the required spaces shall be within a building or structure	
i.	Amenity Space (minimum)	
	i) Indoor amenity space	2 square metres per unit
	ii) Outdoor amenity space	4 square metres per unit
j.	Any communication equipment other than an antenna must be contained within the building or mechanical penthouse	

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15A Major Institutional (P1) Zone

Added by By-law 2003-153

15A.1 Permitted Uses

- a. Hospital,
- b. Medical or dental clinic, and
- c. Long Term Care Facility.

Replaced by By-Law 2015-062

15A.2 Regulations for Permitted Uses

- a. Lot Area (minimum) 2000 square metres
- b. Lot Frontage (minimum) 20 metres
- c. Yard Requirements (minimum)
 - i) Front yard 6 metres
 - ii) Exterior side yard 6 metres
 - iii) Interior side yard 5 metres, except 10 metres where the abutting lot is within a urban residential zone.
 - iv) Rear yard 5 metres, except 10 metres where the abutting lot is within a urban residential zone.
- d. Lot Coverage (maximum) 40%
- e. Landscaped Open Space (minimum) 30%
- f. Height of Building (maximum) 6 storeys

Deleted by By-Law 2015-062

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Added by By-law 2018-059

15A.3 Special Exceptions-Major Institutional (P1) Zone

15A.3.1 Major Institutional Exception (P1-1) Zone

Notwithstanding Section 15A.1 those lands zoned P1-1 as shown on the Schedules to the By-law shall be subject to the following uses and regulations:

a. Permitted Uses

- i) Library

b. Regulations

- i) Lot Area (minimum) 0.25 ha
- ii) Lot Frontage (minimum) 50 metres
- iii) Yard Requirements (minimum)
 - a) Front Yard (minimum) 2 metres
(maximum) 5 metres
 - b) Exterior Side Yard (minimum) 2 metres
(maximum) 5 metres
 - c) Interior Side Yard 1.5 metres
 - d) Rear Yard 1.5 metres

Added by By-law 2018-076

15A.3.2 Major Institutional Exception (P1-2) Zone

Notwithstanding Sections 15A.1 and 15A.2.f. those lands zoned P1-2 on the Schedules to this By-law shall only be used for a Hospice subject to the following regulations:

- a. Height of Building (maximum) 8.5 metres

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16. General Commercial (C1) Zone

16.1 Permitted Uses

No person shall within the General Commercial (C1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) Dwelling units existing at the date of passing of this by-law; and
- ii) Dwelling units as part of a building containing a permitted non-residential use(s).

b. Non-Residential Uses

- i) Assembly hall;
- ii) Bakery; *Amended by By-Law 2015-062*
Amended by By-law 87-19
- iii) Bank or financial establishment, business, professional or administration office;
- iv) Day nursery;
- v) Dry cleaners distribution centre;
- vi) Eating establishment;
- vii) Eating establishment, take-out;
- viii) Taxi stand; *Amended by By-Law 2015-062*
- ix) Laundry;
- x) Library;
- xi) Medical or dental clinic; *Replaced by By-Law 2015-062*
- xii) Long Term Care Facility;
- xiii) Parking lot;
- xiv) Place of entertainment;
- xv) Place of worship;
- xvi) Printing or publishing establishment;
- xvii) Private club;
- xviii) Retail commercial establishment;
- xix) School, commercial;
- xx) Service shop, light;
- xxi) Service shop, personal;
- xxii) Shopping centre containing any of the uses listed in this section;
- xxiii) Supermarket;

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- xxiv) Tavern;
- xxv) Theatre;
- xxvi) Veterinary clinic; and

Amended by By-law 86-41

- xxvii) Existing motor vehicle service stations and motor vehicle fuel bars.

Added by By-Law 2015-062

- xxviii) Stationary Refreshment Vehicle provided the property was identified in a Stationary Refreshment Vehicle license issued by the Municipality prior to September 21, 2015 and the property has continuously been identified in an annual stationary Refreshment Vehicle license issued by the Municipality since that date.

- c. Holding Zone – where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H) the use of the lands shall be limited to dwelling units existing at the date of passing of the By-law.

Deleted by By-Law 2015-062

Amended by By-law 85-51

16.2 Regulations for Residential Uses

- a. Residential uses existing on the date of passing of this By-law which are not part of a building containing a permitted commercial use as set out in Section 16.1 above, shall be subject to the requirements of the Urban Residential Type One (R1) Zone.

Amended by By-law 85-51

- b. Residential uses which are part of a building containing a permitted commercial use as set out in Section 16, above, shall be subject to the regulations for non-residential uses set out below and the minimum dwelling unit areas contained in Section 15.2(d) hereof.

Added by By-Law 2015-062

- c. Dwelling units may be permitted in the rear portion of the ground floor, or on the second floor or above. Where a dwelling unit occupies a portion of the ground floor, a permitted non-residential use must occupy all of the street facing portion of the building.

16.3 Regulations for Non-Residential Uses

- a. Yard Requirements (minimum)

- i) Front Yard

Nil

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- | | | |
|------|-------------------------|--|
| | | <i>Amended by By-Law 85-43</i> |
| ii) | Interior Side Yard side | Nil for that interior yard where a building has a common wall with the building on the adjacent lot –1.25 metres otherwise |
| | | <i>Amended by By-law 85-43</i> |
| iii) | Exterior Side Yard | 1.25 metres |
| iv) | Rear Yard | 5 metres |
- b. Lot Coverage (maximum) 75 percent
- c. Landscaped Open Space (minimum) 10 percent
- d. Building Height (maximum) 12 metres
- e. Existing Motor Vehicle Service Stations and Motor Vehicle Fuel Bars.
- Amended by By-law 86-41*
- The expansion or enlargement of existing motor vehicle service stations and/or motor vehicle fuel bars shall be subject to the provisions of Section 21.3, Subsections (h), (i) and (j).

16.4 Municipal Servicing Requirement

No buildings or structures may be erected and no use may be established in the General Commercial (C1) Zone unless the lot upon which it is situated is serviced by Municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

16.5 Special Exceptions – General Commercial (C1) Zone

Amended by By-law 90-173

16.5.1 General Commercial Exception (C1-1) Zone

Notwithstanding the parking and loading space requirements set out in Section 3 of this By-law, only the permitted commercial uses within those lands zoned C1-1 on the Schedules to this By-law shall be exempted from parking and loading space requirements.

16.5.2 General Commercial Exception (C1-2) Zone

Notwithstanding Section 16.4 above, those lands zoned C1-2 on the Schedules to this By-law, no building or structure may be erected and no use may be established in the

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C1-2 zone unless the lot upon which it is situated is serviced by a municipal water system and a private waste disposal system which complies with the regulations of the Ministry of the Environment.

Amended by By-law 2003-153

16.5.3 General Commercial Exception (C1-3) Zone

Amended by By-law 2015-062

- a. Notwithstanding the provisions of Sections 16.1(a), 16.1(b), 16.2(b), 16.3 (a), 16.3 (b) and 16.3(d), no person shall use any land or erect or use any building or structure located in a C1-3 zone for any urban residential or non-residential purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

Amended by By-Law 2015-062

- i) With respect to urban residential uses, Section 16.1(a)(ii) of the aforesaid By-law 84-63 does not apply to lands located within the C1-3 zone.
 - ii) With respect to non-residential uses, a drive-through facility shall not be erected or used in a C1-3 zone, unless:
 - a) The lot on which the drive through facility is located has an area of at least 3,000 square metres;
- Amended by By-Law 2015-062*
- b) Any loud speaker used to broadcast either a human voice or music to the exterior of the building or structure containing the drive through facility which is affixed to the surface or other portion of the building or structure, or is affixed to or is mounted on a stand adjacent to an order board used by customers and located on the lot, and all portions of the stacking lane are located at least 12 metres from the boundary of any urban residential zone and at least 12 metres from the lot line of a lot on which an apartment building, a single detached dwelling, a semi-detached dwelling, a street townhouse dwelling or a triplex dwelling is erected;
 - c) A stacking lane is provided and maintained on the lot on which the drive-through facility is located which stacking lane has a minimum length of 72 metres, a minimum width of 3 metres and any entrance to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot;
 - d) No part of a stacking lane is so located that at any time any motor vehicle which uses it will block, impede or interfere with

- the use of parking spaces required to be provided on the lot on which the drive-through facility is located;
- e) Notwithstanding Section 16.5.3(1)(iv)(a) and (b), a building or structure erected or used for the purpose of a drive-through facility is set back on the lot on which it is located not more than 5 metres from the portion of a King Street East street line which coincides with the lot line of the lot on which the drive through restaurant is located;
 - f) No portion of the stacking lane and no motor vehicle parking spaces or drive aisle to any of such parking spaces are located within the setback area referred to in Section 16.5.3(1)(ii)(e);
 - g) A direct pedestrian walkway at least 1.5 metres wide which does not intersect with or cross the stacking lane is provided and maintained on the lot from the portion of a King Street East street line which coincides with a lot line of the lot to an entrance in the building containing the drive-through facility; and
 - h) Notwithstanding the number of parking spaces required by Section 3.16(a) of the aforesaid By-law 84-63, not less than 12 parking spaces for each 100 square metres or any portion thereof of the gross floor contained in the building or structure erected or used for the purpose of the drive through facility, are provided and maintained on the lot.
- iii) Notwithstanding Section 16.5.3(1)(ii)(c) and (h), a drive-through facility which is not a drive-through eating establishment; a drive-through eating establishment, drive-in; or a drive-through eating establishment, take-out, are permitted if they satisfy the other provisions of Section 16.5.3(1)(ii) and this By-law and the following requirements:
- a) A stacking lane is provided and maintained on the lot, which stacking lane has a minimum length of 24 metres, a minimum width of 3 metres and any entrance to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot; and
 - b) Not less than 1 parking space for each 30 square metres of gross floor area contained in the building or structure, is provided and maintained on the lot.

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- iv) With respect to a lot zoned C1-3, yards with the widths set out below shall be provided and maintained on the lot as follows:
- a) Front Yard A minimum width of 4.5 metres and a maximum width of 6.5 metres,
 - b) Exterior Side Yard A minimum width of 4.5 metres and a maximum width of 6.5 metres, except where the building or structure has a gross floor area not exceeding 250 square metres which abuts any portion of the southerly limit of King Street East, the exterior side yard shall have a minimum width of 3.0 metres and a maximum width of 4.0 metres,
Amended by By-Law 2015-062
 - c) Interior Side Yard A minimum width of 7.5 metres, except where an abutting lot is within an urban residential zone, the interior side yard shall have a minimum width of 10.0 metres,
 - d) Rear Yard A minimum width of 10.5 metres, except where an abutting lot is in an urban residential zone, the rear yard shall have a minimum width of 15.0 metres.
- v) With respect to lots within the C1-3 zone the following regulations shall be complied with:
- a) Building Height Buildings erected or used on a lot shall not exceed 6 stories above grade provided that notwithstanding Section 16.5.30 (1)(iv)(a) and (b) the third and higher stories of the building facing King Street is set back not less

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- than 1.5 metres from the upward projection of the wall of the second storey of the building which faces a portion of a King Street East street line,
- b) Lot Coverage A maximum of 35 percent,
- c) Landscaped Open Space: Part of the landscaped open space shall be provided and maintained on a lot and shall comprise areas having a minimum depth of 1.5 metres from the front lot line and from each of the exterior lot lines, except where a driveway or walkway is located within 1.5 metres from the front lot line or an exterior lot line in which case no landscaped open space is required to be provided in such area,
- d) Parking Space Location: Notwithstanding Section 3.16(i)(iii) of the aforesaid By-law 84-63, parking spaces shall not be located in the required front yard or in a required exterior side yard.
- vi) Sections 3.7(b) and 3.16(i)(iii) of the aforesaid By-law 84-63 do not apply to land, buildings or structures located in a C1-3 zone.
- vii) In this Section, the term:
- a) Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment, take-out, motor vehicle fuel bar, motor vehicle service station, retail

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commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash;

Deleted by By-Law 2015-062

- b) Stacking Lane means an on-site queuing lane for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

- b. Notwithstanding the provisions of Section 16.5.3(1), in a C1-3 zone all uses that in fact were made of land, building or structures, and all buildings or structures that in fact were constructed and existed on October 19, 2003, and were not prohibited by the provisions of the aforesaid By-law 84-63 on October 19, 2003, shall be deemed to be permitted by the provisions of the aforesaid By-law 84-63, as amended by this By-law."

Added By By-Law 86-12

16.5.4 General Commercial Exception (C1-4) Zone

Notwithstanding Section 16.1, those lands zoned C1-4 on the Schedules to this By-law may, in addition to the other uses permitted in the C1 Zone, be used for a dry cleaning establishment which uses a Dry to Dry or Closed Loop System as defined by the Environmental Protection Act. The placement of buildings and structures shall be subject to the zone regulations set out in Section 16.3.

Added by By-law 86-118

16.5.5 General Commercial Exception (C1-5) Zone

Notwithstanding Section 16.1(b), those lands zoned C1-5 on the Schedules to this By-law shall only be used for the following purposes:

- i) Business, professional or administrative office
- ii) Day nursery
- iii) Dry cleaners distribution centre
- iv) Taxi stand
- v) Library
- vi) Medical or dental clinic
- vii) Parking lot
- viii) Place of worship
- ix) Printing or publishing establishment
- x) Retail commercial establishment

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- xi) School, commercial
- xii) Service shop, light
- xiii) Supermarket
- xiv) Theatre
- xv) Veterinary clinic
- xvi) Service shop, personal – save and except that, in the case of a hairdressing establishment, there shall be a maximum of 2 hairdressers.

Notwithstanding Section 16.4 above, on those lands zoned C1-5 on the Schedules to this By-law, no building or structure may be erected and no use may be established in the C1-5 zone unless the lot upon which it is situated is serviced by a private water system and a private waste disposal system which complies with the regulations of the Ministry of the Environment.

Approved by OMB (Nov. 19/87)

16.5.6 General Commercial Exception (C1-6) Zone

Notwithstanding Section 16.1, those lands zoned C1-6 on the Schedules to this By-law, shall only be used for the following purposes:

a.

- i) Convenience Store
- ii) Motor Vehicle Fuel Bar

b. The above uses shall be subject to the following regulations:

- | | | |
|-----|----------------------------|-------------------|
| i) | Total Floor Area (maximum) | 260 square metres |
| ii) | Rear Yard (minimum) | 3.9 metres |

Added by By-law 90-50, 93-002

16.5.7 General Commercial Exception (C1-7) Zone

Notwithstanding Sections 3.1(h) (f), 3.13(a), 16.1, 16.3 and 21.3(c)(i), those lands zoned C1-7 on the schedules to this By-law may only be used for an eating establishment takeout, a Motor Vehicle Fuel Bar and a Motor Vehicle Repair Garage as an accessory use to a retail commercial establishment and shall be subject to the following zone regulations:

a. Yard Requirements (minimum)

- | | | |
|----|---------------------------------------|-----------|
| i) | Front Yard for Motor Vehicle Fuel Bar | 10 metres |
|----|---------------------------------------|-----------|

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- b. Floor Area, Total (maximum)
 - i) Motor Vehicle Fuel Bar Shelter 28 square metres
- c. Lot Coverage (maximum) 35 percent
- d. Landscaped Open Space (minimum) 12 percent
- e. Planting Strip Abutting Street Line (minimum) 3.0 metres
- f. Loading Spaces (minimum) 2 spaces

Added by By-Law 90-44

16.5.8 General Commercial Exception (C1-8) Zone

Notwithstanding Section 13.4 (a), 3.16(i), (i) and (ii), 16.1, 16.2 and 16.3 those lands zoned (C1-8) on the Schedules to this by-law may be used in accordance with the following zone regulations:

- a. Residential Uses
 - i) An apartment building
- b. Non-residential Uses
 - i) Bakery shop
 - ii) Bank or financial establishment, business, professional or administrative office
 - iii) Eating establishment
 - iv) Retail commercial establishment
 - v) School, commercial
 - vi) Service shop, personal

For the purposes of this provision the Non-Residential Uses are to be located on the first two (2) floors of the Residential building.

- c. Regulations for Residential Uses
 - i) Density (maximum) 42 units per hectare
 - ii) Yard Requirements (minimum)

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	a)	Exterior side yard	nil
	b)	Interior side yard	8.9 metres
	c)	Rear yard	29.0 metres
iii)		Dwelling Unit Area (minimum)	
	a)	1 Bedroom Dwelling Unit	75 square metres
	b)	2 Bedroom Dwelling Unit	100 square metres
iv)		Lot Coverage (maximum)	25 percent
v)		Landscaping Open Space (minimum)	10 percent
vi)		Building Height (maximum)	14 metres
vii)		Off-Street Parking Spaces (minimum)	27
viii)		Parking Area Location on Lot	
	a)	No entrance shall be permitted within 1.2 metres of the boundary of the side yard lot line boundary of a Residential Zone.	
	b)	Parking space setback from boundary of a Residential Zone	Nil
d.		Regulations for Non-residential Uses	
	i)	Yard Requirements (minimum)	
	a)	Exterior Side Yard	Nil
	b)	Interior Side Yard	8.9 metres
	c)	Rear Yard	29.0 metres
ii)		Floor Area Total, Leasable (maximum)	2200 square metres
iii)		Off-Street Parking Spaces (minimum)	57
iv)		Parking Area Location on Lot	
	a)	No entrance shall be permitted within 1.2 metres of the boundary of the side yard lot line boundary of a Residential Zone	
	b)	Parking space setback from boundary of a Residential Zone	Nil

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Added by By-Law 2010-113

16.5.9 General Commercial Exception (C1-9)

Notwithstanding Sections 3.13 c.; 3.16 i. i); 16.3 a.i), ii), iii), iv); 16.3 b.; 16.3 d. those lands zoned “C1-9” on the attached Schedule to this By-Law, shall only be used for a professional office and shall be subject to the following regulations.

a. Regulations

i)	Lot Frontage	23.0 metres
ii)	Yard Requirements (minimum)	
	a) Front	4.0 metres
	b) Interior Side Yard	1.8 metres on one side 10.9 metres on the other side
	c) Rear Yard	4.8 metres
iii)	Lot Coverage (maximum)	20 per cent
iv)	Height	10.5 metres
v)	Loading Spaces (minimum)	Nil
vi)	Parking area entrance separation from a Residential Zone	1.4 metres

Added by By-law 91-165

16.5.10 General Commercial Exception (C1-10) Zone

Notwithstanding Section 3.16(e)(ii), 16.1 and 16.3, those lands zoned C1-10 on the Schedules to this By-law shall only be used for a motor vehicle sales establishment and an existing residential unit accessory thereto and shall be subject to the following zone provisions:

a.	Interior Side Yard	0.26 metres
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*Added by By-law 93-69
Replaced by By-law 98-53
Added by By-law 2001-094*

16.5.11 General Commercial Exception (C1-11) Zone

Notwithstanding Sections 3.13, 3.16, 16.1, 16.2 and 16.3, those lands zoned (C1-11) as shown on the schedules to this By-law shall be subject to the following zone regulations:

Deleted by By-Law 2015-062

a. Residential uses are not permitted

i) Permitted Non-Residential Uses

- a) Bakery shop;
- b) Bank or financial establishment, business, professional or administration office;
- c) Convenience store;
- d) Day nursery;
- e) Dry cleaners distribution centre;
- f) Eating establishment;
- g) Medical or dental clinic with associated laboratory services;
- h) Pharmacy;
- i) Retail commercial establishment;
- j) Service shop, light; and
- k) Service shop, personal.

ii) Regulations for Non-Residential Uses

- a) Front Yard (minimum) 1.0 metres
- b) Exterior Side Yard (minimum) 2.0 metres
- c) Building Height (maximum) 3 storeys
- d) Retail and Personal Service Floor Space (maximum) 929 m²
- e) Office Floor Space (maximum) 2,787 m²
- f) Parking Space Size 5.2 metres in length by 2.75 metres in width provided that such space is perpendicular to landscaping strip.
- g) Parking Spaces (minimum) 168
- h) Loading Spaces (minimum) 2

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- i) Parking Space Setback to a Residential Zone 0 metres

Added by By-law 93-188

Amended by By-law 2004-142

16.5.12 General Commercial Exception (C1-12) Zone

Notwithstanding Sections 16.1 (b), 16.3 (a) and d) and Section 3.21 a), no person shall use any land or erect or use any building or structure located in a C1-12 zone for any residential or non-residential purpose unless the provisions of this Section and applicable provisions of the aforesaid By-law 84-63 are satisfied:

a. Non-Residential Uses

- i) A drive-through facility shall not be permitted

b. Regulations:

- i) Front yard (minimum) nil
ii) Building height (maximum) 17 metres
iii) Setback requirements where the existing mill abuts an Environmental Protection (EP) Zone 1 metre
iv) Notwithstanding the setback requirements of Section 3.21(a) as amended by 16.5.12(b)(iii), any new structure shall be setback a minimum of 30 metres from the edge of the Bowmanville Creek

- c. Notwithstanding the setback requirements of Section 3.19 as amended by 16.5.12, any new structure shall be set back a minimum of 30 metres from the edge of the Bowmanville Creek.

d. In this Section, the term:

- i) Drive-Through Facility: means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking land. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping

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centre, or supermarket. Despite the above a drive-through facility does not include a motor vehicle wash.

Added by By-Law 2012-0089

16.5.13 General Commercial Exception (C1-13) Zone

Notwithstanding Section 3.16 a., 3.16 i.(ii), 3.16 i.(iii), 16.1 b. and 16.3 those lands zoned C1-13 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

a. Permitted Non-Residential Uses

- i) Business, Professional or Administrative Office;
- ii) Day Nursery;
- iii) Financial Office;
- iv) Retail / Commercial Establishment;
- v) School, Commercial;
- vi) Service Shop, Light; and
- vii) Service Shop, Personal.

b. A drive-through facility is not permitted.

c. Regulations for Non-Residential Uses

i) Yard Requirements:

a) Front Yard

- | | | |
|------|---------|----------|
| (i) | Minimum | 3 metres |
| (ii) | Maximum | 6 metres |

b) Interior Side Yard (minimum)

- | | | |
|------|-------------------------|-------------|
| (i) | From a Residential Zone | 3 metres |
| (ii) | From all other Zones | 1.25 metres |

c) Exterior Side Yard

- | | | |
|------|---------|----------|
| (i) | Minimum | 3 metres |
| (ii) | Maximum | 6 metres |

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- d) Rear Yard (minimum)
 - (i) From a Residential Zone 7.5 metres
 - (ii) From all other Zones 1.25 metres
- ii) Building Height:
 - a) Maximum 4 storeys
 - b) Minimum on a corner lot 6 metres
- iii) Floor Space Index (maximum): 0.75
- iv) Landscaping (minimum):
 - a) Landscaped Open Space 25 percent
 - b) All parking areas shall be separated from abutting public streets and adjacent Residential Zones by a landscape strip having a minimum width of 3 meters.
 - c) All parking areas shall be screened from abutting public streets through the use of a fence or screen wall measuring between 0.75 metres and 1.2 metres in height.
- v) Building Entrances:

Each building shall have at least one public entrance which faces a public street. If a building is located on a property which possesses frontage onto more than one public street only one street-facing, public entrance is required.
- vi) Outdoor storage is prohibited.
- vii) Loading Space Nil
- ix) Parking Requirements:
 - a) Non-Residential (minimum):

One parking space for each 30 square metres of gross floor area of the building directly related to the specified permitted use.
 - b) Residential:

As per the requirements contained within the Parking Space Requirement Table.
 - c) No motor vehicle parking space or drive aisle to a parking space shall be located between a building and a street line.

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*Added by By-law 94-19
Deleted by By-law 2006-047
Added by By-law 2006-047*

16.5.14 General Commercial Exception (C1-14) Zone

Notwithstanding Sections 3.13, 3.16, 16.1 and 16.3 of By-law 84-63, those lands zoned C1-14 shall only be used and any buildings or structures thereon shall only be constructed and used in accordance with this By-law and the following definitions and zone regulations:

- a. For the purpose of this Section, the term:
- i) Bank Kiosk: shall mean a financial office with a floor area of 50 square metres or less.
 - ii) Business Establishment: shall mean a building, which contains any one or more of the permitted uses on lands zoned (C1-14).
 - iii) Business Establishment Street Façade: shall mean the portion of the exterior wall located between finished grade and the level which is 3 metres above finished grade of a business establishment which wall faces a public street or a private street shown on Schedule 3 to By-law 84-63.
 - iv) Department Store: shall mean a retail/commercial establishment containing a minimum of 5,000 square metres of leasable total floor area organized into a number of individual departments and primarily engaged in the sale to the public of a wide variety of commodities, including clothing, hardware, home furnishings, and household appliances.
 - v) Garden Centre: shall mean a building or part of a building, a structure or part of a structure and land for the displaying and selling of flowers, plants, shrubs, trees, or similar vegetation and related garden supplies for retail sale but shall not include a nursery, the storage or sale of motorized equipment, or the bulk storage of sand, gravel, soil, fertilizers or similar material.
 - vi) Street Entrance: shall mean one of the principal entrances to each business in a business establishment which shall have a minimum height of 2.1 metres and a minimum width of 0.9 metres and shall be located in the part of the business establishment street façade which is at or within 0.2 metres above or below finished grade, provided that the street-related entrance shall be recessed from the business establishment street facade a minimum of 1.0 metres.

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Added by By-law 2017-037

- vii) Home Improvement Store is a facility specializing in the sale of home building/design and garden products. Goods offered for sale may include, lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies and indoor plants. A tool rental centre, fast food kiosk, which is not a drive-through facility and do-it-yourself training facilities are permitted as accessory uses in a home improvement store.

b. Permitted Residential Uses:

No residential dwelling units are permitted to be constructed or used.

c. Permitted Non-Residential Uses:

Amended by By-law 2017-037

A shopping centre containing any one or more of the following uses:

- i) Assembly hall;
- ii) Bakery shop;
- iii) Business, professional or administrative office; provided that such office shall be located in a second storey or greater of any building;
- iv) Convenience store;
- v) Day nursery;
- vi) Department store;
- vii) Dry cleaners distribution centre;
- viii) Eating establishment;
- ix) Eating establishment – take out;
- x) Financial office;
- xi) Accessory garden centre or seasonal garden centre;
- xii) Medical or dental clinic: provided that such clinic shall be located in a second storey or greater of any building;
- xiii) Place of entertainment;
- xiv) Printing or publishing establishment;
- xv) Private club;
- xvi) Retail/commercial establishment;
- xvii) Service shop, personal;
- xviii) Supermarket; and,
- xix) Veterinary clinic.
- xx) Home Improvement Store

Replaced by By-law 2018-065

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- d. Notwithstanding Section 16.5.14 c) (x) no more than two (2) financial offices, with the exception of bank kiosks, may be constructed and used on lands zoned as follows: C1-14, C8-1, C8-2, C8-3, C8-4, C9-1, C9-2, C9-3 and C9-4.

Added by By-law 2018-065

- e. Notwithstanding Section 16.5.14 c. viii), only two eating establishments with a drive-through facility are permitted on the lands zoned C1-14

- f. Regulations:

Amended by By-Law 2017-037

- i) Location of building from the southerly limit of Highway No. 2 and easterly limit of Green Road (minimum) 3 metres
- ii) Location of building from the westerly limit of Clarington Boulevard a minimum of 0.5 metres; and a maximum of 3.0 metres with the exception of a home improvement store which shall be a minimum of 12 metres.
- iii) Location of building from the northerly limit of Prince William Boulevard (minimum) 5 metres
- iv) Notwithstanding clause (iii) 90 metres of the southerly business establishment street façade may be constructed up to 1 metre from the northerly limit of Prince William Boulevard.
- v) Landscaped open space (minimum) 20 percent
- vi) Height of building (maximum) 4 storeys
- vii) Loading spaces (minimum) 5
- viii) All entrances used or intended to be used by the public to access each business in a business establishment shall be located in an exterior wall of the business establishment, and for greater clarity such access shall not be achieved through an enclosed pedestrian mall.
- ix) Parking space dimensions (minimum) 2.6 metre width, 5.5 metre length
- x) Notwithstanding Section 16.5.14(c), a portion of the parking area located on the lot which contains not more than 500 square metres and is enclosed by a temporary fence and one or more gates may be used for the purposes of seasonal garden centre for not more than a total of 120 days each calendar year
- xi) Accessory seasonal garden centres shall not include the storage or sale of motorized equipment, and is not required to provide parking spaces in accordance with Section 3.16 a) of this By-law.
- xii) Notwithstanding Section 16.5.14 (c), the following uses are only permitted accessory to a home improvement store:

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An outdoor storage area for bulk materials is permitted adjacent to Clarington Boulevard to a maximum area of 165 square metres provided:

- a) There is no display of empty pallets, containers, storage units, refuse containers or large equipment,
 - b) A minimum landscape buffer of 2 metres, and
 - c) Screening is constructed to ensure that the storage area is not visible from a public street
- An outdoor display area for trailers and sheds is permitted to a maximum area of 200 square metres, within the parking area in the vicinity of the main drive aisle to the building, provided a landscape buffer is provided along the main drive aisle
 - The outdoor display and sale of retail of goods shall be permitted to a maximum of 80 square metres under a roofed area (created by a canopy or other building projection) located a maximum of 1.5 metres from the front and east side building façade and an unenclosed area within 1.5 metres of the garden centre fencing provided that the storage of empty pallets, containers, storage units, refuse and anything not required for the display and sale of merchandise shall not be permitted.

Added by By-law 2018-065

- xiii) A drive-through facility associated with an eating establishment shall:
 - a) Have a stacking lane with a combined minimum total length of 114 metres;
 - b) Have a stacking lane with a minimum width of 3 metres and an entrance located a minimum of 18 metres from the street line; and
 - c) Not block any required parking spaces.
- xiv) A 1.5 metre wide pedestrian walkway from the required parking spaces to a public entrance of the eating establishment shall be provided without crossing the drive-through stacking lane;
- xv) Height of building located at the corner of Green Road and Prince William Boulevard (minimum) 2 storeys
- xvi) Minimum Storey Requirement
Above the ground floor, each storey shall contain a floor area equal to no less than 50% of the floor area beneath it to be considered a storey.

*Added by By-law 94-16
Amended by By-law 96-59*

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16.5.15 General Commercial Exception (C1-15) Zone

Notwithstanding Sections 3.16, 16.1 and 16.3 of By-law 84-63, those lands zoned (C1-15) as shown on the Schedules to this By-law shall only be used and any buildings or structures thereon shall only be constructed and used in accordance with this by-law and the following definitions and zone regulations:

a. Definitions

- i) Business Establishment: Shall mean a building which contains any one or more of a retail/commercial establishment, a department store, a general merchandise store, a clothing retail warehouse, a drug retail warehouse, a food retail warehouse, a personal service shop, a business, professional or administrative office, a financial office *or a place of entertainment* whether or not the building is part of a shopping centre.
- ii) Business Establishment Façade: Shall mean the portion of the exterior wall located between finished grade and the level which is 3 metres above finished grade of a business establishment which wall faces either an existing street or a proposed street shown within the (C1-15) Zone as shown on the Schedules to this By-law.
- iii) Clothing Retail Warehouse: Shall mean a building or part of a building suitable for occupation by a single user which contains at least 1,350 square metres of leasable total floor area, of which at least 80% is visible to shoppers, and is used for the combination of storage and display for the retail sale of clothing, apparel and/or related fashion accessories in a warehouse format.
- iv) Department Store: Shall mean a retail/commercial establishment containing a minimum of 5,000 square metres of leasable total floor area organized into a number of individual departments and primarily engaged in the sale to the public of a wide variety of commodities, including clothing, hardware, home furnishings, and household appliances.
- v) Drug Retail Warehouse: Shall mean a building or part of a building suitable for occupation by a single user, which contains at least 1,350 square metres of leasable total floor area, of which at least 80% is visible to shoppers, and is used primarily for the combination of storage and display for the retail sale of non-prescription medicines, health and beauty aids, personal hygiene products, confectionary items and stationary in a warehouse format, provided that the drug retail warehouse includes a prescription pharmacy.

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- vi) Food Retail Warehouse: Shall mean a building or part of a building suitable for occupation by a single user which contains at least 4,600 square metres of leasable total floor area, of which at least 80% is visible to shoppers, and is used primarily for the combination of storage and display for the retail sale of food, cleaning and laundry supplies, personal hygiene products, small household items, confectionary items and sundries in a warehouse format.
- vii) General Merchandise Store: Shall mean a retail/commercial establishment containing less than 5,000 square metres of leasable total floor area primarily engaged in the sale of a variety of commodities which include all or several representatives of the following categories of merchandise: clothing, hardware, home furnishings, household appliances, sporting goods and toys. However, the term “general merchandise store” does not include an automotive parts or accessories store, a convenience retail store, a department store, a drug store, a food store, and a specialty retail store engaged primarily in the sale of a particular commodity such as, but not limited to, a book store, a clothing store, a jewellery store and a shoe store, provided that a general merchandise store does not cease to be a general merchandise store by reason only of the inclusion of a pharmacy.
- viii) Street-Related Entrance: Shall mean one of the principal entrances to each business establishment which shall have a minimum height of 2.1 metres and a minimum width of 0.9 metres and shall be located in the part of the business establishment facade which is at or within 0.2 metres above or below finished grade, provided that entrance shall be recessed from the business establishment facade a minimum of 1.0 metre.
- ix) Westerly Streetline of Proposed Clarington Boulevard: Shall mean a line separating the land comprising Part 11 on plan of survey of record deposit in the Land Registry Office for the Land Registry Division of Durham (No. 40) as Plan 40R-16730 from the land comprising Part 16 on the aforesaid plan of survey of record.

Deleted by By-Law 2015-062

b. Permitted Residential Uses

Dwelling units located in a storey higher than the first storey of a building which contains permitted non-residential uses in its first storey.

c. Permitted Non-Residential Uses

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A maximum of 2,787 square metres of leasable total floor area may be constructed and used for the following purposes:

- i) Assembly hall;
- ii) Bakery shop;
- iii) Business, professional or administrative office provided that such office shall be located in a second storey or greater of any building;
- iv) Financial office provided that such office shall be located in a second storey or greater of any building;
- v) Notwithstanding Section 16.5.15 I(iv) above, one of a bank, a trust company or a credit union may be located in a first storey of any building;
- vi) Day nursery;
- vii) Dry cleaning distribution centre;
- viii) Eating establishment with no vehicular drive-through service;
- ix) Medical or dental clinic provided that such clinic shall be located in a second storey or greater of any building;
- x) Parking lot;
- xi) Place of entertainment;
- xii) Printing or publishing establishment;
- xiii) Private club;
- xiv) Retail/commercial establishment provided that no general merchandise store, clothing retail warehouse, drug retail warehouse and food retail warehouse may be constructed or used;
- xv) Service shop, personal
- xvi) Parking space size 5.2 metres in length
by 2.75 metres in width
provided that such space
is perpendicular to a landscaping
strip.

Amended by By-law 99-166

d. Regulations:

- i) Location of building from northerly limit of Highway No. 2 (minimum) 5 metres
- ii) Location of building from the westerly limits of the lands zoned (C1-15) as shown on the Schedules to this By-law (minimum) 40 metres
- iii) Location of building from the northerly limits of the land zoned (C1-15) as shown on the Schedules to this By-law (minimum) 0 metre
- iv) Landscaped open space (minimum) 15 percent
- v) Height of building (maximum) 4 storeys

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- vi) The easterly business establishment façade constructed within the (C1-15) Zone shall abut the westerly streetline of proposed Clarington Boulevard provided that no more than 75% of the length of such façade may be constructed up to no more than 5 metres further westerly from such line.
 - vii) Street-related entrances to business establishments shall be constructed at locations in the business establishment façade at a maximum distance of 14 metres from the centre of the nearest street-related entrance to the street-related entrance in question.
- e. A minimum of 25% of the business establishment facade shall be constructed of transparent glass.

16.5.16 General Commercial Exception (C1-16) Zone

Notwithstanding Sections 3.13, 3.16, 16.1 and 16.3, those lands zoned (C1-16) as shown on the Schedules to this By-law shall only be used and any buildings or structures thereon shall only be constructed and used in accordance with the following zone definitions and regulations:

- a. Definitions
- i) The applicable definitions of the (C1-15) zone contained in Section 16.5.15 shall apply to the (C1-16) Zone.
 - ii) Easterly streetline of proposed Clarington Boulevard
Shall mean the line separating Part 11 from Part 8 on a plan of survey of record deposited in the Land Registry Office for the Land Titles Division of Durham (No. 40) as Plan 40R-16730.
- b. Permitted Residential Uses
- No residential dwelling units are permitted to be constructed or used.
- c. Permitted Non-Residential Uses
- A maximum of 3,085 square metres of leasable total floor area may be constructed or used for the purpose of a theatre and video arcade, provided that the video arcade does not exceed 55 square metres.
- A maximum of 929 square metres of leasable total floor area may be constructed or used for the purposes of two eating establishments.
- d. Regulations:

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- | | | |
|-------|---|------------|
| i) | Location of any building from northerly limit of Highway No. 2 (minimum) | 3 metres |
| ii) | Location of theatre from northerly limit of the lands zoned (C1-16) as shown on the Schedules to this By-law (maximum) | 2 metres |
| iii) | Location of any building from easterly limit of the lands zoned (C1-16) as shown on the Schedules to this By-law (minimum) | 15 metres |
| iv) | Landscaped open space (minimum) | 18 percent |
| v) | The westerly business establishment facade of a theatre within the (C1-16) Zone shall be constructed at 2 metres from the easterly streetline of proposed Clarington Boulevard, provided that no more than 40% of the length of such facade may be constructed up to 6 metres easterly of the easterly streetline of proposed Clarington Boulevard. | |
| vi) | The westerly business establishment facade of one eating establishment within the (C1-16) Zone shall be constructed at a maximum of 4 meters easterly from the easterly streetline of proposed Clarington Boulevard. | |
| vii) | Any business establishment adjacent to the easterly streetline of the proposed Clarington Boulevard shall construct a street-related entrance facing proposed Clarington Boulevard or a sight triangle at an intersecting street with proposed Clarington Boulevard. | |
| viii) | A minimum of 10% of the business establishment facade shall be constructed of transparent glass. | |
| ix) | A minimum of 25% of the business establishment facade for an eating establishment shall be constructed of transparent glass. | |
| x) | Number of loading spaces required for theatre | nil |
| xi) | Number of loading spaces required for an eating establishment | 1 |
| xii) | Number of on-site parking spaces | 162 |

Added by By-law 94-200

16.5.17 General Commercial Exception (C1-17) Zone

Notwithstanding Sections 16.1 and 16.3, those lands zoned (C1-17) on the schedules to this By-law shall be subject to the following zone regulations:

a. Permitted Non-Residential Uses

- i) Assembly hall;
- ii) Bakery shop;
- iii) Bank or financial establishment, business, professional or administration offices;

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- iv) Day nursery;
- v) Dry cleaners distribution centre;
- vi) Eating establishment;
- vii) Eating establishment, take out;
- viii) Laundry;
- ix) Medical or dental clinic;
- x) Place of entertainment;
- xi) Printing or publishing establishment;
- xii) Retail commercial establishment;
- xiii) School, commercial;
- xiv) Service shop, light;
- xv) Service shop, personal;
- xvi) Shopping centre, containing any of the uses listed in this section;
- xvii) Supermarket;
- xviii) Theatre; and
- xix) Veterinary clinic

Amended by By-Law 2015-062

b. Regulations for Non-Residential Uses

- i) Yard Requirements
 - a) Setback from northerly street line of a building or structure with a minimum building facade of 45 metres
 - (minimum) 7.5 metres
 - (maximum) 1.0 metres
 - b) Setback from westerly street line of a building or structure with a minimum building facade of 45 metres
 - (minimum) 4.5 metres
 - (maximum) 6.0 metres
 - c) Setback from southerly street line 4.5 metres min.
 - d) Setback from easterly property line 12.0 metres min.
 - e) Setback from any residential zone 12.0 metres min.
 - f) Total floor area, leasable 8100 square metres max.

For the purposes of this amendment, Building Facade is defined as the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

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Added by By-law 96-7

16.5.18 General Commercial Exception (C1-18) Zone

Notwithstanding Sections 16.3, the lands zoned (C1-18) on the schedules to this By-law shall be subject to the following zone regulations:

a. Regulations for Non-Residential Uses

- | | | |
|-----|----------------------------|--------------------|
| i) | Lot Area (minimum) | 5100 square metres |
| ii) | Total Floor Area (maximum) | 1300 square metres |

Added by By-law 96-129

16.5.19 General Commercial Exception (C1-19) Zone

Notwithstanding Sections 16.1, 16.2 and 16.3, those lands zoned (C1-19) on the Schedules to this By-law shall only be used for an assembly hall subject to the following zone regulations:

- | | | |
|----|-----------------------------|------------------------|
| a. | Lot Frontage (minimum) | 20.0 metres |
| b. | Yard Requirements (minimum) | |
| | i) Front yard | 15.0 metres |
| | ii) Interior side yard | 7.5 metres on one side |
| | iii) Rear yard | 4.0 metres |
| c. | Lot Coverage (maximum) | 35% |
| d. | Building Height (maximum) | 12.0 metres |
| e. | Parking (minimum) | 49 spaces |

Added by By-law 97-1

16.5.20 General Commercial Exception (C1-20) Zone

Notwithstanding Sections 16.3 and 3.16, those lands zoned (C1-20) on the Schedules to this By-law shall be subject to the following zone regulations:

a. Definitions

Deleted by By-Law 2015-062

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- i) Sidewalk: Shall mean an area for exclusive pedestrian use constructed of concrete located between the building and the street line.

b. Regulations for Non Residential Uses

- i) Total Floor Area (maximum) 1,341 square metres
- ii) Parking Space Size 5.2 metres in length
by 2.75 metres in width
provided that such a space
is perpendicular to a landscaping
strip or a sidewalk.

Added by By-law 97-158

16.5.21 General Commercial Exception (C1-21) Zone

Notwithstanding Section 3.16, those lands zoned (C1-21) on the Schedules to this By-law shall, in conjunction with the uses permitted in Section 16.1, only be used and any buildings or structures contained thereon shall only be constructed and used in accordance with the following zone definitions and regulations:

Deleted by By-Law 2015-062

a. Regulations

- i) Parking Space Size 5.2 metres in length by
2.75 metres in width provided
that such a space is perpendicular
to a landscaping strip.

Added by By-law 97-160

Replaced by By-law 98-98

16.5.22 General Commercial Exception (C1-22) Zone

Notwithstanding Sections 3.16(a) and 16.1, those lands zoned (C1-22) on the Schedules to this By-law shall only be used for a parking lot subject to the following zone regulations:

Deleted by By-Law 2015-062

a. Regulations

- i) Parking Space Size 5.2 metres in length
by 2.75 metres in width
provided that such space
is perpendicular to a
landscaping strip.

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Added by By-law 97-129

16.5.23 General Commercial Exception (C1-23) Zone

Notwithstanding Section 16.1, those lands zoned C1-23 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Permitted Residential Uses:
 - i) An apartment building
- b. Permitted Non-Residential Uses:
 - i) Assembly hall;
 - ii) Eating establishment;
 - iii) Eating establishment, take out;
 - iv) Place of entertainment;
 - v) Theatre;
 - vi) Hotel or motel with a maximum of 250 rooms

Added by By-law 98-178

16.5.24 General Commercial Exception (C1-24) Zone

Notwithstanding Sections 3.14, 3.16(a) and 16.1, those lands zoned C1-24 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Permitted Uses:
 - i) Lands zoned “C1-24” shall only be used for accessory parking requirements of permitted uses on adjacent lands to the north zoned “C1” and “C1-25”.
- b. Regulations
 - i) Where lands zoned “C1-24” abuts lands zoned “C1” and the boundary between these two zones is interpreted as a lot line, this provision shall only apply to the permitted uses contained in this by-law.
 - ii) Lands zoned “C1-24” may accommodate the accessory parking requirements of permitted uses located on land zoned “C1” and “C1-25”.

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Added by By-law 98-178

Added by By-law 2004-142

16.5.25 General Commercial Exception (C1-25) Zone

Notwithstanding the provisions of 3.14, 3.16(a), 16.1(b) and 16.3 no person shall use any land or erect or use any building or structured located in a C1-25 zone for any residential or non-residential purpose unless the provisions of this Section and applicable provisions of the aforesaid By-law 84-63 are satisfied:

a. Non-Residential Uses:

- i) A drive-through facility shall not be permitted

b. Regulations:

- i) Lot area (minimum) 0.2 hectares
- ii) Lot coverage (maximum) 780 square metres
- iii) Lot frontage (minimum) 35.0 metres
- iv) Lot depth (minimum) 60.0 metres
- v) Front Yard (maximum) 0.3 metres
- vi) Exterior Side Yard (maximum) 0.3 metres
- vii) Building Height (minimum) 3 storeys
- viii) Landscaped open space (minimum) 10%
- ix) A maximum of 50% of the lot area may be used for the parking of motor vehicles;
- x) All additions, including handicapped ramps to the heritage resource building located within the “C1-25” zone are limited to the rear yard and/or the interior side yard;
- xi) Where lands zoned “C1-25” abut lands zoned “C1” and the boundary between these two zones is interpreted as a lot line, this provision shall only apply to the regulations contained in this section;
- xii) Notwithstanding Section 16.5.25(b) xi) of this by-law, parking required for lands zoned “C1-25” may be accommodated on abutting lands zoned “C1” and “C1-24.

Added by By-Law 2015-089

- xiii) A portion of the parking required for lands zoned C1-25 may be accommodated on abutting lands C1-54 and MUI(S:5)

c. In this Section, the term:

- i) Drive-Through Facility: means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a

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stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.

- ii) Heritage Resource Building: means a building or structure that has been recorded in the Municipality's list of heritage buildings as being a historical and/or architectural importance.

Added by By-law 2001-019

Repealed by By-law 2001-045

Added by OMB Order No. 0352

16.5.26 General Commercial Exception (C1-26) Zone

Notwithstanding Sections 2, 3.13, 3.16, 16.1 and 16.3, those lands zoned (C1-26) shall be subject to the following provisions:

Deleted by By-Law 2015-062

a. Permitted Uses

- i) Any non-residential use, save and except a supermarket.
- ii) Convenience store

b. Regulations

- i) Interior Side Yard (minimum) 7.5 metres to the first storey and 10.0 metres to the second storey
- ii) Parking Space Size 5.2 metres in length by 2.75 metres in width provided that such space is perpendicular to a landscaping strip.
- iii) Number of Loading Spaces 3

Added by By-law 2001-019

Repealed by By-law 2001-045

Added by OMB Order No. 0352

16.5.27 General Commercial Exception (C1-27) Zone

Notwithstanding Sections 2, 3.13, 3.16, 16.1 and 16.3, those lands zoned (C1-27) shall be subject to the following provisions:

Deleted by By-Law 2015-062

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- a. Permitted Uses
 - i) Any non-residential use save and except a supermarket.
 - ii) Convenience store
 - iii) Motor Vehicle Fuel Bar
- b. Regulations
 - i) Exterior Side Yard (minimum) 3.0 metres to a building or canopy
 - ii) Parking Space Size 5.2 metres in length by 2.75 metres in width provided that such space is perpendicular to a landscaping strip.
 - iii) Number of Loading Spaces 1

Added by By-law 2002-145

16.5.28 General Commercial Exception (C1-28) Zone

Notwithstanding Sections 3.13, 3.17, 16, 16.1, 16.2, 16.3 and 16.4, those lands zoned C1-28 on the Schedules to this By-law shall only be used for a motor vehicle repair garage and shall be subject to the following zone regulations:

- a. Landscaped Open Space (minimum) 7.5 percent
- b. Existing Aisle Width at Entrance Gate (minimum) 5.4 metres
- c. Number of Loading Spaces 0
- d. Planting Strip Not required

Added by By-law 2003-142

16.5.29 General Commercial Exception (C1-29) Zone

Notwithstanding Section 16.1, those lands zoned (C1-29) on the Schedules to this By-law may also be used for a convenience store.

Amended by By-law 2003-153

16.5.30 General Commercial Exception (C1-30) Zone

Notwithstanding the provisions of Sections 16.1(a), 16.1(b), 16.2(b), 16.3 (a), 16.3 (b) and 16.3(d), no person shall use any land or erect or use any building or structure located in a C1-30 zone for any residential or non-residential purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

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- a. With respect to residential uses, Section 16.1(a)(ii) of the aforesaid By-law 84-63 does not apply to lands within the C1-30 zone.
- b. With respect to non-residential uses a drive-through facility shall not be erected or used on lands within a C1-30 zone, unless:
 - i) The lot on which the drive-through facility is located has an area of at least 3,000 square metres;
 - ii) *Amended by By-Law 2015-062*
Any loud speaker used to broadcast either a human voice or music to the exterior of the building or structure containing the drive-through facility which is affixed to the surface or other portion of the building or structure, or is affixed to or is mounted on a stand adjacent to an order board used by customers and located on the lot, and all portions of the stacking lane are located at least 12 metres from the boundary of any urban residential zone and at least 12 metres from the lot line of a lot on which an apartment building, a single detached dwelling, a semi-detached dwelling, a street townhouse dwelling or a triplex dwelling is erected;
 - iii) A stacking lane is provided and maintained on the lot on which the drive-through facility is located which stacking lane has a minimum length of 72 metres, a minimum width of 3 metres and entrance to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot;
 - iv) No part of a stacking lane is so located that at any time any motor vehicle which uses it will block, impede or interfere with the use of parking spaces required to be provided on the lot on which the drive-through facility is located;
 - v) Notwithstanding Section 16.5.30(1)(iv)(a) and (b), a building or structure erected or used for the purpose of a drive-through facility is set back on the lot on which it is located not more than 5 metres from the portion of a King Street East street line which coincides with the lot line of the lot on which the drive through restaurant is located;
 - vi) No portion of the stacking lane and no motor vehicle parking spaces or drive aisle to any of such parking spaces are located within the setback area referred to in Section 16.5.30(1)(ii)(e);
 - vii) A direct pedestrian walkway at least 1.5 metres wide which does not intersect with or cross the stacking lane is provided and maintained on the lot from the portion of King Street East which coincides with a lot line of the lot to an entrance in the building containing the to the drive-through facility; and

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- viii) Notwithstanding the number of parking spaces required by Section 3.16(a) of the aforesaid By-law 84-63, not less than 12 parking spaces for each 100 square metres or any portion thereof of the gross floor contained in the building or structure erected or used for the purpose of the drive-through facility, are provided and maintained on the lot.
- c. Notwithstanding Section 16.5.30(1)(ii)(c) and (h), a drive-through facility which is not a drive-through eating establishment; a drive-through eating establishment, drive-in; or a drive-through eating establishment, take-out, are permitted if they satisfy the other provisions of Section 16.5.30(1)(ii) and this By-law and the following requirements:
 - i) A stacking lane is provided and maintained on the lot, which stacking lane has a minimum length of 24 metres, a minimum width of 3 metres and any entrances to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot; and
 - ii) Not less than 1 parking space for each 30 square metres of gross floor area contained in the building or structure, are provided and maintained on the lot.
- d. With respect to lots zoned C1-30, yards with the widths set out below shall be provided and maintained on the lot as follows:
 - i) Front Yard a minimum width of 1.5 metres and a maximum width of 2.0 metres,
 - ii) Exterior Side Yard a minimum width 1.5 metres and a maximum width of 2.0 metres,
Amended by By-Law 2015-062
 - iii) Interior Side Yard a minimum width of 1.5 metres, except (i) where the building on the lot has a common wall with a building located on an abutting lot, in which case an interior side yard is not required, and (ii) where an abutting lot is within an urban residential zone, the interior side yard shall have a minimum width of 5 metres,

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Amended by By-Law 2015-062

- iv) Rear Yard
 - a minimum width of 5 metres, except where an abutting lot is within an urban residential zone, the rear yard shall have a minimum width of 10 metres.
- e. With respect to lots within the C1-30 zone, the following regulations shall be complied with:
 - i) Buildings erected or used on a lot zoned C1-30 shall not exceed 6 stories above grade provided that notwithstanding Section 16.5.30(1)(iv)(a) and (b) the third and higher stories of the building facing King Street are set back not less than 1.5 metres from the upward projection of the wall of the second storey of the building which faces a portion of a King Street East street line.
 - ii) Part of the landscaped open space shall be provided and maintained on a lot and shall comprise areas having a minimum depth of 1.5 metres from the front lot line and from each of the exterior lot lines, except where a driveway or walkway is located within 1.5 metres from the front lot line or an exterior lot line in which case no landscaped open space is required to be provided in such area.
 - iii) The length of a business establishment façade erected or used on a lot with a lot frontage on King Street East shall not be less than 50% of the length of the lot frontage.
 - iv) A minimum of 25% of the business establishment façade shall be constructed of transparent glass.
 - v) Notwithstanding Section 3.16(e)(iii) of the aforesaid By-law 84-63, parking spaces shall not be located in the front yard or in an exterior side yard required by Section 16.5.30(1)(iv)(a) and (b).
- f. Sections 3.6(b) and 3.16(e)(iii) of the aforesaid By-law 84-63 do not apply to land, buildings or structures located in a C1-30 zone.
- g. Notwithstanding the provisions of Section 16.5.30(1), in a C1-30 zone all uses that in fact were made of land, buildings or structures, and all buildings or structures that in fact were constructed and existed on October 19, 2003 and were not prohibited by the provisions of the aforesaid By-law 84-63 on October 19, 2003, shall be deemed to be permitted by the provisions of the aforesaid By-law 84-63, as amended by this By-law.
- h. In this Section, the term:

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- i) Business Establishment: means a building which contains any one or more non-residential uses permitted in a C1-30 zone, whether or not the building is part of a shopping centre;
- ii) Business Establishment Façade: means the portion of the exterior wall located between finished grade and the level which is 3 metres above finished grade of a business establishment which wall faces King Street East;
- iii) Drive-Through Facility: means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment, take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash; and,
- iv) Stacking Lane: means an on-site queuing lane for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

Deleted by By-Law 2015-062

Added by By-law 2003-182

16.5.31 General Commercial Exception (C1-31) Zone

Notwithstanding the provisions of Section 16.1, those lands zoned C1-31 on the Schedules to this By-law may also be used for a convenience store, in addition to the permitted uses in the C1-30 zone and subject to the provisions of the C1-30 Zone.

Added by By-law 2004-120

16.5.32 General Commercial Exception (C1-32) Zone

- (1) Notwithstanding Section 16.1(b), those lands zoned C1-32 on the Schedules to this By-law may, in addition to the other uses permitted in the C1 zone, be used for a convenience store and a drive-through facility provided that the drive-through facility is developed in accordance with the provisions in Section 16.5.32.(2)(i) and (ii) are complied with.

Amended by By-Law 2015-062

- (2) Notwithstanding the provisions of 16.1(b), 16.3 (a), and 16.3 (b), no person shall use any land or erect or use any building or structure located in a C1-32 zone for

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any urban residential or non-residential purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

- i) With respect to non-residential uses, a drive-through facility shall not be erected or used on lands within a C1-32 zone, unless:
 - a) The lot on which the drive-through facility is located has an area of at least 3,000 square metres;
 - b) Any loud speaker used to broadcast either a human voice or music to the exterior of the building or structure containing the drive-through facility which is affixed to the surface or other portion of the building or structure, or is affixed to or is mounted on a stand adjacent to an order board used by customers and located on the lot, and all portions of the stacking lane are located at least 12 metres from the boundary of any residential zone;
 - c) A stacking lane is provided and maintained on the lot on which the drive-through facility is located which stacking lane has a minimum length of 72 metres, a minimum width of 3 metres and entrance to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot;
 - d) No part of a stacking lane is so located that at any time any motor vehicle which uses it will block, impede or interfere with the use of parking spaces required to be provided on the lot on which the drive-through facility is located;
 - e) A direct pedestrian walkway at least 1.5 metres wide which does not intersect with or cross the stacking lane is provided and maintained on the lot from the portion of a street line which coincides with a lot line of the lot to an entrance in the building containing the drive-through facility; and
 - f) Notwithstanding the number of parking spaces required by Section 3.15(a) of the aforesaid By-law 84-63, not less than 12 parking spaces for each 100 square metres or any portion thereof of the gross floor contained in the building or structure erected or used for the purpose of the drive-through facility, are provided and maintained on the lot.
- (3) Notwithstanding Section 16.5.32(2)(i)(c) and (f), a drive-through facility which is not a drive-through eating establishment; a drive-through eating establishment, drive-in; or a drive-through eating establishment, take-out, are

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permitted if they satisfy the other provisions of Section 16.5.32(2)(i) and this By-law and the following requirements:

- i) A stacking lane is provided and maintained on the lot, which stacking lane has a minimum length of 24 metres, a minimum width of 3 metres and any entrances to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot; and
- ii) Not less than 1 parking space for each 30 square metres of gross floor area contained in the building or structure, are provided and maintained on the lot.
- iii) In this Section, the term:

Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as: a bank or financial institution; dry cleaning establishment; dry cleaning distribution centre; eating establishment; eating establishment, drive-in; eating establishment, take-out; retail commercial establishment; service shop, light; service shop, personal; shopping centre; or supermarket.

Deleted by By-Law 2015-062

Added by By-law 2004-142

16.5.33 General Commercial Exception (C1-33) Zone

- (1) Notwithstanding the provisions of 16.1(b), no person shall use any land or erect or use any building or structured located in a C1-33 zone for:

- i) A drive-through facility.

- (2) In this Section, the term:

Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial

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establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.

Added by By-law 2004-142

16.5.34 General Commercial Exception (C1-34) Zone

- (1) Notwithstanding the provisions of 3.13, 3.16 and 16.1(b), no person shall use any land or erect or use any building or structured located in a C1-34 zone for any residential or non-residential purpose unless the provisions of this Section and applicable provisions of the aforesaid By-law 84-63 are satisfied:

- i) A drive-through facility shall not be permitted;
- ii) Permitted non-residential uses are exempt from the parking and loading space requirements.

- (2) In this Section, the term:

Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.

Added by By-Law 2013-043

Deleted by By-law 2018-059

Added by By-law 2004-211

16.5.37 General Commercial Exception (C1-37) Zone

Notwithstanding Sections 3.13, 3.16, 3.21, and 16.1, those lands zoned C1-37 on the Schedules to the By-law shall be use in accordance with the following zone regulations.

a. Residential Uses

- i) One apartment unit accessory to a permitted non-residential use

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- ii) One single detached residential dwelling provided that no apartment in-house is contained therein
- b. Non-Residential Uses
 - i) Retail commercial establishment
 - ii) Bank or financial establishment
 - iii) Business, professional, or administrative office
- c. Regulations
 - i) Gross floor area (maximum) 175 square metres
 - ii) Off-Street Parking Spaces (minimum) 2 spaces
 - iii) Loading Spaces Nil
 - iv) Setback from an “EP” Zone (minimum) 0 metres
 - v) Parking Area entrance Setback to a Residential Interior Side Yard Nil
 - vi) Parking Space Setback to a Residential Interior Side Yard Nil

Added By OMB Order 0764, By-Law 2005-035

16.5.38 General Commercial Exception (C1-38) Zone

Notwithstanding Sections 2, 16.1, 16.2 and 16.3, those lands zoned C1-38 on the Schedules to this By-law shall also be subject to the following zone regulations:

- a. Definitions
 - i) Front Lot Line: For the purposes of measuring the front yard to a building containing permitted residential uses within a “C1-38” Zone, the front lot line shall be deemed to be the lot line abutting the improved public street municipally known as Liberty Street.
 - ii) Retirement Home: Shall mean a residential building constructed and used to accommodate either or both individual retired persons, or couples one of whom is retired, where each private bedroom or suite has separate washroom facilities and a separate entrance from a common hall, and common facilities are provided for the preparation and consumption of food. Common lounges, recreation rooms, and short-term medical care facilities may also be provided. The term *retirement home* includes a home for the aged as defined by the Homes for the Aged and Rest Home Act.

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b. Permitted Residential Uses

i) Apartment building;

Replaced by By-Law 2015-062

ii) Long Term Care Facility;

iii) Retirement home; and

Deleted by By-Law 2015-062

c. Regulations for Residential Uses

i) Density (max)

100 units per hectare

ii) Yard Requirements

a) Front yard (minimum)

4.5 metres

(maximum)

7.5 metres

b) Interior side yard (minimum)

7.5 metres, where

this yard abuts a
residential zone

c) Rear yard (minimum)

7.5 metres

d) Setback from a building containing residential uses

15 metres

e) Setback from a building containing non-residential uses

20 metres

iii) Lot coverage (maximum)

40 percent

iv) Building height (maximum)

18 metres

v) Where the building exceeds a height of 12 metres, the yard requirements contained in Section 16.5.38 c) ii) b) and Section 16.5.38 c) ii) c) shall be increased by 1 metre for each additional full metre, or part thereof, of height added to the building height.

d. Notwithstanding Section 16.1, a convenience store may be constructed and used on the lands zoned C1-38 on the map contained in the Schedule attached to and forming part of this By-law.

e. Permitted non-residential uses shall be developed in accordance with Section 16.3 and the following provisions:

i) Non-Residential floor space (maximum)

a) Retail Commercial Uses

3,000 metres

b) Office Uses

500 square metres

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- ii) Additional Yard Requirements
 - a) Depth of area between building and south lot line (max) 30 metres
 - b) Depth of area between building and north lot line (min) 90 metres

Added By By-law 2005-029

16.5.39 General Commercial Exception (C1-39) Zone

Notwithstanding Sections 3.16 (a) i) and 16.3 (a) i) and (b), those lands zoned C1-39 on the Schedules to this By-law shall also be subject to the following zone regulations:

a. Definitions

- i) Business Establishment: Shall mean a building that contains one or more permitted uses within the “C1-39” zone.
 - ii) Business Establishment Façade: Shall mean the portion of the exterior wall located between finished grade and the level that is 3 metres above finished grade of a business establishment, which wall faces an existing improved public street.
- Deleted by By-Law 2015-062*
- iii) Street-Related Building: Shall mean a building where the business establishment façade is constructed within 3.0 metres of an existing improved public street.
 - iv) Street-Related Entrance: Shall mean one of the principal entrances to a business establishment, which shall have a minimum height of 2.1 metres and a minimum width of 0.9 metres and shall be located in the part of the business establishment façade, which is at or within 0.2 metres above or below finished grade, provided that the street-related entrance shall be recessed from the business establishment façade a maximum of 2.0 metres.

b. Regulations for Non-Residential Uses

- i) Percentage of lot frontage occupied by a street-related building (minimum) 15%
- ii) Front yard setback for a street-related building (maximum) 3.0 metres
- iii) Rear yard setback (minimum) 10.0 metres
- iv) Number of street-related entrances (minimum) 1 per building
- v) Office floor space (minimum) 230 square metres
- vi) Parking space size 5.2 metres in length

by 2.75 metres in width
where such space is
perpendicular to a
landscaping strip.

Added by By-law 2005-050

16.5.40 General Commercial Exception (C1-40) Zone

Notwithstanding Sections 2, 3.12(a), 3.21, and 16.1(b), those lands zoned C1-40 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Definitions

- i) Drive-Through Facility: Shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.

b. Regulations

- i) Notwithstanding the provisions of 16.1(b), no person shall use any land or erect or use any building or structure located in a C1-40 zone for a drive-through facility.
- ii) Notwithstanding the provisions of 16.1(b), the use of buildings with a front yard setback in excess of 25 metres shall only be used for the following uses:
 - a) Bakery shop;
 - b) Bank or financial establishment, business, professional or administration office;
 - c) Day nursery;
 - d) Medical or dental clinic; and,
 - e) Retail commercial establishment.

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iii)	Loading Space Size (minimum)	4.0 metres by 7.5 metres
iv)	Sight Triangle Size (minimum)	6.0 metres by 6.0 metres

Added by By-law 2005-112

16.5.46 General Commercial Exception (C1-46) Zone

Notwithstanding Sections 16.1 and 16.3 b), those lands zoned “C1-46” on the attached Schedule to this By-law, shall only be used for the following purposes in accordance with the following zone regulations:

a. Definitions

- i) Pet Grooming: An establishment where domestic animals are groomed, but does not include retail sales of goods, overnight boarding of animals, outdoor animal facilities or veterinarian clinic.

b. Residential Uses

No residential dwellings units are permitted to be constructed or used.

c. Non-Residential Uses

- i) Bakery;
- ii) Financial office, business, professional or administration office;
- iii) Dry cleaners distribution centre;

Amended by By-law 2015-062

- iv) Laundry;
- v) Pet grooming;
- vi) Printing or publishing establishment;
- vii) Retail commercial establishment;
- viii) Service shop, light; and
- ix) Service shop, personal.

d. Regulations

i)	Total Floor Area (maximum)	360 square metres
ii)	Accessory Building Floor Area (maximum)	23.2 square metres

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Added by By-Law 2014-114

Added by By-Law 2005-118

16.5.47 General Commercial Exception (C1-47) Zone

Notwithstanding the provisions of Sections 3.13 a., 3.16 a., 3.16 c. i), 3.16 i. ii), and iii), 3.22, 16.1, 16.3 a. i) and iii) and 16.3 d. no person shall use any land or erect or use any building or structure located in a C1-47 Zone except for a medical or dental clinic and any complimentary professional office, retail and/or service uses subject to the applicable provisions of the aforesaid By-law 84-63 and the following:

- a. Yard Regulations
 - i) Front Yard a minimum of 1.5 metres
and a maximum of 4.5 metres
for a minimum 38 metres of the
building
 - ii) Exterior Side Yard a minimum of 1.5 metres
and a maximum of 6.5 metres
- b. Building Height (maximum) 3 stories
- c. Parking Space Ratio 1 parking space for every 40 square
metres of gross floor area of a building
containing medical offices, dental offices,
professional offices, retail and/or service
uses
- d. Within the parking area located on the west side of St. George Street North:
 - i) Each parking space shall be a minimum of 5.4 metres by 2.75 metres;
and
 - ii) No parking space shall be permitted within 1.2 metres of the boundary
of a residential zone, street line or within a sight triangle.
- e. Loading Space (minimum) 1 space
- f. Sight Triangle (minimum) 5 metres by 5 metres

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Added by By-law 2005-231

16.5.48 General Commercial Exception (C1-48) Zone

Notwithstanding the provisions of Sections 3.13, 16.1. 16.3ii) and 16.3.14), those lands zoned C1-48 on the schedules to this By-law may also be used for motor vehicle wash and shall be subject to the following zone regulations:

- | | | |
|----|--------------------------|------------|
| a. | Interior Side Yard | 1.2 metres |
| b. | Rear Yard | 3.0 metres |
| c. | Number of Loading Spaces | 0 |

Added by By-law 2006-096

Replaced By By-Law 2010-026

16.5.49 General Commercial Exception (C1-49) Zone

Notwithstanding the provisions of Sections 3.13 c., 3.16 a., i. i), 16.1, 16.3 a. ii), and d. those lands zoned “C1-49” on Schedule “A” of this By-law, shall only be used for Retail Commercial Establishments exclusive of Drive-Through Facilities:

- a. Definitions:
- i) Drive-Through Facility: means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.
- b. Yard Requirements:
- | | | |
|------|------------------------------|-------------|
| i) | Front Yard (minimum) | Nil |
| ii) | Front Yard (maximum) | 3 metres |
| iii) | Interior Side Yard (minimum) | Nil |
| iv) | Exterior Side Yard (minimum) | 1.25 metres |
| v) | Exterior Side Yard (maximum) | 3.25 metres |
- c. Building Height:

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- | | | |
|-----|---------|-----------|
| i) | Maximum | 12 metres |
| ii) | Minimum | 8 metres |
- d. Parking Requirements (minimum):
- One parking space for each 55 square metres of gross floor area of the building directly related to the use.
- e. Loading Space Requirements:
- | | |
|-----|--|
| i) | One loading space (4 metres x 11 metres) for every 1,500 square metres of gross commercial floor area. |
| ii) | The loading space shall be provided at grade with the surrounding parking area. |
- f. For all buildings exceeding 1,200 square metres of gross commercial floor area, an indoor bicycle parking facility shall be provided for employees with a minimum capacity of six bicycles.
- g. No vehicular entrance to a parking area shall be permitted within 6.0 metres of the boundary of the lot line boundary of a Residential Zone.

Added by By-law 2006-135

16.5.50 General Commercial Exception (C1-50) Zone

Notwithstanding Section 16.1(b), those lands zoned C1-50 on the Schedules to this By-law may, in addition to the other uses permitted in the C1 zone, be used for a convenience store.

Added by By-law 2006-170

16.5.51 General Commercial Exception (C1-51) Zone

Notwithstanding Section 16.1(b), Section 3.13, Section 3.16(a), Section 3.16(a)(iii) and Section 3.16(b)(ii), those lands zoned C1-51 on Schedule “A” of this By-Law shall only be used for one professional office and shall be subject to the following zone regulations:

- | | | |
|----|--------------------------------|--|
| a. | Gross Floor Area (maximum) | 220 sq. metres |
| b. | Parking Spaces (minimum) | 7 spaces |
| c. | Loading Spaces (minimum) | Nil |
| d. | Minimum Parking Aisle Width of | 3.68 metres for a maximum length of 36.5 metres north of |

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the Queen Street road
allowance

*Added by By-Law 2007-062
Amended by By-Law 2015-072*

16.5.52 General Commercial Exception (C1-52) Zone

Notwithstanding Section 16.1 b., those lands zoned C1-52 on Schedule “A” of this By-law may, in addition to all existing permitted uses, also be used for a temporary parking lot associated with a motor vehicle sales establishment.

Pursuant to the requirements of Section 39 of the Planning Act, 1990, this use may be permitted for a period of three (3) years, ending October 13, 2018

Added by By-Law 2007-109

16.5.53 General Commercial Exception (C1-53) Zone

Notwithstanding Section 16.1(b), Section 3.13, Section 3.16(a)(c)(d), and Section 3.16(e)(i) those lands zoned C1-53 on Schedule “A” of this By-Law shall only be used for one professional office and shall be subject to the following zone regulations:

- | | | |
|----|--|---------------------------|
| a. | Gross Floor Area (maximum) | 131 sq. metres |
| b. | Parking Spaces (minimum, not including | 2 spaces |
| c. | Disabled Parking Spaces (minimum) | Nil |
| d. | Parking Space Size (minimum) | 5.70 metres x 2.75 metres |
| e. | Loading Spaces (minimum) | Nil |
| f. | Parking Aisle Width (minimum) | 3.75 metres |

Added by By-law 2008-161

16.5.54 General Commercial Exception (C1-54) Zone

Notwithstanding Sections 16.1 (b) and 16.3 (a) iv), those lands zoned C1-54 on the Schedules to this By-law shall be used subject to the following definitions and regulations:

- a. Definitions

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Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as a bank or financial institution, dry cleaning establishment, dry cleaning distribution centre, eating establishment, eating establishment drive-in, eating establishment take-out, motor vehicle fuel bar, motor vehicle service station, retail commercial establishment, service shop, light, service shop, personal, shopping centre, or supermarket. Despite the above, a drive-through facility does not include a motor vehicle wash.

b. Regulations

i) Notwithstanding the provisions of 16.1(b), no person shall use any land or erect or use any building or structure located in a C1-54 zone for a drive-through facility.

ii) Rear Yard (minimum) 1.5 metres

Added by By-law 2015-089

iii) A portion of the parking required for lands zoned C1-54 may be accommodated on abutting lands C1-25 and MU1(S:5)

Added by By-law 2008-192

16.5.55 General Commercial Exception (C1-55) Zone

Notwithstanding Section 16.2 those lands zoned C1-55 on the attached Schedule to this By-law, shall be used in accordance with this By-law and the following regulations:

a. Regulations for Non-Residential Uses

i) Building Entrance A main pedestrian entrance to the building will be provided in the south building façade within 5 m of the Durham Highway 2 road allowance.

ii) Building Height Minimum 2 storeys.

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Added by By-Law 2011-034

Amended by By-Law 2012-014

16.5.56 General Commercial Exception (C1-56) Zone

Notwithstanding the provisions of Sections 3.13 c., 16.1, 16.2 and 16.3, those lands zoned “C1-56” on schedule “A” of this By-law shall be used subject to the following definitions and permitted uses:

a. Definitions

Corner Building: shall mean a building sited close to the intersection of Scugog Street and Longworth Avenue and designed with translucent glass on all street and public square facades and a door on the street façade of the building.

Drive-Through Facility: shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automatic machine, to customers remaining in motor vehicles, which are located in a stacking lane. A drive-through facility may be established in combination with other permitted non-residential uses.

Public Square: shall mean an area of at least 400 m² established and designed to provide a community gathering space and shall be open to the public at all times.

b. Residential Uses

Dwelling units as part of a building containing non-residential use(s).

c. Non-Residential Uses

- i) Business, professional or administrative office;
- ii) Commercial school;
- iii) Convenience store;
- iv) Day nursery;
- v) Dry cleaners distribution centre;
- vi) Eating establishment;
- vii) Eating establishment, take-out;
- viii) Financial office;

Amended by By-Law 2015-062

- ix) Laundry;
- x) Library;
- xi) Medical or dental clinic;
- xii) Place of worship;
- xiii) Retail commercial establishment;
- xiv) Service shop, light;
- xv) Service shop, personal;

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- xvi) Supermarket; and
- xvii) Veterinary clinic.

d. Regulations for Non-Residential Uses

- i) Non-residential uses shall consist of the following:
 - a) A Supermarket
 - b) A minimum of 760 square metres of non-supermarket uses
 - c) A public square
- ii) Floor Area, Total
 - a) Supermarket (maximum) 3100 square metres
 - b) An eating establishment (maximum) 350 square metres
 - c) Financial Office (maximum) 450 square metres
 - d) Any individual business establishment other than the supermarket, eating establishment or financial office (maximum) 250 square metres
- iii) A drive-through facility is not permitted.
- iv) Yard requirements:
 - a) Front Yard (maximum) 3.5 metres
Front Yard (minimum) 2.5 metres
 - b) Exterior Side Yard
 - (i) Stand-alone multi-tenant building (maximum) 3 metres
 - (ii) Supermarket (minimum) 5 metres
 - (iii) Corner Building
 - (a) To the closest point of building 2.5 metres
 - (b) To the furthest point of building 7.5 metres
 - c) Interior Side Yard
 - (i) Other building(s) (minimum) 5 metres
 - (ii) Supermarket (minimum) 22 metres
 - d) Rear Yard (minimum) 3 metres
- v) Lot Coverage of all buildings (maximum) 27%

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- vi) Landscaping
 - a) Landscaped Open Space (minimum) 21%
 - b) All parking areas shall be separated from abutting public streets and adjacent residential uses by a landscape strip having a minimum width of 3 meters.
- vii) Building Height (minimum) 5.5 metres
(maximum) 12 metres
- viii) Corner Building
 - a) A Corner Building with a minimum of 185 square metres shall be constructed on the lands zoned C1-56;
 - b) The Corner Building may be occupied by a supermarket use, provided it complies with all other requirements for a Corner Building;
 - c) No building may be used as a supermarket unless the Corner Building is constructed on the lands zoned C1-56; and
 - d) The Corner Building is exempt from on site loading space requirements.
- ix) Garbage areas shall be fully enclosed within a roofed structure and outdoor storage is prohibited.
- x) An Outdoor Patio associated with an eating establishment shall not be permitted if the eating establishment has a license to serve alcohol.
- xi) Building elevations
 - a) The roofline on the elevations of the building containing the grocery store facing Longworth Avenue will contain three triangular pediments.
- xii) Building Façade Materials
 - a) A minimum area of 9% of the street façade of the building containing the supermarket facing Longworth Avenue, between finished grade and the elevation up to a height of 3 metres shall be required to be constructed of spandrel glazing.
 - b) A minimum area of 50% of the street façade of the Corner Building between finished grade and the elevation up to a height of 3 metres shall be required to be constructed of transparent glazing.

Added by By-Law 2011-087

16.5.57 General Commercial Exception (C1-57) Zone

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Notwithstanding Section 2 those lands zoned “C1-57” on Schedule “A” of this By-law shall be used for the uses permitted in the General Commercial Zone and in accordance with the following definitions and regulations:

- a. Definition:
 - i) Lot Line, Front: shall mean the portion of the property which fronts onto King Avenue West.

Added by By-Law 2014-023

16.5.58 General Commercial Exception (C1-58) Zone

Notwithstanding Section 3.13, 3.16 i. (iii), 3.22, 16.1 b. and 16.3 those lands zoned C1-58 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

- a. Permitted Non-Residential Uses
 - i) Bakery Shop;
 - ii) Business, Professional or Administrative Office;
 - iii) Day Nursery;
 - iv) Financial Office;
 - v) Medical or Dental Clinic;
 - vi) Places of Worship;
 - vii) Retail/Commercial Establishment;
 - viii) School, Commercial;
 - ix) Service Shop, Light; and
 - x) Service Shop, Personal
- b. A drive-through facility is not permitted.
- c. Regulations for Non-Residential Uses
 - i) Yard Requirement
 - a) Front Yard (Emily Street)
 - (i) Minimum 2 metres
 - (ii) Maximum 4 metres

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- b) Interior Side Yard (minimum) 1.25 metres
- c) Exterior Side Yard (Church Street)
 - (i) Minimum 1.25 metres
 - (ii) Maximum 3 metres
- d) Rear Yard (minimum) 1.25 metres
- ii) Building Height
 - a) Maximum 4 storeys
 - b) Minimum 2 storeys
- iii) Landscaping (minimum)
 - a) Landscaped Open Space 15 percent
 - b) All parking areas shall be separated from abutting public streets by a landscape strip having a minimum width of 3 metres.
 - c) All parking areas shall be separated from abutting public streets through the use of a decorative fence measuring between 0.75 metres and 1.2 metres in height.
- iv) Lot Coverage (maximum) 75 percent
- v) Building Entrances:
The main entrance of the building shall be in the building façade facing Church Street.
- vi) Outdoor Storage is prohibited.
- vii) Loading Space Nil
- viii) Sight Triangle (minimum) 5 metres by 5 metres
- ix) Parking Requirements:
 - a) No motor vehicle parking space or drive aisle to a parking space shall be located between a building and a street line.

Added by By-Law 2014-068

16.5.59 General Commercial Exception (C1-59) Zone

Notwithstanding Sections 16.1 b, 16.3. a. ii), Sections 3.1 g, 3.13, 3.16 a, d, i. i) and ii), those lands zoned C1-59 on the Schedules to this By-law shall only be used for a business, professional or administrative office and shall be subject to the following regulations:

- a. Gross Floor Area (maximum) 240.8 square metres

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- b. Interior Side Yard Nil to the east,
1.25 metres otherwise
- c. Accessory Building:
- An accessory building or structure located in an interior side yard shall not be closer to the interior site lot line than 0.6 metres
- d. Parking Spaces (minimum) 3 spaces including 2 spaces
provided in tandem
- e. Loading Spaces Nil
- f. Parking Area Location on Lot:
- No parking space shall be permitted within 1.0 metre of the boundary of a Residential Zone.

Amended by By-Law 2015-008

16.5.60 General Commercial Exception (C1-60) Zone

Notwithstanding the provisions of Sections 3.11, 3.13, 3.16 a., 3.16 h., 3.16, i. i), 3.16 i. iii), 3.17, 16.1 b., 16.3, those lands zoned C1-60 on the Schedules to this By-law shall be subject to the following definitions, uses and regulations;

- a. All those uses permitted by the C1 zone with the addition of:
- i) A Convenience Store with the exclusion of:
 - ii) Taxi stand;
 - iii) Place of Entertainment;
 - iv) Tavern; and
 - v) Parking Lot
- b. Lot Area (minimum) 2,000 square metres
- c. Lot Frontage (minimum) 60 metres
- d. Yard Requirements (minimum unless otherwise indicated)
- i) Front Yard – First Two Storeys (minimum) 1.0 metres
(maximum) 3.0 metres
 - ii) Interior Side Yard 2.0 metres

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- | | | |
|------|-----------|-----------|
| iii) | Rear Yard | 15 metres |
|------|-----------|-----------|
- e. Building Height (minimum) 2 storeys
(maximum) 4 storeys
- f. Each storey, above the ground floor, shall contain a floor area equal to no less than 50% of the ground floor area.
- g. Lot Coverage (minimum) 50%
- h. The length of the building façade abutting the street shall not be less than 70% of the length of lot frontage.
- i. All ground floor, non-residential units shall have an accessible entrance that faces onto King Avenue East.
- j. Transparent Glazing (minimum) 50 % of the first storey
of the building's street façade
- k. Landscaped Open Space (minimum) 15%
- l. Landscape buffer along rear property line (minimum) 3.0 metres
- m. Parking, Loading, Drive-Throughs
- | | | |
|------|---|---|
| i) | On-site parking shall be provided at a minimum ratio of 1 space for every 40 square metres of gross floor area. | |
| ii) | No parking may be located between the front building line and the street. | |
| iii) | Loading Spaces. | 0 |
| iv) | Drive-through facilities may not be located within 50 metres of an existing residential dwelling. | |
- n. Patios that are accessory to an eating establishment shall be located in the front yard.
- o. Refuse areas shall either be fully enclosed within the primary building or within a roofed, accessory building constructed of the same design and materials as the primary building.
- p. The (H) Holding Symbol shall not be removed from this property until the Municipality is in receipt of a Record of Site Condition from the Ministry of the Environment and the owner enters into a site plan agreement.

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Added by By-Law 2015-010

16.5.61 General Commercial Exception (C1-61) Zone

Notwithstanding Section 16.1, 16.2, and 16.3 those lands zoned C1-61 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

a. Permitted Uses

- i) Residential Uses
 - a) Dwelling units existing at the date of passing of this by-law; and
 - b) Dwelling units as part of a building containing a permitted non-residential use(s).
- ii) Non-Residential Uses
 - a) Business, Professional or Administrative Office

b. Regulations:

- i) Floor Area, Total (maximum)
 - a) Business, Professional or Administrative office 147 square metres
- ii) Yard Requirement (minimum)
 - a) Interior Side Yard 3.0 metres to the east
2.0 metres to the west
 - b) Front Yard 17 metres
 - c) Rear Yard 19 metres
- iii) Lot Coverage (maximum) 20 percent
- iv) Landscaped Open Space (minimum)
 - a) Front Yard 19 percent
- v) Paved Parking Area (maximum)
 - a) Front Yard 172 square metres

Added by By-law 2017-047

16.5.62 General Commercial Exception (C1-62)

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Notwithstanding 3.12, 3.16 a., 3.17 a., 16.1, 16.2 and 16.3 those lands zoned C1-62 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

a. Definitions

- i) Apartment Dwelling: Shall mean a dwelling within either an apartment building or a mixed use building.
- ii) Mixed Use Building: Shall mean a building containing residential uses and at least one non-residential use.

b. Permitted uses

In Table 16.5.62 b. the symbol “✓” indicates that the use is permitted.

TABLE 16.5.62 b. PERMITTED USES	
RESIDENTIAL USES	
Apartment Dwelling	✓ ^{1, 2}
RETAIL USES	
Artisan Studio	✓ ¹
Convenience Store	✓ ¹
Retail Commercial Establishment	✓ ¹
PERSONAL AND PROFESSIONAL SERVICES	
Business, Administrative or Professional Office	✓ ¹
Eating Establishment	✓ ¹
Eating Establishment, Take-out	✓ ¹
Financial Office	✓ ¹
Fitness Centre	✓ ¹
Day Nursery	✓ ¹
Dry Cleaning Distribution Centre	✓ ¹
Laundry	✓ ¹
Medical or Dental Clinic	✓ ¹
Printing or Publishing Establishment	✓ ¹
School, Commercial	✓ ¹
Service Shop, Personal	✓ ¹
Service Shop, Light	✓ ¹
GATHERING PLACES AND COMMUNITY USES	

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Assembly Hall	✓ ¹
Place of Entertainment	✓ ¹
Place of Worship	✓ ¹
Private Club	✓ ¹

Footnotes:

¹. Only permitted within a mixed-use building.

². May not be located within the business establishment street façade of the first storey.

c. Regulations

The regulations for development in the C1-62 zone are set out in Table 16.5.62 c

TABLE 16.5.62 c. REGULATIONS	
Lot Dimensions	
Minimum Lot Frontage (metres) ^{1, 2}	50
Building Location	
Minimum Front Yard (metres)	2.0
Maximum Front Yard (metres)	5.0
Minimum Exterior Side Yard (metres)	2.0
Maximum Exterior Side Yard (metres)	5.0
Minimum Interior Side Yard (metres)	1.5
Minimum Interior Side Yard abutting a Residential Zone (metres)	5.0
Minimum Rear Yard (metres)	1.5
Minimum Rear Yard abutting a Residential Zone (metres)	10.0
Building Massing (excluding accessory buildings and structures)	
Minimum number of storeys	As shown on the Zoning Map Schedule
Maximum number of storeys	As shown on the Zoning Map Schedule
Minimum height of the first storey (metres)	4.0
Maximum height of the first storey (metres)	6.0

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Maximum height of all storeys above the first storey (metres)	4.0
Minimum storey requirements	Above the ground floor, each storey shall contain a floor area equal to no less than 50% of the floor area immediately beneath it to be considered a storey.
Minimum length of the street façade along Beaver Street South	50%
Building Elements	
Amount of transparent glazing within the business establishment street façade ³	50%
Location of a Residential Entrance	Within a street façade; or Along the side of the building but no more than half the width of the building from the street façade.
Location of Non-Residential Use Entrances	At least one main building entrance shall be located within the street façade.
Maximum size of non-residential units within a mixed use building (square metres)	600
Street Animation	
Maximum amount of the total first floor area of the building that may be occupied by non-residential uses.	100%
Landscape Requirements	
Landscaped Open Space (minimum)	10%
Minimum planting strip abutting a residential zone (metres)	2.0

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Bicycle Requirements	
Minimum bicycle parking/storage spaces for non-residential uses as a percentage of the required automobile parking spaces.	10%
Minimum internal bicycle parking/storage spaces for residential uses	0.5 per dwelling
Parking and Loading	
Parking Requirements for Retail Uses, and Personal and Professional Services (minimum)	1 for every 30 square metres
Minimum number of loading spaces (3 metres x 7.5 metres)	1

Footnotes:

- ¹ Notwithstanding Section 3.7a. no new uses may be established on a lot that contains less than the minimum required lot frontage.
- ² Where a property is a corner lot, the front lot line shall always be located on the street line of the highest category of street identified in the Clarington Official Plan (e.g. the front lot line will be on the arterial road frontage versus the collector or local street frontage).
- ³ Where a building is located on a corner lot, the glazing requirements will apply to both street facades.

Added by By-law 2016-0033

16.5.63 General Commercial Exception (C1-63) Zone

Notwithstanding Section 3.12, 3.15 a., 3.15 d., 3.15 h., 3.15 i. ii), 3.15 i. iii), 3.26, 13.2 a., 16.1, 16.2, 16.3 a. i), 16.3 a. ii) and 16.3 d., those lands zoned C1-63 as shown on the Schedules to this By-law shall be subject to the following uses and regulations :

- a. Residential Permitted Uses
 - i) Single detached dwelling ;
 - ii) Dwelling units as part of a building containing a permitted non-residential use(s) ; and

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- iii) A home occupation use in accordance with the provisions of Section 3.11 of this By-law.
- b. Non-Residential permitted uses
 - i) Bakery;
 - ii) Business, professional, or administrative office;
 - iii) Day nursery;
 - iv) Dry cleaning distribution centre;
 - v) Laundry;
 - vi) Retail/commercial establishment;
 - vii) Service Shop, light;
 - viii) Service Shop, personal; and
 - ix) Veterinarian Clinic
- c. Regulations for Residential Use
 - i) Only one access to the property is permitted and it must be located on Ivory Court.
 - ii) Residential Uses shall comply with all other zone requirements set out in Section 13.2.
- d. Regulations for Non-Residential Use
 - i) All non-residential uses must be contained within the existing 280 square metre building.
 - ii) Yard Requirements
 - a) Front Yard (minimum) 2.0 metres
 - b) Front Yard (maximum) 5.0 metres
 - c) Interior Side Yard abutting a residential zone (minimum) 1.5 metres
 - iii) Building Height (maximum) 10.5 metres
 - iv) Only one access to the property is permitted and it must be located on Regional Highway 2.
 - v) Loading Space (minimum) 0
 - vi) Drive aisle width to three parking spaces (minimum) 4.5 metres
 - vii) An obstructed landscape strip shall be maintained which measures a minimum of 6.0 metres from the lot line at Ivory Court.

16.5.64 General Commercial Exception (C1-64) Zone

Notwithstanding 3.12, 3.16 d., 3.17 a., 16.1, 16.2 and 16.3 those lands zoned C1-64 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

a. Permitted Residential Uses

- i) Apartment Building
- ii) Retirement Home
- iii) Long Term Care Facility
- iv) Mixed-Use Building
- v) Single Detached Dwelling; and
- vi) A minimum of 4 dwelling units as part of a mixed-use building containing a permitted non-residential use(s) are permitted within the second storey or above;

b. Permitted Non-Residential Uses

- i) Artisan Studio
- ii) Convenience Store
- iii) Retail Commercial Establishment
- iv) Business, Administrative or Professional Office
- v) Eating Establishment
- vi) Eating Establishment, Take-out
- vii) Financial Office
- viii) Fitness Centre
- ix) Day Nursery
- x) Dry Cleaning Distribution Centre
- xi) Laundry
- xii) Medical or Dental Clinic
- xiii) Printing or Publishing Establishment
- xiv) School, Commercial
- xv) Service Shop, Personal
- xvi) Service Shop, Light

c. General Regulations

- i) Density
 - a) Minimum 100 units per net hectare
 - b) Maximum 130 units per net hectare

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- ii) Parking Structure Regulations
 - a) Minimum Setbacks to Parking Structure below Grade 1.2 metres
 - b) Minimum setback for air intake, parking structures, and stairwells above grade 1.5 metre setback to any property line
 - c) Maximum height of air intake/exhaust 1 metre
 - d) Maximum height of stairwell for access to underground parking 2.5 metres
 - iii) Bicycle Parking (minimum)
 - a) 0.5 space per dwelling unit
 - b) 75% of the required spaces shall be within a building or structure.
 - iv) Minimum bicycle parking/storage spaces for non-residential uses as a percentage of the required automobile parking spaces. 10%
 - v) Landscaped Open Space (minimum) 10%
 - vi) Planting strip width abutting the R2-45 zone (minimum) 2 metres
 - vii) Required Resident Parking may be provided within the adjacent R4-42 Zone.
- d. Regulations for Single Detached Dwellings
- Single Detached Dwellings shall comply with the regulations in Section 13.4.45.
- e. Regulations for all other Residential Uses
- i) Dwelling units as part of a building containing a permitted non-residential use shall comply with the regulations for non-residential uses set out below and the minimum dwelling unit areas contained in Section 15.2 d.
 - ii) Setback to Street Line along King Avenue West
 - a) Minimum 2 metres
 - b) Maximum 5 metres
 - iii) Setback to Street Line along Pedwell Street (minimum) 40 metres
 - iv) Setback to Street Line along Given Road (minimum) 20 metres
 - v) Setback to R4-42 Zone (minimum) 6 metres
 - vi) Setback to R2-45 Zone (minimum) 20 metres
 - vii) Street Façade along King Avenue (minimum) 45 metres

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- viii) A minimum of one main active residential entrance shall be required within the King Avenue street facade.
- ix) Transparent Glazing on first storey along King Avenue West street façade (minimum) 30%
- x) Height
 - a) Minimum 6 metres
 - b) Maximum 11 metres
- xi) Minimum indoor amenity space 2 square metres per unit and may be provided within the adjacent R4-42 Zone
- xii) Minimum outdoor amenity space 4 square metres per unit
- f. Regulations for Mixed Use Building
 - i) Setback to Street Line along Pedwell Street and King Avenue West (minimum) 2 metres
(maximum) 5 metres
 - ii) Setback to R2-45 Zone (minimum) 10 metres
 - iii) Height
 - a) Minimum 7 metres
 - b) Maximum 15 metres
 - iv) Storey Height
 - a) First storey minimum 4 metres
 - b) First storey maximum 5 metres
 - c) All other storeys maximum 3.1 metres
 - v) Minimum Storey Requirements

Above the ground floor, each storey shall contain a floor area equal to no less than 50% of the floor area immediately beneath it to be considered a storey.
 - vi) Street Façade (Minimum)
 - a) Along Pedwell Street 25 metres
 - b) Along King Avenue 12 metres
 - vii) At least one street entrance for a business shall be located in a business establishment street façade of a business establishment along King Avenue West. All other street entrances for a business establishment

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- shall be along the business establishment street façade adjacent to Pedwell Street.
- viii) Minimum amount of transparent glazing within the non-residential use street façade 50%
- ix) Maximum gross floor area of each non-residential unit 300 square metres
- xi) Maximum total gross floor area of non-residential units within the C1-64 Zone 500 square metres

Added by PL180249

16.5.65 General Commercial Exception (C1-65) Zone

Notwithstanding Section 3.12; 16.1.b; and 16.3.a,b,c,d; those lands zoned C1-65 on the Schedules to this By-law shall be subject to the following:

a. Permitted Non-residential Uses

- i) Bakery;
- ii) Bank or financial office;
- iii) Business, professional or administration office;
- iv) Convenience Store;
- v) Day nursery;
- vi) Dry cleaners distribution centre;
- vii) Eating establishment;
- viii) Eating establishment, take-out;
- ix) Laundry;
- x) Medical or dental clinic;
- xi) Motor Vehicle Fuel Bar;
- xii) Motor Vehicle Wash;
- xiii) Place of Entertainment;
- xiv) Printing or publishing establishment;
- xv) Private club;
- xvi) Retail/commercial establishment;
- xvii) School, commercial;
- xviii) Service shop, light;
- xix) Service shop, personal; and
- xx) Veterinary clinic.

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a. Regulations

For the purposes of this Section:

- i) The lot line abutting Townline Road South shall be the front lot
- ii) The lot line abutting Bloor Street shall be the exterior side lot line;
- iii) For the purposes of the Zoning By-law, the entire land zoned C1-65 shall be considered as one lot for zoning purposes.
- iv) Yard Setback Requirements
 - a) Front Yard (minimum) 2 metres
 - b) Front Yard (maximum) 5 metres
 - c) Exterior Side Yard (minimum) 2 metres
 - d) Exterior Side Yard (maximum) 5 metres
 - e) Sight Triangle (minimum) 2 metres
 - f) Sight Triangle (maximum) 5 metres
 - g) Interior Side Yard (minimum) 10 metres
 - h) Rear Yard (minimum) 9 metres
 - i) Rear Yard for a Motor Vehicle Fuel Bar Canopy (minimum) 4 metres
- v) Landscaped Open Space (minimum) 10 percent
- vi) Landscaping Strip along the Interior Side Lot Line (minimum) 3 metres
- vii) Building Height
 - a) Minimum 2 storeys and 8 metres
 - b) Maximum 9 storeys
- viii) Notwithstanding Section 16.5.65. b. vii) a), the Building Height (minimum)
 - a) Convenience Store associated with a Motor Vehicle Fuel Bar 4 metres
 - b) Motor Vehicle Wash 5 metres
 - c) One Eating Establishment with Drive Through 4 metres
- ix) Minimum Storey Requirement
Above the ground floor, each storey shall contain a floor area equal to no less than 50% of the floor area immediately beneath it to be considered a storey.

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- x) Maximum non-residential leasable floor space 2,750 square metres
- xi) Maximum size of each non-residential unit 600 square metres
- xii) Notwithstanding Section 16.5.65.b.xi) no more than one non-residential unit may have a maximum leasable floor space of greater than 1,000 square metres.
- xiii) Location Restrictions
A Motor Vehicle Fuel Bar, Motor Vehicle Wash, and Drive-Through Facility shall be located no closer than 65 metres to the property line adjacent to Town Line Road South.
- xiv) Loading Space Requirements
 - a) Number of Loading Spaces (minimum) 2
 - b) Setback from the Exterior Lot Line (minimum) 9.0 metres
- xv) The parking requirements of the C1-65 zone may be accommodated on lands zoned MU2-1 located within 150 metres of the subject property.

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16A Mixed Use (MU) Zone

*Added by By-Law 2015-089
Deleted by By-law 2018-059
Replaced by By-law 2018-059*

This By-law establishes the following zones and places all lands subject to this By-law in one or more of the following zones:

Zone Category	Symbol
Mixed-Use	
Commercial Mixed-Use	MU1
Residential Mixed-Use	MU2
Urban Centre Mixed-Use	MU3

16A.1 Permitted Uses

- Commercial Mixed Use (MU1)
- Residential Mixed Use (MU2)
- Urban Centre Mixed Use (MU3)

16A.2 Permitted Uses

Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that zone and the corresponding row for a specific permitted use in the Permitted Uses table.

TABLE 16A.2: PERMITTED USES IN THE MIXED-USE ZONE			
	MU1	MU2	MU3
RESIDENTIAL USES			
Apartment Building		✓	✓
Mixed-Use Building	✓ ¹	✓ ¹	✓ ¹
Stacked Townhouse Dwelling	✓	✓	✓
Home Occupation (Multi-Residential)	✓	✓	✓

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Long Term Care Facility	✓	✓	✓
Retirement Home	✓	✓	✓
Existing Single Detached Dwelling	✓ ²	✓ ²	✓ ²
RETAIL USES			
Artisan Studio	✓ ³	✓ ³	✓
Convenience Store	✓ ³	✓ ³	✓
Retail Commercial Establishment	✓ ³	✓ ³	✓
Supermarket			✓
PERSONAL AND PROFESSIONAL SERVICES			
Business, Administrative or Professional Office	✓ ³	✓ ³	✓
Eating Establishment	✓ ³	✓ ³	✓
Eating Establishment, Take-out	✓ ³	✓ ³	✓
Financial Office	✓ ³	✓ ³	✓
Fitness Centre	✓ ³	✓ ³	✓
Day Nursery	✓ ³	✓ ³	✓
Dry Cleaning Distribution Centre	✓ ³	✓ ³	✓
Hotel	✓ ³	✓ ³	✓
Laundry	✓ ³	✓ ³	✓
Medical or Dental Clinic	✓ ³	✓ ³	✓
Printing or Publishing Establishment	✓ ³	✓ ³	✓
School, Commercial	✓ ³	✓ ³	✓
Service Shop, Personal	✓ ³	✓ ³	✓
Service Shop, Light	✓ ³	✓ ³	✓

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Veterinarian Clinic	✓ ³	✓ ³	✓
GATHERING PLACES AND COMMUNITY USES			
Place of Entertainment	✓ ³	✓ ³	✓
Place of Worship	✓ ³	✓ ³	✓
Private Club	✓ ³	✓ ³	✓

16A.3 Additional Regulations for Permitted Uses

1. Non-residential units must be located on the first floor (ground floor) and within the business establishment street façade when located within a mixed-use building. Non-residential units may also be permitted elsewhere in a mixed-use building provided that the ground floor is fully occupied with non-residential uses.
2. Existing single detached dwellings shall be subject to the regulations contained in Section 12.2.
3. Non-residential uses are only permitted within a mixed-use building in the MU1 and MU2 zones.
4. Buildings which existed on the date of the passing of this By-law may only be converted to a new or additional use if they conform to all regulations of the respective MU zone.

16A.4 Regulations

The regulations for lots in the Mixed Use Zones are set out in the Regulations table.

TABLE 16A.4 REGULATIONS IN THE MIXED-USE ZONE			
Lot Dimensions	MU1	MU2	MU3
Minimum Lot Area (Ha)	0.25	0.25	0.25
Minimum Lot Frontage (metres)	50	50	50

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Building Location		MU1	MU2	MU3
Front Yard	Minimum (metres)	2.0	2.0	2.0
	Maximum (metres) for the minimum building height	5.0	5.0	5.0
Exterior Side Yard (for corner lots)	Minimum (metres)	2.0	2.0	2.0
	Maximum (metres)	5.0	5.0	5.0
Interior Side Yard	Minimum (metres)	1.5	1.5	1.5
	Minimum abutting an Urban Residential Zone (metres)	5.0	5.0	5.0
Rear Yard	Minimum (metres)	1.5	1.5	1.5
	Minimum abutting an Urban Residential Zone (metres)	10.0	10.0	10.0
Building Massing (excluding accessory buildings and structures)		MU1	MU2	MU3
Number of storeys (subject to Section 26.5 - Zone Suffixes)	Minimum	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule
	Maximum	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule	As shown on the Zoning Map Schedule
Minimum gross floor area		Above the first floor, each storey shall contain a gross floor area equal to or greater than 50% of the gross floor area of the floor immediately beneath it.		
Minimum length of the street façade	Along Durham Highway 2	70%	70%	70%
	Along any other public or private street	30%	30%	30%
Buildings six storeys or taller shall setback all floors above the fourth storey that face a public street (metres)		3.0	3.0	3.0

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Building Elements		MU1	MU2	MU3
Amount of transparent glazing within the business establishment street façade		50%	50%	50%
Location of Entrance	Residential Entrance	Within a street façade; or Along the side of the building but no more than half the width of the building from a street façade.		
	Non-Residential Entrance	At least one public entrance for each business located on the first floor shall be located within a street façade.		
Maximum size of non-residential units (square metres)		600	600	No limit
Maximum amount of non-residential floor space per property (square metres)		3,000	3,000	No limit
Landscape Requirements		MU1	MU2	MU3
Landscaped Open Space (minimum)		15%	15%	15%
Minimum planting strip abutting an Urban Residential zone (metres)		3.0	3.0	3.0
Parking and Loading		MU1	MU2	MU3
Minimum number of loading spaces (4 metres x 9 metres)		1	1	1
Minimum distance between a parking space and a building where a walkway is located beside the building (metres)		2.5	2.5	2.5
Minimum number of parking spaces based on the gross floor area of bank, professional office, retail commercial establishments and personal service shop		1 for every 40 m ²	1 for every 40 m ²	1 for every 40 m ²
Minimum number of parking spaces per apartment dwelling unit – (including visitor parking spaces)		1.0	1.0	1.0

16A.5 Additional Regulations in the Mixed-Use Zone

- a. Notwithstanding Section 3.7a., no new uses may be established on a lot that contains less than the minimum required lot area and frontage.

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- b. The front yard and exterior side yard setbacks only apply to the buildings, or portion of buildings, which are being counted towards compliance with the minimum length of the street façade.
- c. The parking requirements of any MU zone may be accommodated on lands zoned MU within 150 metres of the subject property.

16A.6 Holding Symbol

The holding symbol will be removed once the Municipality is satisfied with the following items:

- a. Access
 - i) Conformity with the respective road authority's entrance requirements;
 - ii) Accommodating access between adjoining properties; and
 - iii) The entrance location will not inhibit redevelopment on other lots in the same block.
- b. Environmental Protection
 - i) For properties located on the north side of Durham Highway 2, an Environmental Impact Study must be completed in accordance with the Clarington Official Plan and the recommendations incorporated into the approved Site Plan.
- c. Servicing
 - i) The uses to be permitted will be serviced by Municipal water and sanitary sewers.

16A.7 Site Specific Exceptions

16A.7.1 Commercial Mixed Use Exception (MU1-1) Zone

Notwithstanding the respective provisions of Section 16A, those lands zoned MU1-1 (S:4) on the Schedules to this By-law shall, in addition to all other uses and regulations of the MU1 zone, be subject to the following requirements:

- a. Permitted Uses
 - i) A business, professional or administrative offices may be located within the building which existed on the date of the passing of this By-law; and
 - ii) A medical or dental clinic may be located within the building which existed on the date of the passing of this By-law.

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b. Regulations

- i) All permitted uses listed in 16A.7.1 a., must be located within a building existing on the date of the passing of this By-law.
- ii) Where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to the existing single detached dwelling. The (H) Holding Symbol may be removed upon Council being satisfied that the property has received Site Plan approval by June 30, 2019.

16A.7.2 Commercial Mixed-Use Exception (MU1-2) Zone

Notwithstanding the respective provisions of Section 16A, those lands zoned MU1-2 (S:4) on the Schedules to this By-law shall, in addition to all other uses and regulations of the MU1 zone, be subject to the following requirements:

a. Permitted Residential Uses

- i) Dwelling units existing at the date of the passing of this by-law.

b. Permitted Non-Residential Uses

- i) Business, professional or administrative offices;
- ii) Commercial school;
- iii) Convenience store;
- iv) Day nursery;
- v) Dry Cleaning Distribution Centre;
- vi) Eating Establishment;
- vii) Eating Establishment, Take-out;
- viii) Financial Office;
- ix) Hotel;
- x) Laundry;
- xi) Medical or Dental Clinic;
- xii) Motel;
- xiii) Personal Service Shop;
- xiv) Place of Entertainment;
- xv) Place of Worship;
- xvi) Private Club;
- xvii) Retail/Commercial Establishment;
- xviii) Tavern;
- xix) Veterinarian Clinic; and

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- xx) Stationary Refreshment Vehicle provided the property was identified in a Stationary Refreshment Vehicle license issued by the Municipality prior to September 21, 2015 and the property has continuously been identified in an annual stationary Refreshment Vehicle license issued by the Municipality since that date.

c. Regulations

- i) All permitted uses listed in 16A.7.2 a. and 16A.7.2 b., with the exception of a Stationary Refreshment Vehicle, must be located within one of the two buildings which existed on the date of the passing of this By-law.

Added by By-law 2018-079

16A.7.3 Residential Mixed Use Exception (MU2-1) Zone

Notwithstanding the respective provisions of Section 16A, those lands zoned MU2-1 (S:4/6) on the Schedules to this By-law shall, in addition to all other uses and regulations of the MU2 zone, be subject to the following requirements:

- a. A business, professional or administrative office may be located within the principal building which existed on September 17, 2018, the date of the passing of this By-law.

Added by PL180249

16A.7.4 Residential Mixed Use Exception (MU2-2) Zone

Notwithstanding 3.16 i. i) and the respective provisions of Table 16.A.4, those lands zoned MU2-2 on the Schedules to this By-law, shall be subject to the following:

a. Regulations

- i) Yard Setback Requirements
 - a) Interior Side Yard-Minimum abutting an Urban Residential Zone 10 metres
- ii) Minimum length of street façade along Bloor Street 62 percent
- iii) Buildings six storeys or taller shall incorporate a setback above the first storey for the floors that front onto a public street 2.3 metres
- iv) Minimum amount of transparent glazing within the business establishment street façade 20 percent
- v) Maximum non-residential floor space 750 square metres

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- vi) Minimum planting strip abutting an Urban Residential zone
 - a) Along the south property line 3 metres
 - b) Along the east property line 2.4 metres
 - c) Along the east property line within 30 metres of the north property limit Nil
- vii) The parking requirements of the MU2-2 zone may be accommodated on lands zoned C1-65 and located within 150 metres of the subject property.
- viii) Minimum entrance setback from the boundary of a side yard lot line boundary of a Residential Zone 0 metres

16A.7.5 Urban Centre Mixed Use Exception (MU3-1) Zone

Notwithstanding the respective provisions of Table 16A.4 those lands zoned MU3-1 (S:4/6), on the Schedules to the By-law, shall be subject to the following:

- a. Regulations
 - i) Minimum length of the street façade along Durham Highway 2 40 %
 - ii) Location of Residential Entrance No requirement

16A.7.6 Urban Centre Mixed Use Exception (MU3-2) Zone

Notwithstanding the respective provisions of Table 16A.4 those lands zoned MU3-2 on the Schedules to this By-law, shall be subject to the following:

- a. Regulations
 - i) Minimum length of the street façade along Durham Highway 2 60%
 - ii) The minimum required for transparent glazing within the business establishment street façade shall only be applicable to buildings within the front yard setback of Durham Highway 2
 - iii) The locational requirements of non-residential entrances shall only be applicable to buildings located within the front yard setback of Durham Highway 2. Non-residential entrances may also be located along the side of the building but no more than half the width of the building from a street façade.

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17. Neighbourhood Commercial (C2) Zone

17.1 Permitted Uses

No person shall, within a Neighbourhood Commercial (C2) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

Residential uses are prohibited except where a dwelling unit is located within a portion of a non-residential building permitted within the Neighbourhood Commercial (C2) Zone.

Amended by By-law 86-41

b. Non-Residential Uses

- i) Business, professional or administration office;
- ii) Day nursery;
- iii) Dry cleaners distribution centre;
- iv) Eating establishment; take-out;

Amended by By-Law 2015-062

- v) Laundry;
- vi) Convenience store;
- vii) Medical or dental clinic;
- viii) Private club;
- ix) Retail commercial establishment;
- x) Service shop; personal.

17.2 Regulations for Residential Uses

a. Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit for each non-residential use shall be permitted in a portion of a non-residential building permitted within the Neighbourhood Commercial (C2) Zone in accordance with the requirements of the said zone and the total floor area requirement set out in the R4 Zone.

17.3 Regulations for Non-Residential Uses

- | | | |
|----|------------------------|--------------------|
| a. | Lot Area (minimum) | 1000 square metres |
| b. | Lot Frontage (minimum) | 30 metres |

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- c. Yard Requirements (minimum)
- i) Front Yard 10 metres
 - ii) Exterior Side Yard 10 metres
 - iii) Interior Side Yard
Minimum interior side yard width shall be 4 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 10 metres.
 - iv) Rear Yard 10 metres
- d. Lot Coverage (maximum) 50 percent
- e. Landscaped Open Space (minimum) 20 percent
- Amended by By-law 87-21*
- f. Building Height (maximum) 10 metres
- g. Floor Area (maximum) 500 square metres

17.4 Municipal Servicing Requirement

No buildings or structures may be erected and no use may be established in the Neighbourhood Commercial (C2) Zone unless the lot upon which it is situated is serviced by Municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.

17.5 Special Exception - Neighbourhood Commercial Zone

Amended by By-law 85-133 & By-law 86-41 and By-law 88-83

17.5.1 Neighbourhood Commercial Exception (C2-1) Zone

Notwithstanding Section 17.1, those lands zoned “C2-1” on the Schedules to this By-law may, in addition to other uses permitted in the “C2” Zone, permit a veterinary Clinic. For the purposes of this subsection, a Veterinary Clinic shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and treatment of injury to animals. The placement of buildings and structures shall be subject to the regulation set out in Section 17.5.1 a), b), c) and d).

By-law shall be subject to the following zone regulations:

- a. Rear Yard (minimum) 1.2 metres

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- b. Interior Side Yard (minimum) 1.2 metres
- c. Landscaped Open Space (minimum) 10 percent
- d. Floor Area (maximum) 1115 square metres

Added by By-law 90-73

17.5.2 Neighbourhood Commercial Exception (C2-2) Zone

Notwithstanding Section 17.1(b) those lands zoned C2-2 on the Schedules to this By-law shall only be used in accordance with the following zone regulations:

- a. Non-Residential Uses
 - i) Business, professional or administration office;
 - ii) Day nursery;
 - iii) Dry cleaners distribution centre;
 - iv) Laundry;
 - v) Convenience store;
 - vi) Medical or dental clinic;
 - vii) Private club
 - viii) Retail commercial establishment
 - ix) Service shop; personal

Amended by By-Law 2015-062

Added by By-law 90-133

17.5.3 Neighbourhood Commercial Exception (C2-3) Zone

Notwithstanding Section 17.3 those lands zoned (C2-3) on the Schedules to this By-law shall only be used in accordance with the following zone regulations:

- a. Total Floor Area (minimum) 1200 square metres
- b. Exterior Side Yard (maximum) 8 metres

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Added by By-law 93-96

17.5.4 Neighbourhood Commercial Exception (C2-4) Zone

Notwithstanding Section 17.3 those lands zoned (C2-4) on the Schedules to this By-law may only be used for the following:

- a. Restaurant

Added by By-law 96-14

17.5.5 Neighbourhood Commercial Exception (C2-5) Zone

Notwithstanding Section 17.3 those lands zoned (C2-5) on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Front Yard (minimum) 7.5 metres
- b. Rear Yard (minimum) 7.5 metres

Added by By-law 2003-035

17.5.6 Neighbourhood Commercial Exception (C2-6) Zone

Notwithstanding Sections 3.13, 3.16, 17.2 and 17.3, those lands zoned C2-6 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Number of Loading Spaces 1
- b. Width of Loading Space 3 metres
- c. Entrance located a minimum of 7 metres from the boundary of the side yard lot line boundary of Residential Zone
- d. A maximum of three dwelling units shall be permitted within a portion of a non-residential building permitted within the Neighbourhood Commercial (C2) Zone in accordance with the minimum dwelling unit area requirements of the Urban Residential Type Four (R4) Zone
- e. Front Yard 0.5 metres
- f. Interior Side Yard 1.5 metres on one side
10 metres on the other side

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- g. Rear Yard Setback 10 metres
- h. Floor Area (maximum) 500 square metres for non-residential uses

Added by By-law 2003-007

17.5.7 Neighbourhood Commercial Exception (C2-7) Zone

Notwithstanding Section 3.5 (e)(i), 17.1 (b) and 17.3 (c)(vi) on those lands zoned “C2-7” on the Schedules to this By-law may, in addition to other uses permitted in the Neighbourhood Commercial (C2) Zone” be used for an Eating Establishment and shall be subject to the following zone regulations:

- a. No entrance shall be permitted within 5.0 metres of the boundary of the side yard lot line boundary of a residential zone
- b. Setback from southerly street line 2 metres (minimum)
5 metres (maximum)
- c. Rear Yard Setback (minimum) 3.5 metres
- d. Any drive-through facility shall be located a minimum of 17 metres from any public street.

Added by By-law 2003-163

17.5.8 Neighbourhood Commercial Exception (C2-8) Zone

Notwithstanding the provisions of Section 17.3 those lands zoned (C2-8) on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Front yard (minimum) 2.0 metres
- b. Exterior Side Yard (minimum) 2.0 metres

Added by By-law 2004-120

17.5.9 Neighbourhood Commercial Exception (C2-9) Zone

Notwithstanding Section 17.1(b), those lands zoned C2-9 on the Schedules to this By-law may also be used for a drive-through facility provided that the drive-through facility is developed in accordance with the provisions in Section 17.5.9.(2)(i) and (ii) are complied with.

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Notwithstanding the provisions of Sections 2, 17.1(b), 17.3 (a), and 17.3 (b), no person shall use any land or erect or use any building or structure located in a C2-9 zone for any residential or non-residential purpose unless the provisions of this Section and the applicable provisions of the aforesaid By-law 84-63 are satisfied:

- a. With respect to non-residential uses, a drive-through facility shall not be erected or used on lands within a C2-9 zone, unless:
 - i) The lot on which the drive-through facility is located has an area of at least 3,000 square metres;
 - ii) Any loud speaker used to broadcast either a human voice or music to the exterior of the building or structure containing the drive-through facility which is affixed to the surface or other portion of the building or structure, or is affixed to or is mounted on a stand adjacent to an order board used by customers and located on the lot, and all portions of the stacking lane are located at least 12 metres from the boundary of any residential zone and at least 12 metres from the lot line of a lot on which an apartment building, a single detached dwelling, a semi-detached dwelling, a street townhouse dwelling or a triplex dwelling is erected;
 - iii) A stacking lane is provided and maintained on the lot on which the drive-through facility is located which stacking lane has a minimum length of 72 metres, a minimum width of 3 metres and entrance to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot;
 - iv) No part of a stacking lane is so located that at any time any motor vehicle which uses it will block, impede or interfere with the use of parking spaces required to be provided on the lot on which the drive-through facility is located;
 - v) A direct pedestrian walkway at least 1.5 metres wide which does not intersect with or cross the stacking lane is provided and maintained on the lot from the portion of a street line which coincides with a lot line of the lot to an entrance in the building containing the drive-through facility; and
 - vi) Notwithstanding the number of parking spaces required by Section 3.15(a) of the aforesaid By-law 84-63, not less than 12 parking spaces for each 100 square metres or any portion thereof of the gross floor contained in the building or structure erected or used for the purpose of the drive-through facility, are provided and maintained on the lot.
 - vii) Notwithstanding Section 17.5.9(2)(i)(c) and (f), a drive-through facility which is not a drive-through eating establishment; a drive-through

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eating establishment, drive-in; or a drive-through eating establishment, take-out, are permitted if they satisfy the other provisions of Section 17.5.9(2)(i) and this By-law and the following requirements:

- (a) A stacking lane is provided and maintained on the lot, which stacking lane has a minimum length of 24 metres, a minimum width of 3 metres and any entrances to it is located a minimum of 18 metres from a portion of a street line which coincides with any portion of a lot line of the lot; and
- (b) Not less than 1 parking space for each 30 square metres of gross floor area contained in the building or structure, are provided and maintained on the lot.

In this Section, the term:

Drive-Through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to customers remaining in motor vehicles located in a stacking lane. A drive-through facility may be in combination with other uses such as: a bank or financial institution; dry cleaning establishment; dry cleaning distribution centre; eating establishment; eating establishment, drive-in; eating establishment, take-out; retail commercial establishment; service shop, light; service shop, personal; shopping centre; or supermarket;

Residential Zone means an Urban Residential Type One (R1) Zone, Urban Residential Type Two (R2) Zone, Urban Residential Type Three (R3) Zone, and an Urban Residential Type Four (R4) Zone and the term includes Special Exceptions to any of these zones provided in the aforesaid By-law 84-63; and

Stacking Lane means an on-site queuing lane for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

*Added by By-law 2007-153
Amended by By-Law 2012-078*

17.5.10 Neighbourhood Commercial Exception (C2-10) Zone

Notwithstanding Section 17.1 b. those lands zoned C2-10 as shown on the Schedules to this By-law shall be subject to the following regulations:

- a. Permitted Non-Residential Uses

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- i) Commercial School;
- ii) Eating Establishment, Dine-in;
- iii) Financial Office;
- iv) Veterinarian Clinic; and
- v) All non-residential uses permitted in 17.1 b.

Notwithstanding Section 17.3 g. and 17.3 c ii) those lands zoned C2-10 as shown on the Schedules to this By-law shall be subject to the following regulations:

b. Regulations for Non-Residential Uses:

- | | | |
|-----|--|---------------------|
| i) | Total Floor Area (maximum) | 1,050 square metres |
| ii) | Setback from South Street Line (minimum) | 4.0 metres |

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18. Hamlet Commercial (C3) Zone

18.1 Permitted Uses

No person shall, within a Hamlet Commercial (C3) Zone, use any land or erect, alter or use any building or structure except as specified hereunder.

a. Residential Uses

- i) A dwelling unit located within a portion of a non-residential building permitted within the Hamlet Commercial (C3) Zone;
- ii) A single detached dwelling that is accessory to a permitted non-residential use.

b. Non-Residential Uses

- i) An antique store;
- ii) A retail store;
- iii) A hardware store;
- iv) A souvenir shop;
- v) A butcher shop;
- vi) A bakery;
- vii) A bank or financial establishment;
- viii) A business, professional or administrative office;
- ix) A convenience store;
- x) A dry cleaners distribution station;
- xi) An eating establishment;
- xii) A service shop, light;
- xiii) A service shop, personal; and

Added by By-Law 2015-062

- xiv) Stationary Refreshment Vehicle as a permitted use.

18.2 Regulations for Residential Uses

a. Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit may be permitted in a portion of a non-residential building permitted within the Hamlet Commercial (C3) Zone in accordance with the zone requirements of the non-residential building or structure and the minimum floor area requirements set out in the R4 Zone.

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- b. Single detached dwellings shall be subject to the regulations set out in the Hamlet Residential (RH) Zone.

18.3 Regulations for Non-Residential Uses

- | | | |
|----|--|--------------------|
| a. | Lot Area (minimum) | 3000 square metres |
| b. | Lot Frontage (minimum) | 10 metres |
| c. | Yard Requirements (minimum) | |
| | i) Front Yard | 3 metres |
| | ii) Exterior Side Yard | 3 metres |
| | iii) Interior Side Yard | |
| | Minimum interior side yard width shall be 3 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 5 metres. | |
| | iv) Rear Yard | 10 metres |
| d. | Lot Coverage of (maximum) | 50 percent |
| e. | Landscaped Open Space (minimum) | 10 percent |
| f. | Building Height (maximum) | 10 metres |

18.4 Special Exceptions - Hamlet Commercial (C3) Zone

18.4.1 Hamlet Commercial Exception (C3-1) Zone

Notwithstanding Section 18.1, those lands zoned C3-1 on the Schedules to this By-law may only be used for a bulk fuel distribution establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 18.3.

Amended by By-law 86-41

18.4.2 Hamlet Commercial Exception (C3-2) Zone

Notwithstanding Section 18.1, those lands zoned C3-2 on the Schedules to this By-law may, in addition to the other uses permitted in the C3 Zone, be used for an auction room. The placement of buildings and structures shall be subject to the zone regulations set out in Section 18.3.

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18.4.3 Hamlet Commercial Exception (C3-3) Zone

Notwithstanding Sections 18.1 and 18.2, those lands zoned C3-3 may only be used in accordance with the following zone regulations:

a. Permitted Uses

- i) A shopping centre, containing one or more of the following uses:
- ii) A bank;
- iii) A barber shop;
- iv) A beauty parlour;
- v) A coffee shop;
- vi) A grocery store;
- vii) A library;
- viii) A post office;
- ix) A professional or business office;
- x) A retail store not engaged in manufacturing on the premises unless such manufacturing is incidental to the retail business, does not exceed fifty percent (50%) of the floor area and the products manufactured are primarily for sale at retail on the premises;
- xi) A shoe repair shop.

b. Zone Requirements

No person shall use any of the lands subject to this Special Exception, or erect, alter or use any building or structure except in accordance with the following regulations:

- | | | |
|-------|----------------------------|---|
| i) | Lot Frontage (minimum) | 20 metres |
| ii) | Lot Area (minimum) | 2.8 hectares |
| iii) | Front Yard (minimum) | 50.5 metres |
| iv) | Side Yard (minimum) | 7.6 metres |
| v) | Rear Yard (minimum) | 12 metres |
| vi) | Floor Area (maximum) | 1960 square metres |
| vii) | Landscaping Area (minimum) | 25 percent |
| viii) | Parking Spaces (minimum) | 1 space per 16.75 square metres of floor area |
| ix) | Loading Spaces (minimum) | 2 |

c. Servicing Requirements

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No person shall erect, alter or use any building for any permitted use on the said lands unless such building is serviced by a municipal water supply and a private sanitary waste disposal system, which complies with the regulations of the Ministry of the Environment.

18.4.4 Hamlet Commercial Exception (C3-4) Zone

Notwithstanding Section 18.1, those lands zoned C3-4 on the Schedules to this By-law may, in addition to the other uses permitted in the C3 Zone, be used for a farm supply outlet and distribution centre. The placement of buildings and structures shall be subject to the zone regulations set out in Section 18.3.

18.4.5 Hamlet Commercial Exception (C3-5) Zone

Notwithstanding Section 18.1, those lands zoned C3-5 on the Schedules to this By-law shall only be used for a medical or dental clinic and a veterinary clinic.

18.4.6 Hamlet Commercial Exception (C3-6) Zone

Notwithstanding Section 18.1, those lands zoned C3-6 on the Schedules to this By-law may, in addition to the other uses permitted in the C3 Zone, be used for a garden and nursery sales and supply establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Schedule 18.3.

Repealed by By-Law 2005-109

Added by By-law 2002-029

18.4.8 Hamlet Commercial Exception (C3-8) Zone

Notwithstanding Section 18.1, those lands zoned C3-8 on the Schedules attached to this By-law may also be used for an eating establishment with a vehicular drive-through service.

Added By By-Law 2010-075

18.4.9 Hamlet Commercial Exception (C3-9) Zone

Notwithstanding the provisions of 18.1 and 18.3 c. iii), those lands zoned “C3-9” on the Schedules to this By-law may be only used in accordance with the following:

- a. Definitions
 - i) Farm-related commercial establishment: Shall mean a farm-related commercial use that is small in scale, required in close proximity to a

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farm and directly related the business of farming and shall include a feed store.

b. Permitted Uses

- i) A farm-related commercial establishment;
- ii) A single detached dwelling;

b. Regulations for non-residential uses

- | | | |
|-----|------------------------------|-------------------|
| i) | Interior Side Yard (minimum) | 3 metres |
| ii) | Total Floor Area (maximum) | 500 square metres |

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19. Special Purpose Commercial (C4) Zone

19.1 Permitted Uses

No person shall within a Special Purpose Commercial (C4) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

- i) A dwelling unit located within a portion of a non-residential building permitted within the Special Purpose Commercial (C4) Zone;
- ii) A single detached dwelling that is accessory to a permitted non-residential use.

b. Non-Residential Uses

- i) A retail sales and/or service establishment for:
 - furniture,
 - major appliances,
 - office furniture,
 - motor vehicle equipment and accessories;
- ii) A building supply outlet;
- iii) A beer, liquor or wine outlet;
- iv) A convention centre;
- v) A garden or nursery sales and supply establishment;
- vi) A fruit and vegetable outlet;
- vii) A catalogue sales outlet;
- viii) A motor vehicle sales establishment;
- ix) A retail sales and/or service establishment, with outdoor display areas for recreational vehicles, equipment and accessories, motor vehicles, equipment and accessories;
- x) An eating establishment;
- xi) An eating establishment, take-out;
- xii) An eating establishment, drive-in;
- xiii) A tavern;
- xiv) Places of worship;
- xv) Place of entertainment;
- xvi) A hotel, motel or motor hotel;
- xvii) Stationary Refreshment Vehicle as a permitted use;
- xviii) A private club;
- xix) A veterinarian clinic;

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- xx) Offices, located on a second floor only, unless directly related to the primary use(s) of the ground floor; and

Amended by By-law 85-36

- xxi) Existing motor vehicle service stations and motor vehicle fuel bars.

19.2 Regulations for Residential Uses

- a. Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit may be permitted in a portion of a non-residential building permitted within the Special Purpose Commercial (C4) Zone in accordance with the zone requirements of the non-residential building or structure and the minimum floor area requirements set out in the R4 Zone.

- b. Single detached dwellings shall be subject to the regulations set out in the Hamlet Residential (RH) Zone.

19.3 Regulations for Non-Residential Uses

- a. Lot Area (minimum) 3500 square metres
- b. Lot Frontage (minimum) 30 metres
- c. Lot Coverage (maximum) 40 percent
- d. Front Yard (minimum) 15 metres

Amended by By-law 87-19

- e. Interior Side Yard (minimum) 5 metres, provided that where a side lot abuts a residential zone, a minimum side yard of 10 metres shall be required
- f. Exterior Side Yard (minimum) 10 metres
- g. Rear Yard (minimum) 5 metres, provided that where a rear lot line abuts a residential zone. The minimum rear yard shall be 10 metres.

Amended by By-law 87-19

- h. Landscaped Area (minimum) 10 percent

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Amended by By-law 87-21

- i. Building Height (maximum) 10 metres for all permitted uses, save and except that a hotel shall not exceed a maximum height of 25 metres.

Added by By-law 87-19

- j. Ingress and Egress
 - i) All uses shall be developed with common points of ingress and egress, to be developed in conjunction with adjacent properties and having a minimum separation distance of 75 metres from centre line to centre line, where fronting upon a Type B Arterial Road and 180 metres where fronting upon a Type A Arterial Road. Notwithstanding this provision, subject to the consideration and approval of the Council having jurisdiction, temporary direct access to an arterial road may be permitted until a permanent access via a common point of ingress and egress is available.
 - ii) The distance between an intersection of streetlines and the nearest point of ingress and egress for a use, shall be 50 metres, except for temporary points of access as may be approved by Council.

Amended by By-law 85-36

- k. Existing Motor Vehicle Service Stations and Fuel Bars
The expansion or enlargement of existing motor vehicle service stations and/or motor vehicle fuel bars shall be subject to the provisions of Section 21.3, Subsections (h), (i) and (j).

19.4 Special Exceptions - Special Purpose Commercial (C4) Zone

19.4.1 Special Purpose Commercial Exception (C4-1) Zone

Notwithstanding Section 19.1, those lands zoned C4-1 on the Schedules to this By-law may only be used for the purposes of a veterinary clinic. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.2 Special Purpose Commercial Exception (C4-2) Zone

Notwithstanding Section 19.1, those lands zoned C4-2 on the Schedules to this By-law may only be used for a building supply outlet. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

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Amended by By-law 86-41

19.4.3 Special Purpose Commercial Exception (C4-3) Zone

Notwithstanding Section 19.1(b), those lands zoned C4-3 on the Schedules to this By-law may only be for one or more of the following uses:

- a. A motor vehicle towing establishment including temporary storage and/or repair of motor vehicles provided that said vehicles are stored within a fenced enclosure and further, provided that no vehicle is stored for more than thirty (30) days;
- b. A new and used automobile sales and service outlet;
- c. A service shop, personal.

19.4.4 Special Purpose Commercial Exception (C4-4) Zone

Notwithstanding Section 19.1, those lands zoned C4-4 on the Schedules to this By-law may only be used for a motor vehicle sales establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.5 Special Purpose Commercial Exception (C4-5) Zone

Notwithstanding Section 19.1, those lands zoned C4-5 on the Schedules to this By-law may only be used as a recreational vehicle sales establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.6 Special Purpose Commercial Exception (C4-6) Zone

Notwithstanding Section 19.1, those lands zoned C4-6 on the Schedules to this By-law may only be used for an eating establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

Added by By-law 85-51

19.4.7 Special Purpose Commercial Exception (C4-7) Zone

Notwithstanding Sections 19.1 and 19.3 those lands zoned C4-7 on the schedules to the By-law shall be subject to the following zone regulations:

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Permitted Non-Residential Uses:

- a. Sales and service outlet for boats, boat motors, snowmobiles, motorcycles and uses, building and structures accessory thereto.
- b. A sales outlet for new and used automobiles, house trailers, motor homes and uses, buildings and structures accessory thereto.
- c. A retail sales outlet for stoves, furnaces and fireplaces designed for use in residential buildings and uses accessory thereto.

Regulations for Non-Residential Uses

- a. Lot Coverage
 - i) All buildings (maximum) 10 percent
 - ii) Outside display area (maximum) 35 percent
- b. Parking Spaces (minimum) 10
 - i) Maximum number of automobiles for display at one time 30

Added by By-law 86-104

19.4.8 Special Purpose Commercial Exception (C4-8) Zone

Notwithstanding Section 19.1, those lands zoned C4-8 on the Schedules to this by-law shall be subject to the following zone regulations:

- a. Permitted Residential Uses
 - i) Trailer park or trailer camp in accordance with the provisions of Section 6.4.11 hereof, including a propane dispensing tank as an accessory use for the use of park patrons only in accordance with the provisions of Section 19.3 hereof.
- b. Permitted Non-Residential Uses
 - i) A retail sales and/or service establishment with outdoor display areas for recreational vehicles, equipment and accessories in accordance with the provisions of Section 19.3 hereof.

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*Added by By-law 85-53
Deleted by OMB order Oct. 28/85
Added by By-law 89-42*

19.4.10 Special Purpose Commercial Exception (C4-10) Zone

Notwithstanding Section 19.1, those lands zoned C4-10 on the Schedules to this By-law, in addition to the other uses permitted in the C4 zone, be used for a motor vehicle fuel bar in accordance with the provisions of Section 21.3 of this By-law.

Added by By-Law 92-145

19.4.11 Special Purpose Commercial Exception (C4-11) Zone (Expired)

*Added by By-law 94-132
Replaced by By-Law 2015-064*

19.4.12 Special Purpose Commercial Exception (C4-12) Zone

Notwithstanding Section 19.1, the lands zoned C4-12 on the Schedules to this By-Law, in addition to the uses permitted in the C4 Zone, may also be used for a motor vehicle fuel bar and a convenience store.

*Added by By-law 95-47
Amended by By-law 98-066*

19.4.13 Special Purpose Commercial Exception (C4-13) Zone (Expired)

Added by By-law 98-62

19.4.15 Special Purpose Commercial Exception (C4-15) Zone

Notwithstanding Sections 19.1, those lands zoned C4-15 on the schedules to this By-law, shall only be used for a motor vehicle service station and a motor vehicle sales establishment. The placement of buildings shall be subject to the zone regulations set out in Section 19.3.

Added by By-law 2004-224

19.4.16 Special Purpose Commercial Exception (C4-16) Zone

Notwithstanding Sections 19.1 b) and 21.3 h. i), those lands zoned C4-16 on the Schedules to the By-law may also be used for a convenience store in addition to other permitted uses and shall be subject to the following regulation:

- a. The minimum distance between any portion of the pump island, or weather canopy or shelter, and any exterior side lot line is not less than 3.0 metres.

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20. Special Purpose Commercial (C5) Zone

20.1 Permitted Uses

No person shall within a Special Purpose Commercial (C5) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Residential Uses
 - i) Prohibited
- b. Non-Residential Uses
 - i) Any non-residential use permitted in a Special Purpose Commercial (C4) Zone.

20.2 Regulations for Non-Residential Uses

No person shall, within a Special Purpose Commercial (C5) Zone, use any land or erect, alter or use any building or structure except in accordance with the zone regulations for Non-Residential uses as specified by Section 19.3 of this By-law.

20.3 Municipal Servicing Requirement

- a. No building or structure may be erected and no use may be established in the Special Purpose Commercial (C5) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.
- b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law.
- c. Subsection a. above does not apply to prevent the change in use of a building or structure which was being used for a permitted use on the date of passing of this By-law, nor shall it apply to prevent the development or redevelopment of a use where an agreement has been executed in respect of services and further, provided that the lot upon which the use is located will be serviced by a private potable water supply system Installed in accordance with the requirements of the Health Protection and Promotion Act and a private sanitary waste disposal system installed in accordance with the requirements of the Ministry of the Environment.

Amended by By-law 85-51

20.4 Special Exceptions - Special Purpose Commercial (C5) Zone

20.4.1 Special Purpose Commercial Exception (C5-1) Zone

Notwithstanding Section 20.1, those lands zoned C5-1 on the Schedules to this By-law may only be used for a motel or motor hotel. The placement of buildings and structures shall be subject to the regulations set out in Section 20.2.

20.4.2 Special Purpose Commercial Exception (C5-2) Zone

Notwithstanding Section 20.1, those lands zoned C5-2 on the Schedules to this By-law may only be used for the purposes of a marina and a hotel. Placement of buildings and structures shall be subject to the zone regulations set out in Section 20.2.

Amended by By-law 85-51

20.4.3 Special Purpose Commercial Exception (C5-3) Zone

Notwithstanding Section 3.7 and 20.2, those lands zoned C5-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Area (minimum) 7000 square metres
- b. Lot Frontage (minimum) 75 metres
- c. For the purposes of this Special Purpose Commercial Exception (C5-3) Zone, the consolidation of the lots identified in the 1987 Roll Book as Numbers 010-070-07500, 010-070-07400, 010-070-07305, 010-070-07300, 010-050-07200 shall be required as a prerequisite to development of said lots for commercial purposes.

Amended by By-law 88-112

Amended by By-law 2012-043

20.4.4 Special Purpose Commercial Exception (C5-4) Zone

Notwithstanding Section 20.1, those lands zoned C5-4 on the Schedules to this By-law may only be used as an eating establishment, an eating establishment take-out, a hotel, a personal service shop and a motor vehicle fuel bar. The placement of buildings and structures shall be subject to the zone regulations set out in Section 20.2.

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Amended by By-law 98-177

20.4.5 Special Purpose Commercial Exception (C5-5) Zone

Notwithstanding Section 19.1 and 19.3, those lands zoned C5-5 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Definitions:

- i) Garbage Enclosure shall refer to a building or structure used for the temporary storage of waste materials incidental to a permitted use.

b. Permitted Non-Residential Uses:

- i) Motor vehicle sales establishment

c. Regulations

- i) Front Yard 0 m (minimum), except where a second separate structure, other than a garbage enclosure, is erected on the subject lands, then the front yard setback shall be 68.0 metres (minimum)
- ii) Rear Yard 30 metres (minimum)
- iii) Interior Side Yard 45.0 m (min) Where the western limit of a building is located up to 45.0 metres from the front lot line.
Where the western limit of a building is located between 45.0 metres and 68.0 metres from the front lot line, the interior side yard shall be 75.0 metres (minimum).
Where the western limit of the building is located in excess of 68.0 metres from the front lot line, the interior side yard shall be 36.0 metres (minimum)
Where a second building or structure, other than a garbage enclosure, has a front yard setback more than 68.0 metres, then the interior side yard shall be

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36.0 metres (minimum).
No portion of the parking area
shall be closer than 8.75 metres (minimum)
to the rear lot line.

20.4.6 Special Purpose Commercial Exception (C5-6) Zone

Notwithstanding Section 20.1 and 20.2, those lands zoned C5-6 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Permitted Uses

- i) One assembly hall/conference centre containing a maximum of sixteen (16) motel/hotel units and including accessory retail commercial stores commercial offices, offices and eating establishments.
- ii) Retail Commercial stores including eating establishments.
- iii) Park(public or private)
- iv) Parking Areas
- v) A maximum of thirteen (13) residential dwellings as part of a non-residential building

b. Zone Provisions

- | | | |
|-------|---|--------------------|
| i) | Block Area (minimum) | 8000 square metres |
| ii) | Building Coverage (maximum) | 25 percent |
| iii) | Landscaped Area (minimum) | 40 percent |
| iv) | Floor Areas: | |
| | (a) Retail Commercial Stores and Offices
(Total combined maximum) | 1245 square metres |
| | (b) Residential dwelling unit (minimum) | 33.5 square metres |
| | (c) Hotel/Motel Unit (minimum) | 20 square metres |
| v) | Building Height (maximum) | 10.5 metres |
| vi) | Separation between buildings or structures (minimum) | 2.5 metres |
| vii) | Separation between buildings or structures and any
private driveway, roadway or lane | 6.0 metres |
| viii) | Separation between buildings or structures and any
public road (minimum) | 7.5 metres |

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- | | | |
|-----|--|------------|
| ix) | Separation between buildings or structures and any lot line abutting public lands, buildings or structures | 4.0 metres |
| x) | Parking (minimum) | 46 spaces |

Amended by By-law 85-51

20.4.7 Special Purpose Commercial Exception (C5-7) Zone

Notwithstanding Section 3.8 and 20.2 those lands zoned C5-7 on the Schedules to this By-law shall be subject to the following zone regulations:

- | | | |
|----|------------------------|--------------------|
| a. | Lot Area (minimum) | 3500 square metres |
| b. | Lot Frontage (minimum) | 30 metres |

Added By By-Law 90-89

20.4.8 Special Purpose Commercial Exception (C5-8) Zone

Notwithstanding Section 20.1, those lands zoned C5-8 on the Schedules to this By-law may only be used for a motel or motor hotel and taxi stand. The placement of buildings and structures shall be subject to the regulations set out in Section 20.2.

Added by By-Law 2010-114

20.4.9 Special Purpose Commercial Exception (C5-9) Zone

Notwithstanding the provisions of Sections 3.13 e. and 20.1 b. those lands zoned "C5-9" on schedule "A" of this By-law shall, in addition to the permitted uses may also be used for a Medical or Dental Clinic and Business, Professional or Administrative Office. All uses shall be subject to the following regulations:

- | | |
|----|--|
| a. | Loading Space Requirements: |
| i) | Loading spaces may be provided in tandem and shall not be required to be located abutting the building or structure for which they are required. |

Added by By-Law 84-63

20.4.10 Special Purpose Commercial Exception (C5-10) Zone

Notwithstanding Sections 3.14, 3.16e., 3.16 i. i., 3.17 a., 19.3 f. and 19.3 j. ii. Those lands zoned C5-10 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

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- a. Where a lot is divided into more than one zone, the zone boundary shall not be interpreted to be a lot line as defined herein for the purposes of interpreting zone requirements and general provisions of the By-law.
- b. Exterior Side Yard (minimum) 0.3 metres
(maximum) 5.0 metres
- c. Rear Yard (minimum) 23 metres
- d. A portion of the required parking for lands zoned C5-10 may be accommodated in an abutting C1 zone.
- e. No vehicular entrance shall be permitted within 7.5 metres of the side yard lot line boundary of an abutting property in a Residential Zone.
- f. Where the interior side or rear lot line abuts a property within a Residential Zone:
 - i) A planting strip adjoining such lot line shall be provided with a minimum width of 1.5 metres; and
 - ii) A privacy fence will be provided and designed as a solid barrier of not less than 1.8 metres in height.

Added By By-Law 92-152

20.4.11 Special Purpose Commercial Exception (C5-11) Zone

Notwithstanding Section 20.1(B), those lands zoned C5-11 on the Schedules of this by-law may only be used for an eating establishment - take-out, car wash establishment and business, professional or administrative offices, all of which are existing on the date of passing of this by-law.

Added By By-Law 2001-109

20.4.13 Special Purpose Commercial Exception (C5-13) Zone

Notwithstanding Sections 2, 3.16, 3.21, 20.1, and 20.2, those lands zoned (C5-13) as shown on the schedules to this By-law shall be subject to the following zone regulations:

- a. Definitions

Deleted by By-Law 2015-062

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- i) Sidewalk: shall mean an area for exclusive pedestrian use constructed of concrete located between the building and street line.
 - ii) Farm Equipment and Supply Store: shall mean a store which provides farm equipment and farm supplies, the sale of a limited variety of home improvement supplies, personal and household items such as clothing, small household appliances, hardware, house wares, dry goods.
- b. Permitted Non Residential Uses
 - i) In addition to the uses permitted in Section 20.1, the subject lands may also be used for farm equipment and supply store.
- c. Regulations for Non Residential Uses
 - i) Total floor Area Leasable (minimum) 2000 square metres
 - ii) Parking Area Size 5.2 metres in length by 2.75 metres in width provided that such a space is perpendicular to a landscaping strip or a sidewalk.
 - iii) Setback to EP Zone 0 metres

Added by By-Law 2009-116

20.4.14 Special Purpose Commercial Exception (C5-14) Zone

Notwithstanding Sections 3.14 and 20.1, those lands zoned C5-14 on the Schedules to this By-law shall be used subject to the following definitions and permitted uses:

- a. Definitions
 - i) Credit Union: shall mean a corporation incorporated as a credit union or caisse populaire under the Credit Unions and Caisse Populaires Act.
 - ii) Drive-Through Facility: shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automatic machine, to customers remaining in motor vehicles, which are located in a stacking lane. A drive-through facility may be established in combination with other permitted non-residential uses.

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- iii) Stacking Lane: shall mean a queuing lane for motor vehicles which is located on the same lot as the drive-through facility and which is separated from other motor vehicle traffic on the same lot by carriers or curbs.
- b. Residential Uses
 - Prohibited
- c. Non-Residential Uses
 - i) An assembly hall;
Added by By-Law 2015-062
 - ii) A convention centre;
 - iii) A day nursery;
 - iv) An eating establishment;
 - v) An eating establishment – take out;
 - vi) An eating establishment with a drive-through facility;
 - vii) A beer, liquor or wine outlet;
 - viii) A credit union not represented in the Bowmanville Urban Area on November 10, 2008;
 - ix) A garden or nursery sales and supply establishment;
 - x) A hotel;
 - xi) A retail commercial establishment;
 - xii) A place of entertainment;
 - xiii) A place of worship;
 - xiv) A private club;
 - xv) A tavern;
 - xvi) A veterinarian clinic;
 - xvii) Building supply outlet;
 - xviii) Motor vehicle sales establishment, provided the primary use is restricted to new car sales;
 - xix) Offices, located on a second floor only, unless directly related to the primary use(s) of the ground floor;
 - xx) Notwithstanding subsection xix) business and professional offices located on the ground floor are permitted provided the cumulative floor space used for such ground floor office uses on lands zoned C5-14 does not exceed 500 square metres.
- d. Regulations for Non-Residential Uses

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- i) The minimum floor area for a retail commercial establishment shall be greater than 465 square metres.
- ii) Notwithstanding Section 20.4.14 d. i), a maximum of 2,787 square metres of gross floor space is permitted with a minimum gross floor area of 232 square metres and a maximum gross floor area of 465 square metres per unit.
- iii) Notwithstanding Section 20.4.14 d. i) and ii), a maximum of 3 individual business establishments with a total floor area less than 250 square metres but greater than 100 square metres may be constructed and used, provided they each face on to Baseline Road.
- iv) Notwithstanding Section 19.3 f., the exterior side yard for a building with a total floor area less than 500 square metres shall be a minimum of 5 metres.
- v) Outdoor storage is prohibited.
- vi) A zone line is not a property line for purposes of determining setbacks between the C5-14 and C5 zones.

e. Regulations for Drive-Through Facilities

Where a drive-through facility is permitted, the following requirement shall apply:

- i) A stacking lane shall be provided and maintained on the lot on which the drive-through facility is located which shall have a minimum length of 72 metres, a minimum width of 3 metres and any entrance to the stacking lane shall be located a minimum of 18 metres from the limit of a public street.
- ii) No part of a stacking lane shall be so located that at any time any motor vehicle which uses it may block, impede or interfere with the use of any parking space required to be provided on the lot on which the drive-through facility is located.
- iii) No portion of the stacking lane shall be located between a building and a street line.
- iv) Notwithstanding Section 20.4.14 e. i), the minimum length for a stacking lane for a drive-through facility associated with a credit union is 24 metres.

f. Holding Zone

Where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to existing residential uses and conservation, forestry and farm uses exclusive of livestock

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operation. The (H) Holding symbol shall be removed upon the execution of a Section 41(7) Site Plan Agreement securing conditions of approval in respect of servicing and access matters as well as any associated financial requirements.

*Added by By-law 2009-003,
Deleted by By-law 2009-019,
Added by By-law 2009-019*

20.4.16 Special Purpose Commercial Exception (C5-16) Zone

Notwithstanding Sections 3.13, 19.3 d. and f. and 20.1 those lands zoned C5-16 on the Schedules to this By-law may, in addition to the uses listed in Section 19.1 b. i) to xvii) and xix), be used subject to the following zone regulations:

- a. Residential Uses
Prohibited
- b. Non-Residential Uses
Offices
- c. Regulations for Non-Residential Uses
 - i) Front Yard (minimum) 3 metres
(maximum) 6 metres
 - ii) Exterior Side Yard (minimum) 6 metres
(maximum) 10 metres
 - iii) One loading space of 7.5 metres x 3.0 metres will be provided for a building floor area not exceeding 1860 square metres.
 - iv) No drive-through is permitted for an eating establishment.

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21. Service Station Commercial (C6) Zone

21.1 Permitted Uses

No person shall, within a Service Station Commercial (C6) Zone, use any land or erect, alter or use any building or structure except as specified hereunder.

a. Residential Uses

- i) A dwelling unit located within a portion of a non-residential building permitted within the Service Station Commercial (C6) Zone;
- ii) A single detached dwelling that is accessory to a permitted non-residential use.

b. Non-Residential Uses

- i) Motor Vehicle Fuel Bar;
- ii) Motor Vehicle Service Station;
- iii) The retail sale of confectionary items, sundry foods and promotional items as an accessory use to a permitted use, but excluding facilities for the preparation of foods; and

Added by By-Law 2015-062

- iv) Stationary Refreshment Vehicle as a permitted use.

21.2 Regulations for Residential Uses

a. Dwelling Unit in Portion of Non-Residential Building

- i) A maximum of one dwelling unit may be permitted in a portion of a non-residential building permitted within the Service Station Commercial (C6) Zone in accordance with the zone requirements of the non-residential building or structure and the minimum floor area requirements set out in the R4 Zone.

- b. Single detached dwelling shall be subject to the regulations set out in the Residential Hamlet (RH) Zone.

21.3 Regulations for Non-Residential Uses

a. Lot Area (minimum):

- i) Lot serviced by municipal water supply system and private sanitary waste disposal system 2000 square metres

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- ii) Lot serviced by a private water supply system and private waste disposal system 3000 square metres
- b. Lot Frontage (minimum) 35 metres
- c. Yard Requirements (minimum)
 - i) Front yard 12 metres
 - ii) Exterior Side Yard 12 metres
 - iii) Interior Side Yard
Minimum interior side yard width shall be 5 metres except where the interior side lot line abuts a Residential Zone, or a lot which has a residential use thereon within 15 metres of such common lot line, the minimum interior side yard width shall be 10 metres.
 - iv) Rear Yard
Minimum rear yard shall be 5 metres except where the rear yard abuts a Residential Zone, or a lot which has a residential use thereon within 15 metres of such common lot line, the rear yard shall be 10 metres.
- d. Lot Depth Requirement (minimum)

Minimum lot depth requirement shall be 30 metres except where the lot is a corner lot, in which case the minimum lot depth requirement shall be 35 metres.
- e. Lot Coverage of All Buildings (maximum) 50 percent
- f. Landscaped Open Space (minimum) 10 percent
- g. Building Height (maximum) 10 metres
- h. Fuel Pump Location

Notwithstanding any other provision of this By-law to the contrary, a fuel pump island and/or overhanging weather canopy or shelter, as part of or as accessory to a motor vehicle gasoline bar or motor vehicle service station, may be located within any yard provided:
 - i) That the minimum distance between any portion of the pump island, or weather canopy or shelter, and any street line or any rear or interior side lot line, is not less than 5 metres; and

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- ii) That where a lot is a corner lot, no portion of any pump island, or weather canopy or shelter, shall be located closer than 3 metres to a straight line between a point in the front lot line and a point in
- iii) The exterior side lot line, such point being distant 15 metres from the intersection of such lines, or 4.5 metres to the street line where such street line forms a diagonal between the front lot line and the exterior side lot line.

i. Bulk Fuel Storage Tank Location

Bulk fuel storage tanks shall be installed in accordance with the provisions of the Provincial Gasoline Handling Act. Bulk fuel storage tanks located above ground shall be located in accordance with the applicable yard requirements specified by Section 20.2 hereof.

j. Entrance Regulations

Notwithstanding any other provision set forth in this By-law to the contrary, the following provisions shall apply to ingress and egress driveways established in conjunction with a motor vehicle fuel bar or motor vehicle service station where fuel is offered or kept for sale at retail, namely:

- i) The maximum width of a driveway measured along the street line shall be 10 metres;
- ii) The minimum distance between driveways, measured along the street line intersected by such driveway shall be 10 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 10 metres;
- iv) The minimum distance between an interior side lot line and any driveway shall be 3 metres; and,
- v) The interior angle formed between the street line and the centreline of any driveway shall not be less than 45 degrees.

21.4 Special Exceptions Service Station Commercial (C6) Zone

21.4.1 Service Station Commercial Exception (C6-1) Zone

Notwithstanding Section 21.1, those lands zoned C6-1 on the Schedules to this By-law may, in addition to the other uses permitted in the C6 zone, be used for a service shop for furniture reupholstering and repair, an eating establishment, and a retail store.

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21.4.2 Service Station Commercial Exception (C6-2) Zone

Notwithstanding Section 21.1, those lands zoned C6-2 on the Schedules to this By-law may, in addition to the other uses permitted in the C6 zone, be used for an eating establishment and a retail store.

21.4.3 Service Station Commercial Exception (C6-3) Zone

Notwithstanding Section 21.1, those lands zoned C6-3 on the Schedules to this By-law may, in addition to the other uses permitted in the C6 zone, be used for a motor vehicle body shop.

21.4.4 Service Station Commercial Exception (C6-4) Zone

Notwithstanding Section 21.1, those lands zoned C6-4 on the Schedules to this By-law may, in addition to the other uses permitted in the C6 zone, be used for an eating establishment accessory to a permitted use.

21.4.5 Service Station Commercial Exception (C6-5) Zone

Notwithstanding Section 21.1, those lands zoned C6-5 on the Schedules to this By-law shall be serviced by a municipal water supply system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment.

Amended by By-law 85-144

21.4.6 Service Station Commercial Exception (C6-6) Zone

Notwithstanding Section 21.1, those lands zoned C6-6 on the Schedules to this By-law may, in addition to the other uses permitted in the C6 zone, be used for an eating establishment accessory to a permitted use and a retail sales and/or service establishment with outdoor display areas for recreational vehicles.

Amended by By-law 86-53

21.4.7 Service Station Commercial Exception (C6-7) Zone

Notwithstanding Section 21.1, those lands zoned C6-7 on the Schedules to this By-law may, in addition to and as the ancillary to uses permitted in the C6 Zone, be used for the sale of motor vehicles and motor vehicle parts subject to the following zone regulations:

- | | | |
|----|---|---|
| a. | Number of cars to be displayed for sale at one time (maximum) | 4 |
|----|---|---|

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- b. Floor area of Motor Vehicle Service Station Building (maximum) 310 square metres
- c. Notwithstanding the uses permitted in conjunction with a "Motor Vehicle Sales Establishment" as defined herein, the use of these lands and the buildings located thereon for a motor vehicle body shop as defined herein is specifically prohibited.

21.4.8 Service Station Commercial Exception (C6-8) Zone

Notwithstanding Sections 21.1 and 21.3, the lands zoned C6-8 on the attached Schedules to this By-law, may only be used for a Motor Vehicle Service Station, Motor Vehicle Body Shop and Motor Vehicle Sales Establishment and shall only be used in accordance with the following regulations:

- a. Lot Area (minimum) 2.5 hectare
- b. Lot Frontage (minimum) 197 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 9 metres
 - ii) Interior Side Yard 20 metres
 - iii) Rear Yard 150 metres

Added by By-law 96-55

21.4.9 Service Station Commercial Exception (C6-9) Zone

Notwithstanding Sections 21.1 b), those lands zoned (C6-9) on the Schedules to this By-law, truck accessories may be sold, stored or displayed as accessory to the uses permitted in this zone.

*Added by By-law 96-58
Amended by By-law 2000-65*

21.4.10 Service Station Commercial Exception (C6-10) Zone

Notwithstanding Sections 21.1, those lands zoned (C6-10) on the Schedules to this By-law may, in addition to the other uses permitted in the (C6) Zone, be used for a convenience store

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Added by By-law 2005-165

21.4.11 Service Station Commercial Exception (C6-11) Zone

Notwithstanding Section 21.1, those lands zoned C6-11 on the Schedules to this By-law in addition to the other uses permitted in the (C6) zone, be used for a convenience store and an eating establishment accessory to a permitted use.

Added by By-Law 2010-089

21.4.12 Service Station Commercial Exception (C6-12) Zone

Notwithstanding Sections 3.1 i., 3.13 c., 3.16 i. i), 21.1, 21.2, and 21.3, those lands zoned C6-12 on the Schedules to this By-law shall be used subject to the following definitions and permitted uses:

a. Definitions

- i) Convenience Store Floor Area: shall mean the total floor area of the convenience store, excluding storage area, office and mechanical room not accessible to the public, and washrooms.
- ii) Drive-Through Facility: shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automatic)machine, to customers remaining in motor vehicles, which are located in a stacking lane. A drive-through facility may be established in combination with other permitted non-residential uses.
- iii) Motor Vehicle Fuel Bar: shall mean an establishment for dispensing fuel to motor vehicles that consists of fuel pumps, and a convenience store which may include the sale of motor vehicle accessories and fluids.
- iv) Motor Vehicle Wash: shall mean an establishment where mechanical equipment is used for the washing of motor vehicles. A motor vehicle wash shall have water and sanitary sewer services provided by a public authority.
- v) Stacking Lane: shall mean a queuing lane for motor vehicles which is located on the same lot as the drive-through facility and which is separated from other motor vehicle traffic on the same lot by barriers or curbs.

b. Residential Uses

Prohibited

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c. Non-Residential Uses

- i) Eating establishment;
- ii) Eating establishment with a drive-through facility;
- iii) Motor vehicle fuel bar;
- iv) Motor vehicle wash with a drive-through facility.

d. Regulations for Non-Residential Uses

- i) Lot Area (minimum) for an eating establishment with a drive-through facility 3000 square metres
- ii) Floor area (maximum)
 - (a) Convenience store 100 square metres
 - (b) Eating establishment 225 square metres
 - (c) Motor vehicle wash 175 square metres
- iii) Lot Coverage of All Buildings (maximum) 8%
- iv) Landscaped Open Space (minimum) 23%
 - (a) Part of the landscaped open space shall comprise of a minimum 3.0 metre wide landscape strip along the front lot line and the exterior side lot line, except for areas required for vehicular or pedestrian access.
- v) Building Height (minimum) 5 metres
- vi) Yard Requirements
 - (a) Front yard
 - (i) Eating establishment and eating establishment with a drive-through facility (maximum) 23 metres
 - (ii) Convenience store (minimum) 75 metres
 - (iii) Motor vehicle wash (minimum) 85 metres
 - (iv) For fuel pump islands and other buildings or structures associated with a service station (minimum) 100 metres

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- (b) Exterior side yard
 - (i) Eating establishment and eating establishment with a drive-through facility (maximum) 4.5 metres
(minimum) 3 metres
 - (ii) Convenience store (maximum) 23 metres
(minimum) 3 metres
 - (iii) For fuel pump islands and other buildings or structures associated with service station (minimum) 18 metres
 - (iv) Motor vehicle wash (minimum) 60 metres
 - (v) The area associated with the outside display of any automotive accessories, antifreeze and additives shall be confined to the area covered by the fuel pump canopy and the area immediately north of the convenience store
- (c) Interior side yard (minimum) 3 metres
- (d) Rear yard (minimum) 20 metres
- vii) Garbage facilities shall be fully enclosed within a roofed structure and outdoor storage is prohibited.
- viii) One loading space of 3 metres x 7.5 metres shall be provided for the convenience store.
- ix) Regulations for Drive-Through Facilities

Where a drive-through facility is permitted, the following requirements shall apply:

- (a) A stacking lane shall have a minimum length of 114 metres for a drive-through facility associated with an eating establishment, and a minimum length of 72 metres for a motor vehicle wash with a drive-through facility;
- (b) A stacking lane shall have a minimum width of 3 metres and any entrance to the stacking lane shall be located a minimum of 18 metres from the limit of a public street.
- (c) No part of a stacking lane shall be so located that at any time any motor vehicle which uses it may block, impede or interfere with the use of any parking space required to be provided on the lot on which the drive-through facility is located.

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- (d) No portion of the stacking lane shall be located between a building and a street line.
- (e) A 1.5 metres wide direct pedestrian walkway to the entrance of the eating establishment which does not intersect with or cross the stacking lane shall be provided and maintained on the lot from the Regional Road 57 street frontage.

x) Bulk Fuel Storage Tank Location

Bulk fuel storage tanks shall be installed in accordance with the provisions of the Provincial Gasoline Handling Act. Bulk fuel storage tanks shall be located below grade in an area that does not impede or interfere with the use of any designated parking spaces associated with the use of the service station.

e. Holding Zone

In addition to Section 3.11, where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to an existing home sales office compound. The (H) Holding symbol shall be removed upon the execution of a Section 41(7) Site Plan Agreement securing conditions of approval in respect of the following matters:

- i) That the on-site traffic routes, access points, parking and maneuvering space be configured to the satisfaction of the Director of Engineering Services and the Director of Planning Services;
- ii) That the buildings be designed for visual prominence, incorporating architectural design features, height and massing that complement the corner site and that contain elements such as horizontal and vertical articulation, coordinated materials, articulated roofing and prominent entrance features
- iii) That the owner agrees to enter into an agreement with the adjacent land owner to share a single right-in right-out only access on Regional Road 57 and that the required cross access easements will be secured at such time as the owner of the adjacent property develop their lands in such a manner as to require a shared entrance on Regional Road 57;
- iv) That the owner agrees to enter into an agreement with the adjacent land owner to share an internal driveway which straddles the common boundary between the commercial site and the GO Station site, and that the required cross access easements be secured at such time as

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the owner of the adjacent property develop their lands in such a manner as to require a shared internal driveway from Regional Road 57;

- v) That the owner agrees that, at such time as the owner of the adjacent property develop their lands in such a manner as to require a shared entrance off Regional Road 57 and a shared internal driveway on the common property boundary, the temporary entrance will be relocated in accordance with all requirements and specifications of the Durham Region Public Works Department and the Municipality of Clarington.
- vi) That the owner provides the necessary financial guarantees to the satisfaction of the Regional Works Department and the Director of Engineering Services of the Municipality of Clarington for the signalization of the Aspen Springs Drive/Regional Road 57 intersection and for the improvements to the intersection in accordance with the recommendations of the traffic impact study dated December 2006, prepared by Totten Sims Hubecki.

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22. Service Station Commercial (C7) Zone

22.1 Permitted Uses

No person shall, within a Service Station Commercial (C7) Zone, use any land or erect, alter or use any building or structure except as specified hereunder.

- a. Residential Uses
 - i) Prohibited
- b. Non-Residential Uses
 - i) Any non-residential use permitted in a Service Station Commercial (C6) Zone.

Amended by By-law 85-51

22.2 Regulations for Non-Residential Uses

No person shall, within a Service Station Commercial (C7) Zone, use any land or erect, alter or use any building or structure except in accordance with the Zone Regulations for non-residential uses as specified by Section 21.3 of this By-law.

22.3 Municipal Servicing Requirement

- a. No building or structure may be erected and no use may be established in the Service Station Commercial (C7) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate the proposed use.
- b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law.
- c. Subsection a. above does not apply to prevent the change in use of a building or structure which was being used for a permitted use on the date of passing of this By-law.

22.4 Special Exceptions Service Station Commercial (C7) Zone

Amended by By-law 2003-081

22.4.1 Service Station Commercial Exception (C7-1) Zone

Notwithstanding Section 22.1, those lands zoned C7-1 on the Schedules to this By-law may, in addition to the other uses permitted in the C7 zone, be used for an eating establishment, convenience store, and car wash accessory to a permitted use.

22.4.2 Service Station Commercial Exception (C7-2) Zone

Notwithstanding Section 22.1, those lands zoned C7-2 on the Schedules to this By-law may, in addition to the other uses permitted in the C7 zone, be used for an eating establishment, a retail store and a motel.

Added by By-law 95-163

22.4.3 Service Station Commercial Exception (C7-3) Zone

Notwithstanding the provisions of Section 21.3 c) iv), those lands zoned C7-3 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Rear Yard (minimum) 6.0 metres

Added by By-law 97-164

22.4.4 Service Station Commercial Exception (C7-4) Zone

Notwithstanding the provisions of Section 21.3 those lands zoned C7-4 on the Schedules to this By-law shall be subject to the following zone regulations:

- a. Lot Frontage (minimum) 20 metres
- b. Yard Requirements (minimum)
 - (i) Front Yard 10 metres
 - (ii) Interior Side Yard 0 for that side yard that is adjacent a "C7" zoned property

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Added by By-law 2003-092

22.4.5 Service Station Commercial Exception (C7-5) Zone

Notwithstanding Section 22.1, those lands zoned C7-5 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Permitted Uses

- i) Motor vehicle fuel bar
- ii) Convenience store
- iii) Car wash

b. Regulations

- i) Interior side yard (minimum) 2.0 metres

Added by By-law 2003-092

22.4.6 Service Station Commercial Exception (C7-6) Zone

Notwithstanding Section 22.1, those lands zoned C7-6 on the Schedules to this By-law may also be used for a convenience store in addition to other permitted uses.

Added by By-law 2006-101

22.4.7 Service Station Commercial Exception (C7-7) Zone

Notwithstanding Sections 21.3 (c), 21.3 (j) and 22.1 (b), those lands zoned C7-7 on the Schedules to this By-law in addition to the other uses permitted in the (C7) zone, be used for a convenience store as an accessory to a permitted use.

- a. Exterior Side Yard (minimum) 11.6 metres

b. Entrance Regulations

- i) The minimum distance between driveways, measured along the street line intersected by such driveway shall be 9 metres;
- ii) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 4.9 metres.

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Added by By-law 2006-121

22.4.8 Service Station Commercial Exception (C7-8) Zone

Notwithstanding Section 21.3.i, and 22.1, those lands zoned C7-8 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Residential Uses

- i) Dwelling units as part of a building containing a permitted non-residential use(s).

b. Non-Residential Uses

- i) Business, Professional or Administration Office;
- ii) Convenience Store;
- iii) Dry Cleaners Distribution Centre;
- iv) Laundry;
- v) Motor Vehicle Fuel Bar;
- vi) Motor Vehicle Wash;
- vii) Retail Commercial Establishment;
- viii) Service Shop, Light;
- ix) Service Shop, Personal.

Amended by By-Law 2015-062

c. Bulk Fuel Storage Tanks

Bulk propane storage tanks located above ground shall be located in accordance with the provisions of the Propane Storage and Handling Code adopted by the Technical Standards and Safety Authority.

22A. Large Format Commercial (C8) Zone

22A.1 Section 22A Applies to Lands Zoned (C8) or any C8 Exception Zone, Unless Otherwise Specified.

- a. For the purpose of Section 22A, the term:
- i) Bank Kiosk: shall mean a financial office with a floor area of 50 square metres or less;
 - ii) Business Establishment: shall mean a building, which contains any one or more of the permitted non-residential uses within the (C8) zone;
 - iii) Street Entrance:
 - a) For stores with a total floor area of 2,500 square metres or more shall mean one of the principal entrances to a business, which shall have a minimum height of 2.1 metres and a minimum width of 3.0 metres and shall be located in the part of the business establishment street façade, which is at or within 0.2 metres above or below finished grade.
 - b) For stores with a total floor area less than 2,500 square metres shall mean one of the principal entrances to a business, which shall have a minimum height of 2.1 metres and a minimum width of 0.9 metres, shall be located in the part of the business establishment street façade, which is at or within 0.2 metres above or below finished grade, and shall be recessed from the exterior surface of the business establishment street façade a minimum of 1.0 metre and a maximum of 3.0 metres.
 - iv) Business Establishment Street Façade: shall mean the portion of the exterior wall of a building which wall faces a street shown on Schedule 3 to By-law 84-63.
 - v) Drive-Through Facility: shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automated machine, to customers remaining in motor vehicles which are located in a stacking lane. A drive-through facility may be established in combination with other permitted non-residential uses.

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- vi) Garden Centre: shall mean a building or part of a building, a structure or part of a structure and land for the displaying and selling of flowers, plants, shrubs, trees, or similar vegetation and related garden supplies and equipment for retail sale but shall not include a nursery, or the bulk storage of unpackaged sand, gravel, soil, fertilizers or similar material.
- vii) Large Format Retail Store: shall mean a building or part of a building having a minimum total floor area of 2,500 square metres and containing non-residential uses permitted by Section 22A.2 operated individually or in combination.
- viii) Primary Business Establishment Street Façade: shall mean a business establishment street façade containing the principal entrance to a business establishment.
- ix) Retail/Commercial Establishment: shall mean a building, or part of a building, in which goods, wares, merchandise, substances, articles or services are offered or kept for sale at retail or on a rental basis but shall not include any class of commercial establishment otherwise defined in Section 2.
- x) Medium Format Retail Store: shall mean a building or part of a building operated or intended to be operated as a single retail or service business having a minimum of 1,000 square metres and a maximum of 2,500 square metres of total floor area and containing non-residential uses permitted by Section 22A.2.
- xi) Stacking Lane: shall mean a queuing lane for motor vehicles which is located on the same lot as the drive-through facility and which is separated from other motor vehicle traffic on the same lot by barriers or curbs.
- xii) Street: shall mean any public street, future public street or future private street shown on Schedule 3 to By-law 84-63.
- xiii) Street Line: shall mean the limit of a public street or future public street shown on Schedule 3 to By-law 84-63 that is the dividing line or the future dividing line between a lot or block and a public street or future public street.

22A.2 Permitted Uses

No person within the Large Format Commercial (C8) Zone shall use any land or erect, alter or use any building or structure except as specified in this Section, Section 22A.3, and the applicable provisions of Section 22A.4:

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- a. Residential Uses:
Not Permitted
- b. Non-Residential Uses:

A large format retail store or a medium format retail store containing one or more of the following non-residential uses:

- i) Assembly hall;
 - ii) A bank kiosk;
 - iii) Beer, liquor, or wine retail outlet;
 - iv) Business, professional, or administrative office on the second floor or higher of a building;
 - v) Day nursery on the second floor or higher of a building;
 - vi) Dry cleaners distribution centre
 - vii) Eating establishment;
 - viii) Fitness centre which may include an ancillary child care centre on the second floor or higher of a building;
 - ix) Garden centre;
 - x) Medical or dental clinic on the second floor or higher of a building;
 - xi) Optometrist clinic ancillary to an optical sales establishment;
 - xii) Place of entertainment;
 - xiii) Private club;
 - xiv) Retail/commercial establishment
 - xv) School, commercial;
 - xvi) Service shop, light;
 - xvii) Service shop, personal;
 - xviii) Supermarket;
 - xix) Tavern; and
 - xx) Theatre
- c. Notwithstanding the provisions of Section 22A.2 b) prohibiting the construction and use of any building or structure for any purpose other than a large format retail store or a medium format retail store, buildings containing a minimum of 250 square metres may be constructed and used on lands zoned (C8) for any of the following non-residential purposes:
- i) Eating establishment; and
 - ii) Eating establishment with a drive-through facility.

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- d. For the purpose of clarity, no portion of the lot on which a large format retail store or medium format retail store is located, shall be used for the following purposes:
 - i) Outside display area; or
 - ii) Outside storage area with the exception of temporary storage of shopping carts in the parking lot.

22A.3 Regulations for Non-Residential Uses

- a. Yard Requirements:
 - i) A large format retail store on a lot which abuts a public street or a future public street shown on Schedule 3 to By-law 84-63 shall have a yard between the facing wall of the building and the limit of the public street or future public street which has a yard width of a minimum of 3 metres and a maximum of 6 metres;
 - ii) A medium format retail store, or a building containing a use permitted by Section 22A.2 c) which is located on a lot which abuts a public street or a future public street shown on Schedule 3 to By-law 84-63 shall have a yard between the facing wall of the building and the limit of the public street or future public street which has a yard width of a minimum of 3 metres and a maximum of 5 metres;
 - iii) A building located on a lot which abuts a future private street shown on Schedule 3 to By-law 84-63 shall have a yard which abuts the limit of the future private street with a yard width of a minimum of 2 metres and a maximum of 5 metres;
 - iv) A building located on a lot with a lot line, which abuts a residential zone boundary shall have a yard abutting the lot line with a minimum yard width of 10 metres; and
 - v) A building located on a lot with one or more lot lines which are not described in 22A.3 a) (i) to (iv), inclusive, shall have a yard abutting each lot line with a minimum yard width of 5 metres.

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b. Building Façade Materials:

- i) A minimum area of business establishment street façade between finished grade and the elevation which is 3 metres above finished grade shall be required to be constructed of transparent glass in accordance with the following table:

Type of Use	Primary Business Establishment Street Façade	Any Other Business Establishment Street Façade.
Large Format Retail Store	20%	10%
Medium Format Retail Store	40%	10%
Eating Establishment	40%	10%

- ii) Notwithstanding Section 23A.3 b)(i), transparent or opaque glass may be used on any building façade which is not a primary business establishment street façade.

c. Articulation of Building Facades:

- i) Business establishment street facades greater than 30 metres in length, measured horizontally, shall incorporate, a combination of wall plane projections and recesses which shall have a minimum depth or projection of not less than 1.0 metre, for the full height of the business establishment street façade and shall extend a minimum of 20% of the length of the business establishment street façade, measured horizontally. No uninterrupted length of a wall plane of any business establishment street façade shall exceed 30 metres in length, measured horizontally; and
- ii) Where a business establishment street façade is greater than 30 metres in length (measured horizontally), the roofline of the façade (being the top edge of the facade, or where there is a parapet wall the top edge of the parapet wall) shall incorporate at least one variation in height for each 30 metres in length or part thereof of the building establishment street facade such that two adjacent sections of the roofline shall have a difference in height measured relative to each other of at least 1.2 metres. The combined length of the sections of the roofline that provide for the aforesaid variation in height shall comprise a minimum of 20% of total length of the roofline.

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d. Street Entrances:

At least one street entrance for each business shall be located in a business establishment street façade of a business establishment, provided that if the business establishment has more than one business establishment street façade, no more than one business establishment street entrance is required.

e. Screening of Rooftop Mechanicals:

Notwithstanding Section 3.10, where a building has a flat finished roof containing rooftop mechanical heating, ventilation or air-conditioning stacks or vents to serve the building, the building must have either:

- i) A solid parapet wall with a minimum height of 1.5 metres above the finished elevation of the roof which extends around the entire perimeter of the roof; or
- ii) A solid parapet wall or an architectural element or feature integrated with the building extending above its roofline which will prevent rooftop mechanical heating, ventilation and air-conditioning stacks or vents from being viewed from a height of 1.8 metres above the average height of that section of the curb on Highway No. 2 located on the same side of the street as the building between the intersection of the projections of the east and west walls of the building and Highway No. 2. The height of the solid parapet wall or integrated architectural element or feature shall be extended consistently around the entire building to provide the same level of screening on all sides.

f. Screening of Loading Spaces:

A required loading space shall be screened from adjacent street shown on Schedule 3 to By-law 84-63, by a wall constructed of the same materials as the business establishment street façade and having a minimum height of 5 metres measured from finished grade and a minimum length of 11.0 metres.

g. Landscaping:

- i) Landscaped Open Space (minimum) 10 percent

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- ii) A minimum 3.0 metre wide sidewalk located in whole or in part within a street allowance or privately owned lands or a combination thereof shall abut the primary business establishment street façade of all buildings containing one or more business establishments;
 - iii) Where the boundary of a C8, zone or any C-8 exception zone coincides with or abuts a residential zone boundary, a landscaping strip with a minimum width of 3.0 metres shall be provided on the lot within the C8 zone or within any C8 exception zone thereto;
 - iv) All parking areas, drive aisles in or to parking areas and stacking lanes shall be separated from abutting streets shown on Schedule 3 to By-law 84-63 by a landscaping strip having a minimum width of 3.0 metres which shall be continuous except for breaks to accommodate vehicular access to drive aisles;
 - v) Within a parking area, every row of parking spaces shall abut at each of its ends a landscaping strip 4.5 metres in length and 2.5 metres in width; and,
 - vi) Within each row containing 25 or more parking spaces, an intermediate landscaping strip 4.5 metres in length and 2.5 metres in width shall be provided.
- h. Parking:
- i) Notwithstanding Section 3.16 c) parallel parking is permitted on a future private street shown on Schedule 3 to By-law 84-63 provided that each parallel parking space shall have a minimum width of 2.75 metres and a minimum length of 7.0 metres;
 - ii) No motor vehicle parking space or drive-aisle to a parking space shall be located between a building and a street line; and
 - iii) Notwithstanding the provisions of Section 3.16 a) of this By-law, the number of parking spaces that shall be provided on a lot shall be as follows:

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Use	Number of Parking Spaces Required
Large format retail store; and medium format retail store	A minimum 1 space per 30 square metres and a maximum of 1 space per 20 square metres of total floor area or any portion thereof
Eating establishment	1 parking space for each 20 square metres or any portion thereof of total floor area
Eating establishment restaurant with a drive-through facility	12 parking spaces for each 100 square metres or any portion thereof of total floor area

Use	Number of Parking Spaces Required
Other drive-through facility	1 parking space for each 30 square metres or any portion thereof of total floor area

i. Drive-Throughs:

Where a drive-through facility is permitted, the following requirements shall apply:

- i) A stacking lane shall be provided and maintained on the lot on which the drive-through facility is located which shall have a minimum length of 72 metres, a minimum width of 3 metres and any entrance to it shall be located a minimum of 18 metres from the limit of a street or shown on Schedule 3 to By-law 84-63;
- ii) No part of a stacking lane shall be so located that at any time any motor vehicle which uses it may block, impede or interfere with the use of any parking space required to be provided on the lot on which the drive-through facility is located;
- iii) No portion of the stacking lane shall be located between a building and a street line; and
- iv) Notwithstanding Section 22A.3 i) (i), a drive-through facility which is not an eating establishment with a drive-through facility; is permitted to be constructed and used on a lot if it satisfies the other provisions of this By-law and a stacking lane is provided and maintained on the lot, which has a minimum length of 24 metres, a minimum width of 3 metres, and any entrance to it is located a minimum of 18 metres from the limit of a public street or future public street shown on Schedule 3 to By-law 84-63.

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j. Garden Centre:

- i) Notwithstanding 22A.2 (d) a garden centre facility having a maximum area of 600 square metres that is roofed and enclosed on all sides (but which has a portion of its enclosure exposed to the elements) and which abuts a large format retail store may be constructed and used provided that it is not used for the purpose of storage of empty pallets, containers, storage units, refuse and/or anything that is not integral to a garden centre; and
- ii) The area of the garden centre permitted by clause j)(i) of this Section, shall be excluded from the calculation of the maximum total floor area, provided that parking for the area of the garden centre is provided in accordance with the provisions of the by-law.

k. Seasonal Garden Centre:

- i) Notwithstanding Sections 22A.2 (d) and 22A.3 j)(i), a portion of the parking area located on the lot which contains not more than 500 square metres and is enclosed by a temporary fence and one or more gates may be used for the purposes of seasonal garden centre as accessory to a permitted use for not more than a total of 90 days each calendar year; and
- ii) The seasonal garden centre permitted by 22.A.3 k)(i) shall not include the storage or sale of motorized equipment, and is not required to provide parking spaces in accordance with Section 3.16 a) of this By-law.

l. Other:

- i) Any building located in a C8 zone or a C8 exception zone shall be deemed not to be a shopping centre for the purposes of this by-law.

22A.4.1 Large Format Commercial Exception (C8-1) Zone

- a. Notwithstanding Section 22A.2, in addition to the uses permitted in a C8 zone, one motor vehicle service station may be constructed and used within a large format retail store.

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- b. In addition to the regulations contained in Section 22A.3, the following additional regulations shall apply to the lands zoned C8-1:
- i) The maximum total floor area that may be constructed and used within the C8-1 zone is 14,030 square metres;
 - ii) A minimum of 80% of the total floor area constructed or used on the lands zoned C8-1 must be located within large format retail store; and
 - iii) No occupancy of a building for the purposes of a large-format store may occur prior to February 1, 2007.
- c. None of the provisions of Sections 3.16 e), 22A.3(a)(i) and (iii), (b), and (c)(i), (h)(ii) and (iii), (j)(i) and (ii) and (k)(i), shall apply to prohibit the construction or use of a building or structure in a C8-1 zone for a purpose permitted in a C8 zone, provided that following regulations are complied with.
- i) The minimum yard requirement for a building from Boswell Drive, shown on Schedule 3 to By-law 84-63 shall be 5 metres and the portion of the yard outside of the required 1.5 metre landscaping strip may be used for parking spaces and drive aisles;
 - ii) The minimum yard requirement for a large format retail store from a future private street shown on Schedule A-1 shall be 3 metres;
 - iii) A minimum of 10% of the primary business establishment street facade shall be constructed of transparent glass and no portion of any other business establishment street façade is required to be constructed of glass;
 - iv) The primary business establishment street facade, shall incorporate, a combination of at least two (2) wall plane projections and recesses extending the full height of the building having a minimum depth or projection of 2.0 metres and extending a minimum of 20% of the length of the primary business establishment street façade measured horizontally;
 - v) The garden centre shall not exceed 900 square metres;
 - vi) The seasonal garden centre shall not exceed 875 square metres;
 - vii) An outdoor display area accessory to a permitted use is permitted in an 80 square metre area in the vicinity of the main entrance to the building, provided there is no display of building materials, empty pallets, containers, storage units, refuse containers or large equipment;
 - viii) Parking shall be provided in accordance with the provisions of Section 22A.3 h) (iii) except that the maximum number of parking spaces for a

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- large format retail store or medium format retail store shall be calculated at a rate of 1 space per 19 square metres;
- ix) An indoor bicycle parking facility for employees shall not be required;
- x) Parking shall be permitted to be located between Boswell Drive and a large format retail store; and
- xi) Lands zoned C8-1 may be used to accommodate a portion of the required parking spaces for a legally permitted use in an abutting C9-2 zone.

22A.4.2 Large Format Commercial Exception (C8-2) Zone

- a. Notwithstanding Section 22A.2 (b) in addition to the uses permitted in a C8 zone, a building or structure may be constructed and used for the purpose of one motor vehicle fuel bar and one motor vehicle wash on lands zoned C8-2.

Added by By-Law 2015-062

- i) Notwithstanding Section 22A.2b. a Stationary Refreshment Vehicle provided the property was identified in a Stationary Refreshment Vehicle licence issued by the Municipality prior to September 21, 2015 and the property has continuously been identified in an annual stationary Refreshment Vehicle licence issued by the Municipality since that date.
- b. Notwithstanding Section 22A.2(b), the only garden centre permitted is a seasonal garden centre.
- c. In addition to the regulations contained in Section 22A.3, the following additional regulations shall apply to the lands zoned C8-2:
 - i) The maximum total floor area within the C8-2 zone is 16,525 square metres;
 - ii) The seasonal garden centre shall not exceed 1,400 square metres;
 - iii) A motor vehicle fuel bar, and motor vehicle wash shall have a yard with a yard width of a minimum of 5 metres from a street shown on Schedule 3 to By-law 84-63;
 - iv) The stacking lane required for the motor vehicle wash shall have a minimum length of 72 metres, a minimum width of 3 metres, and an entrance to it that is located more than 18 metres from any portion of the limit of a street shown on Schedule 3 to By-law 84-63; and
 - v) No occupancy of a building for the purposes of a large-format store may occur prior to February 1, 2007.

- d. None of the provisions of Sections 3.16 e), 22A.3(a)(i) and (iii), (b), (c), d(i), (h), shall apply to prohibit the construction or use of a building or structure for a purpose permitted in a C8 zone provided that following regulations are complied with:
- i) The minimum yard requirement for a building from a public street shall be 5 metres;
 - ii) There shall be no minimum yard requirement for a large format retail store business establishment street façade from a future private street shown on Schedule 3 to By-law 84-63 provided that:
 - a) The portion of the business establishment street façade located between grade and an elevation of 3.5 metres above grade shall be located no closer than 3 metres from the north limit from the adjacent future private street; and
 - b) The portion of the business establishment street façade located between an elevation of 3.5 metres above grade and an elevation of 8.5 metres above grade shall be located outside the limit of the adjacent future private street.
 - iii) A minimum of 20% of the primary business establishment street façade and 10% of any other business establishment street façade shall be constructed of transparent glass;
 - iv) A primary business establishment street facade shall incorporate a combination of two (2) wall plane projections or recesses having, in combination, a minimum projection or depth of 5.0 metres and extending a minimum of 16% of the length of the primary business establishment street façade measured horizontally;
 - v) A business establishment street facade facing Green Road shall incorporate at least one (1) wall plane projection or recess extending the full height of the building above finished grade which shall have a minimum projection or depth of 1.0 metres and shall extend a minimum of 30% of the length of the business establishment street façade measured horizontally;
 - vi) The roofline of a primary business establishment street facade (being the top edge of the facade, or where there is a parapet wall the top edge of the parapet wall) shall incorporate at least two (2) variations in height such that for each such variation in height two adjacent sections of the roofline shall have a difference in height (measured relative to each

- other) of at least 3.0 metres, The combined length of the sections of the roofline that provide for the aforesaid variation in height shall comprise a minimum of 20% of total length of the roofline;
- vii) The outdoor display and sale at retail of goods permitted to be sold in a large format retail store shall be permitted under a roofed area (created by a canopy or other building projection) located between 2 street entrances of the business establishment street façade of a large format retail store provided that the storage or sale of motorized equipment, the storage and display of merchandise on pallets, the storage of empty pallets, containers, storage units, refuse and anything not required for the display and sale of merchandise shall not be permitted;
 - viii) An indoor bicycle parking facility for employees shall not be required;
 - ix) Parking shall be provided in accordance with the provisions of Section 22A.3 h) (iii) except that the maximum number of parking spaces for a large format retail store or medium format retail store shall be calculated at a rate of 1 space per 19 square metres; and
 - x) Lands zoned C8-2 may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C9-2 zone.

22A.4.3 Large Format Commercial Exception (C8-3) Zone

- a. In addition to the regulations contained in Section 22A.3, the following additional regulations shall apply to the lands zoned C8-3:
 - i) The maximum total floor area that may be constructed and used within the C8-3 zone is 5050 square metres; and
 - ii) A minimum of 80% of the total floor area constructed or used on the lands zoned C8-3 must be located within large format or medium format retail store.
- b. None of the provisions of Sections 3.16 e), 22A.3 a)(i) and (ii), shall apply to prohibit the construction or use of a Large Format Retail Store or Medium Format Retail Store for a purpose permitted in a C8 zone provided that following regulations are complied with:
 - i) A Large or Medium Format Retail Store shall have a yard with a yard width of a minimum 10 metres from a future public shown on Schedule to this By-law;
 - ii) A Large or Medium Format Retail Store shall have a yard with a yard width of a minimum 10 metres from a public street;

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- iii) A Large or Medium Format Retail Store shall have a yard with a yard width of a minimum 2 metres from a future Private Street shown on Schedule to this By-law;
- iv) A drive-through facility shall have a yard between the facing wall of the building and the limit of the public street or future public street which has a yard width of a minimum of 3 metres and a maximum of 6 metres; and
- v) Notwithstanding Section 3.16 e), lands zoned C8-3 may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C8-4 zone and/or C9-4 zone.

22A.4.4 Large Format Commercial Exception (C8-4) Zone

- a. Notwithstanding Section 22A.2 (b), only a Large Format Home Improvement Store and a Garden Centre and Seasonal Garden Centre accessory to a permitted use are permitted in a C8-4 zone.
- b. For the purposes of this zone the following definitions shall apply:
 - i) A Home Improvement Store is a facility specializing in the sale of home building/design and garden products. Goods offered for sale may include, lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies and indoor plants. A tool rental centre, fast food kiosk, which is not a drive-through facility, and do-it-yourself training facilities are permitted as accessory uses in a home improvement store; and
 - ii) A Primary Business Establishment Street Façade shall be defined as the building façade of the large format building containing the principal entrance to a business establishment but not necessarily facing a street shown on Schedule 3 to By-law 84-63.
- c. In addition to the regulations contained in Section 22A.3, the following additional regulations shall apply to the lands zoned C8-4:
 - i) The maximum total floor area of the building that may be constructed and used within the C8-4 zone is 9,170 square metres.
- d. None of the provisions of Sections 3.16 e), 22A.2(d)(i), 22A.3(a)(i) and (iii), (b), and (c)(i) and (ii), (j)(i), and (k)(i) shall apply to prohibit the construction or use of

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a building or structure permitted in a C8-4 zone, provided that following regulations are complied with.

- i) A Large Format Retail Store or enclosure shall have a yard with a yard width of a minimum 3 metres from a public street (Clarington Blvd.) shown on a Schedule to this By-law;
- ii) A Large Format Retail Store shall have a yard with a yard width of a minimum 3 metres and a maximum 6.0 metres from a future public street (Stevens Road) shown on a Schedule to this By-law;
- iii) A Large Format Retail Store shall have a yard with a yard width of a minimum 0 metres from a future private street shown on a Schedule to this By-law;
- iv) A minimum of 20% of the primary business establishment street facade shall be constructed of transparent glass;
- v) A minimum of 10% of the business establishment street facade shall be constructed of glass and no portion of any other business establishment street façade is required to be constructed of glass;
- vi) The primary business establishment street facade, shall incorporate, a combination of at least 2 wall plane projections and recesses one of which shall extend the full height of the building, the other shall be at least 80% of the height of the building having a minimum depth or projection of 4.0 metres and extending a minimum of 15% of the length of the primary business establishment street façade measured horizontally;
- vii) Where a business establishment street façade is greater than 30 metres in length (measured horizontally), the roofline of the façade (being the top edge of the roof, or where there is a parapet wall the top edge of the parapet wall) shall incorporate a variation in height such that two adjacent sections of the roofline shall have a difference in height (measured relative to each other) of at least 0.8 metres and there shall be at least one such variation in height for each 42 metres of the length of the business establishment street façade (measured horizontally);
- viii) A storage area with a maximum area of 850 square metres, which is not roofed, may be constructed and used on the lot on which a large format retail store is located provided that the storage area is enclosed with a business establishment façade facing a public street or a future public street that has the same architectural detail and material as the large format retail store;
- ix) A second storage area may be constructed and used for tool rentals, provided the area does not exceed 40 square metres;

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- x) A garden centre facility having a maximum area of 1630 square metres that is partially roofed and enclosed on all sides (but which has a portion of its enclosure exposed to the elements) and which abuts a large format retail store may be constructed and used provided that it is not used for the purpose of storage of empty pallets, containers, storage units, refuse and/or anything that is not integral to a garden centre;
- xi) An outdoor display area accessory to a permitted use is permitted in an 80 square metre area in the vicinity of the main entrance to the building, provided there is no display of building materials, empty pallets, containers, storage units, refuse containers or large equipment;
- xii) The seasonal garden centre referred to in Section 22A.3 k) (i) shall have a maximum area of 930 square metres; and
- xiii) Notwithstanding Section 3.16 e), lands zoned C8-4 may be used to accommodate a portion of the required parking spaces for a legally permitted use in an abutting C8-3 zone and/or C9-4 zone.

22B. Street-Related Commercial (C9) Zone

22B.1 Section 22B Applies to Lands Zoned (C9) By This By-Law or Any C9 Exception Zone, Unless Otherwise Specified.

- a. For the purpose of Section 22B, the term:
- i) Bank Kiosk: shall mean a financial office with a floor area of 35 square metres or less.
 - ii) Business Establishment: shall mean a building, which contains any one or more of the permitted uses within a (C9) zone.
 - iii) Street Entrance: shall mean one of the principal entrances to a business establishment, which shall have a minimum height of 2.1 metres and a minimum width of 0.9 metres and shall be located in the part of the business establishment street façade, which is at or within 0.2 metres above or below finished grade and shall be recessed from the business establishment street façade a minimum of 1.0 metres and a maximum of 3.0 metres.
 - iv) Business Establishment Street Façade: shall mean the portion of the exterior wall of a building which wall faces a street and in no case shall be angled at more than 45 degrees from a street shown on Schedule 3 to By-law 84-63.
 - v) Drive-Through Facility: shall mean the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automated machine, to customers remaining in motor vehicles which are located in a stacking lane. A drive-through facility may be established in combination with other permitted non-residential uses.
 - vi) Permitted Corner Façade: shall mean a portion of the business establishment street façade which exceeds an angle of 135° measured at the intersection of the wall plane of the cover façade and the principal portion of the business establishment street façade.
 - vii) Primary Business Establishment Street Façade: shall mean a business establishment street façade containing the principal entrance to a business establishment.
 - viii) Stacking Lane: shall mean a queuing lane for motor vehicles which is located on the same lot as the drive-through facility and which is separated from other motor vehicle traffic on the same lot by barriers or curbs.
 - ix) Street: shall mean any public street, future public street or future private street shown on Schedule 3 to By-law 84-63

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- x) Street Line: shall mean the limit of a public street or future public street shown on Schedule 3 to By-law 84-63 that is the dividing line or the future dividing line between a lot or block and a public street or future public street.

22B.2 Permitted Uses

No person within a Street-Related Commercial (C9) Zone shall use any land or construct or use any building or structure except as specified in this Section, Section 22.B.3 and the applicable provisions of Section 22.B.4:

a. Permitted Residential Uses:

Residential dwelling units are permitted to be constructed or used on the second floor or higher of a building containing permitted non-residential uses.

b. Permitted Non-Residential Uses:

- i) Assembly hall;
- ii) Bakery shop;
- iii) Beer, liquor or wine retail outlet
- iv) Business, professional, or administrative office on the second floor or higher of a building containing permitted non-residential uses;
- v) Convenience store;
- vi) Day nursery
- vii) Dry cleaning distribution centre;
- viii) Eating establishment;
- ix) Financial office

Amended by By-Law 2015-062

- x) Laundry
- xi) Medical or dental clinic on the second floor or higher of a building containing permitted non-residential uses;
- xii) Place of entertainment;
- xiii) Printing or publishing establishment;
- xiv) Private club;
- xv) Retail/commercial establishment;
- xvi) School, commercial
- xvii) Service shop, personal;
- xviii) Service shop, light;
- xix) Tavern; and
- xx) Theatre.

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- c. For the purposes of clarity, no portion of a building shall be used for any of the following purposes:
 - i) A drive-through facility; and
 - ii) An eating establishment with a drive-through facility.
- d. Notwithstanding the provision of Section 22.B.2 b)(ix), no more than two financial offices, with the exception of bank kiosks, shall be constructed and used on lands zoned C1-14, C8 or any C8 exception zone, and C9 or any C9 exception zone.

22B.3 Regulations

- a. Store Size Restriction:

Total floor Area of an individual business establishment shall be a minimum of 300 square metres and a maximum of 1000 square metres.

- b. Yard Requirements:

- i) A building on a lot which abuts a public street or a future public street shown on Schedule 3 to By-law 84-63 shall have a yard between the facing wall of the buildings and the limit of the street or streets in question which has a yard width of a minimum of 0.5 metres and a maximum of 3.5 metres;
- ii) A building on a lot which abuts a future private street shown on Schedule 3 to By-law 84-63, shall have a yard which abuts the limit of the future private street with a yard width of a minimum of 0.5 metres and a maximum of 3.0 metres;
- iii) Notwithstanding Section 22B.3 b) (i) and (ii) where a lot abuts more than one of a public street, future public street or future private street shown on Schedule 3 to By-law 84-63, a building or structure constructed or used on that lot is required to comply with the yard requirements applicable to only one of the aforesaid public street or future public street;
- iv) A building on a lot with a lot line which abuts a residential zone boundary shall have a yard abutting the lot line with a minimum yard width of 15 metres;
- v) A building on a lot with one or more lot lines which is not described in Sections 22B.3 a) (i) to (iv), inclusive, shall have a yard abutting each lot line with a minimum yard width of 5 metres; and

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- vi) Sections 22B.3 b) (i) and (ii) do not apply to the corner façade provided that the corner façade does not exceed 20% of the business establishment street façade.
- c. Building Heights:
 - i) Height of building containing non-residential uses (maximum) 3 storeys
 - ii) Height of building containing a combination of residential and non-residential uses (maximum) 6 storeys
- d. Building Façade Materials:
 - i) A minimum of 40% of the primary business establishment street facade located between finished grade and an elevation which is 3 metres above finished grade which shall be constructed of transparent glass; and
 - ii) A minimum of 10% of any other business establishment street façade located between finished grade and an elevation which is 3 metres shall be constructed of transparent or opaque glass.
- e. Street Entrances:
 - i) Buildings located on a lot abutting the street lines at the intersection of any of the following intersections, shall have a primary street entrance located in the business establishment street façade which faces the boundary of the sight triangle which is neither a street line or a projection of a street line used in forming the sight triangle:
 - Highway No. 2 and Green Road;
 - Highway No. 2 and Clarington Boulevard; and/or
 - Clarington Boulevard and Uptown Avenue.
 - ii) At least one street entrance for each business shall be located in a business establishment street façade of a business establishment, provided that if the business establishment has more than one business establishment street façade, no more than one business establishment street entrance is required;
 - iii) Notwithstanding Section 22B.3 e) (ii), where a building contains three or more individual business establishments, only the building establishments located at each end of the building are required to provide a street entrance; and
 - iv) Notwithstanding Sections 22B.3 e) (i) and (ii), where an individual business is located in a portion of a building in a manner where no portion

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of the individual business is located within 20 metres to a street line, no street entrance shall be required.

f. Canopies:

50% of all the buildings within the zone and property limits shall incorporate as an architectural element of the building a canopy over the principal entrance to each business with a minimum depth of 1.5 metres measured perpendicular to the face of the business establishment street façade and a minimum height of 2.5 metres above finished grade.

g. Building Articulation:

A building having a business establishment street façade greater than 20 metres in length, measured horizontally, shall incorporate for at least 20% of its length a combination of wall plane projections and recesses having a minimum depth or projection of 0.60 metres for the full height of the building above finished grade.

h. Screening of Rooftop Mechanicals:

Notwithstanding Section 3.10, where a building has a flat finished roof containing rooftop mechanical heating, ventilation or air-conditioning stacks or vents to serve the building, the building must have either:

- i) A solid parapet wall with a minimum height of 1.5 metres above the finished elevation of the roof which extends around the entire perimeter of the roof; or
- ii) A solid parapet wall or an architectural element or feature integrated with the building extending above its roofline which will prevent rooftop mechanical heating, ventilation and air-conditioning stacks or vents from being viewed from a height of 1.8 metres above the height of the curb on Highway No. 2 located on the same side of the street as the building a distance of a 150 metres both to the east and west of the easterly and westerly walls of the building in question. The height of the solid parapet wall or integrated architectural element or feature shall be extended consistently around the entire building to provide the same level of screening on all sides.

i. Screening of Loading Spaces:

A loading space shall be screened from a street, shown on Schedule 3 to By-law 84-63 by a wall constructed of the same materials as the business establishment street facade and

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having a minimum height of 5 metres above finished grade and a minimum length of 11.0 metres, measured horizontally.

j. Landscaping:

- i) Landscaped Open Space (minimum) 10 percent
- ii) All parking areas shall be separated from abutting streets shown on Schedule 3 to By-law 84-63 by a landscaping strip having a minimum width of 3.0 metres;
- iii) A minimum 3.0 metre wide sidewalk located in whole or in part within a street allowance or privately owned lands or a combination thereof shall abut the primary business establishment street façade of all buildings containing one or more business establishments;
- iv) Within a parking area, every row of parking spaces shall abut at each of its ends a landscaping strip 4.5 metres in length and 2.5 metres in width; and
- v) Within each row containing 25 or more parking spaces an intermediate landscaping strip of 4.5 metres in length and 2.5 metres in width shall be provided.

k. Parking:

- i) No motor vehicle parking space or drive aisle to a parking space shall be located between a building and a street line.

22B.4 Special Exceptions Street-Related Commercial (C9) Zone

22B.4.1 Street-Related Commercial Exception (C9-1) Zone

Replaced by By-law 2013-031

- a. Notwithstanding Section 22B.2 c., in addition to all uses permitted in the C9 zone, only one eating establishment with a drive-through facility and only one financial office with a drive-through facility may be constructed and used on the lands zoned C9-1.
- b. In addition to the other regulations contained in Section 22B.3 the following additional zone regulations apply to the lands zoned C9-1:
 - i) Total Floor Area (maximum) 1580 square metres
- c. None of the provisions of Sections 3.16 e) and 22B.3 b)(i) shall apply to prohibit the construction or use of a building or structure for the purpose permitted in a C9 zone, provided that the following regulations are complied with:

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- i) A building on a lot which abuts Clarington Boulevard shall have a yard which abuts it with a yard width of a minimum of 0.5 metres and a maximum of 3.0 metres. Buildings which abut Highway No. 2, other than those legally existing on December 12, 2005 shall comply with the yard requirements specified in Section 22B.3 b) (i);
- ii) Lands zoned C9-1 may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C1-14 zone; and
Replaced by By-law 2013-0031
- iii) Notwithstanding Section 3.16 d., a drive-through aisle for one-way traffic shall be no less than 3.5 metres wide.

22B.4.2 Street-Related Commercial Exception (C9-2) Zone

- a. In addition to the regulations contained in 22B.3, the following additional zone regulations apply to the lands within the (C9-2) zone:
 - i) Total Floor Area (maximum) 4000 square metres
 - ii) Notwithstanding Section 3.16 e), lands in a C9-2 zone may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C8-1 zone or C8-2 zone;
 - iii) Notwithstanding Section 22B.3 a) a maximum of 3 individual business establishments with a total floor area less than 300 square metres, but greater than 100 square metres may be constructed and used.

22B.4.3 Street-Related Commercial Exception (C9-3) Zone

- a. In addition to the regulations contained in 22B.3, the following additional zone regulations apply to the lands within the (C9-3) zone:
 - i) Total Floor Area (maximum) 3800 square metres;
 - ii) A publicly accessible square having a minimum area of 500 square metres shall be located immediately abutting the intersection of Highway No. 2 and Green Road. Buildings abutting the publicly accessible square shall have a minimum separation between business establishment facades of 9 metres;
 - iii) Notwithstanding Section 3.16 e), lands zoned C9-3 may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C8-3 zone and/or C8-4; and
 - iv) Notwithstanding Section 22B.3 a) a maximum of 4 individual business establishments with a total floor area less than 300 square metres, but greater than 100 square metres may be constructed and used.

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22B.4.4 Street-Related Commercial Exception (C9-4) Zone

- a. In addition to the regulations contained in 22B.3, the following additional zone regulations apply to the lands within the (C9-4) zone:
 - i) Total Floor Area (maximum) 1000 square metres
 - ii) Notwithstanding Section 3.16 e), lands zoned C9-4 may be used to accommodate a portion of the required parking for a legally permitted use in an abutting C1-7 zone.

Added By By-Law 2015-0036

22B.4.5 Street-Related Commercial Exception (C9-5) Zone

Notwithstanding Section 3.1 j. v., 3.13 a., b., c., 3.22, 22B.1 a. iii., vi, 22B.2 b., 22B.3 a., 22B.3 b. ii., iii., 2B.3 i, 2B.3 j. iii. those lands zoned C9-5 as shown on the Schedules to this By-law shall be subject to the following uses and regulations:

- a. Permitted Non-residential Uses
 - i) Bakery Shop;
 - ii) Beer, liquor or wine retail outlet;
 - iii) Business, professional, or administrative office;
 - iv) Convenience store;
 - v) Day Nursery;
 - vi) Dry cleaning distribution centre;
 - vii) Eating establishment;
 - viii) Eating establishment, take out;
 - ix) Financial office;
 - x) Laundry;
 - xi) Medical or dental clinic;
 - xii) Place of worship;
 - xiii) Retail/commercial establishment;
 - xiv) School, commercial;
 - xv) Service shop, personal;
 - xvi) Service shop, light; and
 - xvii) Veterinary clinic.

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- b. Regulations
 - i) Interior Side Yard (minimum)
 - a) 3.0 metres and
 - b) 10.0 metres from a lot containing a single detached dwelling.
 - ii) Canopies may project into any required front, side or rear yard to a distance of not more than 1.5 metres, but in no instance shall a required side yard be reduced to below 0.3 metres.
 - iii) Floor Space Index (minimum): 0.65
 - iv) The length of a business establishment street façade (minimum) 40%
 - v) Commercial Floor Space Restriction:
The ground floor shall contain a minimum of three business establishments.
 - vi) Loading Space (minimum):
1 space measuring 4.0 metres by 9.0 metres and having a vertical clearance of 5.0 metres.
 - vii) An outdoor patio is not permitted for a business licensed to serve alcohol.

Added by By-law 2018-058

22B.4.6 Street-Related Commercial Exception (C9-6) Zone

Notwithstanding Section 3.12 c., 22B.2 a, 22B.2 b., 22B.3 a., 22B.3 b., 22B. 3c. i., ii., 22B.3 i., those lands zoned C9-6 as shown on the Schedules to the By-law shall be subject to the following uses and regulations:

- a. Permitted Residential Uses
 - i) Residential dwelling units are permitted on the second floor or higher of a four-storey building containing permitted non-residential uses on the ground floor.
- b. Permitted Non-residential uses
 - i) Beer, liquor or wine outlet;
 - ii) Business, professional or administrative;
 - iii) Convenience store;
 - iv) Day Nursery;

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- v) Dry cleaning distribution centre;
 - vi) Eating establishment;
 - vii) Laundry;
 - viii) Medical or dental clinic;
 - ix) School, private
 - x) Retail/commercial establishment; and
 - xi) Service shop, personal
- c. Regulations
- i) Building Height:
 - a) Height of a building containing non-residential uses (minimum) 2 storeys
 - b) Height of a building containing residential uses (minimum) 4 storeys
 - ii) Minimum Storey Requirement
Above the ground floor, each storey shall contain a floor area equal to no less than 50 % of the floor area immediately beneath it to be considered a storey.
 - iii) Yard Setback Requirements
 - a) Front Yard (minimum) 2 metres
 - b) Front Yard (maximum) 5 metres
 - c) Exterior Side Yard (minimum) 2 metres
 - d) Exterior Side Yard (maximum) 5 metres
 - e) Interior Side Yard (minimum) 1.5 metres
 - f) Rear Yard (minimum) 1.5 metres
 - iv) Loading Space Requirements
 - a) Loading Space (3 metres x 7.5 metres) 1 space

22C. Office Commercial (OC) Zone

22C.1 Section 22C Applies to Lands Zoned OC by this By-Law or any OC Exception Zone, Unless Otherwise Specified.

- a. For the purposes of Section 22C, the term:
- i) Community Facility means those land uses which have the potential to attract a large volume of people for a not-for-profit service or event. This land use category includes:
 - Municipal facilities including library, fire, and police stations;
 - Public recreation facilities, parks and squares;
 - Public or private schools; and
 - Places of worship or assembly halls
 - Cultural Centre
 - Social, educational and cultural facilities
 - ii) Drive-through Facility means the use of land, buildings or structures, or part thereof, to provide or dispense products or services, either wholly or in part, through a window or an automatic machine, to customers remaining in motor vehicles, which are located in a stacking lane.
 - iii) Eating Establishments means all restaurants irrespective of the format (i.e. sit-down restaurant, take-out restaurant).
 - iv) Frontage Percentage means the percentage of the respective width of the lot that is required to be occupied by the building's facade. In the event that a single building, or the first phase of construction, is not capable of meeting this requirement, it must be demonstrated, by way of a phasing plan, that this requirement can be met in the future through the construction of a subsequent building(s). In this scenario, the maximum depth of the first building may not exceed 50% of the length of the proposed building along the frontage.
 - v) Gathering Places means those land uses which have the potential to attract a large volume of people for a for-profit service or event which is not proportionately associated with the number of staff members of the respective business. This land use category includes:
 - Place of Entertainment
 - Auction Centre

- Banquet Hall
 - Convention Centre
 - Fitness Centre
 - Private Club
 - Voluntary Instructional Studio (i.e. dance, martial arts, etc.)
- vi) Office means any commercial use. Unless otherwise stated, this land use category includes:
- Professional Service (Finance, Insurance, Real Estate, Legal)
 - Medical Office / Clinic
 - Para-Medical Office (Registered massage therapist, Psychologist, Midwife)
 - Dental Office
- vii) Place of Entertainment means a motion picture or other theatre, billiard hall, bowling alley, ice or roller skating rink, dance or music hall, arcade, indoor mini-golf, laser tag, indoor paint ball, climbing wall, etc.
- viii) Primary façade means the façade of a building which faces Regional Highway 2.
- ix) Retail means any commercial use which is primarily focused on offering products for sale to the general public. Unless otherwise stated, this land use category includes:
- Supermarket
 - Markets
 - Seasonal Garden and Nursery Centre accessory to a permitted non-residential use
 - Convenience Store
 - General Merchandise Store
 - Home Improvement Store
- x) Secondary façade means the façade of a building which faces Regional Road 57.
- xi) Service means any commercial use which is primarily focused on offering an activity for sale to the general public as opposed to a product (i.e. retail). This land use category includes:
- Eating Establishments
 - Bar

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- Financial office
- Business Services (Printing, etc.)
- Commercial School
- Day Care Centre
- Dry Cleaning
- Light Service Shop
- Personal Service

- xii) Storey means the usable area of a building measured on a vertical scale containing a specific floor or level that can be distinguished by another floor or level. Each storey must comply with Ontario Building Code requirements for occupancy.

22C.2 Permitted Uses

The following uses are permitted within the Office Commercial (OC) Zone, subject to the applicable zoning provisions.

a. Permitted Uses

Permitted Uses	Office Commercial (OC) Zone
Office	Yes
Retail	Yes ¹
Service	Yes ¹
Hotel	Yes
Residential	Yes
Community Facilities	Yes ²
Gathering Places	Yes ²

¹ = Only permitted within the first storey and may not occupy more than 25% of the gross floor area of a building.

² = Only permitted within the first and/or second storey and may not occupy more than 50% of the gross floor area of a building.

- b. A bank or credit union is only permitted on 1 Martin Road (Assessment Roll No. 181701002016000) provided it is not represented within the Downtown boundary area identified in the Bowmanville East Town Centre Secondary Plan on July 7, 2014

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- c. Notwithstanding Section 22C.2 a., residential uses shall only be permitted provided:
- i) The residential building contains retail and service commercial uses on the ground floor
 - ii) The amount of residential floor space does not exceed the amount of office floor space in the Office Commercial Zone measured from the second floor and above, and
 - iii) The initial office building is a minimum of 3,000 square metres.
- d. Accessory buildings are not permitted.

22C.3 Regulations for Permitted Uses

- a. Building Location

Front Yard Setback (maximum)	3.5 metres
Exterior Side Yard Setback (maximum)	3.5 metres
Interior Side Yard Setback (maximum) - First two storeys	3.5 metres
Interior Side Yard Setback (maximum) -Third storey and higher	5.0 metres
Rear Yard Setback (maximum)	5.0 metres.

- b. Lot Coverage (maximum) 75%
- c. Building Form

Minimum Height Residential	First building – 4 storeys subsequent buildings – 8 storeys
Minimum Height-Other	4 storeys
Separate entrance required for residential uses	Yes
Transparent Glazing (minimum)	60% of the first storey

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Frontage Percentage (minimum) - Primary Facade	50%
Frontage Percentage - Secondary Facade	N/A
Building Podium	All floors above the second storey shall be setback a maximum of 3.0 metres along the street-fronting elevation(s) and each storey shall contain a floor area equal to no less than 75% of the ground floor area.

d. Landscaped Open Space (minimum)

Landscaped Open Space	10%
Perimeter landscape widths (m)	
Front	3.5
Exterior Side	3.5
Interior Side	3.5
Rear	3.5

e. Drive Through – Not Permitted

f. Other

Parking Ratio - Residential	1 per unit
Parking Ratio - Non-Residential	1:30 square metres
Bicycle Parking for Non-Residential Uses	Provided at a rate of 10% of automobile parking space requirements for non-residential uses.
Bicycle Parking for Residential Uses	Weather-protected bicycle parking facilities - 2 spaces for every 1 dwelling unit.
Location of loading and other service areas	In an interior side yard or rear yard.
Outdoor storage and/or display	Not permitted.
Refuse area	Fully enclosed

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23. Light Industrial (M1) Zone

23.1 Permitted Uses

No person shall within a Light Industrial (M1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

Prohibited

b. Non-Residential Uses

- i) Bank or financial office;
- ii) Building supply and/or home improvement outlet within a wholly enclosed building or structure;
- iii) Business or professional office provided such use is accessory and incidental to a permitted use otherwise specified herein;
- iv) An eating establishment;
- v) An eating establishment take-out;
- vi) Equipment sales and rental, light;
- vii) A commercial or technical school;
- viii) A dry light industry within a wholly enclosed building or structure;
- ix) A work shop within a wholly enclosed building or structure;
- x) An assembly, manufacturing, fabricating or processing plant within a wholly enclosed building or structure;
- xi) A printing or publishing establishment;
- xii) A warehouse for the storage of goods and materials within a wholly enclosed building or structure;
- xiii) A factory outlet;
- xiv) A motor vehicle repair garage within a wholly enclosed building or structure;
- xv) Adult entertainment parlour within an eating establishment or tavern;
- xvi) Tavern;
- xvii) A private club; and
- xviii) A transport service establishment

Amended by By-law 85-51

Added by By-law 85-36

23.2 Regulations for Non-Residential Uses

- a. Lot Area (minimum)
- | | | |
|-----|---|--------------------|
| i) | Lot serviced by full municipal services | 2000 square metres |
| ii) | Lot serviced by a municipal water system or private well and a private sanitary waste disposal system | 4000 square metres |
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
- | | | |
|------|--------------------|------------|
| i) | Front Yard | 7.5 metres |
| ii) | Exterior Side Yard | 7.5 metres |
| iii) | Interior Side Yard | 3 metres |
| iv) | Rear Yard | 10 metres |
- d. Special Yard Provisions
- Notwithstanding the foregoing yard requirements where the rear or the interior lot line abuts a residential zone, the minimum rear yard or interior yard requirement shall be increased 20 metres.
- e. Lot Coverage (maximum) 60 percent
- f. Landscaped Open Space (minimum) 10 percent
Amended by By-law 87-21
which shall include an area 1.5 metres in depth abutting every exterior lot line except where such area is occupied by a driveway or walkway.
- g. Building Height (maximum) 12 metres
- h. Performance Standards
- No use shall be permitted in the M1 Zone which produces noise, glare and/or heat, electromagnetic emissions or vibrations which can be detected beyond the limits of the lot upon which such use is located.

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- i. Outside Storage
Save and except parking, all permitted uses and other operations incidental thereto including storage, shall be carried on within the confines of a building. Storage areas for garbage or waste materials external to the main building, may be permitted provided such storage area is enclosed by walls or screen fencing, and is not visible from any residential property or public street.
- j. Planting Strip Requirement
Where the interior side or rear lot line abuts a residential zone, a planting strip shall be provided along such lot line in accordance with the requirements of Section 3.17 of this By-law.

23.3 Special Exceptions - Light Industrial (M1) Zone

23.3.1 Light Industrial Exception (M1-1) Zone

Notwithstanding Section 23.1, those lands zoned M1-1 on the Schedules to this By-law shall only be used for an agricultural produce warehouse.

23.3.2 Light Industrial Exception (M1-2) Zone

Notwithstanding Section 23.1 and 23.2, those lands zoned M1-2 on the Schedules to this By-law shall only be used by a Dry Light industry and warehouse in accordance with the following provisions:

- a. Lot Area (minimum) 1200 square metres
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements (minimum)
 - i) Front Yard 3.0 metres
 - ii) Exterior Side Yard 0 metres
 - iii) Interior Side Yard 3.0 metres
 - iv) Rear Yard 6.0 metres
- d. Floor Area (minimum) 200 square metres
- e. Lot Coverage (maximum) 50 percent

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23.3.3 Light Industrial Exception (M1-3) Zone

Notwithstanding Section 23.1, those lands zoned M1-3 on the Schedules to this By-law may only be used for the following uses:

- i) Bank or financial office;
- ii) Building supply and/or home improvement outlet within a wholly enclosed building or structure;
- iii) Business or professional office provided such use is accessory and incidental to a permitted use otherwise specified herein;
- iv) An eating establishment;
- v) An eating establishment take-out;
- vi) Equipment sales and rental, light;
- vii) A commercial or technical school;
- viii) A dry light industry within a wholly enclosed building or structure;
- ix) A work shop within a wholly enclosed building or structure;
- x) An assembly, manufacturing, fabricating or processing plant within a wholly enclosed building or structure;
- xi) A printing or publishing establishment;
- xii) A warehouse for the storage of goods and materials within a wholly enclosed building or structure;
- xiii) A factory outlet;
- xiv) A retail sales and/or service establishment for motor vehicle equipment and accessories within a wholly enclosed building or structure;
- xv) Adult entertainment parlour within an eating establishment or tavern;
- xvi) Tavern; and
- xvii) A private club.

Added by By-law 85-76

23.3.4 Light Industrial Exception (M1-4) Zone

Notwithstanding Section 23.1, those lands zoned M1-4 on the Schedules to this By-law, in addition to the uses permitted in the M1 zone, may also be used for a cartage or transport depot and yard.

Added by By-law 85-94

23.3.5 Light Industrial Exception (M1-5) Zone

Notwithstanding Section 23.1, those lands zoned M1-5 on the Schedules to this By-law, in addition to the uses permitted in the M1 zone, may also be used for a car wash establishment.

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Added by By-law 89-73

23.3.6 Light Industrial Exception (M1-6) Zone

Notwithstanding Section 23.1 and 23.2 (i), those lands zoned M1-6 on the Schedules to this By-law, in addition to the use of said lands for an assembly manufacturing, fabricating or processing plant within a wholly enclosed building or structure, may also permit outside storage of finished modular homes up to a maximum of 7 such homes. For the purpose of this provisions, a modular home shall not be used as a habitable room.

Added by By-law 91-104

23.3.7 Light Industrial Exception (M1-7) Zone

In addition to the uses permitted in the M1 zone, those lands zoned M1-7 on the schedules to this By-law may also be used for underground bulk fuel tank storage, a Lube Warehouse and an Office in accordance with all applicable provisions of the M1 zone and the following:

- a. Maximum floor space 400 square metres

Added by By-law 2000-104

23.3.8 Light Industrial Exception (M1-8) Zone

Notwithstanding Section 23.1 (b), those lands zoned (M1-8) on the Schedules to this By-law, in addition to the uses permitted in the M1 zone, may also be used for the outdoor parking or storage of a maximum of three commercial motor vehicles required for and accessory to a commercial school.

Added by By-law 2002-022

23.3.9 Light Industrial Exception (M1-9) Zone

Notwithstanding Section 13.5, 23.1 and 23.2, those lands zoned (M1-9) on the Schedules to this By-law, in addition to other permitted uses, may also be used for a waste transfer station and material recovery and recycling facility for solid non-hazardous waste in accordance with the following provisions:

- a. A truck may transport depot and maintenance facility and administrative offices shall be permitted as ancillary uses to the waste transfer station and material recovery and recycling facility.
- b. All storage and processing of waste and recyclable materials on lands zoned M1-9 shall take place within a fully enclosed building or structure.

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- c. Outside storage
 - i) Area (maximum) 8200 square metres
 - ii) Height (maximum) 4.0 metres
 - iii) Setback from public highway 25.0 metres
- d. Landscaped berm
 - i) Where the lands zoned M1-9 are developed for waste transfer station or material recovery facility, a stable landscaped berm including dense coniferous trees shall be constructed adjacent to the property line with Highway 401 and the east limit of the M1-9 zone;
 - ii) Height of berm (minimum) 4.0 metres
- e. Lot Coverage for all buildings and structures (maximum) 15%
- f. Total floor area for waste transfer station and material recovery and recycling facility (maximum) 6,500 square metres
- g. Number of truck parking spaces (maximum) 100 spaces

Added by By-law 2004-068

23.3.10 Light Industrial Exception (M1-10) Zone

Notwithstanding Section 23.1, those lands zoned M1-10 on the Schedules to this By-law may also be

used for the sale, repair, and outdoor display and storage of commercial motor vehicles in addition to other permitted uses.

Added By By-Law 2009-103

23.3.11 Light Industrial Exception (M1-11) Zone

Notwithstanding Sections 23.1 b. those lands zoned “M1-11” on the Schedule to this By-law shall be subject to the following zone provisions:

- a. For the purpose of this section, the term:

Outdoor Sales Centre: shall mean an area of land used for the displaying and selling of flowers, plants, shrubs, trees, or similar vegetation, and pre-packaged sand, gravel, soil fertilizers, de-icing material or similar products, in addition to supplies and equipment incidental to a building supply and

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home improvement outlet, but shall not include a nursery; or the bulk storage of lumber.

b. Permitted uses

In addition to those permitted uses in Section 23. 1b., an outdoor sales centre is permitted as an accessory use to a building supply and home improvement outlet.

c. Regulations for Outdoor Sales Centre

- | | | |
|-----|--------------|--|
| i) | Maximum area | 220 square metres |
| ii) | Location | May project into the required setback a maximum of 5.0 metres and no closer than 2.5 metres to the front lot line. |

Added by By-law 2017-078

Section 23.3.12 Light Industrial Exception (M1-12) Zone

Notwithstanding Sections 2, 3.12 f., 3.16 m., 23.1 b., and 23.2 e. those lands zoned M1-12 on the Schedules to this By-law shall only be used for the following uses:

a. Permitted uses:

Motor Vehicle and Recreational Vehicle Sales Establishment

b. Special Yard requirements:

- | | | |
|------|---|-----------|
| i) | The south property line with Highway 401 shall be deemed to be the front lot line for the purposes of determining yard requirements | |
| ii) | Front Yard (minimum) | 40 metres |
| | (maximum) | 50 metres |
| iii) | From an EP zone | 80 metres |

c.	Landscaped Open Space	30 percent
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d.	Lot Coverage (maximum)	40 percent
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Section 23A

23A Energy Park Office (MO1) Zone

Deleted by By-Law 2015-062

23A.2 Permitted Uses

No person shall within the Energy Park Office (MO1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- i) Financial office without a drive-through facility;
- ii) Energy-related business or administrative office;
- iii) Convention centre;
- iv) Day nursery;
- v) Fitness centre;
- vi) Hotel;
- vii) University or college facilities;
- viii) Research and development facility; and
- ix) Eating establishment without a drive-through facility.

23A.3 Regulations

- a. Lot Area (minimum) 1 hectare
- b. Lot Frontage (minimum) 80 metres
- c. Yard Requirements:
 - i) For lots fronting onto South Service Road
 - a) Front Yard 28 metres (minimum) to 31 metres (maximum)
 - b) Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)
 - ii) For lots fronting onto Energy Drive (a future public street shown on Schedule 1)
 - a) Front Yard 6 metres (minimum) to 8 metres (maximum)
 - b) Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)

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- iii) For lots fronting onto other roads
 - a) Front Yard 4 metres (minimum) to 8 metres (maximum)
 - b) Exterior Side Yard 4 metres (minimum) to 8 metres (maximum), except where the exterior side yard abuts South Service Road, then the exterior side yard shall be 28 metres (minimum) to 31 metres (maximum), or except where the exterior side yard abuts Energy Drive, then the exterior side yard shall be 6 metres (minimum) to 8 metres (maximum)
 - iv) Interior Side Yard (minimum) 5 metres
 - v) Rear Yard (minimum) 10 metres, except where the rear yard abuts South Service Road, then the rear yard shall be 28 metres (minimum) to 31 metres (maximum)
- d. Lot Coverage (maximum) 60%
- e. Landscaped Open Space (minimum) 20%
- f. Building Height (minimum) 12 metres on lands located within 50 metres from Courtice Road or South Service Road, otherwise 5 metres
- g. Landscaping Strip Width Requirements (minimum)
 - i) Front Yard and Exterior Side Yard 4 metres
 - ii) Interior Side Yard and Rear Yard 2 metres
- h. The length of the building façade of the first building constructed along the front lot line of a lot shall be a minimum width representing 40% of the total length of the lot frontage.
- i. No outside storage or outside garbage facilities shall be permitted.
- j. Parking areas shall not be located within the required front yard or the exterior side yard.

23B Energy Park Prestige (MO2) Zone

Deleted by By-Law 2015-062

23B.2 Permitted Uses

No person shall within the Energy Park Prestige (MO2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- i) Financial office without a drive-through facility;
- ii) Commercial or technical school;
- iii) Energy-related business or administrative office;
- iv) Day nursery;
- v) Energy industry;
- vi) University or college facilities; and
- vii) Research and development facility.

23B.3 Regulations

- a. Lot Area (minimum) 1 hectare
- b. Lot Frontage (minimum) 80 metres
- c. Yard Requirements
 - i) For lots fronting onto South Service Road
 - a) Front Yard 28 metres (minimum) to 31 metres (maximum)
 - b) Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)
 - ii) For lots fronting onto other roads
 - a) Front Yard 4 metres (minimum) to 8 metres (maximum)
 - b) Exterior Side Yard 28 metres (minimum) to 31 metres (maximum)

- | | | |
|------|------------------------------|--|
| iii) | Interior Side Yard (minimum) | 5 metres |
| iv) | Rear Yard (minimum) | 10 metres, except where
the rear yard abuts South
Service Road, then the rear
yard shall be 28 metres (minimum)
to 31 metres (maximum) |
- d. Lot Coverage (maximum) 60%
- e. Landscaped Open Space (minimum) 20%
- f. Building Height (minimum) 5 metres
- g. Landscaping Strip Width Requirements (minimum)
- | | | |
|-----|------------------------------|----------|
| i) | Front and Exterior Side Yard | 4 metres |
| ii) | Interior Side and Rear Yard | 2 metres |
- h. The length of the building façade of the first building constructed along the front lot line of a lot shall be a minimum width representing 40% of the total length of the lot frontage.
- i. No outside storage or outside garbage facilities shall be permitted.
- j. Parking areas shall not be located in the required front yard or the exterior side yard.

Deleted by By-law 2019-064

Added by By-law 2019-064

23B.4.1 Energy Park Prestige Exception (MO2-1) Zone

Notwithstanding the provisions of 23B.3 c., g., h. and j., those lands zoned “MO2-1” on the Schedules to this By-law are subject to the following provisions:

- a. Yard Requirements
- i) Adjacent to Energy Drive
- a) Minimum

- | | | | |
|------|---|--|-----------|
| | (i) | To business or professional office | 6 metres |
| | (ii) | To energy-related use | 20 metres |
| b) | Maximum | | |
| | (i) | To business or professional office | 20 metres |
| | (ii) | To energy-related use | 35 metres |
| ii) | Adjacent to Osborne Road (Front Yard) | | |
| | a) | Minimum | 8 metres |
| | b) | Maximum | 10 metres |
| iii) | Adjacent to Megawatt Drive | | |
| | a) | Minimum | 25 metres |
| b. | Landscaping Strip Width (minimum) | | |
| i) | Along Energy Drive | 4 metres in front of office;
6 metres in front of warehouse and parking | |
| ii) | Along Osborne Road | 4 metres | |
| iii) | Along Megawatt | 6 metres | |
| c. | Street Façade | | |
| i) | Energy Drive | A minimum of 10% of the street façade shall be occupied by the energy-related business/administrative office;
A maximum of 30% of the street façade may occupied by any other permitted use, provided that the total building façade shall be no less than 45% of the lot frontage. | |
| ii) | Osborne Road | A minimum of 45% of the street façade shall be occupied by any permitted use | |
| iii) | Megawatt Drive | Not applicable | |
| d. | Parking Location on the lot | | |
| | Parking areas shall not be permitted to locate closer to the street line than the nearest wall of the building façade parallel to Energy Drive or Osborne Road. | | |

e. Screening

A berm having a minimum width of 10 metres, and a minimum height of 2 metres, shall be constructed along the Megawatt Drive frontage.

23C. Energy Park Light Industrial (ML1) Zone

Deleted by By-Law 2015-062

23C.2 Permitted Uses

No person shall within the Energy Park Light Industrial (ML1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- i) Energy-related business or administrative office;
- ii) Energy-related commercial or technical school;
- iii) Energy industry;
- iv) Outside storage of goods and materials where such use is accessory and incidental to a permitted use; and
- v) Research and development facility.

23C.3 Regulations

- a. Lot Area (minimum) 0.5 hectares
- b. Lot Frontage along Energy Drive, a Future Public Street shown on Schedule 1 (minimum) 50 metres
Lot Frontage along Other Roads (minimum) 30 metres
- c. Yard Requirements
 - i) Front Yard
 - Along Energy Drive 6 metres (minimum) to 8 metres (maximum)
 - Along other roads 4 metres (minimum) to 8 metres (maximum)
 - ii) Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)
 - iii) Interior Side Yard (minimum) 5 metres
 - iv) Rear Yard (minimum) 10 metres
- d. Lot Coverage (maximum) 60%
- e. Landscaped Open Space (minimum) 10%

Section 23C

- f. Building Height (minimum) 5 metres
- g. Landscaping Strip Width Requirements (minimum)
 - i) Front Yard and Exterior Side Yard 4 metres
 - ii) Interior Side Yard and Rear Yard 2 metres
- h. The length of the building façade of the first building constructed along the front lot line of a lot shall be a minimum width representing 40% of the total length of the lot frontage.
- i. Parking areas are not permitted within the required front yard or exterior side yard.

23C.4 Regulations for Servicing, Loading and Garbage Areas

Servicing, loading and garbage areas shall be located in the rear or interior side yard and shall be screened from view. Servicing and loading areas in an interior side yard shall be set back a minimum of 10 metres from the front of the building.

23C.5 Regulations for Outside Storage

- a. A maximum of 25% of the lot area may be used for outside storage.
- b. Maximum height of outdoor storage area 3 metres
- c. Outside storage of materials shall be screened from public streets adjoining the lot by a combination of buildings, berms or landscaped open space.

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23D. Energy Park General Industrial (ML2) Zone

Deleted by By-Law 2015-062

23D.2 Permitted Uses

No person shall within the Energy Park General Industrial (ML2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Energy industry;
- b. Energy-related commercial or technical school;
- c. Outside storage of goods and materials where such use is accessory and incidental to a permitted use; and
- d. Research and development facility.

23D.3 Regulations

- a. Lot Area (minimum) 0.5 hectares
- b. Lot Frontage (minimum) 30 metres
- c. Yard Requirements
 - i) Front Yard and Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)
 - ii) Interior Side Yard (minimum) 5 metres
 - iii) Rear Yard (minimum) 10 metres
- d. Lot Coverage (maximum) 60%
- e. Landscaped Open Space (minimum) 10%
- f. Building Height (minimum) 5 metres
- g. Landscaping Strip Width Requirements (minimum)
 - i) Front Yard and Exterior Side Yard 4 metres
 - ii) Interior Side Yard and Rear Yard 2 metres

Section 23D

- h. The length of the building façade of the first building constructed along the front lot line of a lot shall be a minimum width representing 40% of the total length of the lot frontage.
- i. Parking areas are not permitted within the required front yard or exterior side yard.

23D.4 Regulations for Servicing, Loading and Garbage Areas

Servicing, loading and garbage areas shall be located in the rear or interior side yard and shall be screened from view. Servicing, loading and garbage areas in an interior side yard shall be set back a minimum of 10 metres from the front of the building.

23D.5 Regulations for Outside Storage

- a. A maximum of 50% of the lot area may be used for outside storage.
- b. Maximum height of outdoor storage 5 metres
- c. Outside storage of materials shall be screened from public streets adjoining the lot by a combination of buildings, berms or landscaped open space.

23D.6 Special Exceptions-Energy Park General Industrial (ML2) Zone

23D.6.1 Energy Park General Industrial Exception (ML2-1) Zone

Notwithstanding Section 23D, those lands zoned ML2-1 on the Schedules to this By-law, in addition to the uses and regulations permitted in the ML2 Zone, may also be used for the purposes of an automotive auction and a motor vehicle wrecking yard subject to the following:

- a. Definitions:

Automotive Auction: shall mean the use of land, buildings or structures or part thereof, used for the storage of motor vehicles which are to be sold on the premises by public auction.

- b. Regulations:

- i) Lot Area (minimum) 10 hectares

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- ii) The maximum building area to be used for automotive auction and motor wrecking 1400 square metres
- iii) Maximum height of outside storage associated with automobile auction and motor vehicle wrecking yard 3 metres
- iv) No portion of the lot used for outside storage shall be visible from an abutting property or an improved public street.

Added by By-Law 2010-130

23E Technology Park Prestige 1 (MP1) Zone

Deleted by By-Law 2015-062

23E.2 Permitted Uses

No person shall within the Technology Park Prestige 1 (MP1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Business or administrative office;
- b. Commercial school;
- c. Convention centre;
- d. Factory outlet;
- e. Hotel;
- f. Light industrial facility;
- g. Research and development facility;
- h. University or college facility;
- i. The following uses are permitted as ancillary uses to all of the permitted uses, but does not include a drive-through facility:
 - i) Financial office;
 - ii) Eating establishment;
 - iii) Printing or publishing establishment; and
 - iv) Fitness centre.

23E.3 Regulations

- a. Lot Area (minimum) 1 hectare
- b. Lot Frontage (minimum) 100 metres

Section 23E

- c. Yard Requirements (minimum):
- i) For lots fronting onto Discovery Drive (a future public street), Bennett Road or Lambs Road
 - Front Yard 30 metres
 - Exterior Side Yard 30 metres
 - Interior Side Yard 6 metres
 - ii) For lots fronting onto other roads
 - Front Yard 8 metres
 - Exterior Side Yard 8 metres
 - Interior Side Yard 6 metres
 - With the exception where the side yard abuts Highway 401 24 metres
 - iii) Rear Yard 10 metres
 - With the exception where the rear yard abuts Highway 401 24 metres
- d. Lot Coverage (maximum) 50%
- e. Building Height (minimum) 9 metres
- f. Landscape Open Space (minimum) 40%
- g. Landscaping Strip Width Requirements (minimum)
- i) For lots fronting onto Discovery Drive (a future public street), Bennett Road or Lambs Road
 - Front and exterior side yard 10 metres
 - Rear and interior side yard 4 metres
 - ii) For lots fronting onto other roads
 - Front, rear, exterior and interior side yards 4 metres
- h. No outside storage or outside garbage facilities shall be permitted.
- i. Servicing and loading areas shall be located in the rear or interior side yard and shall be screened from view. Servicing and loading areas in an interior side yard shall be set back a minimum of 15 metres from the front of the building.
- j. A maximum of 12 parking spaces are permitted within the required front yard or the exterior side yard.

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23F Technology Park Prestige 2 (MP2) Zone

23F.1 Permitted Uses

No person shall within the Technology Park Prestige 2 (MP2) Zone use any land or erect, alter or use any building or structure except as specified hereunder, as defined in Sections 2 and 23E.1:

- a. Business or administrative office;
- b. Commercial school;
- c. Convention centre;
- d. Factory outlet;
- e. Light industrial facility;
- f. Research and development facility;
- g. University or college facility;
- h. The following uses are permitted as ancillary uses to all of the permitted uses, but does not include a drive-through facility:
 - i) Financial office;
 - ii) Eating establishment;
 - iii) Printing or publishing establishment; and
 - iv Fitness centre.

23F.2 Regulations

- a. Lot Area (minimum) 8000 square metres
- b. Lot Frontage (minimum) 80 metres

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c. Yard Requirements (minimum)

- i) For lots fronting onto Discovery Drive or Innovation Drive (future public streets), Baseline Road, Bennett Road, and Lambs Road
 - a) Front Yard 18 metres
With the exception that on Esplanade Drive the setback 26 metres
 - b) Exterior Side Yard 18 metres
With the exception that on Esplanade Drive the setback 26 metres
 - c) Interior Side Yard 6 metres
With the exception that an interior side yard abutting an Environmental Protection Zone or any lands dedicated for publicly owned stormwater retention facilities 3 metres
 - d) Rear Yard 6 metres
With the exception that a rear yard abutting Discovery Drive or Innovation Drive (future public streets), Baseline Road, Bennett Road, and Lambs Road 18 metres
With the exception that on Esplanade Drive the rear yard setback 26 metres
With the exception that a rear yard abutting the MP4 Zone 10 metres
With the exception that a rear yard abutting an Environmental Protection Zone or any lands dedicated for publicly owned stormwater retention facilities 3 metres
- ii) For lots fronting onto other roads (minimum)
 - a) Front Yard 8 metres
 - b) Exterior Side Yard 8 metres
 - c) Interior Side Yard 6 metres
 - d) Rear Yard 6 metres
 - e) With the exception that a rear yard abutting the MP4 Zone 10 metres

Section 23F

- d. Lot Coverage (maximum) 60%
- e. Building Height (minimum) 9 metres
- f. Landscape Open Space (minimum) 30%
- g. Landscaping Strip Width Requirements (minimum)
 - i) For lots fronting onto Discovery Drive, Innovation Drive and Esplanade Drive (future public streets), Baseline road, Bennett Road or Lambs Road
 - a) Front and exterior 10 metres
 - b) Rear and interior side yard 3 metres
 - ii) For lots fronting onto other roads
 - a) Front and exterior side yards 3 metres
 - b) Interior Side and Rear Yard 2 metres
- h. No outside storage or outside garbage facilities shall be permitted.
- i. Servicing and loading areas shall be located in the rear or interior side yard and shall be screened from view. Servicing and loading areas in an interior side yard shall be set back a minimum of 15 metres from the front of the building.
- j. A maximum of 12 parking spaces are permitted within the required front yard or the exterior side yard.

23G Technology Park Light Industrial (MP3) Zone

23G.1 Permitted Uses

No person shall within the Technology Park Light Industrial (MP3) Zone use any land or erect, alter or use any building or structure except as specified hereunder, as defined in Sections 2 and 23E.1:

- a. Business or administrative office;
- b. Commercial school;
- c. Factory outlet;
- d. Light industrial facility;
- e. Research and development facility;
- f. University or college facility;
- g. Warehousing within a wholly enclosed building, ancillary to a permitted use.
- h. The following uses are permitted as ancillary uses to all of the permitted use, but does not include a drive-through facility:
 - i) Financial office;
 - ii) Eating establishment; and
 - iii) Printing or publishing establishment.

23G.2 Regulations

a.	Lot Area (minimum)	4000 square metres
b.	Lot Frontage (minimum)	50 metres
c.	Yard Requirements (minimum)	
	i) For lots fronting onto Lambs Road	
	a) Front yard and exterior side yard	18 metres
	b) Interior Side Yard	4 metres

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	With the exception that an interior side yard abutting an Environmental Protection Zone	3 metres
c)	Rear Yard	4 metres
	(i) With the exception that a rear yard abutting Lambs Road	18 metres
	(ii) With the exception that a rear yard abutting the MP4 Zone	10 metres
	(iii) With the exception that a rear yard abutting an Environmental Protection Zone	3metres
ii)	For lots fronting onto other roads (minimum)	
	a) Front yard and exterior side yard	6 metres
	b) Interior Side Yard	4 metres
	c) Rear Yard	4 metres
	(i) With the exception that a rear yard abutting the MP4 Zone is	10 metres
	(ii) With the exception that a rear yard abutting the restored portion of the Bennett Creek is	3 metres
d.	Lot Coverage (maximum)	60%
e.	Landscape Open Space (minimum)	20%
f.	Building Height (minimum)	6 metres
g.	Landscaping Strip Width Requirements (minimum)	
	i) For lots fronting onto Lambs Road	
	a) Front and exterior	10 metres
	b) Rear and interior side yard	2 metres
	ii) For lots fronting onto other roads	
	a) Front and exterior side yards	4 metres

- b) Interior Side and Rear Yard

2 metres
- h. A maximum of 6 parking spaces are permitted within the required front yard or the exterior side yard.

23G.3 Regulations for Servicing, Loading and Garbage Areas

Servicing, loading and garbage areas shall be located in the rear or interior side yard and shall be screened from view. Servicing and loading areas in an interior side yard shall be set back a minimum of 15 metres from the front of the building.

23G.4 Regulations for Outside Storage

- a. Outside storage is limited to maximum of 25% of the building area and a maximum of 10% of the lot and it must be screened from public view and adjacent properties.
- b. Maximum height of outdoor storage area 3 metres
- c. Outside storage of materials shall be screened from public streets adjoining the lot by a combination of buildings, berms or landscaping.

Added by By-law 2017-067

23G.5 Special Exceptions-Technology Park Light Industrial

23G.5.1 Technology Park Light Industrial Exception (MP3-1)

Notwithstanding the provisions of 23G.1 g. those lands zoned “MP3-1” on the Schedules to this By-law in addition to the other uses may be used for a warehouse distribution facility as a principal use.

23H Technology Park Mixed Use Corridor (MP4) Zone

23H.1 Permitted Uses

No person shall within the Technology Park Mixed Use (MP4) Zone use any land or erect, alter or use any building or structure except as specified hereunder, as defined in Sections 2 and 23E.1:

- a. Business or administrative office;
- b. Commercial school;
- c. Dwelling units existing at the date of passing of this by-law;
- d. Research and development facility; and
- e. The following uses are permitted as ancillary uses to all of the permitted non-residential uses, but does not include a drive-through facility:
 - i) Financial office;
 - ii) Eating establishment;
 - iii) Printing or publishing establishment;
 - iv) Fitness centre; and
 - v) Day care centre.

23H.2 Regulations

- a. Lot Area (minimum) 3000 square metres
- b. Lot Frontage (minimum) 40 metres
- c. Yard Requirements
 - i) Front Yard and Exterior Side Yard 4 metres (minimum) to 8 metres (maximum)
 - ii) Interior Side Yard (minimum) 2 metres
 - iii) Rear Yard (minimum) 10 metres
With the exception that adjacent to lands designated for publicly owned stormwater retention facilities the setback is 3 metres

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- | | | |
|----|--|---|
| d. | Lot Coverage (maximum) | 60% |
| e. | Landscape Open Space (minimum) | 20% |
| f. | Building Height | 2 storeys(minimum)
and 3 storeys (maximum) |
| g. | Landscaping Strip Width Requirements (minimum) | |
| | i) Front Yard and Exterior Side Yard | 4 metres |
| | ii) Interior Side Yard and Rear Yard | 2 metres |

23H.3 Regulations for Servicing, Loading and Garbage Areas

- a. Servicing, loading and garbage areas shall be located in the rear or interior side yard and shall be screened from view. Servicing, loading and garbage areas in an interior side yard shall be set back a minimum of 15 metres from the front of the building.

23H.4 Regulations for Outside Storage

- a. No outside storage or outside garbage facilities shall be permitted.

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24. General Industrial (M2) Zone

24.1 Permitted Uses

No person shall within the General Industrial (M2) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

Prohibited

b. Non-Residential Uses

- i) All those uses permitted in the M1 Zone;
- ii) Equipment sales and rental, heavy;
- iii) A feed mill or seed cleaning plant;
- iv) A cartage or transport depot and yard;
- v) A farm implement and equipment sales and service establishment;
- vi) Bulk storage tanks and related uses;
- vii) Motor vehicle body shop;
- viii) Motor vehicle repair garage;
- ix) Contractor's or tradesman's workshop and yard;
- x) Outside storage of goods and materials where such use is accessory and incidental to a permitted use;
- xi) A storage area for boats and trailers;
- xii) A precast concrete products or prefabricated wood products manufacturing and fabricating plant; and

Added by By-law 86-40

- xiii) An auction room.

24.2 Regulations for Non-Residential Uses

a. Lot Area (minimum)

- | | | |
|-----|--|--------------------|
| i) | Lots serviced by full municipal services | 3000 square metres |
| ii) | Lots serviced by a municipal water system or private well and a private sanitary waste disposal system | 4000 square metres |

b.	Lot Frontage (minimum)	30 metres
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c. Yard Requirements (minimum)

i)	Front Yard	7.5 metres
ii)	Exterior Side Yard	7.5 metres
iii)	Interior Side Yard	5 metres
iv)	Rear Yard	7.5 metres

d. Special Yard Provisions

Notwithstanding the yard requirements set forth under section 24.2(c) hereof to the contrary, where the interior side lot line of a lot within the General Industrial (M2) Zone abuts a Residential Zone the minimum interior side yard requirement shall be 20 metres.

e. Lot Coverage (maximum) 60 percent

Amended by By-law 87-21

f. Landscaped Open Space (minimum)

10 percent which shall include an area 1.5 metres in depth abutting every exterior lot line except where such area is occupied by a driveway or walkway.

g. Building Height (maximum) 12 metres

h. Planting Strip Requirements

Where the interior side or rear lot line abuts a Residential, Community Facility or Private Open Space Zone, an area adjoining such abutting lot line shall be used for no other purpose than for a planting strip in accordance with the provisions of Section 3.17 of this By-law.

24.3 Regulations for Outside Storage

Within the General Industrial (M2) Zone, no portion of any lot shall be used for the outside storage of goods or materials except in accordance with the following provisions:

- a. Such outside storage shall be located in a rear or interior side yard and shall not be located closer to a public street than any principle structure located on the same lot, and further provided that such outside storage is not located closer than 1.20 metres to a rear or interior side lot line where the lot line abuts a lot

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- zoned for industrial purposes, or 5 metres of a rear lot line or interior side lot line abutting a lot zoned other than industrial, or 5 metres of any public street.
- b. That such outside storage does not cover in excess of 70 percent of the total lot area.
- c. That any portion of a lot used for the outside storage or display of goods or materials is screened from adjacent residential uses and public streets adjoining the lot by buildings, or, is enclosed by plantings in conjunction with a planting strip as may be required under this By-law, or, is enclosed within a wooden or metal or masonry fence extending at least 1.8 metres in height from the finished grade.

24.4 Special Exceptions - General Industrial (M2) Zone

24.4.1 General Industrial Exception (M2-1) Zone

Notwithstanding Section 24.1, those lands zoned M2-1 on the Schedules to this By-law may only be used for a manufacturing, processing, assembly or fabrication plant.

24.4.2 General Industrial Exception (M2-2) Zone

Notwithstanding Sections 24.1 and 24.2, those lands zoned M2-2 on the Schedules to this By-law shall only be used for a boat repair shop or boat storage area in accordance with the following provisions:

- a. For the purpose of this special exception:
- i) Boat Repair Shop: shall mean a building or structure wherein pleasure boats, yachts and appurtenant equipment are repaired, maintained or constructed
 - ii) Boat Storage Area: shall mean an enclosed area which may contain buildings or structures and which is used for the outside storage, maintenance and/or repair of pleasure boats, yachts and appurtenant equipment.
- b. Lot Area (minimum) 1 hectare
- c. Lot Frontage (minimum) 75 metres
- d. Front Yard (minimum) 30 metres
- e. Side Yard (minimum) 14 metres

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|----|--|---|
| f. | Rear Yard (minimum) | 8 metres |
| g. | Building Height (maximum) | 10.5 metres |
| h. | Lot Coverage (maximum) | |
| | i) Boat Repair Shop | 30 percent |
| | ii) Boat Storage Area | 35 percent |
| i. | Landscaped Area (minimum) | 30 percent |
| j. | Parking Spaces (minimum) | 1 space for each 75 square metres of total floor area |
| k. | No open storage shall be permitted within 1.2 metres of any property boundary. | |

24.4.3 General Industrial Exception (M2-3) Zone

Notwithstanding Section 24.1, those lands zoned M2-3 on the Schedules to this By-law shall only be used for the manufacturing and sale of concrete blocks and related products.

24.4.4 General Industrial Exception (M2-4) Zone

Notwithstanding Section 24.1, those lands zoned M2-4 on the Schedules to this By-law shall only be used for a salvage yard.

24.4.5 General Industrial Exception (M2-5) Zone

Notwithstanding Section 24.1, those lands zoned M2-5 on the Schedules to this By-law shall only be used for a motor vehicle wrecking yard.

24.4.6 General Industrial Exception (M2-6) Zone

Notwithstanding Section 24.1 and Section 24.2, those lands zoned M2-6 on the Schedules to this By-law may be used for a bulk fuel storage tank and uses accessory to it in accordance with the following provisions:

- | | | |
|----|------------------------|--------------------|
| a. | Lot Area (minimum) | 1500 square metres |
| b. | Lot Frontage (minimum) | 15 metres |
| c. | Front Yard (minimum) | 7.5 metres |

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- d. Side Yard (minimum)
 - i) Adjacent to a residential zone 7.5 metres
 - ii) Adjacent to an industrial zone 5 metres
- e. Rear Yard (minimum) 7.5 metres
- f. Parking 1 space for each 70 square metres of total floor area

24.4.7 General Industrial Exception (M2-7) Zone

Notwithstanding Section 24.1 and Section 24.2, those lands zoned M2-7 on the Schedules to this By-law may be used for a foundry in accordance with the following provisions:

- a. Lot Area (minimum) 5000 square metres
- b. Lot Frontage (minimum) 15 metres
- c. Side Yard (minimum)
 - i) Adjacent to a residential zone 7.5 metres
 - ii) Adjacent to an industrial zone 5 metres
- d. Rear Yard (minimum) 7.5 metres
- e. Parking 1 space for each 70 square metres of total floor area

24.4.8 General Industrial Exception (M2-8) Zone

Notwithstanding Section 24.1 and Section 24.2, those lands zoned M2-8 on the Schedules to this By-law may be used for a dry light industrial use housed within an existing industrial building in accordance with the following provisions:

- a. Lot Area (minimum) 1 hectare
- b. Lot Frontage (minimum) 15 metres
- c. Front Yard (minimum) 7.5 metres

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- d. Side Yard (minimum)
 - i) Adjacent to a residential zone 7.5 metres
 - ii) Adjacent to an industrial zone 5 metres
- e. Rear Yard (minimum) 7.5 metres
- f. Parking 1 space for each 70 square metres of total floor area

Added by By-law 86-56

24.4.9 General Industrial Exception (M2-9) Zone

Notwithstanding Section 24.1 and Section 24.2, those lands zoned M2-9 on the Schedules to this By-law may be used for a meat processing plant in accordance with the following provision:

- a. Front Yard (minimum) 45 metres

Added by By-law 92-37

24.4.11 General Industrial Exception (M2-11) Zone

Notwithstanding Section 24.1, those lands zoned M2-11 on the schedules to this By-law, in addition to the uses permitted in the M2 zone, a dog kennel may also be permitted.

Added by By-law 94-58

24.4.12 General Industrial Exception (M2-12) Zone

Notwithstanding Section 24.1, 24.2 and 24.3, the lands zoned M2-12 on the Schedules to this By-law, in addition to the uses permitted in the M2 zone, may be used for the sale and rental of Commercial Motor Vehicles as defined by the Highway Traffic Act save and except ambulances, hearses, casket wagons, fire apparatus and buses.

Added by By-law 95-173

24.4.13 General Industrial Exception (M2-13) Zone

Notwithstanding Section 24.1, the lands zoned M2-13 on the Schedules to this By-law, in addition to the other uses permitted in the M2 zone, may be used for the sale and rental of Commercial Motor Vehicles as defined by the Highway Traffic Act save and except hearses, casket wagons and buses.

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Added by By-law 97-024

24.4.14 General Industrial Exception (M2-14) Zone

Notwithstanding Section 24.1 and 24.3(C), those lands zoned M2-14 on the Schedules, in addition to the other uses permitted in the M2 zone, may also be used for an asphalt plant, a ready-mix concrete plant and a concrete re-cycling plant in accordance with the following zone provisions.

- a. Outside storage (maximum height) 8 metres

Added by By-law 97-104

24.4.15 General Industrial Exception (M2-15) Zone

Notwithstanding the provisions of Section 24.1 and 24.3, those lands zoned M2-15 on the Schedules to this By-law, in addition to the uses permitted in the M2 zone, may also be used for a motor vehicle wrecking yard subject to the following provisions:

- a. For the purposes of this special exception, outside storage shall be subject to the following:
 - i) Height (maximum) 3 metres
 - ii) Any portion of the lot used for outside storage shall not be visible from an improved public street.

Added by By-law 98-039

24.4.16 General Industrial Exception (M2-16) Zone

Notwithstanding the provisions of Section 24.1 and 24.3, those lands zoned "M2-16" on the Schedules to this By-law, shall only be used for a motor vehicle wrecking yard within an enclosed building, with no outside storage.

Added by By-law 2004-184

24.4.17 General Industrial Exception (M2-17) Zone

In this Section, the terms mean:

Research And Development Use means a business that engages in research, or research and development, of innovative ideas in technology-intensive fields."

Research Laboratory means an administrative, engineering, scientific research, design or experimentation organizations where product testing is an integral part of the operation and goods or products may be manufactured as necessary for testing, evaluation and test-marketing.

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Notwithstanding the provisions of 24.1(b), and 24.2 no person shall use any land or erect or use any building or structure located in a M2-17 zone for any non-residential purpose unless the provisions of this Section and applicable provisions of the aforesaid By-law 84-63 are satisfied:

i) Non-Residential Uses:

- a) Business or professional office provided such use is accessory and incidental to a permitted use otherwise specified herein;
Amended by By-law 2005-009
- b) An assembly, Manufacturing, or processing plant within a wholly enclosed building or structure;
- c) Research and development use;
Amended by By-law 2005-009
- d) Research laboratory;
- e) A conference centre;
- f) A training facility; and
- g) A day nursery

ii) Zone Regulations:

a) Yard Requirements (minimum)

i)	Front Yard	30 metres
ii)	Exterior Side Yard	30 metres
iii)	Interior Side Yard	30 metres
iv)	Rear Yard	30 metres

- b) Lot Coverage 25 percent
- c) Landscape Open Space 40 percent

Added by By-Law 2013-0009

24.4.20 General Industrial Exception (M2-20) Zone (Expired)

Section 25

25. Extractive Industrial (M3) Zone

25.1 Permitted Uses

No person shall within an Extractive Industrial (M3) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

- a. Residential Uses
 - i) Prohibited
- b. Non-Residential Uses
 - i) Farm;
 - ii) A processing plant - aggregate;
 - iii) Aggregate stockpiling;
 - iv) Conservation and forestry;
 - v) Outside storage of aggregate materials;
 - vi) A pit, sand and gravel; and
 - vii) A quarry.

25.2 Regulatory Provisions

- a. Yard Requirements (minimum)
 - i) Front Yard 30 metres
 - ii) Exterior Side Yard 30 metres
 - iii) Interior Side Yard 15 metres
 - iv) Rear Yard 15 metres
- b. Special Yard Provisions
 - i) Notwithstanding the minimum yard requirements set out in Section 25.2(a), within the Extractive Industrial (M3) Zone no building or portable screening or crushing plant, or product stockpile associated therewith shall be located within 90 metres of any abutting property zoned Residential or of a dwelling on adjacent lands held under distinct and separate ownership.
 - ii) Notwithstanding the minimum yard requirements set out in Section 25.2(a), within the Extractive Industrial (M3) Zone, no pit or quarry shall be located within 30 metres of abutting property zoned residential or under distinct and separate ownership.
 - iii) Where an interior side yard or rear yard of a property in an Extractive Industrial (M3) Zone abuts an interior side yard or rear yard of lands held under distinct and separate ownership which

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are also zoned within the Extractive Industrial (M3) Zone, no interior side or rear yard shall be required where the interior side or rear lot lines or portions thereof abut one another.

- iv) Where a rear yard abuts an improved public street, such yard shall be considered an exterior side yard for the purposes of the M3 Zone.

25.3 Planting Strip and Fencing Requirements, etc.

Planting strips, berms and fences shall be provided in accordance with the provisions of the Pits and Quarries Control Act, as amended.

25.4 Special Exceptions - Extractive Industrial (M3) Zone

Added by By-Law 85-47

25.4.1 Extractive Industrial Exception (M3-1) Zone

Notwithstanding Section 25.1, those lands zoned M3-1 on the Schedules to this By-law may, in addition to the other uses permitted, be used for a cement manufacturing plant and a maximum of 2 residential dwelling units for a manager, caretaker, watchmen, or other similar persons employed on the same lot and their families.

Added by By-law 85-47

25.4.2 Extractive Industrial Exception (M3-2) Zone

Notwithstanding Section 25.1 those lands zoned M3-2 on the Schedules to this By-law may only be used for a ready-mix cement manufacturing plant and/or a transportation depot in accordance with the zone provisions of Section 24.2 hereof.

Added by By-law 88-110

25.4.3 Extractive Industrial Exception (M3-3) Zone

Notwithstanding Section 25.1 those lands zoned M3-3 on the Schedules to this By-law may only be used for a ready-mix concrete manufacturing plant in accordance with the zone provisions of Section 24.2 hereof.

*Added By By-law 2006-167
Repealed by By-Law 2005-109*

Section 26

26. Interpretation

26.1 Symbols

The symbols used on the schedules attached hereto refer to the appropriate zones and special zone exceptions established by this By-law.

26.2 Defined

The extent and boundaries of all zones are shown on the schedule attached hereto, and all such zones are hereby defined as areas to which the provisions of this By-law shall respectively apply.

26.3 Interpretation of Zone Boundaries

Where the boundaries of any zone, as shown on the attached schedules are uncertain, the following provisions shall apply:

- a. Where a zone boundary is indicated as following a street, the boundary shall be the lot line abutting such street or lane.
- b. Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lots registered in the appropriate Registry Office or Land Titles Office, the boundary shall follow such lot lines.
- c. Where a street, lane, railroad or railway right-of-way or watercourse is included on the zoning map, they shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof.
- d. Where a railroad or railway right-of-way, electrical transmission line right-of-way, or watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.
- e. Where a zone boundary is indicated as following the limits of the Town, the limits shall be the boundary.
- f. Where an Environmental Protection (EP) zone boundary is indicated as approximately following the floodline of a watercourse as designated on floodplain mapping prepared by a Conservation Authority having jurisdiction

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within the Town of Newcastle, then for the purposes of this By-law, the boundary shall follow such flood line as may be adjusted from time to time by the Conservation Authority having jurisdiction for same.

Amended by By-law 86-41

- g. Where none of the above provisions apply, the said zone boundary shall be scaled from the attached schedules at the scale indicated.

Deleted by By-law 2018-059

Added by By-law 2018-059

26.4 Certain Words

In this By-law, words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word “used” includes “arranged, designed, or intended to be used”; the word “shall” is mandatory and not directory.

Amended by By-law 2010-121

Deleted by By-law 2018-059

Added by By-law 2012-057

Deleted by By-law 2018-059

Added by By-law 2018-059

26.5 Zone Suffixes

Zone symbols on the schedules may be followed by one or more letters and numbers enclosed in brackets as follows;

- a. The suffix “T” indicates the maximum number of units permitted within the boundary of the zone limits. The maximum total numbers of units permitted is indicated by the letter “T” followed by a number. For example, “R1(T:65)” indicates that a maximum of 65 units may be developed.
- b. The suffix “S” indicates the minimum and maximum number of stories permitted for buildings constructed within the boundary of the zone limits. For example, the category MU1(S:2/4) indicates a minimum of 2 stories and a maximum of 4 stories. Where one number is indicated, both the minimum and maximum are the same. For example, the category MU1(S:4) indicates that both the minimum and the maximum number of stories is 4.

Added by By-law 2018-078

- c. The suffix “(ST)” indicates the setback from the sight triangle. The suffix “ST” followed by a number is the minimum setback from the sight triangle. For example, R2-58(ST:2) indicates a minimum setback of 2 metres.

26.6 Compound Zones

Notwithstanding any other zone provision of this By-law, where two or more zone symbols are shown on a map to this by-law divided by an oblique line “/”, the total of the lands within that lot may be used for any use permitted in either one of the zones included in the compound zone symbol subject to the regulations applicable to said zone. Where two or more zones in a compound zone permit the same use and the regulations contained in each zone for that use are different, the least restrictive regulation shall apply.

26.7 Compliance with Other Laws

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a Federal, Provincial or Regional Government Authority having jurisdiction to impose such restrictions.

Added by By-law 2020-050

26.8 Overlay Zone

In addition to the permitted uses and zoning regulations for each zone there are Overlay Zones. Where applied the Overlay Zones are read together with the zone regulations. In the event of conflict, the more restrictive regulation applies except in the case of a special exception. The Overlay Zones are shown on the Schedules to this By-law.

SECTION 27

Administration and Validity

27.1 Enforcement

No permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Town shall be issued or given where the proposed building, structure or use is in violation of any provisions of this By-law.

27.2 Inspection of Premises

A By-law Enforcement Officer as is assigned the responsibility of administering and enforcing this By-law by the Town may, for the purpose of carrying out his duties under this By-law, at all reasonable times and upon producing proper identification, enter and inspect, either by himself or accompanied by one assistant, any property or premises in or about which there is a reason to believe that the provisions of this By-law are not complied with.

27.3 Continuation of Existing Regulations

All by-laws in force within the Town prohibiting or regulating the use of land or buildings or structures are hereby amended insofar as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern, provided however, where this By-law does not apply, existing Town by-laws shall remain in full force and effect.

27.4 Violation Penalty

Every person or persons who contravenes any of the provisions of this by-law is guilty of an offence, and on conviction is liable;

1.
 - a) On a first conviction to a fine of not more than \$20,000.00 and;
 - b) On a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

SECTION 27

Where a corporation is convicted of the contravention of any of the provisions of this by-law, the maximum penalty that may be imposed is;

2.

- a) On a first conviction a fine of not more than \$50,000.00 and;
- b) On a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

Each day that the person, persons or corporation contravenes any provisions of this by-law, shall constitute a separate offence.

Where a conviction is entered in respect of any contravention of this by-law, in addition to any other remedy or any penalty provided by this by-law, the court in which the conviction has been entered, and any court incompetent jurisdiction thereafter, may made an order prohibiting the continuation or repetition of the offence by the person or corporation so convicted.

27.5 Repeal of Existing Zoning By-Laws

Restricted Area By-law 2111 of the former Township of Darlington and all amendments thereto, Restricted Area By-law 1587 of the former Town of Bowmanville and all amendments thereto, Restricted Area By-law 1592 of the former Township of Clarke and all amendments thereto and Restricted Area By-law 79-44 of the Village of Newcastle and all amendments thereto, are hereby repealed.

27.6 Validity

Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 27

This By-law shall come into effect on the day of passing hereof, subject to the provisions of Section 34 of the Planning Act.

BY-LAW READ a first time this 14th day of May 1984

BY-LAW READ a second time this 10th day of September 1984

BY-LAW READ a third time and finally passed this 10th day of September, 1984

MAYOR

CLERK