



TOWN OF ST. MARYS
ZONING BY-LAW NO. Z1-1997

As adopted March, 11, 1997
and
Approved by the Ontario Municipal Board July 17, 1998

(consolidated through to June 15, 2024)

**The Comprehensive Zoning By-law
of the Corporation of the Town of St. Marys**

By-law No. Z1-1997

Being a By-law, under Section 34 of the Planning Act, R.S.O. 1990 to regulate the **use** of land and the character, **erection**, location and **use** of **buildings** and **structures** and to prohibit certain **buildings, structures** and **uses** in various defined areas of the **Corporation** of the Town of St. Marys.

WHEREAS the **Council** of the **Corporation** of the Town of St. Marys deems it expedient to implement the Official Plan for the Town of St. Marys:

NOW THEREFORE THE **COUNCIL** OF THE **CORPORATION** OF THE TOWN OF ST. MARYS ENACTS AS FOLLOWS:

SECTION 1 - GENERAL

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of the **Corporation** of the Town of St. Marys.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the **Corporation** of the Town of St. Marys.

1.3 CONFORMITY REQUIREMENTS

1.3.1 No **person** shall **use** any land or **erect**, locate, **alter**, or **use** any **building, structure** or part thereof within the boundaries of the **Corporation** of the Town of St. Marys except in conformity with the provisions of this By-law.

1.3.2 No **person** shall **use** any **building, structure** or part thereof, **erected**, located, or **altered** in contravention of this By-law so long as such **building, structure**, or part thereof, continues to contravene the provisions of this By-law.

1.3.3 No **lot** shall be reduced in **area, frontage**, or **depth** by the conveyance, mortgage, or other alienation of a part thereof so that the area of such **lot** or the applicable site requirements contained in this By-law are less than that required by this By-law. If any such reduction occurs, such **lot** and any **building** or **structure** situated thereon shall not thereafter be **used** by any **person** unless and until the said **lot area, frontage**, or **depth** or other applicable site requirement of this By-law are complied with.

1.3.4 Section 1.3.3 above shall not apply to a **lot** reduced in **area**, **frontage**, or **depth** by the conveyance or expropriation by the **Corporation** of the Town of St. Marys or any other authority having the powers of expropriation.

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

1.4 REPEAL OF EXISTING BY-LAWS

From the coming into force of this By-law, all previous Zoning By-laws that have been adopted by the **Council** of the **Corporation** of the Town of St. Marys shall be repealed. Also, any other restricted area zoning by-laws and amendments thereto, passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended, or a predecessor thereto, in force in the municipality are also hereby repealed.

1.5 SEVERABILITY

If any section, clause, or provision of this By-law, including anything contained in Schedule "A" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any other part thereof other than the section, clause, or provision so declared to be invalid, and it is hereby declared to be the intention that all remaining sections, clauses, or provisions of this By-law shall remain in full force and effect in the **Corporation** of the Town of St. Marys until repealed, notwithstanding that one or more sections, clauses, or provisions thereof shall have been declared to be invalid.

1.6 UNLAWFUL USES

Any **use** established in violation of a predecessor of this By-law shall be deemed to have been established unlawfully and therefore shall be considered to be an unlawful or illegal **use** under the provisions of this By-law unless the **use** is **permitted** under this By-law.

1.7 EFFECTIVE DATE

This By-law shall come into force on the day it is passed by the **Council** of the **Corporation** of the Town of St. Marys, pursuant to the provisions of the Planning Act, and to Regulations thereunder.

SECTION 2 - ADMINISTRATION, ENFORCEMENT, AND PENALTIES

2.1 **ADMINISTRATION**

This By-law shall be administered and enforced by such **person** or **persons** as shall be appointed from time to time by by-law or resolution of the **Corporation** of the Town of St. Marys.

2.2 **PERMITS, CERTIFICATES, AND LICENCES**

No permit, certificate, or licence shall be issued by the **Corporation** of the Town of St. Marys where such permit, certificate, or licence is required for any **use** of land or the **erection, alteration**, enlargement, or **use** of any **building** or **structure** that is in violation of the provisions of this By-law.

2.3 **INSPECTION OF PREMISES**

2.3.1 The **Zoning Administrator, Chief Building Official**, or any employee of the **Corporation** acting under the direction of the **Zoning Administrator** is hereby authorized, at any reasonable time and upon producing proper identification, to enter upon any property or premises for the purpose of discharging his duties under the provisions of this By-law, in respect of which the **Zoning Administrator** believes on reasonable grounds that a contravention of this By-law is occurring.

2.3.2 Notwithstanding the above, the **Zoning Administrator, Chief Building Official**, or any employee acting under the direction of the **Zoning Administrator** shall not enter any **building, structure**, or part thereof which is being **used** as a **dwelling** without requesting and obtaining the consent of the property owner or occupant, first having informed the owner or occupant that the right of entry may be refused and entry made only under the authority of a search warrant issued under the Provincial Offenses Act.

2.4 **BUILDING PERMITS**

Notwithstanding the provisions of the **Corporation's** Building By-law, or any other by-law of the **Corporation**, no **building** permit shall be issued where the proposed **building, structure**, or **use** would be in violation of any of the provisions of this By-law.

2.5 **APPLICATION FOR BUILDING PERMIT**

In addition to all requirements of the **Corporation's** Building By-law, or any other by-law of the **Corporation**, every application for a **building** permit shall be accompanied by a plan in duplicate, a copy of which shall be retained by the **Zoning Administrator**, drawn to scale and showing the following:

- 2.5.1 The true dimensions of the **lot** to be built upon or otherwise **used**.
- 2.5.2 The location and dimensions of all **existing buildings** and **structures** on such **lot**;
- 2.5.3 The proposed location, height, and dimensions of any **building, structure, or use** proposed for such **lot**;
- 2.5.4 The proposed location and dimensions of any **yards, setbacks, parking spaces, loading spaces, driveways, landscaped open spaces**, and any other information as the **Zoning Administrator** considers necessary to determine whether every such **building, structure, or use** conforms with the requirements of this By-law; and
- 2.5.5 A statement or affidavit signed by the owner or designated agent indicating the **existing use** of the **lot** and **buildings** and/or **structures** thereon and all proposed changes to the **use, buildings** and **structures** and giving all information necessary to determine if such **use, buildings** and/or **structures**, and proposed changes conform with the requirements of this By-law.

2.6 MOVING OF BUILDINGS

Any **building** or **structure** that is moved from within the boundary of the **Corporation** or from beyond the boundary of the **Corporation** to a site within any **zone** category established by this By-law shall be considered as being a new **building** or **structure** and shall be required to comply with the provisions of this By-law. Further, no **building** or **structure** shall be moved within the boundary of the **Corporation** or shall be moved into the **Corporation** limits from outside without a **building** permit issued by the **Corporation**.

2.7 VIOLATIONS AND PENALTIES

- 2.7.1 Every **person**, not being a corporation, who **uses** or **alters** the **use** of any **lot**, or **erects, alters, or uses** any **building** or **structure** on a **lot** in a manner contrary to any requirements of this By-law, or who causes or permits such **use, erection, or alteration**, or who violates any provision of this By-law or causes or permits a violation, shall be guilty of an offence and upon conviction is liable on a first conviction to a fine of not more than \$25,000 (exclusive of costs) and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which such **person** was first convicted pursuant to Section 67 of the Planning Act R.S.O. 1990, as amended.

- 2.7.2 Every corporation that **uses** or **alters** the **use** of any **lot**, or **erects, alters, or uses** any **building** or **structure** on a **lot** in a manner contrary to any requirements of this By-law, or that causes or permits such **use, erection, or alteration**, or that violates any provision of this By-law or causes or permits a violation, shall be guilty of an offence and upon conviction is liable on a first conviction to a fine of not more than \$50,000 (exclusive of costs) and on a subsequent conviction to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which such corporation was first convicted pursuant to Section 67 of the Planning Act R.S.O. 1990, as amended.
- 2.7.3 Every fine under this By-law shall be recoverable pursuant to the Municipal Act, as amended, and the Provincial Offenses Act, as amended.
- 2.7.4 Where a **person** is guilty of an offence under the provisions of this By-law and has been directed to remedy any violation and is in default of doing such matter or thing required, such matter or thing shall be done at the expense of the **person** or corporation.
- 2.7.5 Where a **person** has refused or neglected to reimburse the **Corporation** for the cost of work, matter, or thing done, the cost may be recovered by the **Corporation** in the like manner as municipal taxes or other method as referred to in Section 326 of the Municipal Act, R.S.O. 1990, as amended.

2.8 REMEDIES

In case any **building** or **structure** is to be **erected, altered**, reconstructed, extended or part thereof is to be **used**, or any **lot** is to be **used**, in contravention of any of the requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the **Corporation** pursuant to the provisions of the Planning Act, and the Municipal Act, R.S.O. 1990, as amended.

2.9 CONFORMITY INFORMATION

- 2.9.1 Any **person** requiring written information from the **Corporation** as to whether a **lot** is being **used** or that the **use** and/or location of any **buildings** and **structures** situated thereon is in conformity with the provisions of this By-law shall provide the following to the **Zoning Administrator**:
- (a) an application fee in an amount as established by **Council** for such written information;
 - (b) a plan of survey signed by an Ontario Land Surveyor showing the boundaries of the **lot** in question and the location of all **buildings** and **structures** situated on the **lot**;

- (c) a statement or affidavit signed by the owner of the **lot** indicating the exact **use** of the **lot** and of all **buildings** and **structures** situated on the **lot**;
- (d) any other information as may be required by the **Zoning Administrator** to assist in determining whether the **use** of the **lot** and the **use** and location of the **buildings** and **structures** conform to the provisions of this By-law.

2.9.2 The **Zoning Administrator** reserves the right to waive the requirement for any of the information referred to in Subsection 2.9.1 above if it determines that such is not necessary to satisfactorily respond to the request for conformity information.

SECTION 3 – DEFINITIONS

For the purpose of this By-law, the definitions that are provided in this Section shall govern unless specifically indicated otherwise in other parts of this By-law:

Amended by By-law No. Z130-2018

3.01 Accessory Apartment means a separate **dwelling unit**, which is located within and subordinate to a **single-detached**, a **semi-detached**, or **row or townhouse dwelling**.

Amended by By-law No. Z153-2022

3.1 Accessory Building or Structure means a **building** or **structure** that is normally incidental, subordinate, and exclusively devoted to the principal **use, building, or structure**, which is separate (detached) from the **main building or structure** and which is located on the same **lot** therewith. No **accessory building or structure** shall be **used** as a **home occupation** or for human habitation unless permitted in accordance with Section 5.01.2 or any other applicable sections of this By-law.

3.2 Accessory Use means a **use** that is normally incidental, subordinate, and exclusively devoted to the main **use** of the **lot** and which is located on the same **lot** therewith.

Amended by By-law No. Z107-2014

3.3 Adult Entertainment Parlour means any premises or any part of them is an adult entertainment establishment if, in the pursuance of a **business**,

- (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or
- (b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a **person's** body, are performed, offered or solicited in the premises or part of the premises, excluding premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by **persons** otherwise duly qualified, licensed or registered to do so under a statute of Ontario.

3.4 Agricultural Use

- (a) means a **use** of land, **building**, or **structure** for the purpose of animal husbandry, beekeeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, pasturage, poultry-keeping, or any other farming **use**; and
- (b) includes the growing, raising, packing, treating, storing, and sale of produce produced on the premises.

3.5 Alter when used in reference to a **building, structure**, or part thereof, means a change in **use**, or to change any one or more of the external dimensions of such **building or structure** or to change the type of construction of the exterior walls or roof thereof, or a change from one type of occupancy to another, or a structural **alteration** or change thereto.

When used in reference to a **lot**, the word "**alter**" means a change in **use**, or a decrease or increase in the width, depth, or area thereof or to decrease or increase the width, depth, or area of any required **yard, setback, landscaped open space, or parking area** or to change the location of any boundary of such **lot** with respect to a **street** or **lane**, whether such

alteration is made by conveyance or alienation of any portion of said **lot**, or otherwise.

The words "**altered**", and "**alteration**" shall have corresponding meanings.

Amended by By-law No. Z107-2014

3.5.1 Amenity Space means the total area or areas within a **lot** provided for the **use** of the residents of a residential **building** or a commercial **building** containing residential units located on the **lot** for the purpose of personal recreation space or shared recreation space.

3.6 Animal Unit means the number of a particular kind of **livestock** that would produce 68 to 77 kilograms of nitrogen in their manure on an annual basis. The **animal unit** system equates **livestock** numbers to the nitrogen content of the manure produced while the animals are on the farm.

Amended by By-law No. Z107-2014

3.6.1 Antique Store means a **retail store** primarily selling any old and authentic objects of personal property which were made, fabricated or manufactured sixty or more years earlier and which have a unique appeal and enhanced value mainly because of its age, and, in addition, may include the sale of any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand had attained a value in a recognized commercial market which is in excess of its original value.

Amended by By-law No. Z107-2014

3.6.2 Artisan's Establishment means an establishment used for the study or instruction of a performing or visual art such as dancing, music or painting or other similar **uses** or the workplace of an artisan such as a painter, sculptor, photographer, dressmaker or tailor together with the accessory retailing of paintings, sculpture, photography or handcrafts or other similar uses.

Amended by By-law No. Z153-2022

3.7 Assembly Hall means a **building** or part thereof, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a **banquet hall** or **private club**. An **Assembly Hall** does not include a **Conference or Banquet Facility**.

Amended by By-law No. Z153-2022

3.7A Assisted living unit means a place of residence with one or more habitable rooms containing separate bathroom facilities for private *use* as a single housekeeping unit and where personal support services may be provided.

Amended by By-law No. Z107-2014

3.7.1 Attached when used in reference to a **building**, means a **building** otherwise complete in itself which depends for structural support or for complete enclosure upon a division wall or division walls shared in common with adjacent **building** or **buildings**.

Amended by By-law No. Z153-2022

3.7.1A Attached duplex shall mean a **duplex dwelling**, as defined, attached to another **duplex dwelling**, thereby accommodating four **dwelling units** in total in one **building**, but has been divided vertically.

3.8 Attic means the space between the roof and the ceiling of the top **storey** or between a dwarf wall and a sloping roof.

3.9 Auction Establishment means a **building** or part thereof **used** for the sale of articles or goods to members of the public bidding the highest offer for the article during the selling proceedings.

Amended by By-law No. Z107-2014

3.9.1 Automobile Parts Supply Store means a **building** or part thereof used for the sale and delivery of **motor vehicle** parts, and equipment and devices to an **automobile repair establishment** or the sale of same directly to the public over a counter.

Amended by By-law No. Z107-2014

3.9.2 Automobile Rental Establishment means the **use** of land, or **buildings**, or **structures** or parts thereof where **motor vehicles** are offered for daily or short-term lease or let and may include minor cleaning or polishing but shall not include servicing or repairing.

3.10 Automobile Repair Establishment means a **building** or other **structure** where the repairing, rebuilding, or reconditioning of **motor vehicles** or parts thereof, including body and fender work, painting, and steam cleaning, is carried on but does not include an **automobile service station** or an **automobile wrecking yard**.

3.11 Automobile Sales and Service Establishment means a **building** and/or **lot used** for the display and sale of new and/or used **motor vehicles** and the servicing, repairing, cleaning, polishing, and greasing of **motor vehicles**, the sale of automotive accessories and related products, and the leasing or renting of **motor vehicles**.

3.12 Automobile Service Station means a **building** designed, intended, or **used** for the sale of automotive fuels and lubricants and/or providing minor repairs essential to the running of a **motor vehicle**, and/or the washing of **motor vehicles**.

Amended by By-law No. Z153-2022

3.13 Automobile Washing Establishment means a building or structure containing facilities used or intended to be used primarily for washing vehicles by the use of mechanical devices or by hand.

In either of the above cases, a minimum of 4 spaces shall be made available for the queuing of automobiles.

3.14 Automotive Gas Bar means the **use** of land, **buildings**, or **structures** where **vehicle** fuel, or lubricants, are offered for sale but where no provision is made for the repair or maintenance of **motor vehicles**. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be **permitted** in conjunction therewith provided the **gross floor area** devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.

3.15 Bakery means a **building used** for producing, mixing, compounding or baking bread, biscuits, cakes or other baked products. The sale of goods produced on the premises shall be **permitted** as an **accessory use**.

Amended by By-law No. Z107-2014

3.15.1 Bank or Financial Institution means an establishment chartered by the Federal Government or regulated by the Provincial Government as a Trust Company or Credit Union where money is deposited, kept, exchanged and lent and where monetary and fiscal advice and other financial services may be offered.

3.16 Banquet Hall means a **building** or part thereof, **used** for the gathering of groups of **persons** for specific functions including the consumption of food and drink. Full kitchen facilities shall be provided on the premises.

Amended by By-law No. Z107-2014

3.16.1 Barber Shop or Hair Dresser Shop means an establishment providing personal service to individuals by cutting, styling, colouring, shampooing, shaving, or treating of hair and may include manicures, pedicures or facial treatments, and the application of cosmetic products and the ancillary sale of products used in the delivery of the personal service.

3.17 Barn, Livestock means a **building** or **structure used** or designed for the raising and/or housing of **livestock**.

3.18 Basement means a **storey** or **stories of a building** located below the **storey**, having a ceiling height of 1.8 metres or more and having more than 50 per cent of the wall area above **finished grade level**.

3.19 Bed and Breakfast Establishment means a **single-detached dwelling** where guest rooms are made available within the said **dwelling** for the temporary accommodation of the traveling or vacationing public and within which breakfast may be provided to those **persons** temporarily residing therein. A **bed and breakfast establishment use** must be clearly secondary to the main residential **use** of the **dwelling**.

Amended by By-law No. Z107-2014

3.19.1 Beer Parlour or Cocktail Bar or Tavern means an establishment licensed by the Provincial Government in which alcoholic beverages are offered for sale and consumed on the premises and may include amenities such as televisions, pool tables and video games and or similar machines and where music (whether performed live or recorded), dancing or other forms of entertainment shall be **permitted**.

Amended by By-law No. Z107-2014

3.19.2 Berm means a landscaped mound of earth having a minimum base: height slope ratio of 2:1 and a maximum base: height slope ratio of 3:1.

3.20 Building means any **structure**, whether temporary or permanent, fixed to or supported by the soil and which is designed, **used**, or intended to be **used** for the accommodation, storage, or shelter of **persons**, animals, or chattels. A **building** shall not include a boundary wall, **fence**, retaining wall, light standard, headstone, or **sign**.

3.21 Building Height means the vertical distance measured from the **finished grade level** of the **building** to:

- (a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater;
- (b) in the case of a mansard roof, the roof deck line;
- (c) in the case of a gable, hip, gambrel, or other roof type, the mean height between the eaves and the ridge;
- (d) in the case of a **building** not having a roof, the top part of any **building**.

The **building height** definition shall not apply to any ornamental projection, ornamental dome, elevating device, tower, cupola, steeple, **church** spire, chimney, smoke stack, silos, ventilating device, air conditioning duct, skylight, aerial which rises above roof level, transmission reception tower provided same is attached to the **building**, and **satellite dishes** when located on the roof of a non-residential **building**.

3.22 Building, Main means the **building** or **buildings** designed and/or intended to accommodate the principal **use** on a **lot** as **permitted** by this By-law.

3.23 Building Official, Chief (Building Inspector) means the **Chief Building Official** or other employee of the **Corporation** being charged with the duty of enforcing the provisions of the Building By-law and the Ontario Building Code, or any other by-law of the **Corporation** from time to time in force for the purpose of regulating the **erection, alteration**, or repair of **buildings** pursuant to the Ontario Building Code Act.

Amended by By-law No. Z153-2022

3.23A Building Supply Outlet means premises where building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

Amended by By-law No. Z153-2022

3.23B Building Supply Store: premises where building supply products such as millwork, cement, siding, roofing, plumbing or electrical supplies, heating, cooling or ventilating construction supplies, fireplaces, windows, paints, wall coverings, and floor coverings are stored for the purpose of wholesale or retail trade.

3.24 Business or Professional Office means any **building** or part of a **building** in which professionally qualified **persons**, technical assistants and clerical staff are employed and where clients or patients go for advice, consultation, or treatment. A **business or professional office** shall include, but is not limited to, an accountant, advertising agent, architect, auditor, chiropractor, dentist, engineer, insurance agent, lawyer, optometrist, physician, real estate agent, or surveyor.

3.25 Carport means a **building** or **structure attached** to a residential **dwelling/building**, of which at least 40 per cent of the area of the perimeter faces is open and unobstructed by any wall, door, post, pier, and:

- (a) which is **used** for the temporary parking of private passenger **motor vehicles**; and

- (b) wherein neither the servicing nor repairing of **motor vehicles** is carried on for remuneration or for **commercial use**.

For the purpose of determining **front yard**, **rear yard**, and **side yard** setbacks, an **attached carport** shall be considered as part of the **main building**.

Amended by By-law No. Z107-2014

3.25.1 Caterer's Establishment means an establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises or to take out, but does not include an **eating establishment**.

3.26 Deleted by By-law No. Z107-2014

3.27 Cemetery means land set aside to be **used** for the interment of human remains and includes a mausoleum, columbarium or other **structure** intended for the interment of human remains.

Amended by By-law No. Z153-2022

3.27A Child Care Centre means a premises operated by a person licensed under the Child Care and Early Years Act to operate a child care centre at the premises.

3.28 Clinic

3.28.1 Clinic, Animal means the premises of a veterinary surgeon where domestic pets or birds, or other small animals are treated and/or kept. **Animal clinic** does not include a **kennel**.

3.28.2 Clinic, Medical means a **building** or part of a **building** where members of the medical profession such as physicians, dentists, chiropractors, drugless practitioners, or occupational therapists and their staff provide diagnosis and treatment to the general public without overnight accommodation. Without limiting the generality of the foregoing, a **medical clinic** may include administrative offices, reception areas, examining and treatment rooms, x-ray facilities, and a dispensary provided that such are part of or **accessory** to the **medical clinic** and provided that the only access to such is from the interior of the **building**.

3.29 Church means a **building** dedicated to religious worship.

3.30 Club, Commercial means a **building** or part thereof where facilities are provided for recreational/ athletic activities **used** by an association of **persons** united by some common recreational/athletic interest or membership.

3.31 Club, Private means a **building** or part of a **building used** as a meeting place for members of an organization and includes a lodge, fraternity or sorority house, labour union hall, and country club.

Amended by By-law No. Z107-2014

3.33.1 Community Garden means an unilluminated parcel of land where plants are grown and tended by a group of individuals from the public. Community gardens may produce food for individual consumption or food or plants for sale, may be designed for beautification of the community, and/or may be used for educational purposes.

3.32 Commercial Use means the **use** of land, **buildings**, or **structures** for the purpose of buying and selling commodities, and/or supplying of services, but does not include **industrial uses**.

3.33 Community Centre means a **building** or **structure** owned and operated entirely by the **Corporation** or by the **Corporation** in conjunction with neighbouring municipalities and which provides social, recreational, or other facilities for use by the general public.

3.34 Committee of Adjustment means a group of **persons** appointed by the **Council** pursuant to the Planning Act, R.S.O. 1990, as amended.

3.35 Complying when used to describe a **use**, **building**, or **structure**, means a **use**, **building**, or **structure** which complies to all of the **zone** requirements set out in this By-law for the **zone** category in which such **use**, **building**, or **structure** is located.

Amended by By-law No. Z107-2014

3.35.1 Condominium means a **building** or **buildings** in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the Condominium Act.

Amended by By-law No. Z153-2022

Conference or Banquet Facility: means a building or part thereof, used for the gathering of groups of persons for specific functions including the consumption of food and drink, Full kitchen facilities shall be provided on the premises.

3.36 Conforming when used to describe a **use**, **building**, or **structure**, means a **use**, **building**, or **structure** which falls within the **uses permitted** in this By-law for the **zone** category in which such **use**, **building**, or **structure** is located.

Amended by By-law No. Z107-2014

3.36.1 Conservation Lands means lands used solely for the preservation and enhancement of the natural environment.

Amended by By-law No. Z107-2014

3.36.2 Conservation Works means facilities constructed or works undertaken solely for the purpose of preserving and/or enhancing the natural environment.

Amended by By-law No. Z107-2014

3.36.3 Continuum-of-Care facility means a facility which may include a Senior Citizens Apartment Building, a **Nursing Home** and/or a Retirement Lodge and may include facilities associated with, and designed specifically to serve, the Senior Citizens Apartment Building, **Nursing Home** and/or Retirement Lodge such as **hospitals**, **clinics**, **recreation centres**, cafeterias and personal service establishments and may also include independent Senior's accommodation in separate **structures**/living units that share in services, such as meals, medical care services, or recreation that are provided by the facility.

3.37 Contractor's Yard or Shop means the **use** of land, **buildings**, or **structures** for the purpose of:

- (a) storing equipment, **vehicles**, or material associated with the landscaping, construction, and building trades; and/or
- (b) performing shop work or assembly work by any building trade or other construction contractor.

Amended by By-law No. Z107-2014

3.37.1 Convenience Business Service Establishment means a commercial premise where communications and postal services are provided to both businesses and the public such as printing, photocopying, laminating, binding, fax machines, mailboxes, internet links, desktop publishing, and/or package shipping and receiving.

Amended by By-law No. Z107-2014

3.37.2 Convenience or Variety Store means a retail outlet serving the day-to-day, non-comparison shopping needs of a consumer including, for example, a **variety store**, bake shop, or small food/grocery store, and shall not include any retail outlet having its main product line involving hardware, housewares, apparel, footwear or fashion accessories.

3.38 Corporation means the **Corporation** of the Town of St. Marys.

3.39 Council means the Municipal **Council** of the **Corporation**.

3.40 Deleted by By-law No. Z153-2022

3.41 Deleted By-law No. Z17-2000

3.42 Daylight Triangle or Sight Triangle means an area free of **buildings** and **structures** formed by measuring from the point of intersection of **lot lines** abutting a **street** on a **corner lot**, the distance required by this By-law along each such **lot line** abutting the **street** and joining such points with a straight line. The triangular-shaped land area between the intersecting **lot lines** abutting a **street** and the straight line joining the points the required distance along said **lot lines** is the **daylight or sight triangle**.

Amended by By-law No. Z107-2014

3.42.1 Density means the ratio between the number of **dwelling** units located or proposed to be located on a **lot** to one (1) hectare of **lot area**.

Amended by By-law No. Z107-2014

3.42.2 Department Store means a **building** or part thereof used for the retail sale of a great variety of merchandise usually organized by sections such as hardware, men's and women's apparel, groceries, and home furnishings.

3.43 Development means the construction, **erection**, or placing of one or more **buildings** or **structures** on land or the making of an addition or **alteration** to a **building** or **structure** that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a **commercial parking lot**.

Amended by By-law No. Z107-2014

3.43.1 Dressmaking or Tailor Shop means an establishment wherein the individual custom sewing or **alterations** of clothing and apparel are completed but does not include the large-scale manufacturing of clothing or apparel.

3.44 Drainage Works means a **building or structure**, including a dam, embankment, wall, protective works or any combination thereof, constructed for the purpose of improving a natural **watercourse**. This includes works necessary to regulate the water table or water level within or on any lands or to regulate the level of the waters of a drain, reservoir, lake, or pond.

3.45 Driveway means an area of land **used** for access to a **parking area**.

3.46 Dry Cleaning Outlet means a **building** or part of a **building used** for the purpose of collection and distribution of articles or goods of fabric to be subjected to the processes of dry cleaning, dry dyeing, cleaning, spot and stain removal, and for the pressing of such articles or goods which have been subjected to any of the above noted processes elsewhere at a **laundry plant**.

3.47 Dwelling means a **building** or part thereof containing one or more **dwelling unit**. For the purpose of this By-law, **permitted dwelling** types are classified as follows:

3.47.1 Dwelling, Accessory means a **dwelling** which is **accessory** to a **use** as specifically **permitted** in this By-law.

3.47.2 Dwelling, Apartment means a **dwelling** containing 5 or more **dwelling units**, each of which has an independent entrance from a common corridor within the **building**.

3.47.3 Dwelling, Boarding or Lodging House means a **dwelling** in which the proprietor resides and supplies lodging from 3 to 8 tenants, with or without meals, for monetary gain, but which is not open to the general public. It does not include a **motel, hotel, apartment dwelling, nursing home, or group home dwelling**.

3.47.4 Dwelling, Converted means an **existing dwelling** which because of its design and size, has been **altered** or converted to provide two or more **dwelling units**.

3.47.5 Dwelling, Duplex means a separate **building** of two or more **stories** divided horizontally into not more than two (2) **dwelling units**, each of which is completely on a separate **storey(s)** with an independent entrance either directly from the outside or through a common vestibule.

3.47.6 Dwelling, Fourplex means a separate **building** containing only four **dwelling units** which are divided into four parts with each **dwelling unit** having an independent entrance, either directly or through a common vestibule.

3.47.7 Dwelling, Garden Suite means a one-unit detached residential **structure** containing bathroom and kitchen facilities that is ancillary to an **existing** residential **structure** and that is designed to be portable.

3.47.8 Dwelling, Group Home means a residential **dwelling** for **persons** recovering from social, mental, or physical problems operated as a single housekeeping unit in a residential area in which 3 to 10 residents, excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents provided that the **group home dwelling**:

- (a) is required to meet a local need;
- (b) is licensed by the Province of Ontario;
- (c) is registered by the Municipality;
- (d) meets all of the requirements of this By-law; and
- (e) is fully detached and entirely **used** by the group home occupants.

Amended by By-law No. Z107-2014

3.44.8.1 Dwelling, Modular means a prefabricated **single detached dwelling** designed to be transported only once to a final location and is constructed so as the shortest side of such **dwelling** is not less than 6.0 metres in width.

Amended by By-Law No. Z17-2000

3.47.8.1 Dwelling, Retirement Home means a residence providing accommodation primarily for senior **persons** or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation of food are provided, common lounges, recreation rooms, and medical care facilities may also be provided.

3.47.9 Dwelling, Row or Townhouse means a separate **building** that has been divided vertically into three (3) or more **dwelling units** each of which has a separate and independent entrance and which are separated from the adjoining unit or units by a common unpierced wall with no interior access between the units.

3.47.10 Dwelling, Semi-Detached means a separate **building** containing two (2) **dwelling units** that are divided vertically by a common unpierced wall with no interior access between the units and where each unit has a separate independent entrance directly from the outside.

3.47.11 Dwelling, Semi-Detached Link means a separate **building** containing two (2) **dwelling units attached** below grade by means of a common masonry wall with no interior access between the two units and where each unit has a separate independent entrance directly from the outside.

3.47.12 Dwelling, Senior Citizens means a **dwelling used** for the purpose of providing accommodation and related facilities for **persons** of retirement age, and which is owned and operated by a private or government authority, but does not include a **nursing home** or a **home for the aged**.

3.47.13 Dwelling, Single-Detached means a separate **building** which contains one (1) **dwelling unit** in which entrance is gained only by a private entrance directly from outside. **Single-detached dwelling** shall not include a **mobile home**.

3.47.14 Dwelling, Triplex means a separate **building** divided horizontally into three (3) **dwelling units**, each of which has a separate entrance either directly from the outside or through a common vestibule.

Amended by By-Law No. Z17-2000

3.48 Dwelling Unit means a suite operated as a housekeeping unit, **used** or intended to be **used** as a domicile by 1 or more **persons** and usually containing cooking, eating, living, sleeping, and sanitary facilities.

Amended by By-Law No. Z17-2000

3.49 Dwelling Unit Area means the habitable area contained within the inside walls of a **dwelling unit**, excluding any private **garage, carport**, unfinished **attic**, cellar, sunrooms, unenclosed **porches** and verandas, (unless such sunroom is habitable in all seasons of the year). The area of any common or public halls, and stairways, and thickness of the outside walls shall not be considered as **dwelling unit area**.

3.50 Eating Establishment, Restaurant means a **building** or part thereof where food and/or refreshments are prepared and offered or sold to the public for consumption at tables and/or counters either inside or outside the **building**, with the preparation and serving of the food and/or refreshments taking place on the premises.

3.51 Eating Establishment, Take-Out means a **building** or part thereof where food is offered for sale or sold to the public from a counter area and/or through a delivery or pick-up window within the **building** for consumption off of the premises of the establishment.

Amended by By-law No. Z107-2014

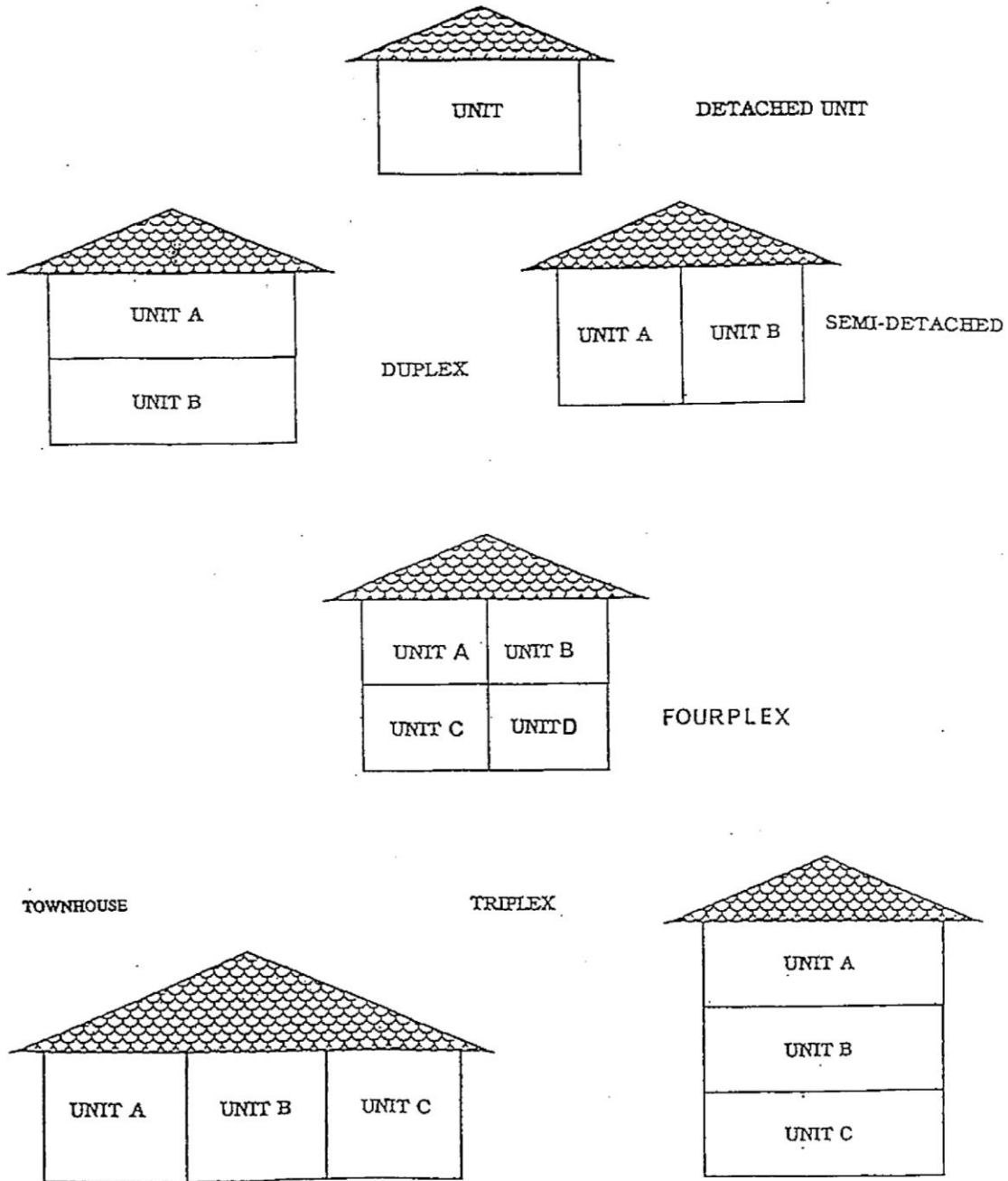
3.51.1 Ecological Buffer means a combination of native trees, shrubs, grass or other plants, which are intended to provide protection to wetlands, stream corridors and other important natural features or functions. Within the **ecological buffer, existing** vegetation which is desirable, as identified in an approved environmental study, will be maintained. Horticultural activities and the placement or removal of fill shall not be **permitted**, except where it has been recommended in an approved environmental study.

3.52 Erect when **used** in this By-law includes building, constructing, and reconstructing, and without limiting the generality of the foregoing, also includes the following:

- (a) any preliminary physical operation such as excavating, filling, or draining preparatory to commencing the work of **erecting**;
- (b) **altering** any **existing building** or **structure** by an addition, enlargement, extension, or other structural change;
- (c) the moving of any **building** or **structure** from one location to another;
- (d) any work which requires a building permit under the Building By-law of the **Corporation**.

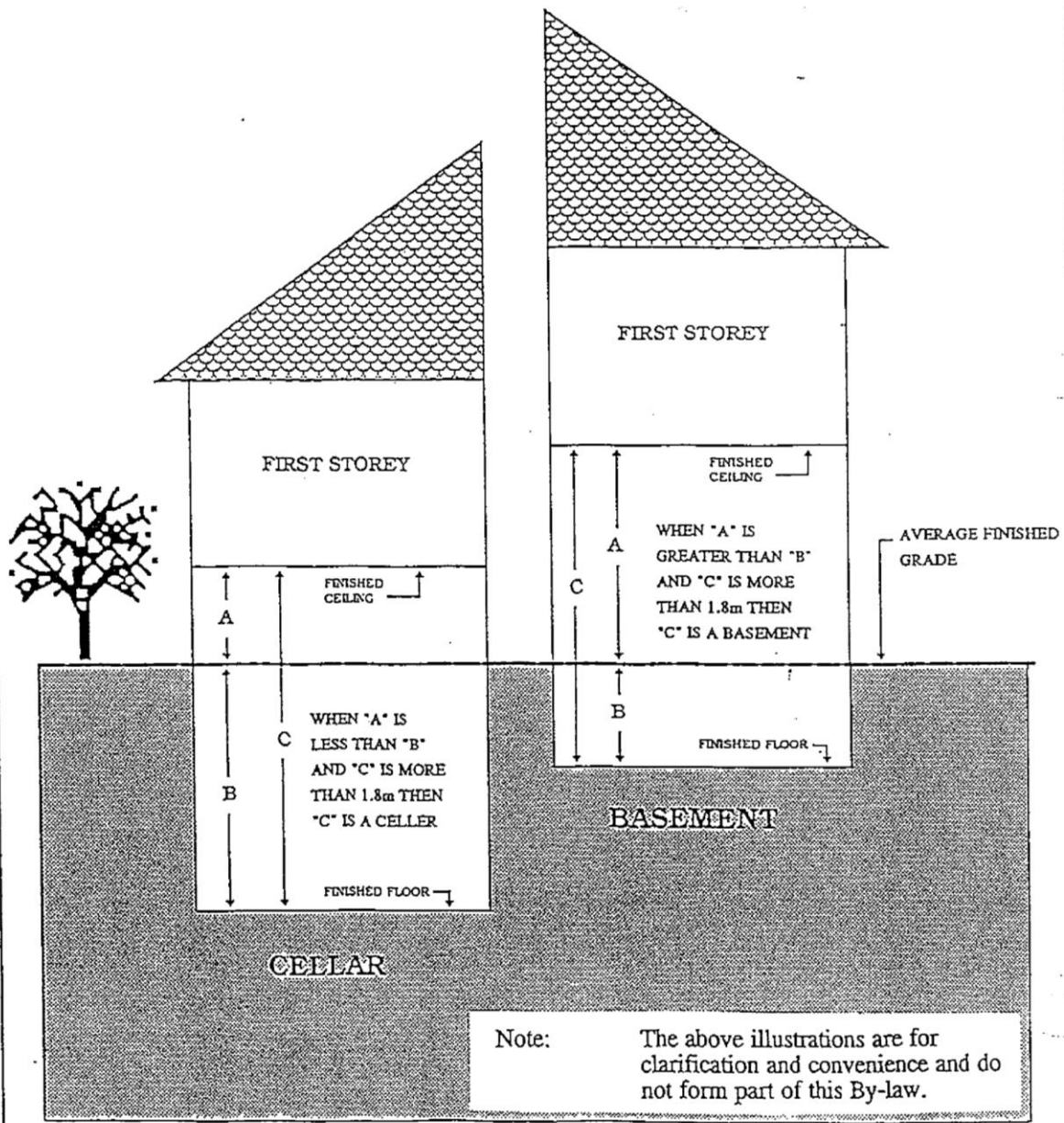
3.53 Existing means lawfully **existing** on or prior to the date of the passing of this By-law.

ILLUSTRATIONS OF DWELLING TYPES



Note: The above illustrations are for clarification and convenience and do not form part of this By-law.

BASEMENT AND CELLAR DEFINITIONS



Amended by By-law No. Z107-2014

3.53.1 Factory Outlet shall mean a **building** or part thereof accessory to, and clearly secondary to, an **industrial use** or a service trade, wherein products manufactured, produced, processed or stored on the premises are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products.

Amended by By-law No. Z153-2022

3.53.1A Farm implement sales and service establishment: lands, buildings, or structures used for the purpose of the sale, maintenance or repair of farm implements and related equipment, parts and supplies.

3.54 Farm Market means the **use** of land, **buildings**, or **structures** or part thereof for the purpose of selling fruit and vegetables to the general public. The fruit and vegetables sold in a **farm market** must be grown exclusively by the operator on property owned by the operator of the said **farm market**.

3.55 Farmer's Market means an establishment or premises where the farm products of the local farming community are sold at retail from areas designated for individual retailers.

Amended by By-law No. Z153-2022

3.55A Feed Mill means a building erected, used or intended for use for the preparation, processing, preserving, grading or storing of agricultural products for eventual consumption by livestock or domestic pets, and may include the retail and wholesale sale of such products.

Amended by By-law No. Z107-2014

3.55.1 Fence means an assembly of approved materials including a wall (other than the wall of a **building**), gate or other barrier which separates or purports to separate lands and which is continuous throughout the entire length.

Amended by By-law No. Z107-2014

3.56 Finished Grade Level means the average elevation of the finished surface of the ground adjoining the base of a **building** or **structure**. In the case where the setback needs to be determined on one side of a **building** or **structure**, the elevation at the point of intersection of the **building** or **structure** with the ground at each corner of the side shall be used for and the average of the two shall be used to determine the elevation.

3.57 Flood Fringe means that area of the flood plain which is situated between the 1:100 year flood elevation and the Regulatory flood elevation.

3.58 Floodway means that area of the flood plain required to pass the deep, fast flowing flood water which is situated below the 1:100 year flood elevation.

3.59 Floor Area, Gross means the sum total of the gross horizontal areas of the several **stories** of a **building** or other **structures** on a **lot** measured from the exterior faces of the exterior walls of the **building** or **structure** at the floor level of each **storey** or from the centre line of a common wall separating two **buildings** or other **structures**, and includes **basement** floor area but excludes the floor area of the cellar or areas **used** for parking and loading within the **building** or **structure**.

Amended by By-law No. Z107-2014

3.59.1 Floor Area Ratio means the **gross floor area** divided by the area of the **lot** expressed in a ratio of **gross floor area** to one square metre of **lot area**. The **floor area ratio** in each **zone** shall be deemed to apply only to that portion of such **lot** which is located within that **zone**.

Amended by By-law No. Z107-2014

3.59.2 Florist Shop means a **retail store** that arranges flowers and plants for retail sale and may include ancillary items such as vases, balloons, cards and other ceremonial ornaments.

Amended by By-law No. Z153-2022

3.59.2A Food Processing Plant means a building in which agricultural products are prepared, processed, preserved, graded or stored for eventual human consumption.

Amended by By-law No. Z107-2014

3.59.3 Fuel Pump Island means that portion of an **automobile service station**, public garage or portion of a non-residential **use** for the retail sale of automotive fuels, that includes the fuel pumps, concrete base, overhead canopy and kiosk, but shall not include any part of any **building** for the repair or service of **vehicles**.

Amended by By-law No. Z107-2014

3.59.4 Funeral Home means a **building** or part thereof wherein a licensed undertaker prepares corpses for interment and may include an area for memorial services and receptions.

3.60 Garage, Attached means a private garage located on the same **lot** as a **dwelling**, **attached** to that **dwelling** by a common wall and/or common roof **structure**, and which is designed for the sheltering of private passenger **motor vehicles** of the occupants of the **dwelling** and the storage of household equipment. An **attached garage** does not include a **carport**. No facilities for the repairing or servicing of **motor vehicles** for remuneration or for **commercial use** shall be **permitted** in an **attached garage**. For the purpose of determining **front yard**, **rear yard**, and **side yard** setbacks, an **attached garage** shall be considered as part of the **main building**.

3.61 Garage, Detached means a private garage which is **accessory** to a **permitted dwelling**, located on the same **lot** as the **dwelling**, is a separate **building** that is fully enclosed, and which is designed for the sheltering of private passenger **motor vehicles** of the occupants of the **dwelling** and the storage of household equipment. A **detached garage** does not include a detached **carport**. No facilities for the repairing or servicing of **motor vehicles** for remuneration or for **commercial use** shall be **permitted** in a **detached garage**.

3.62 Garage, Public Works means the Town or provincial facility **used** for the storage and servicing of **road** construction and maintenance equipment and materials.

Amended by By-law No. Z153-2022

3.62A Garden Centre: an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An **outdoor display and sales area** is considered a permitted **accessory use**

3.63 Golf Course means an area for the purpose of playing golf and includes a driving range, and associated **recreational uses** such as a club house and tennis courts.

3.64 Golf Course, Miniature means an area for the purpose of playing miniature golf, and associated facilities such as equipment rental **building** and refreshment stand.

Amended by By-law No. Z107-2014

3.64.1 Government Administrative Office means a **building** or part thereof used in which the managerial functions of the Town, County, Province, Government of Canada, or their agencies, brokers, or organizations are carried out and includes a service **offices, support offices**, financial or general **offices**.

3.65 Greenhouse, Commercial means a **building** or **structure used** for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same **lot** containing such greenhouse, but are sold directly from such **lot** at wholesale or retail.

Amended by By-Law No. Z113-2015

3.65.1 Gross Floor Area means the sum of the areas of each **storey** of a **building** above average grade, measured from the exterior of the outside walls, including an **attached garage** or any part of the **building** used for **motor vehicle** parking. In the case where a **building** has a "walk-out" lower level, 25% of the **gross floor area** of the lower level shall be applied when determining the **gross floor area ratio**. The areas of **accessory buildings and structures** shall not be included when determining the **gross floor area ratio** of a **lot**.

Amended by By-Law No. Z113-2015

3.65.2 Gross Floor Area Ratio means the mathematical relationship between the **gross floor area** of a **building** and **lot area**, determined by dividing the **gross floor area** of a **building** on a **lot** by the area of said **lot**, expressed as a percentage.

Amended by By-Law No. Z17-2000

3.66 Habitable Room means any room within a **dwelling unit used** or capable of being **used** for living, eating, and sleeping, but, excluding a bathroom, serving or storage pantry, laundry area, and corridor.

Amended by By-law No. Z107-2014

3.66.1 Hiking Trail means the part of a park or open space that has been blazed for the purpose of walking by the public, and is not used for **motor vehicles**, bicycles, in-line skates, and motorized snow or all-terrain **vehicles**.

Amended by By-law No. Z107-2014

3.66.2 Home Decorating Store means a **retail store** devoted to the sale of goods and materials required for decorating the interior of a home or **office**, including floor, wall and window coverings, lighting fixtures, bathroom or kitchen fixtures and accessories.

Amended by By-law No. Z107-2014

3.67.1 Home Improvement Store means a **retail store** devoted to the sale of goods or materials required for the construction or **alteration of buildings**, including such merchandise as wall paneling, wood products, sheet glass products, windows and mirrors, floor, wall and ceiling tiles, paint and wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods. **Open storage** may be **permitted** as an **accessory use**.

3.68 Home Occupation means an occupation and/or a profession conducted entirely within a **dwelling unit** in a **single-detached dwelling** or a **semi-detached dwelling** by a **person** residing permanently in the **single-detached dwelling** or a **semi-detached dwelling**.

Amended by By-law No. Z153-2022

3.69 Hospital means any institution, **building** or other premises or place established for the purposes of patients and that is approved under the Public Hospitals Act as a public **hospital**.

Amended by By-Law No. Z17-2000 and By-law Z153-2022

3.70 Hotel means any **hotel, tavern, inn, or public house** in a **building or buildings** which is **used** principally for the purpose of catering to the needs of the public by supplying food and furnishing sleeping accommodation of 4 or more bedrooms, but does not include a **boarding house dwelling** or a **motel**.

3.71 Industrial Mall means a **building** or group of **buildings** designed, developed, owned, and managed as a unit containing three or more separated spaces for lease or occupancy by **industrial uses** as **permitted** by this By-law.

3.72 Industrial Use means the **use** of any land, **buildings, or structures** designed, **used, or intended** for the purpose of manufacturing, assembling, processing, constructing, preparing, finishing, treating, repairing, shipping, wholesaling, storing, or warehousing any goods, substances, articles, or things.

3.73 Institutional Use means the **use** of any land, **buildings, or structures** for some public purpose and may include any governmental, religious, educational, charitable, **hospital, or other similar uses**, but shall not include any **commercial or industrial use** or any **use** conducted for profit.

Amended by By-law No. Z107-2014

3.74 Kennel means a place, **building, or confine** where purebred dogs are bred and raised and registered in the register for the Canadian Kennel Club Incorporated.

3.75 Landscaped Open Space means open space comprised of lawn and/or ornamental shrubs, flowers, and trees and may include space occupied by paths, walks, courts, and **patios**, but shall not include any **parking area, traffic aisles, driveways, or ramps**.

Amended by By-law No. Z107-2014

3.75.1 Landscape Supply Outlet means the **use** of land, **buildings or structures** or part thereof where soil and other similar landscape materials are offered for sale on a retail or wholesale basis.

Amended by By-law No. Z153-2022

3.75.1A Landscaping Business and/or Garden Centre means an establishment used primarily for the display and sales of plants, gardening and landscaping supplies and equipment. An **outdoor display and sales area** is considered a permitted **accessory use**.

Amended by By-law No. Z107-2014

3.75.2 Lane means a walkway, emergency access or any other passageway or right-of-way, open from ground to sky, not constituting a **street** but laid down and dedicated to public use, as a right-of-way for **use** in common by adjacent landowners.

3.76 Laundromat means a **building** or **structure** where coin-operated laundry machines, using only water, detergents, and additives, are made available to the public for the purpose of laundry cleaning.

3.77 Laundry Plant means a **building** or **structure** in which the business of washing, starching, ironing etc. is conducted in which only water, detergent, and additives are used, and where the drying and finishing of such goods is conducted.

Amended by By-law No. Z107-2014

3.77.1 Library means a **building** or part thereof used to provide open access to information and literature in a variety of lending formats including paper and digital and where literacy, lifelong learning, and recreational reading is encouraged through programs offered for all ages, which is governed by a **Council** appointed Board.

Amended by By-law No. Z107-2014

3.77.1 Liquor, Beer and Wine Store means a **retail store** devoted to the sale of spirits, beer and/or wine.

3.78 Livestock means chickens, turkeys, poultry, cattle, hogs, horses, mink, rabbits, sheep, goats, or any other domestic animal used or intended for consumption or breeding, but does not include domestic pets.

3.79 Loading Space means an off-**street** space for the temporary parking of a **commercial motor vehicle** while loading and unloading merchandise or materials.

Amended by By-law No. Z153-2022

3.79A Long Term Care Home means a building consisting of assisted living dwelling units, where a broad range of personal care, support and health services are provided for elderly, disabled or chronically ill occupants in a supervised setting licensed pursuant to Provincial legislation, and may include one or more accessory uses, such as common dining, lounging, kitchen, recreational or medical offices.

3.80 Lot means:

- (a) a parcel of land or contiguous parcels of land under one ownership, having frontage on a **public street** and which is described in a deed or other document legally capable of conveying an interest in land and which is on record in the Land Registry Office No. 44; or
- (b) a parcel of land shown as a whole **lot** or block on a registered plan of subdivision within the meaning of the Planning Act, having access on a **public street**, but a

registered plan of subdivision for the purpose of this paragraph does not include a registered plan of subdivision which has been deemed not to be a registered plan of subdivision under a by-law passed by the **Council** pursuant to the Planning Act.

For the purpose of this definition, no parcel or tract of land ceases to be a **lot** by reason only of the fact that a part or parts of it has or had been conveyed to or acquired by the **Corporation**, Her Majesty in Right of Ontario, or Her Majesty in Right of Canada.

3.81 Lot Area means the total horizontal area within the boundary lines of a **lot**.

3.82 Lot, Corner means:

- (a) a **lot** situated at the intersection of two or more **streets**, or a **lot** abutting on one or more parts of the same **street**, in which an interior angle of less than 135 degrees is contained, between the **front** and **side lot lines** abutted by the said **street** or **streets**; or
- (b) a **lot** located on the curve of a **street** where the angle of intersection of the projection of the tangents of the **street line** does not exceed 135 degrees and for which the corner of the **lot** shall be deemed to be the corner point of that part of the arc of the **street line** upon which the **lot** abuts.

Amended by By-Law Nos. Z17-2000, Z107-2014 and Z113-2015

3.83 Lot Coverage means the area of a **lot** covered by **buildings** and **structures**, excluding overhanging **structures** which do not project more than 1.0 metre from the **main wall**, and excluding:

- (a) uncovered **swimming pools**;
- (b) decks which are 0.2 metres or less above the **finished grade level**;
- (c) the first 20 square metres of deck area which is located more than 0.2 metres above the **finished grade level**; and
- (d) not more than two **accessory buildings** which are less than 10 square metres. Where more than two **accessory buildings** which are less than 10 square metres are located on a **lot** or are proposed to be located on a lot, the two largest **accessory buildings** shall be excluded from the **Lot Coverage** calculation and all other **accessory buildings** shall be included in the **Lot Coverage** calculation.

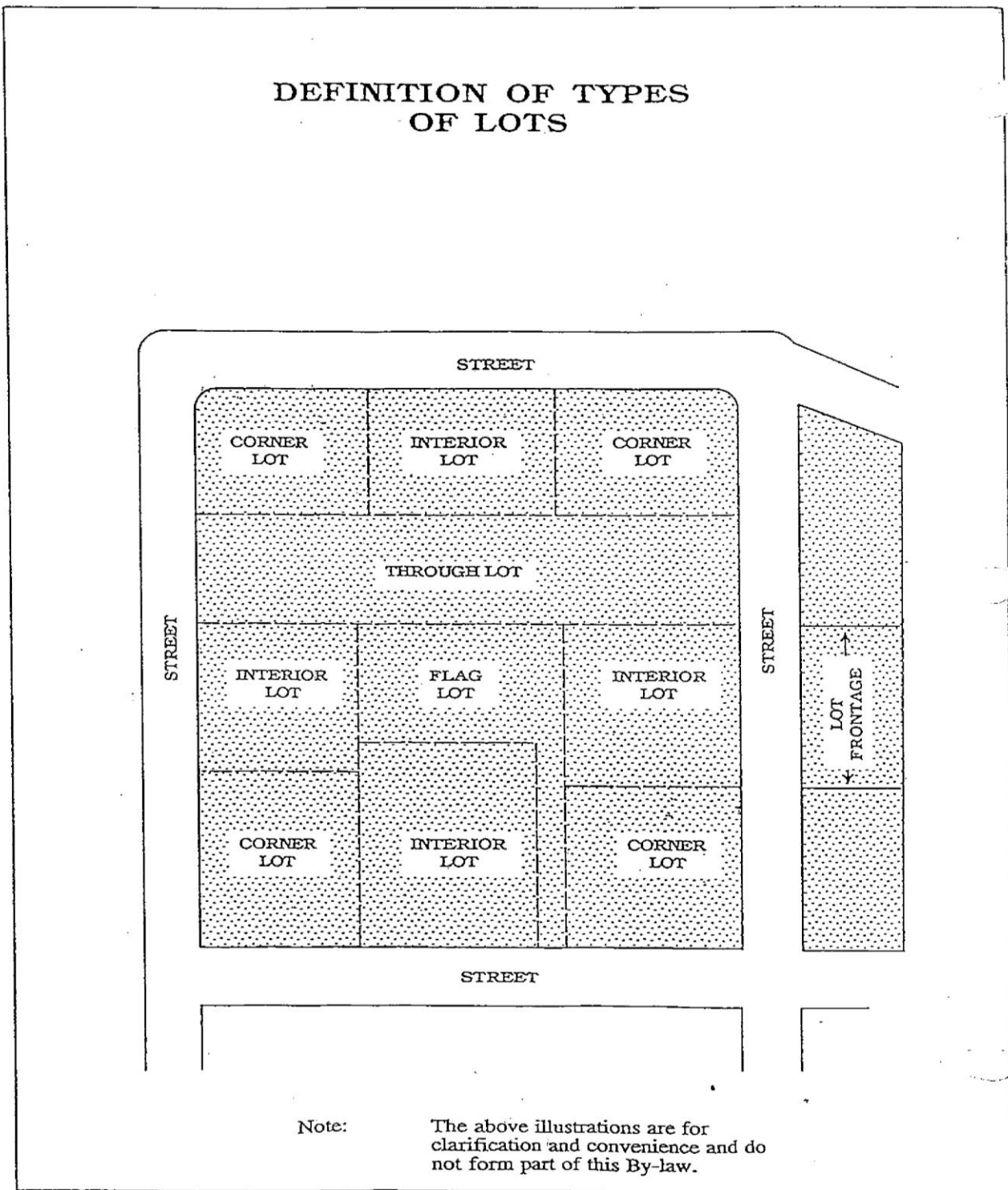
3.84 Lot Depth means the horizontal distance between the **front** and **rear lot lines** of a **lot**. Where these lines are not parallel, the **lot depth** shall be determined by calculating the length of a straight line joining the midpoints of the **front** and **rear lot lines**. Where there is no **rear lot line**, the **lot depth** shall be determined by calculating the length of a straight line joining the midpoint of the **front lot line** with the apex of the triangle formed by the intersection of the **side lot lines**.

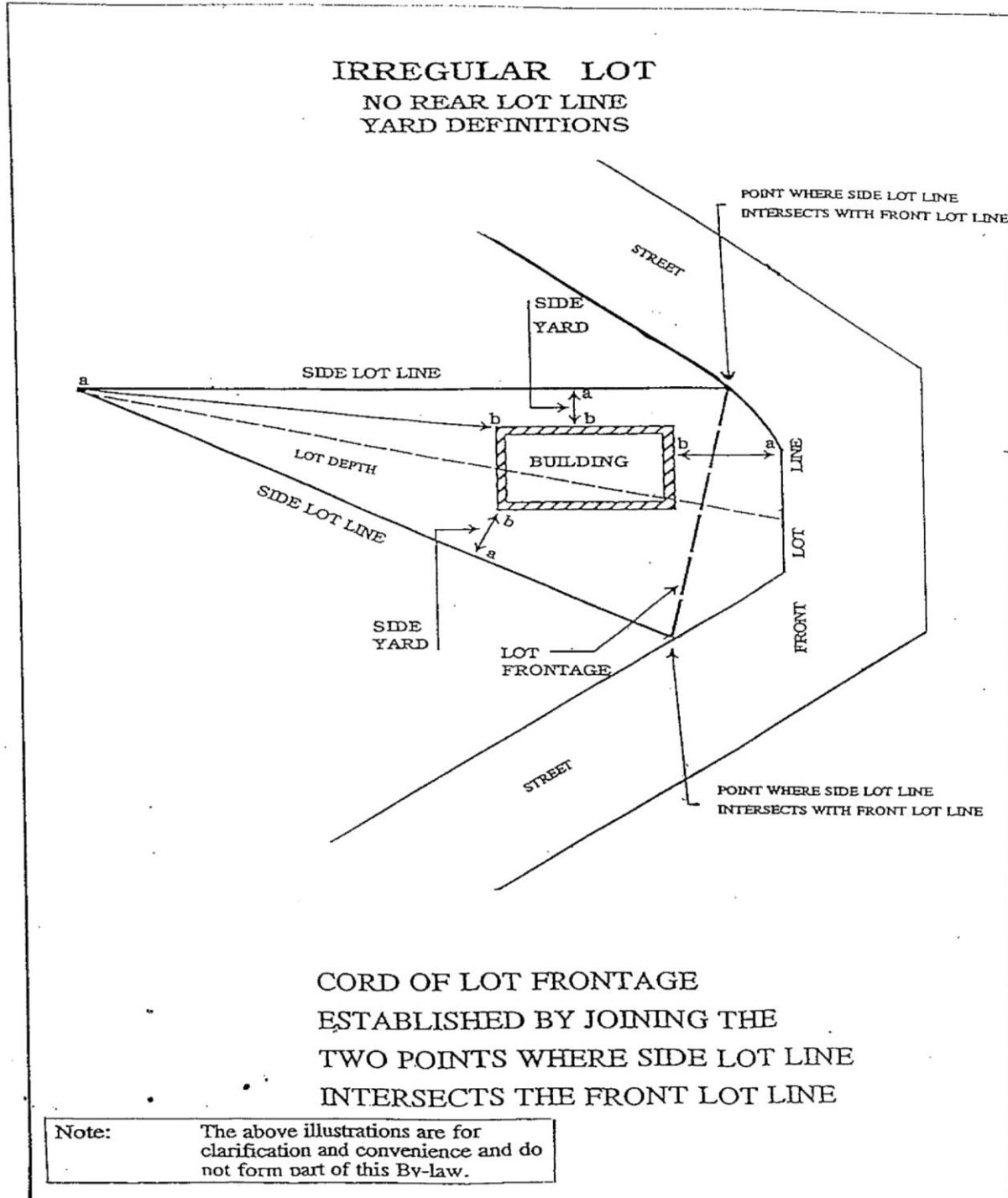
Amended by By-Law No. Z17-2000

3.85 Lot Frontage means the horizontal distance between the **side lot lines** of a **lot** measured along the **front lot line** of said **lot**. Where the **front lot line** is not a straight line or where the **side lot lines** are not parallel, the **lot frontage** is to be determined by measuring the length of a line that is parallel to and located back the required **front yard** distance of the **zone** classification from the chord of the **lot frontage** established by joining the two points where the

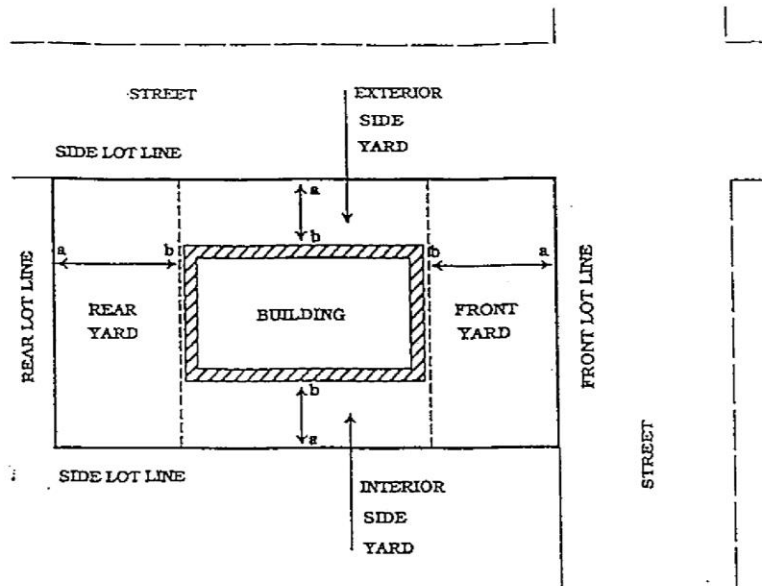
side lot lines intersect the front lot line.

3.86 Lot, Interior means a lot other than a corner lot.



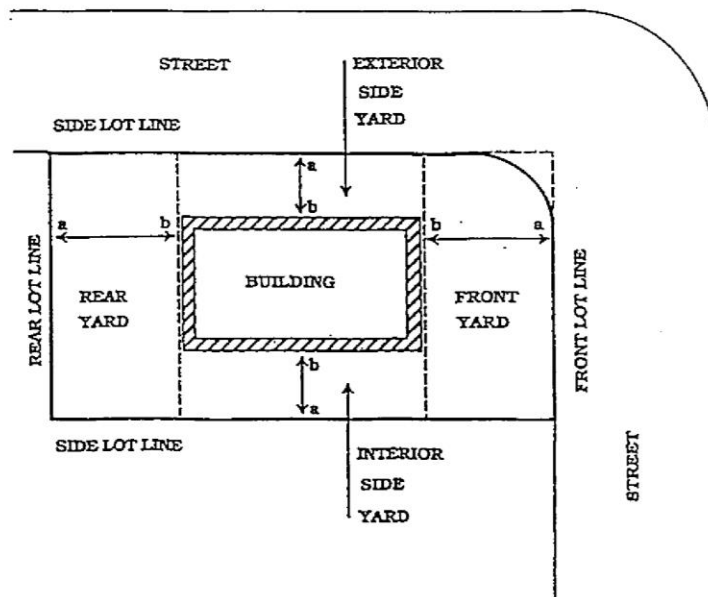


CORNER LOT
PARALLEL LOT LINES
YARD DEFINITIONS



DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.

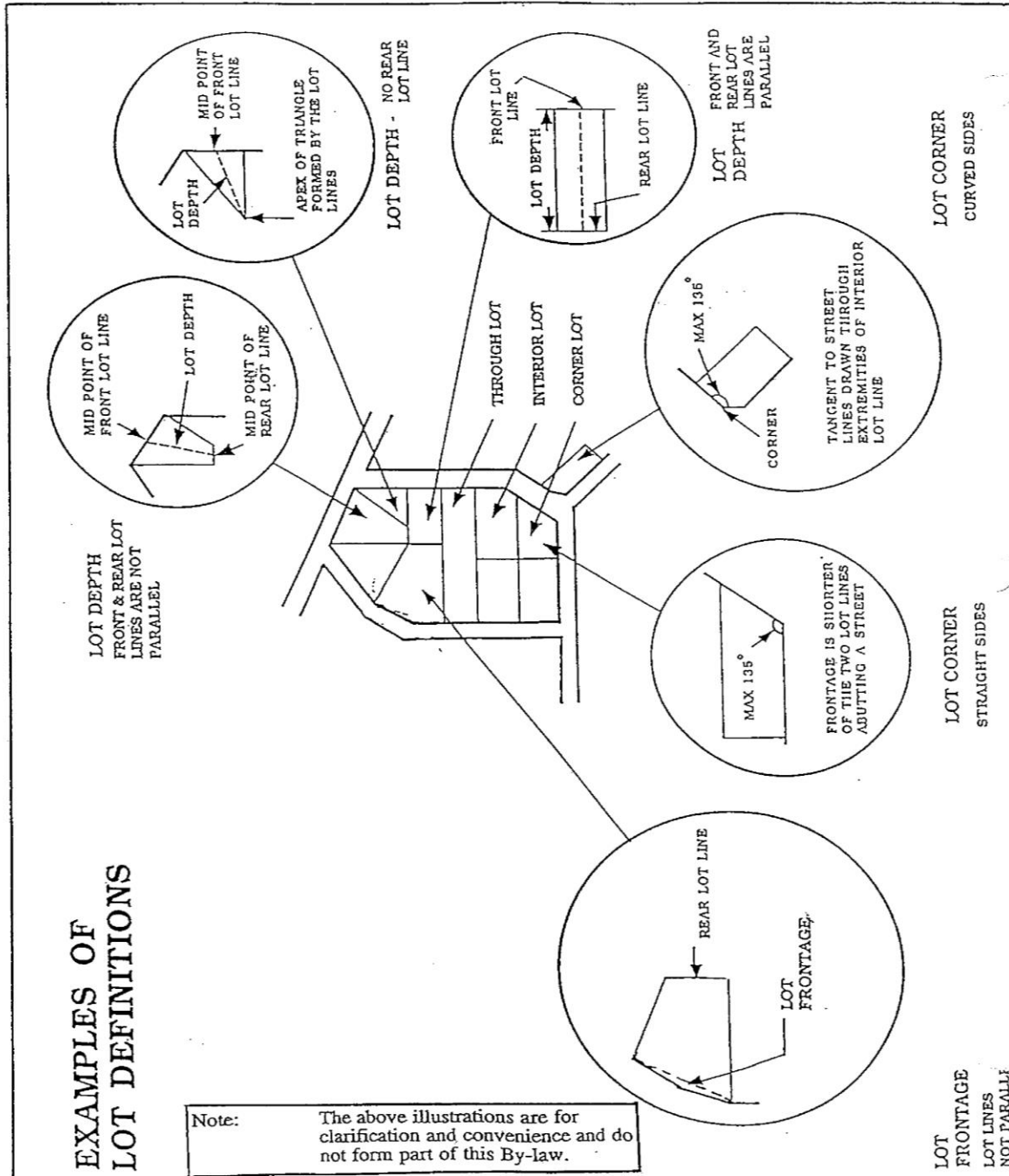
CORNER LOT
CURVED LOT LINE
YARD DEFINITIONS



Note:

The above illustrations are for clarification and convenience and do not form part of this By-law.

DISTANCE ab REPRESENTS THE DEPTH OF THE REQUIRED YARD MEASURED AS LEAST HORIZONTAL DIMENSION BETWEEN LOT LINE AND NEAREST PART OF MAIN BUILDING. DISTANCE ab MUST BE THE MINIMUM DISTANCE SPECIFIED IN BY-LAW.



Amended by By-law No. Z107-2014

3.87 Lot Line means any boundary of a **lot** or the vertical projection thereof. **Internal lot lines** created by:

- (a) a registration of a plan of **condominium**; or
- (b) a plan or plans of **condominium** registered on all or a portion of a **lot** which is part of a comprehensively planned **development** subject to a Development Agreement pursuant to Section 41 of the Planning Act;
- (c) shall not be construed to be **lot lines** for the purposes of zoning regulations provided that all applicable regulations of this by-law relative to the whole **lot** and its external **lot lines**, **existing** prior to any **condominium** plan registration are strictly observed.

3.88 Lot Line, Front means in the case of:

- (a) an **interior lot**, the **lot line** that abuts the **street**;
- (b) a **corner lot**, the shorter **lot line** abutting the **street** shall be the **front lot line** while the longer **lot line** shall be deemed to be the **exterior lot line**:
 - (i) where the **lot lines** abutting the **street** are of equal length, the **lot line** that abuts the **street** governed by the government with the higher jurisdiction shall be the **front lot line** while the other **lot line** shall be deemed to be the **exterior side lot line**;
 - (ii) where the **lot lines** abutting the **street** are of equal length and the abutting **streets** are under the same jurisdiction, the **lot line** over which the principal means of access to the **lot** is obtained shall be the **front lot line** while the other **lot line** shall be deemed to be the **exterior side lot line**;
- (c) in the case of a **through lot**, the shorter **lot line** abutting a **street** shall be deemed to be the **front line** while the longer of the **lot lines** abutting a **street** shall be deemed to be the **rear lot line**:
 - (i) where the **lot lines** abutting the **street** are of equal length, the **lot line** that abuts the **street** governed by the government with the higher jurisdiction shall be the **front lot line** while the other **lot line** abutting a **street** shall be deemed to be the **rear lot line**;
 - (ii) where the **lot lines** abutting the **street** are of equal length and are under the same jurisdiction, the **front lot line** shall be deemed to be the **front lot line** as established in the block by prior construction while the other **lot line** abutting a **street** shall be deemed to be the **rear lot line**.

3.89 Lot Line, Rear means the **lot line** farthest from and opposite to the **front lot line**.

3.90 Lot Line, Side means a **lot line** other than a **front** or **rear lot line**. For the purpose of this By-law, there shall be two types of **side lot lines** which are classified as follows:

3.90.1 Lot Line, Exterior Side means a **side lot line** that abuts a **street** in the case of a **corner lot**.

3.90.2 Lot Line, Interior Side means a **side lot line** that abuts a neighbouring **lot**, block, or parcel of land.

3.91 Lot of Record means a **lot** or parcel of land that can legally be conveyed and which was legally created prior to the passing of this By-law. For the purpose of this By-law, it shall include only the following:

- (a) a **lot** or block shown on a registered plan of subdivision;
- (b) a **lot** or parcel of land created by consent in accordance with the provisions of the Planning Act or;
- (c) any other separate and distinct land holding, the deed to which is registered in the Land Registry Office No. 44.

For the purpose of this definition, **lots of record** shall not include those **lots** on a registered plan of subdivision which has been deemed not to be a registered plan of subdivision in a by-law passed by the municipal **Council** of the **Corporation** pursuant to the Planning Act.

3.92 Lot, Through means a **lot** bounded on two opposite sides by **streets**. Where a **lot** qualifies as being both a **corner lot** and a **through lot** such **lot** shall be conclusively deemed to be a **corner lot**.

Amended by By-law No. Z153-2022

3.92A Machine Shop means a building erected, used, or intended for the servicing or repair of equipment and machinery and/or small engines.

Amended by By-law No. Z107-2014

3.92.1 Manufacturing and Assembly Industry means a **building** or part thereof used for any number of manufacturing, fabricating and assembly activities, including processing ancillary to the **permitted** manufacturing and assembly **uses** and includes household waste **recycling depots**, but excludes primary paper products industries, primary metals industries, waste treatment industries, armaments, munitions and explosive manufacturing industries, and any obnoxious use.

Amended by By-law No. Z153-2022

3.92.1A Mechanical penthouse means a room or enclosure on the roof of a **building** exclusively used for mechanical equipment, a stair or elevator tower, elevator equipment, or any combination thereof.

Amended by By-law No. Z153-2022

3.92.1B Mini-storage Facility means a building containing individual storage units accessible by the user and used for the storage of goods, wares, merchandise, non-perishable foodstuffs, substances, articles or things but shall not include the storage of fuels, solvents, paints or other inflammable substances.

Amended by By-law No. Z107-2014

3.93 Mobile Home means a prefabricated **dwelling unit** designed and intended to be transported or portable for movement from site to site and the frame of such **dwelling unit** in is integral to its **structure**.

3.94 Mobile Home Park means a **lot**, cared for, and managed by a park operator, where individual sites for locating **mobile homes** are rented or leased and where ownership and responsibility for the maintenance and **development** of the site facilities, including underground services (e.g. water supply, sanitary sewers, storm sewers), access **roads**,

communal areas and **buildings**, together with general park management (e.g. snow clearing and removal, garbage or waste collection), rests with the **mobile home park** owner(s).

3.95 Mobile Home Site means an area of land described on a reference plan located within a **mobile home park used** for the placement of a **mobile home**.

Amended by By-law No. Z107-2014

3.95.1 Model Home means a **dwelling** which is not occupied for human habitation but is used for the purpose of display to the public and where a portion of this **dwelling** may be used as a sales **office** for the **dwelling** units to be constructed on **lots** within a plan of subdivision/**condominium**.

3.96 Motel means a **building** or group of two or more detached **buildings** designed and **used** for the purpose of catering to the traveling public by furnishing sleeping accommodation of not less than four (4) bedroom units and may include living accommodation for permanent staff, dining, dancing, convention, and other public rooms licensed under the Liquor License Act, as amended from time to time, parking facilities, and recreational facilities. Each bedroom unit must be capable of being entered directly from the exterior of the **building**. A **motel** shall not include a **boarding or lodging house dwelling** or a **hotel**.

3.97 Motor Home/Travel Trailer means a self-propelled **vehicle** or any unit suitable for attachment to a **motor vehicle** for towing and capable of being **used** for temporary living, sleeping, and eating accommodation, and shall not include a **mobile home**.

3.98 Motor Vehicle means an automobile, truck, motorcycle, motorized snow **vehicle**, and motorized all-terrain **vehicle**, but does not include cars or engines running on railway tracks, farm tractor, or self-propelled farm machinery or **road** building equipment.

3.99 Motor Vehicle Commercial means any **motor vehicle** having permanently **attached** thereto a truck or delivery body and without limiting the generality of the foregoing includes hearses, buses, farm tractors and/or **trailers used** for hauling, and delivery trucks, but excludes **motor home/travel trailers**.

Amended by By-law No. Z107-2014

3.99.1 Multi-Use Pathways means that part of a park that has been improved with a hard surface and intended for a variety of **uses** including pedestrians, in-line skating, bicycles, mobility scooters and similar **vehicles**, excluding **motor vehicles**, horses and horse drawn conveyances of any sort and motorized snow or all-terrain **vehicles**.

3.100 Municipal Drain means a **watercourse** or sewer which carries storm surface water and drainage and includes a storm sewer, but does not include a sanitary sewer.

Amended by By-law No. Z153-2022

3.100A Museum means a building erected, used or intended for use as a repository for historical artifacts, relics or documents which may be periodically placed on display for public viewing.

Amended by By-law No. Z107-2014

3.100.1 Mutual Driveway means an ingress or egress that is common to two or more owners of abutting lands as a right-of-way registered against the title of the lands.

3.101 Non-Complying Building or Structure means a **building** or **structure permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **building** or **structure** is located, but which does not meet one or more of the **zone** provisions with respect to **lot area, lot frontage, lot depth, yards**, parking, or other provisions of this By-law applicable to such **zone**.

3.102 Non-Complying, Use means a **use permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **use** is located, but which does not meet one or more of the **zone** provisions with respect to **lot area, lot frontage, lot depth, yards**, parking, or other provisions of this By-law applicable to such **zone**.

3.103 Non-Conforming Use, Legal means the **use** of a **building**, or **structure** which was lawfully established prior to the adoption of this By-law which is no longer **permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **use** is located.

Amended by By-Law No. Z17-2000

3.104 Non-Conforming, Legal means a **building** or **structure** lawfully established for a purpose not **permitted** by the **permitted use** provisions of this By-law for the **zone** in which such **building** or **structure** is located. For the purposes of this By-law, any **building** or **structure erected** prior to March 9, 1976 shall be deemed to be lawfully established.

3.105 Nursery School means a **child care centre** within the meaning of the Day Nurseries Act.

3.106 Nursing Home means any premises maintained and operated for **persons** requiring nursing care or in which such care is provided to two or more unrelated **persons**, but does not include any premises falling under the jurisdiction of,

- (a) the Charitable Institutions Act;
- (b) the Child and Family Services Act;
- (c) the Homes for the Aged and Rest Homes Act;
- (d) the Mental Hospitals Act;
- (e) the Private Hospitals Act; or
- (f) the Public Hospitals Act.

Amended by By-law No. Z107-2014

3.106.1 Office means a **building**, or part thereof, containing one or more **offices** including professional or service **offices** and all other forms of **offices** except **medical/dental offices**.

Amended by By-law No. Z107-2014

3.106.2 Office, Business means a **building** or part thereof in which one or more **persons** is employed in the management, direction or conducting the administrative functions of agencies, foundations, brokers or labour organizations are carried out and includes a service **office**, but does not include **medical/dental offices, professional offices, support offices**, financial or general offices.

Amended by By-law No. Z107-2014

3.106.3 Office, Medical/Dental means an **office** or **offices** in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out.

Amended by By-law No. Z107-2014

3.106.4 Office, Support means a **building** or part thereof in which technical or professional consulting services are performed to serve industrial manufacturing, assembly, processing or repair establishments, and includes the **offices** of an architect, a surveyor, an engineer, a business machine servicing establishment and an industrial training facility for manufacturing, assembly, processing or repair skills, but does not include a personal service establishment, a lawyer's office, a chartered accountant's office, a **clinic**, a **medical/dental office** or an animal **hospital**.

Amended by By-law No. Z153-2022

3.106.4A Openings means any window on a **building** façade which provides clear, unobstructed visibility to goods, exhibits, or the interior spaces of a **building** through the use of transparent glazing; or any public entrance on a **building** façade which provides clear access from the outside to the interior spaces of a building, but does not include entrances to any stairwell, boiler room, maintenance room, mechanical or electrical or utility room.

Amended by By-law No. Z107-2014

3.106.5 Open Space, Common means an outdoor space within a development, at grade level or otherwise, which is designed and intended for the common **use** or enjoyment of the occupants or users of the **development**, and may include a terrace, tot lot, **swimming pool**, garden, games area, sitting area, arcade or other similar facility or area, and **landscaped open space** areas having no dimension less than 3.0 metres.

3.107 Open Storage means the uncovered storage of goods, material, merchandise, or equipment in the open air and in unenclosed portions of **buildings** which are open to the air on more than one side.

3.108 Outdoor Display and Sales Area means an area set aside outside of a **building** or **structure**, **used** in conjunction with an established **use** located within a **building** or **structure** on the same property, for the display or sale of produce, goods or merchandise.

Amended by By-law No. Z107-2014

3.108.1 Park, Dog means an unlit outdoor enclosed recreational environment open to the general public where dogs may exercise and play off-leash while supervised by their owners.

3.109 Park, Public means a recreational area owned and controlled by the **Corporation** or by any board, commission or other authority established under any statute of the Province of Ontario, or any religious, charitable, or philanthropic organizations or local service club(s).

Amended by By-law No. Z107-2014

3.110 Parking Area means an area or areas of land or a **building** or **structure** or part thereof which is provided and maintained for the purpose of temporary parking or storing of **motor vehicles** accessory to a **permitted** use.

Amended by By-law No. Z107-2014

3.110.1 Parking Lot, Accessory means a parking lot which is an open area, other than a **street**, used for the temporary parking of two or more **vehicles** which is customarily incidental, subordinate and exclusively devoted to the main **use** and carried on with such main **use** on the same lot.

3.111 Parking Lot, Commercial means a privately owned **parking area** located on a **lot** which exists as a non-**accessory use**, for profit or gain, separate and distinct from any **building** or **structure** for which the provision of **parking spaces** is required.

3.112 Parking Space means an area on a **lot** on which a licensed **motor vehicle** may be parked, which:

- (a) is provided for the temporary parking or storage of one **motor vehicle** other than for the purpose of offering commodities or goods for sale or display;
- (b) is adequate for the temporary parking or storage of one **motor vehicle** and may be located within a private **garage, building, carport**, or covered area;
- (c) has adequate access to permit ingress and egress of a **motor vehicle** from a **street** by means of **driveways**, aisles, maneuvering areas or similar areas, no part of which access is to be **used as parking space** as defined herein; and
- (d) shall have a minimum width of 2.7 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres. **Parking spaces for persons with disabilities** shall have a minimum width of 4.25 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres.

Amended by By-law No. Z107-2014

3.112.1 Parking Space, Angled means the orientation of a **parking space** in such a manner that the side of the **vehicle** when parked is at an angle to the aisle or ramp, **lane** or **street**.

Amended by By-law No. Z107-2014

3.112.2 Parking Space, Parallel means the orientation of a **parking space** in such a manner that the side of the **vehicle** when parked is parallel to the aisle, ramp, **lane** or **street** which gives direct access to such **parking space**.

Amended by By-law No. Z107-2014

3.112.3 Parking, Tandem means the arrangement of two **parking spaces** such that it is necessary to traverse one space to gain vehicular access to the other from a public **lane** or **street**.

Amended by By-law No. Z107-2014

3.112.4 Passive Recreational Use means enjoyment of the natural environment through non-intensive activities that cause minimal impact on the natural features and functions of an area including trails, nature study, birdwatching, outdoor education and associated facilities, but do not include recreational **buildings**, sports fields or **golf courses**.

Amended by By-law No. Z107-2014

3.112.5 Patio means an area or areas of land located out of doors, covered or uncovered where the earth has been covered with a hard surface such as stone or brick situated no more than 20 centimetres above grade level used as an accessory amenity area. For the purposes of this by-law a **patio** as described herein shall be considered landscaping and shall

not contribute to **lot coverage**.

3.113 Permitted means **permitted** in accordance with the provisions of this By-law.

3.114 Person means an individual, association, firm, partnership, incorporated company, corporation, agent, trustee, and the heirs, executors, or other legal representatives of a **person** to whom the context of this By-law can apply according to law.

3.115 Personal Service Shop means a **building** or part thereof in which **persons** are employed for the purpose of providing service and otherwise administering to the individual and personal needs of **persons** and shall include such **uses** as a **barber shop**, a hair dressing shop, a beauty parlour, a **dressmaking or tailor shop**, a shoe **repair shop**, a watch and jewelry **repair shop**, a sun tanning shop, or other similar **uses**. General retail is not **permitted** and any sale of merchandise from a **personal service shop** must be **accessory** to and associated with the personal services provided in that shop.

Amended by By-law No. Z107-2014

3.115A Pet Hotel means an establishment where the care of not more than 50 domestic animals, not including **livestock**, is provided for gain and includes such activities as boarding, grooming, and walking, where the stay must include overnight accommodations, and where breeding is prohibited.

Amended by By-law No. Z107-2014

3.115B Pharmacy means a **retail store** that dispenses prescription drugs and which sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

3.116 Pit means a place where unconsolidated gravel, sand, earth, clay, fill, mineral, or other material is being or has been removed by means of an open excavation to supply material for construction, industry, or manufacturing, but does not include a **wayside pit** as defined in this By-law or the removal of material associated with excavation necessary for the **erection** of **buildings** or **structures** or associated with excavation necessary for the construction of **roads**.

3.117 Pit, Wayside means a temporary **pit** opened and **used** by a public **road** authority for the purpose of a particular project or contract of **street** construction.

Amended by By-law No. Z107-2014

3.117A Place of Entertainment means a **building**, or part thereof, used for the general purpose of providing entertainment and includes cinemas, theatres, art galleries, commercial recreation establishments, auditoriums and all other places of amusement, but excludes amusement game establishments.

3.118 Planting Strip means an opaque visual barrier formed by a row of trees or a continuous unpierced hedgerow of evergreens or shrubs having a minimum width of 1.5 metres.

Amended by By-law No. Z107-2014

3.118.1 Pool Mechanical Equipment means the mechanical/operational components of a **swimming pool** which includes but shall not be limited to the pump, heater/furnace and filter.

Amended by By-law No. Z107-2014

3.118.2 Porch shall mean a roofed open gallery or unenclosed portico **attached** to the exterior of a **building**.

Amended by By-law No. Z153-2022

3.118.2A Postal Outlet: premises for the provision of postal and courier pick-up and drop-off services for letters and small parcels, but does not include a postal or courier distribution or terminal facility.

3.119 Public Building means a **building** or **structure** owned or leased and occupied by the **Corporation**, the Province of Ontario, or the Government of Canada.

3.120 Public Library means a **public library** within the meaning of the Public Libraries Act.

3.121 Pump Island means that portion of a **commercial** or **industrial use** which is **used** for the dispensing of automotive fuels, which include the fuel pumps, concrete base, overhead canopy, and kiosk.

3.122 Quarry means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industry, or manufacturing, but does not include a wayside **quarry** or open **pit** metal mine.

Amended by By-law No. Z107-2014

3.122.1 Railway Line means an area of land, a portion of which is covered by a system of tracks, that provides for the movement and making up of trains and includes ancillary **structures** such as stations, **offices**, wheelhouses, towers, repair and storage **buildings**.

Amended by By-law No. Z107-2014

3.122.2 Recreation or Community Centre means a **public building** used for recreation or social activities, meetings or other leisure activities.

3.123 Recreational Use means the **use** of land or **buildings** for such **uses** as **public parks**, playgrounds, playfields, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, **golf courses**, trails for snowmobiles or all-terrain **vehicles**, picnic areas, **swimming pools**, wading pools, day camps, bleachers, bandstands, skiing, fishing, and similar **uses**, together with any **accessory buildings** and **structures**, but does not include hunting or a track for the racing of animals, **motor vehicles**, snowmobiles, all-terrain **vehicles**, or motorcycles.

3.124 Recreational Use, Commercial means the **commercial use** of land, **buildings** or **structures** for the purpose of recreation or entertainment and shall include a cinema, bowling alley, fitness or health club, or other similar **uses**, and shall not include a video and/or amusement arcade.

3.125 Recreation Vehicle means a **vehicle** which provides sleeping and other facilities, while traveling or vacationing, designed to be towed behind a **motor vehicle**, or self-propelled, and includes such **vehicles** commonly known as **motor home/travel trailers**, camper **trailers**, pick-up coaches, motorized campers, motorized homes or other similar **vehicles**.

3.126 Recycling Depot means land, **buildings**, or **structures used** for the collecting, sorting and/or storing of materials such as cardboard, newspaper, fine paper, glass bottles, cans, and plastic containers for recycling purposes.

Amended by By-law No. Z107-2014

3.126.1 Renovation means the restoration or reconstruction of **buildings, structures** or parts thereof to current building standards without the removal of the **building** or **structures** from the **lot**.

Amended by By-law No. Z107-2014

3.126.2 Rental Shop means a **business** where residential, commercial, and industrial equipment is kept for rental to the general public and includes such things as lawn and garden tools, floor cleaning equipment, masonry tools, painting and decorating equipment, moving tools, plumbing tools, and power tools.

3.127 Repair Shop means a **business** engaged in maintaining and repairing articles, machinery and equipment for household or personal **use** such as appliances, air conditioners, clocks, watches, jewelry, and furniture.

3.128 Deleted by By-Law No. Z107-2014.

3.129 Reserve means a parcel of land, usually one foot in width (0.3 metres), located between a **lot line** and the **street line, used** to restrict access to the **street** from the **lot**.

Amended by By-law No. Z107-2014

3.129.1 Resource Extraction Operation means a place where gravel, rock, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, and includes a **pit** or **wayside pit** as the main **uses** and may include an aggregate storage area, asphalt batching plant, portable asphalt plant, concrete batching plant or crushing plant.

3.130 Retail Store means a **building** or part thereof in which goods, merchandise, products, wares, articles or things are offered or kept for sale directly to the public, but does not include any manufacturing, processing, assembly, or construction **use**.

Amended by By-law No. Z153-2022

3.130A Retirement home means a **building** or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor amenity areas, consisting of either **dwelling units** or **assisted living units** or both.

3.131 Salvage or Wrecking Yard means a **lot, building, and/or structures used** for storing, handling, salvaging, dismantling, reclaiming, and/or selling of scrap or used materials, and without limiting the generality of the foregoing, shall include waste paper, rags, wood, bottles, **vehicles**, tires, metal, and/or other scrap material and it shall include establishments such as a junk yard, a scrap metal yard, and an automotive **salvage yard**.

3.132 Satellite Dish means a parabolic or spherical antenna which receives television or microwave transmissions or other signals.

3.133 School means,

- (a) the body of public **school** pupils or separate **school** pupils or secondary **school** pupils that is organized as a unit for educational purposes under the jurisdiction of the appropriate board; or
- (b) the body of pupils enrolled in any of the elementary or secondary **school** courses of study in an educational institution operated by the Government of Ontario, and includes the teachers and other staff members associated with such unit or institution and the lands and premises **used** in connection therewith.

3.134 School, Private means an institution at which instruction is provided at any time between the hours of 8 a.m. and 4 p.m. on any **school** day for five or more pupils who are of or over compulsory **school** age in any of the subjects of the elementary or secondary **school** courses of study and that is not a **school** as defined in this section.

3.135 School, Commercial means a **school** other than an academic **school** where instruction is given for hire or gain and, without limiting the generality of the foregoing, may include the studio of a dance teacher, an art **school, business** or trade **school**.

Amended by By-law No. Z107-2014

3.135.1 Self-Storage Establishment means a **building** or **buildings** consisting of individual storage units accessible by the user, used for the storage of goods, wares, merchandise, foodstuffs, substances, articles or things, but does not include a fuel storage tank except as an **accessory use**.

Amended by By-law No. Z107-2014

3.135.2 Service Commercial Centre means a **building** or **buildings** containing two or more different **permitted commercial uses**, which is designed and which functions as a unit in relation to its siting, vehicular access and off-**street** parking, but not having more than 30 percent (30%) of its **gross floor area** devoted to all restaurant uses.

Amended by By-law No. Z153-2022

3.135.2A Service Trade means an establishment, other than an automotive use, that provides a non-personal service or craft to the public, including, but not necessarily restricted to, the shop of a printer, a plumber, a painter, a carpenter, an electrician, a welder, a furrier, an upholster, a custom engraver, a monument engraver, a merchandise service shop, a battery storage and recharging shop, a small engine repair shop, a workshop for the physically challenged, a catering establishment, a tool or small equipment rental establishment.

3.136 Shopping Centre means a group of commercial establishments designed, developed, owned, and managed as a unit containing three or more physically separated spaces for lease or occupancy by **commercial uses** or **business** or **professional offices**, providing **common open spaces**, common enclosed non-commercial **amenity spaces**, on-site **parking areas, loading spaces, driveways**, and other shared facilities, and which may be held in a single ownership or by participants in a condominium corporation.

3.137 Shopping Plaza means a group of commercial establishments designed, developed, owned, and managed as a unit containing three or more physically separated spaces for lease or occupancy by **commercial uses** or **business** or **professional offices**, providing **common**

open spaces, on-site **parking areas**, loading areas, **driveways**, and other shared facilities, and which may be held in a single ownership or by participants in a condominium corporation and in which each commercial establishment has an independent entrance from the outside.

3.138 Sign means a name, identification description, device, display, or illustration which is affixed to, or represented directly upon a **building, structure, or lot** and which directs attention to an object, product, place, activity, **person**, institution, organization, or **business**.

3.139 Site Plan means a scaled drawing showing the relationship between the **lot lines** and the **uses, buildings, and structures existing** or proposed on a **lot**; including such details as building areas, **parking areas, parking spaces, driveways**, aisles, walkways, sidewalks, **landscaped open space, minimum required yards, building heights**, waste collection facilities, **outdoor storage** areas, storm water drainage facilities. Depending upon the circumstances, grading information and **building** cross-sectional information may also be required as a part of a **site plan**.

3.140 Special Policy Area means an area of the flood plain below the regulatory flood elevation where specific **development** policies apply to **development** or redevelopment.

Amended by By-law No. Z107-2014

3.140.1 Species, Endangered means any native species that, on the basis of the best available scientific evidence, is at risk of extinction or extirpation throughout all or a significant portion of its (Ontario) range.

Amended by By-law No. Z107-2014

3.140.2 Species, Threatened means any native species that, on the basis of the best available scientific evidence, is at risk of becoming endangered throughout all of a significant portion of its (Ontario) range.

Amended by By-law No. Z107-2014

3.140.3 Species, Vulnerable or Species at Risk means any native species that, on the basis of the best available scientific evidence, is a species of special concern (in Ontario), but is not a **threatened or endangered species**.

Amended by By-law No. Z153-2022

3.140.3A Stacking Lane means a continuous on-site queuing lane that includes stacking spaces for motor vehicles, which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs;

Amended by By-law No. Z153-2022

3.140.3B Stacking Space means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of motor vehicles in a stacking lane.

Amended by By-law No. Z113-2015

3.140.4 Standby Generator means a unit, situated on a concrete pad, which uses an external fuel supply to provide backup electricity to a **building or structure** during periods of temporary power outages.

3.141 Storey means that portion of a **building**, other than an **attic, basement, or cellar**, which is situated between any floor and the ceiling or roof next above it.

3.142 Storey, First means the **storey** with its floor closest to the **finished grade level** and having its next floor level 2.0 metres or more above the **finished grade level**.

3.143 Street, Road or Highway (Private) means a **street, road or highway** which has not been assumed by the **Corporation**, or the Province and shall include the principle means of access to any **mobile home or modular home site**.

Amended by By-law No. Z107-2014

3.143.1 Street, Road, or Highway (Private Communal) means a private right-of-way over private property that is a commonly owned and/or shared access to abutting lots that is privately maintained and is not a **public highway** as defined by the Municipal Act.

3.144 Street, Road or Highway (Public) means a **street, road or highway** which has been assumed by the **Corporation**, the County, or the Ministry of Transportation and shall include such **public road, street, or highway** as affords the principal means of access to any **lots** that abut thereon, but does not include a **lane** or private right-of-way.

3.145 Street Line means the limit of the **street** allowance and the **lot line** that divides the **lot** from the **street**.

3.146 Structure means any **erection**, permanent or temporary, fixed to or supported by the soil or an attachment to something having a location on the ground, but does not include a boundary wall, **fence**, retaining wall, light standard, **sign, patio**, weigh scale or tombstone.

Amended by By-law No. Z107-2014

3.146.1 Supermarket means a **retail store** primarily devoted to the sale of food and may include the sale of other items including household wares, clothing, lawn and garden items and landscaping plants and materials.

Amended by By-Law No. Z17-2000

3.147 Swimming Pool means any body of water with a depth greater than 0.45 metres located outdoors which is contained by artificial means, and **used** and maintained for the purpose of swimming, wading, or diving. For the purposes of this By-law, a **swimming pool** shall be considered a **structure**.

Amended by By-law No. Z107-2014

3.147.1 Taxi Stand and Office means a property, site or **building** used as a dispatch **office** or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting **persons** or goods.

Amended by By-law No. Z107-2014

3.147.2 Temporary Use By-law means a **use** that is authorized by By-law passed under the provisions of Section 38 of the Planning Act, R.S.O. 1990.

Amended by By-law No. Z153-2022

3.147.2A Theatre: premises intended for the production and viewing of the performing arts or the screening and viewing of motion pictures, and consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.

3.148 Trailer means a **trailer** within the meaning of the Highway Traffic Act. A **trailer** shall not be considered to include a **mobile home**.

3.149 Transportation Terminal means a **building, structure**, or place where licensed buses, licensed trucks, and/or licensed tractor **trailers** are rented, leased, repaired, loaded or unloaded, kept for hire or stored or parked for remuneration or from which licensed buses, licensed trucks, and/or licensed tractor **trailers** are dispatched as common carriers or where goods are stored temporarily for further shipment.

Amended by By-law No. Z107-2014

3.149.1 Unit In A Vacant Land Condominium means a parcel of land within a vacant land **condominium** for the purpose of constructing a **single detached dwelling**.

3.150 Use means the purpose for which a **lot, building, or structure**, or combination thereof, is designed, built, arranged, or occupied. The words "**uses**", "**to use**", and "**used**" shall have corresponding meanings.

Amended by By-law No. Z107-2014

3.150.1 Vehicle means an automobile, truck or other **motor vehicle**, including motorized construction equipment or farm equipment, a **motor home**, a motorcycle, a snowmobile, a boat, **recreational vehicles**, and also including a **trailer** or farm implement or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort.

Amended by By-law No. Z107-2014

3.150.2 Vehicle, Commercial means a **motor vehicle** having permanently **attached** thereto a truck, or delivery body and includes ambulances, hearses, fire trucks, buses, and tractors used for hauling purposes on the **highways**.

Amended by By-law No. Z107-2014

3.150.3 Vehicle, Recreational means a **vehicle** which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a **motor vehicle**, or self-propelled, and includes such **vehicles** commonly known as **travel trailers**, camper **trailers**, pick-up coaches, motorized campers, motorized homes or other similar **vehicles** and shall include a recreational **trailer** as defined herein.

3.151 Wall, Main means the exterior front, side, or rear wall of a **building**, and all structural members that are essential to the support of a roof or fully enclosed space.

3.152 Warehouse means a **building** or part thereof **used** or intended to be **used** for bulk storage of goods, merchandise, and material for resale or business **use**.

3.153 Watercourse means a natural or **altered** lake, pond, river, creek, or stream, but shall not include a farm pond.

Amended by By-law No. Z107-2014

3.154 Wholesale Establishment means a **building** or part thereof used for the selling of goods for delivery from the premises to an industrial, commercial or institutional establishment or organization and may include a showroom and/or display area open to the general public which does not exceed 25% of the premises.

3.155 Yard means a space appurtenant to a **building** or **structure**, located on the same **lot** as such **building** or **structure**, and which is open, uncovered, and unoccupied from the ground to the sky except as **permitted** otherwise by this By-law.

3.156 Yard, Front means a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

3.157 Yard, Minimum Front means the minimum depth of a **front yard** between the **front lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

3.158 Yard, Rear means a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest **main wall** or supporting member of any **main building** or **structure** on the **lot**.

3.159 Yard, Minimum Rear means the minimum depth of a **rear yard** between the **rear lot line** and the nearest **main wall** or supporting member of any **main building**, or **structure**, on the **lot**.

3.160 Yard, Side means a **yard** extending from the **front yard** to the **rear yard** of a **lot** and from the **side lot line** of the **lot** to the nearest **main wall** or supporting member of any **main building** or **structure**, on the **lot**.

3.161 Yard, Exterior Side means a **side yard** immediately abutting a **street**.

3.162 Yard, Interior Side means a **side yard** other than an **exterior side yard**.

3.163 Yard, Minimum Side means the minimum width of a **side yard** between the **side lot line** of a **lot** and the nearest **main wall** or supporting member of any **main building** or **structure** of the **lot**.

Amended by By-law No. Z107-2014

3.163.1 Yard Sale, Residential means a **street-side** unenclosed event in which used household items and things, which are surplus to the residents of the **dwelling**, are offered for sale to the general public by the residents of the **dwelling** hosting the event.

Amended by By-law No. Z107-2014

3.163.2 Yard Waste Composting Facility means a facility for the composting of **yard** materials such as garden trimmings, grass, brush and leaves but does not include food waste.

3.164 Zone means any classification established in Section 4 of this By-law which applies to the area(s) delineated on the attached Zoning Map or Zoning Map Schedules for such classification and to which specific provisions as established by this By-law shall apply.

3.165 Zone Boundary means the limit or extent of a designated area of land **use** shown on Schedule "A" attached hereto.

3.166 Zoning Administrator means an officer or employee of the **Corporation** charged with the duty of administering and enforcing the provisions of this By-law.

SECTION 4 - ZONES AND INTERPRETATION

4.1 Establishment of Zones

The provisions of this By-law apply to all lands within the boundaries of the Corporation of the Town of St. Marys. For the purpose of this By-law, the following zone classifications are established:

Zone	Zone Symbol
Agricultural Zone One	A1
Agricultural Zone Two	A2
Residential Zone One	R1
Residential Zone Two	R2
Residential Zone Three	R3
Residential Zone Four	R4
Residential Zone Five	R5
Residential Zone Six	R6
Residential Zone Seven	R7
Central Commercial Zone	C1
Limited Commercial Zone	C2
Highway Commercial Zone	C3
Special Commercial Zone	C4
Light Industrial Zone	M1
General Industrial Zone	M2
Extractive Industrial Zone	M3
Environmental Constraint Zone	EC
Institutional Zone	I
Open Space Zone	OS
Flood Plain Zone	FP
Special Policy Area Constraint Zone	-SPA
Natural Hazard Constraint Areas	-NHCA
Holding Zone	-H
Development Zone	D or RD

Various zoning requirements and/or regulations for the **zones** as established above are set out in Sections 6 through 28 of this By-law. The zoning requirements and regulations set forth for the respective **zones** pertain to matters such as **permitted uses, permitted buildings and structures**, minimum **lot area**, minimum **lot frontage**, maximum **coverage**, **minimum front, side and rear yard** requirements, maximum **building height**, **landscaped open space** requirements, **parking** requirements, and requirements for **accessory buildings and structures**.

Amended by By-law No. Z107-2014

4.2 Key Maps

For the purpose of this By-law, Schedule "A", consisting of a Key Map Index, and Key Maps 1 to 20, inclusive, are attached to this By-law and are hereby declared to form part of this By-law.

The Key Maps which are attached as Schedule "A" to this By-law indicate the **zones** for all of the lands in the **Corporation** of the Town of St. Marys as established by this By-law. The **zones** are indicated through the **use** of the **zone** symbols identified for their respective **zones** in Section 4.1 above.

Amended By By-law No. Z31-2001

Amended by By-law No. Z153-2022

The Key Maps also are intended to display the boundaries of parcels of land and lots. These boundaries are intended to show the location and configuration of properties in the Town. Where a change in the configuration of a **lot(s)** occurs as a result of the approval of a Plan of Subdivision, or Consent application, or through some other legal manner, or in the case where more than one **lot** has been assembled, the revised and/or new **lot** configuration(s) on the various Key Maps may be displayed without the necessity of amending this By-law to show such revised and/or new **lot** configuration(s).

The Key Maps which are attached as Schedule "A" to this By-law identify the "UTRCA Regulation Limit" which represents the approximate location of the boundaries those lands that may be subject to flooding, erosion and unstable slopes. The provisions of the "UTRCA Regulation Limit" as established by this By-law are to be applied in conjunction with the **zone** provisions for the "underlying" zones as established by this By-law. The inclusion of the "UTRCA Regulation Limit" on the Key Maps is for information purposes only and the Upper Thames Conservation Authority should be contracted to determine how the Conservation Authorities Act may impact **development** proposals.

4.3 Use of Zones and Zone Symbols

The **zones** and symbols identified in Section 4.1 above shall be used when referring to **land, buildings, and structures**, and the **uses** thereof **permitted** by this By-law in said **zones**. Where the various **zone** symbols are shown on the Key Maps, such reference is intended to indicate that the lands on which the **zone** symbol is placed are located within the corresponding **zones** as established by Section 4.1 above and shall be subject to the applicable **zone** provisions as set forth in this By-law for that respective **zone**.

Where a **zone** symbol applying to certain lands as shown on the Key Maps attached to this By-law on Schedule "A" is followed by a dash and a number (e.g. A1-1), such dash and number are intended to indicate that such land is the subject of one or more special **zone** provisions. The special **zone** provisions can be determined by referring to the "special provisions" section for the applicable **zone** as set forth in this By-law. Lands **zoned** in this manner will be subject to all other provisions for the respective **zone** except as otherwise provided for by the special provisions.

4.4 Multiple Zones

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

Notwithstanding the paragraph above, where a **use** or **uses** are **permitted** by the **zones** applying to two or more portions of the **lot**, those portions shall be considered to constitute a single **lot** as defined herein and the highest or most restrictive **zone** requirements pertaining to such **use** or **uses** in all the pertinent **zones** shall apply throughout.

4.5 Interpretation of Zone Boundaries

The **zones**, identified by **zone** symbols, as shown on the Key Maps of Schedule "A" to this By-law are bounded by thick black lines, the purpose of which lines is to indicate the extent of the **zones**. The following "rules of interpretation" are to be applied when determining the location of **zone** boundaries on the Key Maps, of Schedule "A" of By-law No. Z1-1997, as adopted by **Council**, and kept in the Office of the **Zoning Administrator**:

- 4.5.1 Where any **zone boundary** is shown on Schedule "A" as following the boundary of a **street**, **watercourse**, or railway right-of-way, the **zone boundary** shall be considered to follow the centre line of such **street**, **watercourse**, or railway right-of-way;
- 4.5.2 Except as provided for in Section 4.5.1 above, where a **zone boundary** is shown on Schedule "A" as approximately following the boundary of a **lot** that is shown on a registered plan or a registered reference plan, the **zone boundary** shall be considered to be such **lot** boundary as shown on said registered plan or registered reference plan;
- 4.5.3 Where a **zone boundary** is shown on Schedule "A" as being parallel to, or approximately parallel to, a **street** and the distance from the **street** is not indicated, the **zone boundary** shall be considered as being parallel to such **street** and its distance from the **street** shall be determined by using the scale shown on the Schedule "A" Key Map, to scale or measure the distance; and
- 4.5.4 Where a **zone boundary** is shown on Schedule "A" as being between the "Flood Plain (FP)" **zone** and any other **zone** classification, the Regulatory Floodline shall be considered as the boundary between the **zones**. The Regulatory Floodline, as determined by the Upper Thames River Conservation Authority, is based on the 1937 observed storm event which has a return period of approximately 1:250 years. Where the "Flood Plain (FP)" **zone** contains a suffix [e.g., "FP(R1-4)"] the provisions of the "Flood Plain (FP)" apply to those lands located below the Regulatory Floodline elevation and the provision of the applicable suffix symbol (e.g "R1-4") **zone** apply to those lands located above

the Regulatory Floodline elevation.

- 4.5.5 Where any **zone boundary** is left uncertain after the application of the provisions of Sections 4.5.1, 4.5.2, and 4.5.3 of this By-law, the location of the **zone boundary** shall be determined by using the scale shown on the Schedule "A" Key Map to scale or measure the applicable distances.

4.6 Interpretation of Certain Words

- 4.6.1 In this By-law, the word "shall" is considered to mean mandatory.
- 4.6.2 In this By-law, words used in the present tense include the future tense and vice-versa.
- 4.6.3 In this By-law, words used in the singular shall also be considered to include the plural unless the context of the application clearly indicates the contrary.
- 4.6.4 In this By-law, certain word(s) are printed in bold and italic. These words are highlighted for the sole purpose of demonstrating to the reader of this By-law that the word(s) in bold and italic are defined in Section 3 of this By-law. It is not intended that these words be considered more significant or substantive than any other word in this By-law.

SECTION 5 - GENERAL PROVISIONS

The **zone** provisions contained in this Section of the By-law shall apply to all **zones** established by this By-law except as may be indicated in the applicable **zone** provision.

Amended by By-law No. Z130-2018

Amended by By-law No. Z144-2021

5.01 Accessory Apartments

5.01.1 In a Single-detached, Semi-detached or Row or Townhouse Dwelling

A maximum of one accessory apartment is permitted in any single-detached, semidetached or row or townhouse dwelling provided that:

- (a) The maximum gross floor area of the accessory apartment shall not exceed 45 percent of the gross floor area of the main building (including the gross floor area of the accessory apartment) and shall not exceed 100 square metres (1,076 ft²). This does not apply to an accessory apartment located entirely in a basement or cellar;
- (b) A home occupation is prohibited in any accessory apartment;
- (c) An accessory apartment is prohibited on any lot where a garden suite dwelling exists;
- (d) The lot is serviced by municipal water and sanitary sewer services; and,
- (e) The establishment of a new accessory apartment on any lot located east of the CNR tracks and north of Trout Creek is prohibited until a secondary means of access to these lands is available.

5.01.2 In an Accessory Building or Structure

Alternatively, the accessory apartment may be permitted in an accessory building or structure on the lot in accordance with Section 5.01.1 and provided that:

- (a) There is an existing single-detached, semi-detached or row or townhouse dwelling on the lot;
- (b) The accessory building or structure complies with minimum front, rear, interior side and exterior side yard requirements for the main building in the applicable zone; and,
- (d) The accessory building or structure complies with Sections 5.1.3.

5.1 Accessory Uses

Amended by By-law No. Z153-2022

5.1.1 Use

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

- (a) any occupation or business for profit conducted except as may be specifically **permitted** by this By-law; and
- (b) any **building** or **structure used** for human habitation except as may be specifically **permitted** by this By-law.

5.1.2 Time of Establishment

No **accessory use, building, or structure** shall be **permitted** on any **lot** until such time as the main **use** to which it is **accessory** has been lawfully and physically established on the **lot**.

5.1.3 Location

- (a) all **accessory buildings and structures** shall comply with the **minimum front yard** requirement for the **main building** on the **lot** or be located to the **rear** of the front wall of the **existing main building** on the **lot**, whichever is greater;
- (b) all **accessory buildings and structures** shall be required to comply with the **side and rear yard** requirements for the **zone** in which they are located as set out in this By-law;

Amended by By-law Nos. Z31-2001 and Z113-2015

- (c) **accessory buildings and structures** shall not be structurally attached to a **main building** in any way and they shall be located at a distance of not less than 1.0 metres from the **main building**. The provisions of this Section shall not apply to standby generators or air conditioning/ventilation devices;
- (d) notwithstanding the foregoing, in any Residential Zone One (R1), Residential Zone Two (R2), Residential Zone Three (R3), or Residential Zone Four (R4) a **detached garage** or other **accessory building** may be **erected and used** in a **rear yard** provided it is located not less than 1.0 metres from any **lot line**;
- (e) where an **accessory building or structure** is built on a **corner lot**, it shall be no closer to the **front lot line** than **permitted** by Clause (a) above and no closer to the **exterior side lot line** than the **minimum exterior side yard** distance required for the **main building** under this By-law.

5.1.4 Height

Except as otherwise provided in this By-law, no **accessory building or structure** shall exceed 4.5 metres in **height** or be higher than the **main building** on the **lot**, whichever is the lessor. This provision shall not apply to the Agricultural Zone One (A1).

Amended by By-law No. Z107-2014

Amended by By-law No. Z153-2022

5.1.5 Coverage

- (a) The total **lot coverage** of all **accessory buildings and structures** on a **lot** shall not exceed 10 per cent of the **lot area**.

The area of a **swimming pool** that is not enclosed by a **building or structure** shall not be included in the calculation of **lot coverage**.

5.2 Application of Other By-laws, Requirements, and Regulations

Nothing in this By-law shall operate or cause to relieve any **person** from the obligation to obtain any license, permit, authority or approval lawfully required by a government authority having the jurisdiction to make such requirements and/or regulations. This By-law shall not be effective to reduce or mitigate any regulations lawfully imposed by a government authority having the jurisdiction to make such requirements and/or regulations.

5.3 Bed and Breakfast Establishment

Where **bed and breakfast establishments** are **permitted** by this By-law, they shall be subject to the following criteria:

- (a) **a bed and breakfast establishment use** must be clearly secondary to the main residential **use** of the **dwelling**;
- (b) **a bed and breakfast establishment use** must not change the character of the **dwelling** as a private residence;
- (c) no more than three (3) guest rooms or fifty percent of the **gross floor area**, whichever is less, of the **single-detached dwelling** shall be used for **bed and breakfast establishment**;

Amended By-law No. Z17-2000

- (d) there shall be no external evidence of the **bed and breakfast establishment** with the exception of a single **sign** measuring not greater than 0.4 square metres in size. Such **sign** may be ground mounted with a setback of 4.0 metres from any **lot line**. The maximum height to the top of the **sign** shall not exceed 1.2 metres. Said **sign** shall not be internally illuminated;
- (e) **a bed and breakfast establishment** must meet all of the applicable requirements of this By-law, including parking requirements, and all other applicable laws;
Where a **bed and breakfast establishment** existed prior to September 24, 1996, it shall be subject to the criteria of Section 5.3, above.

However, if a **bed and breakfast establishment** that existed prior to the date of passing of this By-law does not satisfy one or more of the criteria of Section 5.3(a) thru 5.3(e), inclusive, it shall be deemed to be a **permitted use** under the provisions of this Section. Any addition or **alteration** to an **existing bed and breakfast establishment** shall be in accordance with the criteria of Section 5.3. This Section of the By-law does not relieve any **person** operating a **bed and breakfast establishment** from **complying** with all health, fire and safety standards and regulation established by the Federal, Provincial, or Local Government.

5.4 Building Repairs

Nothing in this By-law shall apply to prevent the strengthening or restoring to a safe condition any **non-conforming building** or **structure** or legal **non-complying building** or **structure** provided that the following provisions are met:

- (a) the strengthening or repairing does not increase the **gross floor area, height, or lot coverage** of the **building** or **structure**; and
- (b) the **use** of the **building** or **structure** is not changed and continues in the same manner as previously existed.

5.5 Conflicting Regulations

Where the application of the provisions of this By-law results in a conflict between the provisions and/or requirements of this By-law, or any other By-law of the **Corporation**, the most restrictive provision and/or requirement shall apply.

Amended by By-law No. Z107-2014

5.5A Conservation Lands and Conservation Works

Conservation Lands and **Conservation Works** shall be **permitted** in all **zone** classifications.

5.6 Daylight or Sight Triangle

No **building** or **structure** shall be **permitted** on that portion of a **corner lot** which is within a **daylight triangle** or **sight triangle** as defined in Section 3.42 of this By-law where a distance of 10.8 metres measured along the **street lines** is **used** for the purpose of determining the location of the **daylight triangle** or **sight triangle**, except as specifically stated otherwise in this By-law.

The provisions of Section 5.24.8 of this By-law shall also apply.

5.7 Drainage

Suitable measures for surface and sub-surface drainage shall be required in respect to the **use** of all land and the **use** and/or **erection** of all **buildings** and **structures**.

Amended by By-law No. Z130-2018

Amended by By-law No. Z144-2021

5.8 Dwelling Units Below Grade

No dwelling unit shall, in its entirety, be located in a cellar with the exception of an accessory apartment. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage or utility room, recreation room, bedroom subject to applicable Building Code requirements, or for a similar use. However, a dwelling unit, in its entirety, may be located in a basement subject to applicable Building Code requirements.

5.9 Exterior Lighting

The type, location, height, intensity, and direction of exterior lighting on a **lot** shall be designed so as to ensure illumination does not glare onto adjacent properties or onto an adjacent **street**.

Amended By By-law No Z17-2000 and By-law No. Z107-2014

5.10 Frontage Abutting a Street/Street Access

No **person** shall hereafter **erect** any **building** or **structure** on any **lot** in any **zone** unless such **lot** abuts an improved **public street** which is constructed to the current municipal standard for its **road** classification.

Notwithstanding the foregoing, infilling **development** may be **permitted** on **streets** which are not improved to the full municipal standard, if such **road** has a **road** base and **road** surface to its classification requirements.

In the case of a parcel of land for which a Development and/or Subdivision Agreement has been approved and registered against the title pursuant to the Planning Act, R.S.O. 1990, then the single parcel of land to which the Development and/or Subdivision Agreement applies shall be deemed to be a **lot** for application of this Section, notwithstanding that part of the parcel does not otherwise satisfy the definition of **lot**, or does not abut an improved **public street**.

Single detached, semi-detached, duplex or street townhouse dwellings shall be **permitted** on **lots** without frontage on a **public street** provided that all such **dwellings** are located on Parcels of Tied Lands (POTL's) to a Common Elements Condominium (CEC) consisting of at least a private communal **driveway** connecting to a **public street**.

Amended by By-law No. Z107-2014

5.11 Home Occupation

Where a **home occupation** is **permitted** in a **zone** the following provisions shall apply:

- (a) such **home occupation** must be clearly secondary to the main **use** of the **dwelling** for residential purposes;
- (b) such **home occupation** must not change the character of the **dwelling** as a private residence;
- (c) such **home occupation** shall be conducted only by a **person** residing permanently in the **dwelling**;

Amended By By-law No Z17-2000

- (d) there shall be no external evidence of the **home occupation** from outside of the **dwelling**, including window displays, with the exception of a single **sign** measuring not greater than 0.4 square metres in size. Such **sign** shall not be internally illuminated and shall be affixed to the facade of the **building** or ground mounted with a minimum setback of 4.0 metres from any **lot line**. The maximum height to the top of the **sign** shall not exceed 1.2 metres;
- (e) there shall be no external display or storage of goods, materials, wares or merchandise on the **lot** on which the **dwelling** containing the **home occupation** is located;
- (f) no external **alteration** of the **dwelling** shall be **permitted** so as to accommodate a **home occupation**, such as the inclusion of any specialized **structure**, ramps, or oversize doorways which will tend to change the character of the **dwelling** as a private residence;
- (g) such **home occupation** shall not create nor become a nuisance or hazard to neighbours by reason of noise, vibration, dust, smoke, fumes, odour, heat, debris, refuse, fire, lighting interference, hours of operation, traffic, or parking;
- (h) no mechanical or other equipment shall be **used** in conjunction with a **home occupation** except that which is customarily **used** in **dwelling**s for domestic or household purposes;

Amended By By-law No Z153-2022

- (i) not more than two home occupations are permitted in a dwelling unit and the maximum gross floor area dedicated to all home occupations shall not exceed 50.0 square metres or 25 per cent of the gross floor area of the dwelling unit (excluding an attached garage), whichever is lesser. The area of the dwelling unit not being used for home occupation must comply with the applicable gross floor area requirements of this By-law;
- (j) a home occupation shall be carried on only in the dwelling unit of a single-detached dwelling or in the dwelling unit of a semi-detached dwelling. No home occupation shall be carried on in an accessory building or structure or in an attached garage unless part of the garage is converted to form part of the dwelling unit and can no longer be used as an attached garage;
- (k) such **home occupation** shall meet all of the applicable requirements of this By-law, including parking requirements;
- (l) for greater clarity, a **home occupation** shall include but not be limited to an **office** or consulting room for a professional **person** or agent; an **office** for a trade such as a builder, a plumber, an electrician; an **office** for a charitable organization; a workroom for a dressmaker or a tailor; a hairdresser/barber; a dog groomer; a studio for a teacher of music, art, or academic subjects, a photographer or a commercial artist; and any other **use** of a similar nature which satisfies all of the criteria of this Section of the By-law; but shall not include a **kennel**, a **boarding house**, a **medical clinic**, a **retail store**, or any

workshop, or plant for any trade.

5.12 Loading Space Requirements

Where a **building** or **structure** is **erected** or **used** for a **commercial** or **industrial use** involving the receiving, shipping, loading, or unloading of goods, wares, merchandise, raw materials, or animals, the owner and/or occupant of the **building** or **structure** shall provide and maintain on the same **lot** on which such **building** or **structure** is located, and not on a **street** or **lane**, **loading spaces** and/or unloading spaces in accordance with the following requirements:

5.12.1 Number of Loading Spaces

The minimum number of **loading spaces** required shall be in accordance with the following provisions:

<u>Gross Floor Area</u> (square metres)	<u>Number of Spaces</u>
(i) less than 500	0
(ii) 500 to 4,000	1
(iii) 4,001 to 10,000	2 Plus 1 for each additional 10,000 m ² of gross floor area or fraction thereof.

5.12.2 Loading Space Location

The **loading space** or **spaces** required by this By-law shall be located in the **interior side yard** or **rear yard** of the **lot** unless such **loading space(s)** is located a distance of not less than 15 metres from the **street line** abutting the **lot**.

Amended by By-law No. Z107-2014

5.12.3 Loading Space Size

Every **loading space** required by this By-law shall have a minimum length of 18.0 metres, a minimum width of 3.5 metres, and a minimum vertical clearance of 4.25 metres.

5.12.4 Loading Space Access

Access to a **loading space** shall be by means of an unobstructed **driveway** at least 6.0 metres in width situated entirely on the **lot** upon which the **loading space(s)** are located leading to a **street** or **lane**.

5.12.5 Loading Space Surface

The **driveways** and **loading space(s)** required by this By-law shall be maintained with a stable surface so as to prevent the raising of dust or loose particles. The **driveways** and **loading spaces** shall, prior to being **used**, be constructed of crushed stone, slag, gravel, crushed brick or tile, paving stone or brick, asphalt, concrete, or cinders having a Portland cement binder, and shall have adequate drainage facilities.

5.12.6 Existing Buildings and Additions

The **loading space** provisions contained in Section 5.12.1 shall not apply to any **building** that lawfully existed prior to the date of adoption of this By-law so long as the **gross floor area** has not been increased.

If an addition is made to a lawfully **existing building** which has the effect of increasing the

gross floor area after the date of adoption of this By-law, the regulations of Section 5.12 shall apply in respect to the area of such addition.

5.13 Mobile Homes Prohibited

It shall be prohibited to locate or **use** a **mobile home** in any **zone** established by this By-law either temporarily or permanently, unless the **use** of a **mobile home** is specifically **permitted** by other provisions of this By-law.

5.14 Multiple Uses

Notwithstanding any other provisions of this By-law, where the **use** of any land, **building**, or **structure** is composed of two or more **uses** which are classified as having separate and distinct **zone** provisions under this By-law, none of these **uses** shall be considered as being **accessory** to one another and therefore the provisions governing each **use** shall be applied to each **use** as if each **use** existed independently.

5.15 Non-Conforming Uses, Buildings, and Structures

The following provisions shall apply to **legal non-conforming uses, buildings, and structures**:

5.15.1 Existing Uses, Buildings, and Structures

Nothing in this By-law shall prevent a **legal non-conforming use, building, or structure** to continue being **used** for the same **use** and to the same **development** standards as existed prior to the passing of this By-law.

5.15.2 Building Permit Issued

Nothing in this By-law shall apply to prevent the **erection** of a **legal non-conforming building or structure**, where a building permit has been lawfully issued under the Building Code Act prior to the day of passing of this By-law, provided that the following are met:

- (a) the **building or structure**, when **erected**, is **used** and continues to be **used** for the purpose for which the permit was issued; and
- (b) the **erection** of such **building or structure** is commenced within one (1) year after the date of passing of this By-law and is completed within one (1) year of the date that the **erection** commenced.

5.15.3 Replacement of Non-Conforming Uses, Buildings, and Structures

Where a lawfully **existing building or structure** is **used** for a purpose not **permitted** in the **zone** in which such **building or structure** is located and such **building or structure** is partially or totally destroyed by fire or similar natural cause or peril, such **building or structure** may be replaced or repaired and the **non-conforming use** re-established provided that the following conditions are met:

- (a) the owner must make application to the **Corporation** for a building permit to replace the **building or structure** within one (1) year of the date on which the partial or total destruction occurred;
- (b) the replacement or repair of the **building or structure** must be completed within one (1) year of the date on the building permit for such replacement or repair was issued by the **Corporation**;
- (c) the replacement or repair of the **building or structure** occurs at approximately the same location on the **lot**. In no case shall any encroachment into a required **yard**, other than that which **existed** on the date of passing of this By-law, be **permitted**. For the

- purpose of determining required **yards**, the most restrictive **yard** provision for that **zone** shall apply;
- (d) the replacement or repair does not increase the **gross floor area, height, and lot coverage** of the **building** or **structure** as it existed prior to the partial or total destruction; and
 - (e) the **use** of the **building** or **structure** is not changed and continues in the same manner as previously **existed**.
 - (f) the owner obtain approval from the Upper Thames River Conservation Authority prior to the replacement or repair of **buildings** and **structures** within the Flood Plain (FP) **Zone**.

5.16 Non-Complying Uses, Buildings, and Structures

The following provisions shall apply to **legal non-complying uses, buildings, and structures**:

5.16.1 Existing Uses, Buildings, and Structures

Nothing in this By-law shall prevent a **legal non-complying use, building, or structure** to continue being **used** for the same **use** and to the same **development** standards as existed prior to the passing of this By-law.

5.16.2 Building Permit Issued

Nothing in this By-law shall apply to prevent the **erection** or **use** of a **building** or **structure** that does not satisfy or fulfill the provisions of the **zone** in which such **building** or **structure** is located where a building permit has been lawfully issued under the Building Code Act, prior to the day of passing of this By-law, or where the **Town's Committee of Adjustment** has approved an application for relief from the requirements of the previous Zoning By-law No. 25-75 provided that the following are met:

- (a) the **building** or **structure**, when **erected**, is **used** and continues to be **used** for the purpose for which the permit was issued unless a new **use** is **permitted** within the **zone** and the extent of **non-conformity** to the provision(s) of this By-law will not increase as a result of the new **use**; and
- (b) the **erection** of such **building** or **structure** is commenced within one (1) year after the date of passing of this By-law and is completed within one (1) year of the date that the **erection** commenced.

5.16.3 Replacement of Non-Complying Uses, Buildings, and Structures

Where a **legal non-complying use, building** or **structure** is partially or totally destroyed by fire or similar natural cause or peril, such **use, building** or **structure** may be replaced or repaired and the **non-complying use, building** or **structure** re-established provided that the following conditions are met:

- (a) the owner must make application to the **Corporation** for a **building** permit to replace the **use, building** or **structure** within one (1) year of the date on which the partial or total destruction occurred;
- (b) the replacement or repair of the **use, building** or **structure** must be completed within one (1) year of the date on the building permit for such replacement or repair was issued by the **Corporation**;
- (c) the replacement or repair of the **use, building** or **structure** occurs at the same location on the **lot**. In no case shall any encroachment into a required **yard**, other than that which existed on the date of passing of this By-law, be **permitted**; and
- (d) the replacement or repair does not increase the **gross floor area, height, and lot**

coverage of the **building** or **structure** as it existed prior to the partial or total destruction.

Amended By By-law No Z17-2000

5.16.4 Expansion of Non-Complying Buildings and Structures

The extension, enlargement or expansion of a **non-complying building** or **structure** shall be **permitted** provided that such extension, enlargement or expansion to the **non-complying building** or **structure** is located on the **lot** so that it is in compliance with the **zoning** provisions of this By-law for the **zone** classification for where it is located.

5.17 Occupancy of Completed Buildings

Notwithstanding any of the provisions contained in this By-law, no **person** shall occupy any **building** or **structure** unless the **Chief building official** has issued an occupancy permit in accordance with the Ontario Building Code.

Amended by By-law No. Z107-2014

5.18 One Dwelling on One Lot

Not more than one (1) **dwelling** unit shall be **permitted** on a lot, except as **permitted** specifically by other provisions of this By-law or other Provincial legislation.

5.18.1 Merged Lands

Two or more **dwelling**s shall be **permitted** on one **lot** in cases where one **lot**, containing a **dwelling**(s), legally merges with an adjoining **lot**, containing a **dwelling**(s), to form one larger **lot** containing two or more **dwelling**s.

5.18.2 Part Lot Control Exemption

On a **lot** or block against which a Part Lot Control Exemption By-law is registered, those parts on a reference plan which are intended to constitute a future parcel shall be deemed to be a **lot** for the purposes of this section of the By-law, provided that such parts are in compliance with all applicable regulations of this By-law, in which case, one **single detached dwelling**, one **dwelling unit** of a **semi-detached dwelling**, **duplex dwelling**, or one **dwelling unit** of a townhouse shall be **permitted** on each future parcel.

5.18.3 Condominiums

More than one **single detached, semi-detached, duplex or street townhouse dwelling** shall be **permitted** on a **lot** provided that each **dwelling** has direct access to an internal private communal **driveway** or **road** that is a common element in a registered **Condominium** connecting to a **public street** and that each **dwelling** is located on a 'unit' in a Vacant Land or Common Elements **Condominium**.

5.19 Outdoor Storage

Where outdoor storage is **permitted** by the **zone** provisions of this By-law, the outdoor storage of goods or materials shall be **permitted** only in the **interior side yard or rear yard** of the **main building** provided that the following provisions are satisfied:

- (a) the **outdoor storage** is **accessory** to the **use** of the **main building** on the **lot**;
- (b) such **outdoor storage** complies with the **yard** requirements for **accessory buildings** and **structures** as set out in Sections 3.1 and 5.1;
- (c) any portion of the **lot used** for **outdoor storage**, shall be completely concealed from view from the **street** or an abutting **lot** in a Residential **Zone** by a **planting strip, fence,**

decorative masonry wall, or **existing building** on the **lot**, or a combination thereof.

5.20 Outdoor Display and Sales Area

Where **outdoor display and sale area** is **permitted** by the **zone** provisions of this By-law, it shall be **permitted** in any **yard** on a **lot** provided that the following provisions are satisfied:

- (a) such **outdoor display and sales area** is **accessory** to the main **use** on the **lot** and is for merchandise kept for sale, lease, or rent on the premises;
- (b) such **outdoor display and sales area** shall be set back a minimum distance of 3.0 metres from a **front** or **exterior side lot line** and a minimum distance of 1.0 metres from an **interior side** or **rear lot line**;
- (c) notwithstanding the provisions of Clause (b) above, no **outdoor display and sales area** shall be **permitted** in a required **daylight or sight triangle**;
- (d) such **outdoor display and sales area** shall not block-off or restrict access to the **lot**;
- (e) such **outdoor display and sales area** is kept in a neat and attractive manner.

5.21 Parking Area and Space Requirements

The owner of every **building** or **structure erected** or **used** for a purpose **permitted** by this By-law shall provide and maintain for the sole **use** of the owner, occupant, or other **persons** entering upon or making **use** of said premises from time to time **parking areas** and **spaces** in accordance with the following provisions:

Amended by By-law No. Z107-2014 and By-law No. Z130-2018 and By-law No 153-2022

5.21.1 Number of Parking Spaces

5.21.1.1 Parking Requirements

The minimum number of parking spaces required for the uses and purposes hereinafter set forth shall be as follows:

	Type of Use	Number of Spaces
A	Single-detached, semi-detached, street townhouse, duplex and triplex dwellings	2 per dwelling unit
B	Fourplex and Row or Townhouse	2 plus 0.25 visitor per dwelling unit
C	Apartment dwelling and other multiple unit dwellings	<p><u>Outside of Downtown as defined by Central Commercial designation in Official Plan</u></p> <p>Studio: 1 per dwelling unit One Bedroom: 1 per dwelling unit Two Bedroom: 1.5 per dwelling unit Three Bedroom: 1.5 per dwelling unit Plus Visitor: 0.25 per dwelling unit</p> <p><u>Downtown as defined by Central Commercial</u></p>

	Type of Use	Number of Spaces
		<p><u>designation in Official Plan</u></p> <p>Studio: 1 per dwelling unit One Bedroom: 1 per dwelling unit Two Bedroom: 1.5 per dwelling unit Three Bedroom: 1.5 per dwelling unit Plus Visitor: Not Required</p>
D	<p>Accessory dwellings Accessory apartment Converted dwelling</p>	1 per dwelling unit
E	Bed and breakfast establishment	2 per dwelling unit plus 1 per guest room for rent
F	Group home dwellings	2 per dwelling unit plus 1 per 4 group home residents
G	Long term care home, home for the aged	1 per 5 beds
H	Nursing home	1 per 3 beds
H1	Continuum-of-care-facility. Retirement home	<p>Non-Assisted Living: 0.5 per dwelling unit (for residents) plus 0.2 per dwelling unit (for visitors and employees) Assisted Living: 0.3 per assisted living unit (for residents), plus 0.2 per assisted living unit (for visitors and employees)</p>
I	Assembly Hall, Community Centre, Arena, Theatre	1 per 5 seats or 3 metres of bench space of maximum seating capacity, or 1 per 230 square metres of playing field area where no seating exists
I1	Conference or banquet facility, eating establishment restaurant, eating establishment-take out, tavern	1 per 10 square metres of gross floor area
J	Automobile repair establishment, automobile service station, automobile sales and service establishment	4 plus 1 per repair bay
Ji	Automobile washing establishment	1 plus 2 per wash bay, plus 1 per non-drive through car wash bay Automatic Car Wash: 5 per car wash bay, excluding the car wash bay

	Type of Use	Number of Spaces
K	Bowling establishment	3 per bowling lane
L	Business or professional office, department store, personal service shop, retail store, supermarket, support office	1 per 20 square metres of gross floor area
M	Clinic, Animal Clinic, Medical	5 per practitioner
N	Church	The greater of: <ul style="list-style-type: none"> • 1 per 4 seats (or 3 metres of bench); or • 1 per 10 square metres of gross floor area devoted to public uses where no fixed seating exists
O	Child Care Centre	1 per 40 square metres of gross floor area
P	Warehouse including mini-storage facility	1 per 150 square metres of gross floor area
Q	Golf Course	8 per hole Miniature golf course 1.5 per hole
R	Hospital	1 per 4 beds
S	Hotel or Motel	1 per guest room plus 1 space per 10 square metres gross floor area devoted to public use such as dining rooms, licensed beverage rooms, banquet rooms and similar uses
T	Industrial establishment	Gross floor area of 3000 square metres or less: <ul style="list-style-type: none"> • 1 per 50 square metres of gross floor area Gross floor area greater than 3000 square metres: <ul style="list-style-type: none"> • 1 per 50 square metres of gross floor area for the first 3000 square metres; and • 1 per 100 square metres of gross floor area in excess of the first 3000 square metres. For any office areas, the standards as set out elsewhere in this By-law shall apply
U	Service trade	1 per 30 square of gross floor area
V	School , Elementary	the greater of 1.5 per classroom or 1 per 3 square metres of auditorium assembly area

	Type of Use	Number of Spaces
W	School , Secondary	the greater of 5 per classroom or 1 per 3 square metres of auditorium assembly area
X	Sports Field	the greater of: (i) 1 per 5 seats or 3 metres of bench space of maximum permanent seating capacity, or (ii) 1 per 250 m ² of gross field area where no seating exists
Y	Grocery store	1 per 10 square metres of retail floor area
Z	Wholesale establishment	1 per 55 square metres of retail floor area
AA	All other institutional uses	1 per 30 square metres of gross floor area
BB	Uses permitted by this by- law other than those referred to above	1 per 40 square metres of gross floor area

In addition to the minimum number of required parking spaces set forth above, electric vehicle charging station rough-ins shall be provided for a minimum of 5 percent of all required parking spaces. This requirement does not apply to the uses in A, B, D, E, F, G, H, H1 and X above.

5.21.1.2 Accessible Requirements

Accessible parking spaces for persons with disabilities required by this By-law shall have a minimum width of 4.25 metres and a minimum length of 5.5 metres not including area used for access, maneuvering, driveway, or similar purpose. If there are two or more accessible parking spaces located beside each other in the same parking aisle, they may share the 2.0 metre aisle, resulting in a reduction in the size of every other such parking space (i.e. every second accessible parking space). Accessible parking spaces are not required for single detached, semi-detached, duplex or triplex dwellings.

Accessible **parking spaces** shall be:

- (a) hard surfaced and a maximum running slope of 1.5 percent and a maximum crossing slope of 1 percent;
- (b) located near an accessible **building** entrance; and
- (c) identified for **use** by **persons** with disabilities by a sign, which is clearly posted and visible at all times, containing the International Symbol of Accessibility for Disabled Persons. Such **sign** shall be posted in a visible location other than on the parking surface.

Amended by By-law No. Z153-2022

The provisions for the number of accessible **parking spaces** are outlined in the following table.

Number of Automobile Parking Spaces	Number of Designated Accessible Parking Spaces
1-12	1
13-100	4% of the total number of automobile spaces
101-200	1 plus 3% of the total number of automobile spaces
201-1,000	2 plus 2% of the total number of automobile spaces
1,001 or greater	11 plus 1% of the total number of automobile spaces
13-100	4% of the total number of automobile spaces

Where the application of the **parking space** requirements results in a number that is not a whole number, the number shall be rounded-up to the next whole number (e.g. 7.3 spaces would be rounded-up to 8).

Amended by By-law No. Z153-2022

5.21.1.3 Bicycle Parking Requirements

The minimum number of bicycle parking spaces required for the uses and purposes hereinafter set forth shall be as follows:

Land Use	Number of Required Parking Spaces
Apartment Buildings	0.5 space per dwelling unit plus 6 spaces for any development with 20 or more dwelling units
Schools	The greater of: 8 spaces; or 1 per 20 m ² of classroom space, plus 1 per 8 m ² of office area
Offices	The lesser of: 8 spaces; or 4% of required vehicle parking
Commercial Uses (unless otherwise note), including Restaurants (excluding take-out only)	The greater of: 8 spaces; or 5% of required vehicle parking
Convenience Store	8 spaces
Cinema, Community Centre, Commercial Sports and Recreation Centre	The greater of: 8 spaces; or 10% of required vehicle parking
Industrial Use	The lesser of: 4 spaces; or 4% of required vehicle parking

5.21.2 Ingress and Egress

Amended By By-law No Z17-2000 and Z31-2001

Ingress and egress to **parking spaces** required by this By-law shall be provided by a sufficient number of unobstructed **driveways**. Each **driveway** shall have a minimum width of at least 3.0 metres. Each **driveway** in a Residential **Zone** shall have a maximum width of 8.0 metres or 60

percent of the width of the **lot**, whichever is less. Each **driveway** in a non residential **zone**, except a **driveway** located in the M2 **zone**, shall have a maximum width of 10.0 metres.

The number of **driveways** serving a **lot** shall be limited in accordance with the following:

- (a) up to the first 20.0 metres of **lot frontage** - not more than 1 **driveway**;
- (b) from 20.0 metres to 30.0 metres of **lot frontage** - not more than 2 **driveways**;
- (c) for each additional 30.0 metres of **lot frontage** - one additional **driveway** is **permitted**.

5.21.3 Driveway Location

Amended By By-law No Z17-2000

- (a) the minimum distance between **driveway** ramps where access to a **lot** is by means of more than 1 **driveway** shall be 7.5 metres.
- (b) the minimum distance between a **driveway** ramp and an intersection of **street lines** shall be 10.8 metres measured along the **street line**.

Amended By By-law No Z17-2000 and Z31-2001

5.21.4 Parking Area Location

All required **parking spaces** and **areas** shall be provided on the same **lot** as the **building** or **structure** is located, with the exception that the **Committee of Adjustment** may permit the required **parking spaces** and **areas** to be located on an adjacent **lot** provided that such **lot** is appropriately **zoned** so as to permit such parking **use** and provided that no part of such **parking space** or **area** is located further than 150.0 metres from the **lot** on which the **building** or **structure** requiring the parking is located. The above exception shall not apply in the case of **parking spaces** required for a **residential use** in a Residential **Zone**.

Notwithstanding any other provision of this By-law to the contrary, uncovered surface **parking spaces** shall be **permitted** in any required **yard** in the R1, R2, R3, and R4 **zones** and within 1.5 metres of a **lot line** in any other **zones** provided the **parking spaces** and **parking areas** are not located in the **daylight or sight triangle** or within any required **planting strip**.

Amended By By-law No Z17-2000 and Z31-2001 and Z107-2014

5.21.5 Parking Space Access

All required **parking spaces**, except those required for **single-detached dwellings**, **semi-detached dwellings**, **duplex dwellings**, **street front townhouse dwellings**, and **converted dwellings** (to a maximum of two dwellings) shall be accessed only by an internal **driveway** and no direct access from a **street** shall be **permitted**. Such internal **driveways** shall have a minimum width of 6.0 metres.

Tandem Parking shall be **permitted** for a single-detached dwelling, for one unit of a **semi-detached dwelling**, **street front townhouse dwelling**, and for **bed and breakfast establishments**.

The parking requirements for **persons** with disabilities as contained in Section 5.21.15 do not apply for **single-detached dwellings**, **semi-detached dwellings**, **duplex dwellings**, **street front townhouse dwellings**, and **converted dwellings** (to a maximum of two **dwellings**).

Amended By By-law No Z17-2000

5.21.6 Parking Area Surface

5.21.6.1 Residential Zones

Each **parking area** and **driveway** connecting the **parking area** with the **street line** shall be maintained with concrete, asphalt or other hard surface, however, crushed stone, gravel, or other dustless material shall be **permitted** for a **single detached dwelling, a duplex dwelling, a semi-detached dwelling, or an agricultural use.**

5.21.6.2 Commercial Zones

Each **parking area** and **driveway** connecting the **parking area** with the **street line** shall be maintained with concrete, asphalt or other hard surface and bounded with a barrier curb.

5.21.6.3 Industrial Zones

Each **parking area** and **driveway** connecting the **parking area** with the **street line** shall be maintained with concrete, asphalt or other hard surface, and bounded with a barrier curb provided however, crushed stone, crushed brick or tile, paving stones , or cinders having a Portland cement binder may be provided for the **parking area** and **driveways** which are located to the rear of the **front or exterior side yard building** line. No curbing shall be required for **parking** and **driveway areas** located to the rear of the **front or exterior side yard building** line.

5.21.7 Parking Area Drainage

All **parking areas** and **driveways** shall be graded and drained so as to ensure that surface water will not escape to neighbouring lands as a result of the construction or **use** of such **parking areas** and **driveways**.

Amended by By-law No. Z107-2014

5.21.8 Parking Space Size

Parking spaces required by this By-law shall have a minimum width of 2.7 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres.

Parking spaces for **persons** with disabilities shall have a minimum width of 4.25 metres, a minimum length of 5.5 metres, and a minimum height of 2.4 metres.

5.21.9 Multiple Use of Buildings

Where a **building** or **structure** accommodates more than one type of **use** as set out in Section 5.21.1 above, the number of **parking spaces** required for the whole **building** shall be the sum of the number of **parking spaces** required for the separate parts of the **building** as occupied by the separate **uses**.

Where common space within a **building** serves more than one type of **use** as set out in Section 5.21.1 above, such common space shall be assessed against one **use** only and that **use** shall be the one with the more restrictive parking requirement.

5.21.10 Multiple Use of Parking Areas

Where two or more **uses** utilize the same **parking area** during the same or overlapping time period, the number of **parking spaces** required by this By-law shall be the sum of the **parking spaces** required for each **use**.

Where two or more **uses** utilize the same **parking area** and the periods of **use** for each of the **uses** do not occur at the same time, the parking requirements for the **use** requiring the greatest number of **spaces** shall apply.

5.21.11 Existing Buildings

The **parking space** provisions contained in Section 5.21.1 above shall not apply to any **building** that lawfully **existed** at the date of adoption of this By-law so long as the following provisions are met:

- (a) the **building** continues to be **used** for the **use** that **existed** in the **building** on the day this By-law was adopted or the **use** has changed to one which has the same or lesser parking requirements as the **use** that existed on the day this By-law was adopted;
- (b) the **gross floor area** of the **building** has not been increased since the date of adoption of this By-law so as to require additional **parking spaces**; and
- (c) all **parking spaces** that **existed** at the date of adoption of this By-law are retained.

5.21.12 Additions to Existing Buildings

Where an addition is made to a **building** that lawfully **existed** at the date of adoption of this By-law, additional **parking spaces** equal to the number required for the addition as determined by the application of the provisions of Section 5.21.1 of this By-law shall be provided.

5.21.13 Changes/Intensification of Use

Where a change of **use** is made to a **building** lawfully **existing** at the date of adoption of this By-law and where the new **use** requires a greater number of **parking spaces** than did the previously **existing use**, additional **parking spaces** equal to the difference in the number of parking **spaces** required for the new **use** and the previously **existing use** shall be provided.

Amended by By-law No. Z153-2022

5.21.14 Stacking Lane Requirements for Drive-Through Facilities

- (a) **Stacking lanes** shall not be located within 3 metres of a **street line**.
- (b) **Stacking lanes** for a drive-through facility shall not be located within a **front yard** or **exterior side yard**.
- (c) Despite Subsection (b), on a corner lot, **stacking lanes** for a drive through facility may be located in either a **front yard** or **exterior side yard**, but not both.
- (d) Entrance ways to **stacking lanes** shall be separated a minimum travelled distance of 16.5 metres from the closest **driveway**, measured from the centre point of the closest **driveway** at the **lot line** along the route travelled to the last required stacking space in the **stacking lane**.
- (e) **Stacking spaces** must be wholly contained between the entrance to the **stacking lane** and the last product pick-up window, fueling area, service window, kiosk, or booth. If there are no cases of multiple service windows, the stacking lane is measured from the **stacking lane** entrance to the last service window.
- (f) A **stacking space** shall be a minimum of 2.6 metres in width and a minimum of 6.5 metres in length.
- (g) A **stacking space** shall lead both to and from a fueling area, service window, kiosk, or booth in accordance with the following table setting out the minimum number of stacking spaces required for the uses set forth:

Land Use	Number of Required Parking Spaces
Automobile Washing Establishment (automatic)	10
Automobile Washing Establishment (self serve)	2 per washing bay
Bank or Financial Institution	3
Automobile Gas Bar	2 per fueling area
Eating Establishment (Restaurant or Take Out)	13
Retail Store	3

- (h) Subsections a) through g) shall not apply to **existing stacking lanes** and **existing stacking spaces**.

5.22 Parking of Commercial Vehicles in Residential Zones

In any Residential **Zone**, one **commercial motor vehicle** may be parked on the same **lot** as a **dwelling unit** by the owner or occupant of the **dwelling unit**. This **commercial motor vehicle** shall not exceed either 6.0 metres in length or 2.5 metres in height, including any **trailer** which may be pulled by the cab of the vehicle. This provision shall not apply so as to prevent the stopping of any **commercial motor vehicle** making deliveries or collections or supplying services to the **dwelling unit** on the **lot**.

Any **commercial motor vehicle** parked in a Residential **Zone** shall not be parked so as to obstruct a **daylight triangle**.

Amended by By-law No. Z107-2014

5.23 Parking of Recreational Vehicles in Residential Zones

The parking of **recreational vehicles** as an **accessory use** to a residential use in any Residential **Zone** shall be subject to the following provisions:

- (a) not more than:
- (i) one **motor home**; or
 - (ii) one **travel trailer**; or
 - (iii) one boat with or without its boat **trailer**; or
 - (iv) two snow mobiles; or
 - (v) two all-terrain **vehicles**; or
 - (vi) one snow mobile and one all-terrain vehicle shall be parked or stored outside on a **lot** in a Residential **Zone**.
- (b) the location **recreational vehicles** shall be regulated as follows:
- (i) within a **carport**; or
 - (ii) within a **driveway** but outside of any **daylight triangle** or **sight triangle**; or
 - (iii) outside of any **building** or **structure** on the **lot** provided that no **motor home** or **travel trailer** is parked in the area on a **lot** no closer than 1.0 metres to an interior **side lot line** and/or a **rear lot line** and no closer to the **front lot line** and/or exterior **side lot line** than the **minimum front yard** and/or **exterior side yard** distance required for the **main building** under this By-law.

5.24 Permitted Encroachments Into Required Yards

Every part of any **yard** required to be provided in any **zone** under the provisions of this By-law shall be kept open and unobstructed by any **building, structure**, or thing from the ground to the sky except as provided for below:

Amended by By-law No. Z107-2014

5.24.1 Ornamental Structures

Sills, belt courses, cornices, eaves, gutters, chimneys, cantilevered fire place exhaust inserts, parapets, bay or bow windows, pilasters, pillars or other ornamental **structures** may project into any required **yard** a distance of not more than 0.5 metres.

Amended By By-law No Z17-2000 and Z107-2014

5.24.2 Unenclosed Porches, Steps, and Patios

Steps, and **patios**, whether they be covered or uncovered, and unenclosed **porches** and verandas may project into any required **front yard, rear yard, exterior side yard**, a distance of not more than 1.8 metres, provided that in the case of steps, **patios, porches**, and verandas, the floor level of such **structures** are not greater than 1.2 metres above the **finished grade level** adjacent to such **structure**.

5.24.3 Accessory Structures

Frameworks such as drop awnings, flag poles, light standards, garden trellises, **fences**, retaining walls, and other similar devices shall be **permitted** in any required **yard**.

Amended By By-law No. Z31-2001

Clothes line poles and clothes trees shall be **permitted** in **interior side** and **rear yards** in accordance with the **zone** requirements for **accessory structures** in the respective **zones** and no closer to the **exterior side lot line** than the **minimum exterior side yard** distance required for the **main building** under this By-law.

Air conditioning/ventilation devices shall be **permitted**:

- (a) in the **interior side yard** but no closer than the **minimum side yard** requirement for the **zone** classification in which such device is located. In the case of the R1, R2, R3, and R4 **zones** no closer than 1.2 metres from the **interior lot line**;
- (b) in the **rear yard** but no closer than 5.0 metres from the **rear lot line**;
- (c) in the **exterior side yard** but no closer than 5.0 metres from the **street line** provided that such device is screened from view of the abutting **road** by fencing and/or landscaping.

5.24.4 Fire Escapes

Unenclosed fire escapes may project into required **side** or **rear yards** a distance of not more than 1.2 metres.

5.24.5 Signs

Signs may be **erected** in accordance with the provisions of any **sign** by-law passed by the **Corporation**. Notwithstanding this, the **bed and breakfast** and **home occupation** provisions relating to **signs** as set out in Section 5.3 and Section 5.11 of this By-law must be met.

5.24.6 Railway Spur Lines

A railway spur line shall be **permitted** in any **yard**.

5.24.7 Gate Houses

In any industrial **zone** a gate house shall be **permitted** in any **yard** provided that such gate house is located at a distance of not less than 1.5 metres to any **lot line**.

5.24.8 Obstructions on Corner Lots

On a **corner lot** no obstruction between a height of 750 mm and 3.0 metres above the grade of the centre line of the **street** or **streets** abutting a **daylight or sight triangle** shall be **permitted** to impede or obscure the vision of the operator of a **motor vehicle** travelling on the abutting **street(s)**.

Amended by By-law No. Z107-2014

5.24.9 Accessibility of Ontarians with Disabilities Act

Notwithstanding the **yard** and setback provisions of this By-law to the contrary, wheelchair ramps, or other apparatus for **persons** with disabilities as per “The Accessibility of Ontarians with Disabilities Act”, may be **erected** within the required front, rear, **interior or exterior side yard**, provided that on **corner lots** these types of **structures** comply with the **sight triangle** requirements.

5.25 Planting Strip

A required **planting strip** shall be located in proximity to the **lot line** or portion thereof, on which such **planting strip** is required. A **planting strip** may be located in any **yard** except within a **daylight or sight triangle** or in such a manner as to impede or obscure the vision of the operator of a **motor vehicle** travelling on an adjacent **street**.

5.25.1 Requirements

The minimum height of trees, evergreens, and shrubs in a **planting strip** at the time of planting shall be 1.0 metres and they must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity and shall have a minimum width of 1.5 metres.

5.25.2 Driveways and Walkways

In all cases where ingress and egress **driveways** and walkways extend through a **planting strip**, it shall be permissible to interrupt the **planting strip** within 3.0 metres of the edge of such **driveway** or within 1.5 metres of the edge of such walkway.

5.25.3 Alternatives

Subject to **site plan** approval and the registration of a **site plan** agreement, a solid **fence** may be considered as an alternative to a **planting strip**. Where a solid **fence** or wall is deemed appropriate and is approved by the **Corporation**, such **fence** or wall must have a minimum height of 2.0 metres, be of a type and/or construction as is set out in the **site plan** agreement, and the remaining portion of the 1.5 metres wide **planting strip** which is not **used** for the physical location of the **fence** shall be maintained as **landscaped open space**.

Amended by By-law No. Z107-2014

5.26 Prohibited Uses

- (a) Except as otherwise specifically **permitted** in this By-law, the following **uses** are prohibited in any **zone** established under this By-law:
- (i) a track for the racing of **motor vehicles**, motorcycles, go-carts, snowmobiles, or all terrain **vehicles**;

- (ii) a **trailer** camp as defined in Section 169(4) of the Municipal Act, S.O. 2001, as amended from time to time;
 - (iii) a junk yard, **salvage or wrecking yard** (excepted as **permitted** by Section 20.1 of this By-law), or the collection, storage, or sale of junk, scrap metal, salvage, partially or completely dismantled **motor vehicles** or **trailers**, or farm machinery and equipment;
 - (iv) locating or storing on any land for any purpose any disused and/or discarded railway car, bus, **street car**, shipping container, truck box or truck body, whether or not same is situated on a foundation. In an agricultural, commercial or industrial zone, shipping containers, truck bodies/boxes and truck **trailers** which are maintained in good condition and appearance may be used for storage accessory to a main **use** subject to the requirements for **accessory buildings**;
 - (v) keeping or raising any **livestock**, bees, or any reptile or wild animal, including any tamed or domesticated wild animal, on any **lot** or in any **building** or **structure** situated in any **zone** established by this By-law, except as may be specifically **permitted** with the **zone** provisions for a particular **zone** as set forth in this By-law
 - (vi) weigh scales in all **zones** except in an Industrial **Zone** or as a part of a public **use**;
 - (vii) video and/or amusement arcades. Notwithstanding the foregoing, the keeping of not more than 3 video machines or similar machines is **permitted** as an **accessory use** to a **permitted commercial use** (e.g. **accessory** to a **convenience store** in the "C" **zone**) in accordance with the Town's licensing procedures;
 - (viii) **adult entertainment parlours**;
 - (ix) **Mobile Home Parks**;
 - (x) billiard parlours. Notwithstanding the foregoing, the keeping of not more than 2 billiard/pool tables is **permitted** as an **accessory use** to a **permitted commercial use** (e.g. **accessory** to a **convenience store** in the "C" **zone**) in accordance with the Town's licensing procedures.
- (b) In addition to the **uses** prohibited by Clause (a) above, no land, **building**, or **structure**, except **automobile service stations** and duly licensed installations for bulk fuel storage of gasoline, lubricating and fuel oils, shall be **used** in the Municipality for commercial or industrial purposes which are likely to cause or create a danger to health, or danger from fire or explosion, and which, without limiting the generality of the foregoing, shall include the industrial manufacture of coal oil, fuel oil, burning liquid gas, naphtha, benzene, gasoline, dynamite, dualine, nitro-glycerine, gunpowder, petroleum products, propane, and ammonia.
- (c) In addition to the **uses** prohibited by Clauses (a) and (b) above, all **uses** of land and the **erection** or **use** of any **building** or **structure** for a purpose not **permitted** under the "**Permitted Uses**" sections of the various **zones** established by this By-law or any **use permitted** as public **uses** in accordance with the provisions of Section 5.27 of this By-law are and shall be deemed to be prohibited **uses** under the provisions of this By-law.
- (d) In addition to the **uses** prohibited in Clauses (a), (b), and (c) above, those **uses** considered to be offensive trades under the provisions of the Health Protection and Promotion Act shall be prohibited.

5.27 Public Uses, Utilities, and Services Amended by By-law No. Z107-2014

- (a) The provisions of this By-law shall not apply so as to prevent the **use** of any **lot** or the **erection** or **use** of any **building** or **structure** for the purpose of public service by the

Corporation, the County, a public utility, or by any local board of the Corporation or the County as defined in the Municipal Affairs Act, any telephone or telegraph company, any television or internet service provided governed under the regulations of the CRTC, any natural gas distribution system serving lands within the Corporation and possessing all necessary powers, rights, licenses, and franchises, any Conservation Authority established in accordance with the Conservation Authorities Act, any department of the Province of Ontario or of the Government of Canada, provided that the following provisions are satisfied:

- (i) any **building** or **structure erected** shall be in substantial compliance with the provisions for the **zone** in which such **building** or **structure** is situated;
 - (ii) no **open storage** of goods, materials, or equipment shall be **permitted** in any Residential **Zone**; and
 - (iii) any **building** or **structure erected** in a Residential **Zone** shall be designed, constructed, and maintained in general harmony, where possible, with the neighbouring residential **buildings permitted** in the **zone**.
- (b) The provisions of this By-law shall not apply so as to prevent any **use, building, or structure** of Ontario Hydro, subject to the limitations of control over Ontario Hydro imposed by Section 62 of the Planning Act, R.S.O. 1990. Any new electric power facilities, including all works as defined in the Power Corporation Act, shall be authorized pursuant to the Environmental Assessment Act, where such Act applies to undertakings of Ontario Hydro or other public authorities. Furthermore, the proponent of such facilities will be required to contact and consult with the **Council** prior to proceeding with plans involving such facilities.
- (c) Nothing in this By-law shall prevent the installation of a watermain, sanitary sewer main, storm sewer main, **street** lighting fixture, telephone or other supply line or communication line provided that **Council** is consulted prior to the proponent proceeding with the plans involving such facilities.
- (d) Nothing contained in Clauses (a), (b), and (c) above relieves any of the government bodies, agencies, and other authorities from the obligation of **complying** with all other applicable By-laws of the **Corporation**, and all applicable statutes, regulations, and requirements of other government bodies.

5.28 Railway Crossings

Notwithstanding anything contained in this By-law, the following shall apply in respect to **buildings erected** in proximity to railways:

Amended by By-law No. Z107-2014

- (a) no **building** or **structure** shall be **erected** and no tree or shrub shall be planted within 15 metres of the point of intersection of the centre lines of a railway and a **street**.
- (b) The minimum distance from the boundary of a railway right-of-way and the nearest wall of a **dwelling unit** shall be 15 metres.

5.29 Reserves

Notwithstanding anything contained in this By-law, a **lot line** abutting a **reserve** shall be considered an **exterior side lot line** or a **front lot line** for the purpose of locating any **use, building** and/or **structure** on the **lot** abutting the **reserve**.

5.30 Satellite Dishes, Antennae, and Aerials

- (a) **Structures** such as **satellite dishes**, antennae, and aerials that are **used** for receiving

or transmitting radio, television, telephone, or other similar communications in connection with a **permitted use** shall be subject to the following locational criteria:

- (i) shall be **permitted** no closer to the **front lot line** and/or **exterior side lot line** than the **minimum front yard** and/or **exterior side yard** distance required for the **main building** under this By-law;
- (ii) shall not have any supporting **structure** located closer than 2.0 metres from a **lot line**;
- (b) Notwithstanding any other provisions contained in this By-law in a Residential **Zone**, all **satellite dishes** with a dish radius greater than 0.61 metres or an antenna/aerial shall be fixed to or located on the ground and shall not be **permitted** to be mounted on a **dwelling** or **accessory building** in such **zone**; and

Amended by By-law No. Z107-2014

- (c) Notwithstanding any other provisions contained in this By-law, not more than 2 **satellite dishes** and 2 antenna/aerials per **dwelling unit** shall be **permitted** on a **lot** in a Residential Zone.

5.31 Setbacks of Buildings and Structures Along Watercourses and Municipal Drains

The following shall apply to **buildings** and **structures erected** in proximity to open **watercourses** and **municipal drains**:

- (a) no **building** or **structure** shall be **permitted** within an area regulated by the Conservation Authority's Fill, Construction, and Alteration to Waterways Regulation except as specifically **permitted** by the Conservation Authority.
- (b) no **building** or **structure** shall be **permitted** within 10 metres of the top-of-bank of an open **municipal drain**; and
- (c) no **building** or **structure** shall be **permitted** within 5.0 metres of the vertical projections of the edges of an enclosed **municipal drain**.

Amended by By-law No. Z107-2014

5.31.1 Services Requirement

5.31.1.1 Municipal Facilities

Notwithstanding any other provisions of this By-law, no land shall be used nor any **buildings** or **structures erected** or used unless, pursuant to an agreement made or condition imposed under Sections 41, 45, 50 or 53 of the Planning Act, R.S.O. 1990, c. P.13, or Section 50 of the Condominium Act, R.S.O. 1990, c. C.26, dealing with the provision of any of the municipal services as are set out in this By-law, the municipal services to be provided are available to service the land, **buildings** or **structures**, as the case may be.

5.31.1.2 Wells Private (Prohibition)

Notwithstanding any provision in this By-law, a private well shall not be **permitted** as a primary or **accessory structure** on any lands within the limits of the Town where a municipal water distribution system is accessible in the **road** right-of-way within 90 metres of the property. This regulation shall not apply to:

- (a) a well which legally existed prior to May 15, 2013;
- (b) a well which is installed for the purposes of environmental site remediation, water monitoring, or site de-watering;
- (c) a property used for non-residential purposes which, prior to May 15, 2013, relies upon a legally **existing** private well for purposes other than human consumption such as irrigation, cooling, or manufacturing purposes; or

(d) a well used by the **Corporation**.

5.31.1.3 Individual Sanitary Facilities

Individual sanitary facilities are **permitted** for the **erection** or enlargement of any **building** or **structure** not serviced by municipal sanitary sewerage facilities within the Agriculture Zone (A), issuance of a building permit shall be subject to the following provisions:

- (a) the applicable requirements for the wastewater treatment system can be met and all approvals are obtained in writing from the authorities having jurisdiction; and,
- (b) if the quantity of effluent is projected to exceed 4500 litres per day, a hydrological study is required to demonstrate that the system can operate satisfactorily on the site.

5.32 Swimming Pools

A **swimming pool** is **permitted** as an **accessory use** in any **zone** provided that the following provisions are met:

5.32.1 Location

The **swimming pool** is located as follows:

Amended By By-law No. 153-2022

- (a) in the **interior side yard** or **exterior side yard** of a **lot**, where no part of the **swimming pool** is located closer to any **lot line** or **street line** than the **minimum yard** distance required by this By-law for the **main building** on the **lot**;

Amended By By-law No Z17-2000 and Z107-2014

- (b) in the **rear yard** of a **lot**, where no part of the **swimming pool** is located closer than 1.0 metre to any **rear lot line**.

Amended by By-law No. Z107-2014

5.32.2 Fencing

Every **swimming pool** shall be enclosed by a **fence** in accordance with the fencing By-law of the **Corporation**.

(Explanatory Note: The current Fencing By-law is the "**Swimming Pool By-law**" 26 of 2006)

Amended by By-law No. Z107-2014

5.32.3 Lot Coverage

A **Swimming pool** that is not enclosed by a **building** or **structure** shall not be included in the calculation of **lot coverage** but shall be included in the **landscaped open space** calculation. Any decking or platform which is 0.2 metres or greater above the **finished grade level** of the pool shall be included as part of the **lot coverage** calculation.

Amended by By-law No. Z107-2014

5.33 Temporary Uses

Notwithstanding the **permitted uses** in each **zone** of this By-law, temporary **uses** such as construction **offices**, storage or tool sheds, scaffolds, or other **buildings** and **structures** (excluding those used for human habitation) incidental to and necessary on location for the work in progress shall be **permitted** so long as same is necessary for the construction work which has neither been completed nor abandoned.

Notwithstanding the **permitted uses** in each **zone** of this By-law, on land subject to a Subdivision Agreement between the owner and the Town, a **model home(s)** may be **erected** in, accordance with the said Subdivision Agreement, a **lot** without full municipal services provided the owner has entered into a non-occupancy agreement with the Town.

Notwithstanding the **permitted uses** in each **zone** of this By-law, when an owner of land is replacing an **existing detached dwelling** with a new detached **dwelling**, two **dwellings** (i.e. the **existing dwelling** and the **dwelling** being constructed) may be located on one parcel of land for a maximum time limit of 9 months from the commencement of construction provided that the owner has entered into the required agreements with **Council**, and that the construction work has neither been completed nor abandoned (abandoned shall mean failure to proceed expeditiously with the construction work).

5.34 Undersized Lots

Notwithstanding anything contained in this By-law, a **lot** which is situated in the R1, R2, R3, or R4 Zones and which **lot** lacks the required **lot frontage**, **lot area** and/or **lot depth** for a **lot** in the respective **zone**, is and shall be deemed to be a **lot** that may be **used** for residential purposes and a **single-detached dwelling** may be **erected**, or **used** thereon provided that:

- (a) the description of such parcel is the same as in a deed, registered on or prior to the date of passing of this By-law;
- (b) such parcel could have been conveyed legally on the date of the passing of this By-law by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under Section 50 of the Planning Act, R.S.O. 1990;
- (c) such parcel has a minimum **lot frontage** of 9.0 metres;
- (d) such parcel has a minimum **lot area** of 300.0 square metres;
- (e) all relevant regulations made under the Health Protection and Promotion Act, R.S.O. 1990, and all relevant requirements of the Perth District Health Unit or any other such authority are complied with;
- (f) suitable measures for the proper drainage of the parcel are completed; and
- (g) all other requirements of the appropriate **zone** are complied with.

5.35 Wayside Pits

A **wayside pit** for the extraction and processing of **road** building materials for **use** in constructing public **roads** may be established in the A1 and A2 Zones provided that such operation complies with all other provisions of this By-law applicable thereto and further provided that this provision applies only to the **Council** or a designated agent thereof.

5.36 Yard and Setback Requirements for Land Without Buildings

Where a **use** is carried on, on any land or **lot**, and such **use** is not enclosed by any **building** or **structure**, the requirements for each **yard** of this By-law shall apply to such **use** in the same manner as if a **building** or **structure** existed.

Amended by By-law No. Z107-2014

5.37 Yard Sale, Residential

No **residential yard sales** shall be **permitted** except where a premise has a **dwelling unit**, and there shall not be more than four **residential yard sales** per annum at one location and no such sale shall exceed two days in duration

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SECTION 6 - AGRICULTURAL ZONE ONE (A1)

No **person** shall within any A1 **zone use** any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

6.1 Permitted Uses, Buildings, and Structures

- (a) **existing agricultural uses;**
- (b) **a bed and breakfast establishment;**
- (c) **a commercial greenhouse;**
- (c.1) **a hiking trail;**
- (d) **a home occupation;**
- (e) **a kennel;**
- (e.1) **a pet hotel**
- (f) **a public park;**
- (g) **a single-detached dwelling;**
- (h) **a wayside pit; and**
- (i) **accessory uses, buildings, and structures.**

6.2 Requirements for existing Agricultural Uses and Commercial Greenhouses

6.2.1	Lot Area, Minimum	5	hectares
6.2.2	Lot Frontage, Minimum	150	metres
6.2.3	Front Yard, Minimum	22.5	metres
6.2.4	Interior Side Yard, Minimum	15	metres
6.2.5	Exterior Side Yard, Minimum	22.5	metres
6.2.6	Rear Yard, Minimum	15	metres
6.2.7	Building Height, Maximum	30	metres
6.2.8	Lot Coverage, Maximum	5	per cent
6.2.9	Parking Requirements		

In accordance with the provisions of Section 5.21.

6.3 Requirements for a Bed and Breakfast Establishment

In accordance with the provisions of Section 5.3.

6.4 Requirements for a Home Occupation

In accordance with the provisions of Section 5.11.

6.5 Requirements for a Kennel

6.5.1	Lot Area, Minimum	2,000	square metres
6.5.2	Lot Frontage, Minimum	30	metres
6.5.3	Front Yard, Minimum	10	metres
6.5.4	Interior Side Yard, Minimum	7.5	metres
6.5.5	Exterior Side Yard, Minimum	7.5	metres
6.5.6	Rear Yard, Minimum	7.5	metres
6.5.7	Building Height, Maximum	10.5	metres
6.5.8	Lot Coverage, Maximum	30	per cent

6.5.9 Parking Requirements
In accordance with the provisions of Section 5.21.

6.6 **Requirements for a Public Park**
In accordance with the provisions of Section 15.

6.7 **Requirements for Accessory Uses, Buildings, and Structures**
In accordance with the provisions of Sections 5.1 of this By-law.

6.8 **Special Provisions**

Amended By By-law No. Z24-2000

6.8.1 A1-1

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding the provisions of Section 6.1 of By-law No. Z1-1997 to the contrary, no residential **development**, including the establishment of a **single-detached dwelling** or any other **building or structure** for human habitation, shall be **permitted** on the land in the “A1-1” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z24-2001).
- (c) Notwithstanding the provisions of Section 6.2.1 of By-law No. Z1-1997 to the contrary, the **minimum lot area** for **permitted uses** located on the land in the “A1-1” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z24-2001) shall be 4.3 hectares.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z48-2004

6.8.2 A1-2-T

- (a) Location: Part of Lots 15 and 16, Concession 18 (Key Map 3)
- (b) Notwithstanding any provision of Section 6.1 of this By-law to the contrary, a **garden suite**, in the form of a double wide **mobile home**, shall be **permitted** as supplemental housing for a period of ten years from the day of passing of By-law No. Z48-2004 (June 22, 2024) on the land in the “A1-2-T” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z48-2004).
- (c) The double-wide **mobile home** referred above shall be located within 50 metres of the **existing dwelling** located on the land in the “A1-2-T” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z48-2004).
- (d) The **gross floor area** of the double-wide **mobile home** referred above shall not exceed 140 square metres.
- (e) Upon the expiry of the time period during which the authorization of the temporary **use** described in Clause (b) above is in effect, Section 34(9)(a) of the Planning Act, R.S.O. 1990 does not apply so as to permit the continued **use** of the land, **buildings**, or **structures** for the **permitted** temporary use.
- (f) Upon the expiry of the time period during which the authorization of the temporary **use** described in Clause (b) above is in effect, the **zone** classification of the subject property shall be established as “Agricultural Zone One (A1)”, in

this By-law and shall then be shown as “A1”, on Key Map 3 of Schedule “A” to this By-law and the applicable provisions of this By-law shall apply.

- (g) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z50-2004

6.8.3 Deleted By By-law No. Z107-2014

Amended By By-law No. Z80-2008

6.8.4 A1-4

- (a) Location: Part of Lot 16, Thames Concession (formerly in the Township of Blanshard)
- (b) Notwithstanding the provisions of Section 6.2.1 and Section 6.2.2 of this By-law to the contrary, the **minimum lot area** and **minimum lot frontage** for the land within the “A1-4” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z80-2008) shall be 2.6 hectares and 130 metres, respectively.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z107-2014

6.8.5 A1-5 (Former A2 zone)

- (a) Location: Part of 17, Thames Concession (Key Map 1)
Part of 17, Concession 15 (Key Map 1)
Part of 17, Concession 19 (Key Map 4)
Part of 22, Concession 18 (Key Map 8)
- (b) Notwithstanding the provisions of Section 6.1 of this By-law to the contrary, the following uses, **buildings** and **structures** are **permitted** for land located within the “A1-5” **zone** as shown on Key Map 1 and Key Map 4 of Schedule “A” to this By-law:
- (i) a **bed and breakfast establishment**;
 - (ii) a **home occupation**;
 - (iii) one **single-detached dwelling** on one **lot**;
 - (iv) **accessory uses, buildings, and structures**.
- (c) Notwithstanding the provisions of Section 6.2 of this By-law to the contrary, the requirements for a **single-detached dwelling** located within the “A1-5” **zone** as shown on Key Map 1 of Schedule “A” to this By-law are as follows:
- (i) **Lot area**, Minimum 2,000 square metres
 - (ii) **Lot Frontage**, Minimum 30 metres
 - (iii) **Front yard**, Minimum 10 metres
 - (iv) **Interior Side Yard**, Minimum 3.0 metres
 - (v) **Exterior Side Yard**, Minimum 7.5 metres
 - (vi) **Rear Yard**, Minimum 7.5 metres
 - (vii) **Building Height**, Maximum 10.5 metres
 - (viii) **Lot Coverage**, Maximum 30 per cent
 - (ix) **Gross floor area**, Minimum 125 square metres
 - (x) **Landscaped open space**, Minimum 30.0 per cent
 - (xi) **Parking Requirements** In accordance with the provisions of Section 5.21.
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z107-2014

6.8.6 A1-6 (Former A2-5)

- (a) Location: Part of Lot 17, Concession 15
- (b) Notwithstanding the provisions of Section 6.2.2 of this By-law to the contrary, minimum **lot frontage** for a **lot** within the “A1-6” **zone** as shown on Key Map 4 of Schedule “A” to this By-law shall be 27.0 metres.
- (c) Notwithstanding the provisions of Section 6.2.3 of this By-law to the contrary, **minimum front yard** for a **single-detached dwelling** within the “A1-6” **zone** as shown on Key Map 4 of Schedule “A” to this By-law shall be 15.0 metres.
- (d) Notwithstanding the provisions of Section 6.2.6 of this By-law to the contrary, **minimum rear yard** for a **single-detached dwelling** within the “A1-6” **zone** as shown on Key Map 4 of Schedule “A” to this By-law shall be 40.0 metres.
- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z107-2014

6.8.7 A1-7 (Former A2-6)

- (a) Location: Part of Lot 17, Concession 15
- (b) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, an **existing** 215 square metre shed, **existing** on the day of adoption of By-law No. Z40-2003, shall continue to be **permitted** on the land within the “A1-7” **zone** as shown on Key Map 4 of Schedule “A” to this By-law provided; however, that the **existing** shed shall only be used for the storage of personal belongings of the residents of the **single-detached dwelling** located on the same **lot** as the **existing** shed and within in the “A1-7” zone.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

SECTION 7 - AGRICULTURAL ZONE TWO (A2)

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SECTION 8 - RESIDENTIAL ZONE ONE (R1)

No **person** shall within any R1, R2, R3, R4, R5, R6 or R7 **zone use** any **land** or **erect, alter,** or **use** any **building** or **structure** for any purpose except in accordance with the following provisions:

8.1 Permitted Uses, Buildings, and Structures

Uses permitted in a Residential Zone are denoted by the symbol '☞' in the column applicable to the Zone and corresponding with the row for a specific permitted use in Table 8A. A number(s) following the symbol '☞' or identified permitted use indicates that one or more special provisions apply, which are listed below Table 8A.

Table 8A Residential Zones – Permitted Uses							
Use	R1	R2	R3	R4	R5	R6	R7
Apartment dwellings					☞		
Bed and breakfast establishment	☞	☞	☞	☞			
One boarding or lodging house dwelling on one lot				☞ (5)	☞ (5)		
Continuum-of-care facility						☞	
One converted dwelling on one lot			☞ (2)	☞ (3)	☞ (4)		
One duplex dwelling on one lot			☞	☞			
One fourplex dwelling on one lot				☞			
Group homes							☞
Home for the aged dwellings						☞	
Home occupation	☞	☞	☞(1)	☞(1)			
Nursing home dwellings						☞	
Row or townhouse dwellings					☞		
One semi-detached dwelling on one lot			☞	☞			
One dwelling unit of a semi-detached dwelling on one lot			☞	☞			
Senior citizen dwellings						☞	
One single detached dwelling on one lot	☞	☞	☞	☞			
One triplex dwelling on one lot				☞			
Public park	☞	☞	☞	☞	☞	☞	
Accessory uses, buildings and structures	☞	☞	☞	☞	☞	☞	☞

Table 8A Additional Regulations:

- (1) Only permitted in a **single detached dwelling** or **semi-detached dwelling unit**
- (2) **Converted dwelling** can contain not more than two **dwelling units**
- (3) **Converted dwelling** can contain not more than four **dwelling units**
- (4) **Converted dwelling** can contain between five and seven **dwelling units**
- (5) **Boarding or lodging house dwelling** can contain accommodation for not more than four tenants

8.2 Requirements for Permitted Uses, Buildings, and Structures

A number(s) following the Zone standards, Zone heading, or the standard, indicates that one or more special provisions apply, which are listed below in Tables 8B, 8C, 8D, 8E and 8F.

Table 8B Residential Zone Standards – R1, R2, R6 and R7				
Standard	R1	R2	R6 (5)(6)	R7 (5)
Lot Area, Minimum (m²) (Interior lot)	900.0	666.0	(4)	666.0
Lot Area, Minimum (m²) (Corner lot)	1,102.5	795.5	(4)	666.0
Lot Frontage, Minimum (m) (Interior lot)	22.0	18.0	20.0	18.0
Lot Frontage, Minimum (m) (Corner lot)	24.5	21.5	20.0	18.0
Lot Depth, Minimum (m)	45.0	37.0	37.0	37.0
Front Yard, Minimum (m)	7.5	6.0	7.5	6.0
Interior Side Yard, Minimum (m)	(1)	(2)(3)	6.0	(2)
Exterior Side Yard, Minimum (m)	7.5	6.0	7.5	6.0
Rear Yard, Minimum (m)	7.5	7.0	10.5	7.5
Building Height, Maximum (m)	10.5	10.5	13.5	10.5
Number of Storeys, Maximum	N/A	N/A	3	N/A
Lot Coverage, Maximum (%)	40.0	40.0	35.0	35.0
Gross Floor Area, Minimum (m²)	125.0	100.0	N/A	N/A
Landscaped Open Space, Minimum (%)	25.0	25.0	30.0	35.0

Table 8B Additional Regulations:

- (1) 3.0 metres on one side and 2.4 metres on the opposite side (in the case of a **corner lot** 2.4 metres is required on the interior side)
- (2) 2.4 metres on one side and 1.2 metres on the other side for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

- (3) Where an **attached** deck is provided to the rear of a **dwelling**, the **interior side yards** for the deck shall be reduced to 1.2 metres.
- (4) 550.0 square metres for the first **unit** plus 90.0 square metres for each additional **unit**.
- (5) A **planting strip** shall be required in accordance with the provisions of Section 5.25 where an **interior side or rear lot line** of a **lot** being developed abuts a **lot** that is:
 - a. in a Residential **Zone** or a Residential (-H) **Zone**.
 - b. **used** for residential purposes;
 - c. **used** for a non-residential purpose and on which no **planting strip** exists adjacent to the mutual **lot line**.
- (6) No ingress or egress **driveway** shall be located closer than 1.5 metres to any **side** or **rear lot line**.
- (7) Separation Distance Between **Group Homes**

No **group home** shall be located within 450 metres of any other **group home**. The 450 metre distance is to be measured from nearest **lot line** to nearest **lot line**.

Maximum Number of Residents

The maximum number of **group home** residents shall be the number of residents that were lawfully established and residing in the **group home** on the day of adoption of this By-law.

Table 8C Residential Zone Standards – R3				
Standard	Single Detached Dwelling	Semi-Detached or Duplex Dwelling on One Lot	One Dwelling Unit of a Semi-Detached Dwelling on One Lot	Converted Dwellings (5)
Lot Area, Minimum (m²) (Interior lot)	555.0	666.0	333.0	666.0
Lot Area, Minimum (m²) (Corner lot)	666.0	832.5	495.5	666.0
Lot Frontage, Minimum (m) (Interior lot)	15.0	18.0	9.0	18.0
Lot Frontage, Minimum (m) (Corner lot)	18.0	22.5	13.5	18.0
Lot Depth, Minimum (m)	37.0	37.0	37.0	37.0
Front Yard, Minimum (m)	6.0	6.0	6.0	6.0
Interior Side Yard, Minimum (m)	(1)	(2)	(2)	(3)
Exterior Side Yard, Minimum (m)	6.0	6.0	6.0	6.0
Rear Yard, Minimum (m)	6.0	6.0	6.0	7.5
Building Height, Maximum (m)	10.5	10.5	10.5	10.5
Lot Coverage, Maximum (%)	45.0	45.0	45.0	35.0
Gross Floor Area Ratio, Maximum (%)	70.0	70.0	70.0	N/A
Gross Floor Area, Minimum (m²)	85.0	85.0	85.0	55.0 (4)
Landscaped Open Space, Minimum (%)	25.0	25.0	25.0	35.0

Table 8C Additional Regulations:

- (1) 2.4 metres on one side and 1.2 metres on the other side for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

(2) **Semi-detached Dwelling**

1.2 metres plus 0.6 metres for each additional or partial **storey** above the first where an **attached garage** or **carport** is provided.

2.7 metres is required where no **attached garage** or **carport** is provided.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

No **side yard** is required on the **attached** side of the **dwelling** (for one dwelling unit of a **semi-detached dwelling** on one lot)

Duplex Dwelling

2.4 metres on one side

1.2 metres on the other side for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

(3) 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first where an **attached garage** or **carport** is provided.

2.7 metres on one side of the **dwelling** where no **attached garage** or **carport** is provided and 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first on the opposite side.

When determining which **side yard** requirement should apply, the maximum **building height** of that part of the **dwelling** nearest the **side lot line** shall prevail.

(4) Per **dwelling unit**.

(5) Additions to **existing buildings** for the purpose of accommodating the conversion of **existing dwellings** shall not be **permitted**.

Any additional external stairways beyond those that existed prior to the conversion shall be provided in the **rear yard** of the **lot** and no closer to the **rear**

lot line than minimum rear yard required for the dwelling.

Table 8D Residential Zone Standards – R4			
Standard	Single Detached Dwelling	Semi-Detached or Duplex Dwelling on One Lot	One Dwelling Unit of a Semi-Detached Dwelling on One Lot
Lot Area, Minimum (m²) (Interior lot)	360.0	540.0	270.0
Lot Area, Minimum (m²) (Corner lot)	480.0	675.0	405.0
Lot Frontage, Minimum (m) (Interior lot)	12.0	18.0	9.0
Lot Frontage, Minimum (m) (Corner lot)	16.0	22.5	13.5
Lot Depth, Minimum (m)	30.0	30.0	30.0
Front Yard, Minimum (m)	6.0	6.0	6.0
Interior Side Yard, Minimum (m)	(1)	(2)	(2)
Exterior Side Yard, Minimum (m)	6.0	6.0	6.0
Rear Yard, Minimum (m)	6.0	6.0	6.0
Building Height, Maximum (m)	10.5	10.5	10.5
Lot Coverage, Maximum (%)	45.0	45.0	45.0
Gross Floor Area Ratio, Maximum (%)	70.0	70.0	70.0
Gross Floor Area, Minimum (m²)	65.0	65.0	65.0
Landscaped Open Space, Minimum (%)	25.0	25.0	25.0

Table 8D Additional Regulations:

- (1) 2.4 metres on one side and 1.2 metres on the other side for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

(2) **Semi-detached Dwelling**

1.2 metres plus 0.6 metres for each additional or partial **storey** above the first where an **attached garage** or **carport** is provided.

2.7 metres is required where no **attached garage** or **carport** is provided. Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

No **side yard** is required on the **attached** side of the **dwelling** (for one dwelling unit of a **semi-detached dwelling** on one lot)

Duplex Dwelling

2.4 metres on one side

1.2 metres on the other side for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

Standard	Triplex Dwellings	Fourplex Dwellings	Converted Dwellings (6)	Boarding or Lodging Houses
Lot Area, Minimum (m²)	777.0	777.0	(3)	666.0
Lot Frontage, Minimum (m)	21.0	21.0	(4)	18.0
Lot Depth, Minimum (m)	37.0	37.0	37.0	37.0
Front Yard, Minimum (m)	6.0	6.0	6.0	6.0
Interior Side Yard, Minimum (m)	(1)	3.5	(5)	(5)
Exterior Side Yard, Minimum (m)	6.0	6.0	6.0	6.0
Rear Yard, Minimum (m)	7.5	7.5	7.5	7.5
Building Height, Maximum (m)	10.5	10.5	10.5	10.5
Lot Coverage, Maximum (%)	35.0	35.0	35.0	35.0
Gross Floor Area, Minimum (m²)	55.0 (2)	55.0 (2)	55.0 (2)	9.0 (7)
Landscaped Open Space, Minimum (%)	35.0	35.0	35.0	35.0

Table 8E Additional Regulations:

- (1) 3.5 metres except that where an **attached garage** or **carport** is provided, the **minimum interior side yard** next to the **attached garage** or **carport** shall be 2.7 metres.
- (2) Per **dwelling unit**.
- (3) **Lot area minimum** for a:

2-unit building	666.0 square metres
3-unit building	740.0 square metres
4-unit building	795.5 square metres
- (4) **Lot frontage minimum** for a:

2-unit building	18.0 metres
3-unit building	20.0 metres
4-unit building	21.5 metres
- (5) 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first where an **attached garage** or **carport** is provided.

2.7 metres on one side of the **dwelling** where no **attached garage** or **carport** is provided and 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first on the opposite side.

When determining which **side yard** requirement should apply, the maximum **building height** of that part of the **dwelling** nearest the **side lot line** shall prevail.
- (6) Additions to **existing buildings** for the purpose of accommodating the conversion of **existing dwellings** shall not be **permitted**.

Any additional external stairways beyond those that existed prior to the conversion shall be provided in the **rear yard** of the **lot** and no closer to the **rear lot line** than **minimum rear yard** required for the **dwelling**.
- (7) Per bedroom.

Standard	Apartment Dwellings (3)(4)(5)	Converted Dwellings (3)(4)(8)	Row or Townhouse Dwellings (3)(4)(11)	One Dwelling Unit of a Row or Townhouse Dwelling on One Lot (4)	Boarding or Lodging Houses (4)
Lot Area, Minimum (m²)	(1)	(6)	(9)	(12)	666.0
Lot Frontage, Minimum (m)	25.0	27.5	(10)	(13)	18.0
Number of Attached Dwelling Units, Maximum	N/A	N/A	8	N/A	N/A
Lot Depth, Minimum (m)	37.0	37.0	37.0	37.0 (14)	37.0
Front Yard, Minimum (m)	6.0	7.5	6.0	4.5	6.0
Interior Side Yard, Minimum (m)	6.0	(7)	4.5	(15)	(16)
Exterior Side Yard, Minimum (m)	7.5	6.0	6.0	6.0	6.0
Rear Yard, Minimum (m)	12.0	7.5	6.0	6.0	7.5
Building Height, Maximum (m)	13.5	13.5	10.5	10.5	10.5
Number of Storeys, Maximum	3	N/A	N/A	N/A	N/A
Lot Coverage, Maximum (%)	35.0	35.0	40.0	50.0	35.0
Gross Floor Area per Dwelling Unit, Minimum	(2)	55.0	(2)	N/A	(17)
Gross Floor Area Ratio, Maximum (%)	N/A	N/A	N/A	N/A	N/A
Gross Floor Area, Minimum (m²)	N/A	N/A	N/A	65.0	N/A
Landscaped Open Space, Minimum (%)	35.0	35.0	25.0	25.0	35.0

Table 8F Additional Regulations:

- (1) 900.0 square metres for the first **dwelling unit** plus 90.0 square metres for each additional **dwelling unit**.
- (2) **Dwelling Unit Gross Floor Area**, Minimum for:

Bachelor unit	35.0 square metres
1 bedroom unit	55.0 square metres
2 bedroom unit	65.0 square metres
3 bedroom unit	75.0 square metres
Additional bedrooms beyond 3	9.0 square metres per bedroom
- (3) A **planting strip** shall be required in accordance with the provisions of Section 5.25 where an **interior side or rear lot line** of a **lot** being developed abuts a **lot** that is:
 - (a) in a Residential **Zone** or a Residential (-H) **Zone**.
 - (b) **used** for residential purposes;
 - (c) **used** for a non-residential purpose and on which no **planting strip** exists adjacent to the mutual **lot line**.
- (4) No ingress or egress **driveway** shall be located closer than 1.5 metres to any **side** or **rear lot line**.
- (5) More than one **apartment dwelling** may be **erected** on a **lot** provided that the following provisions are met:
 - (a) The **minimum lot area** requirement shall be calculated on the basis of the provisions of Section 8.2, Table 8F above.
 - (b) The **minimum lot frontage** requirement shall be 30.5 metres.
 - (c) The **front, side, and rear yard** requirements as set out in Section 8.2, Table 8F above shall be applied.
 - (d) Notwithstanding the provisions of Clause (c) above, where internal vehicular access to a **lot** being developed or **used** for an **apartment dwelling development** is provided through an **interior side yard**, that **side yard** shall have a minimum width of 7.5 metres.
 - (e) Setbacks between **buildings** within an **apartment dwelling** project shall be as follows:
 - I. the minimum distance between two exterior walls of different **buildings** facing each other, neither of which is an end wall, where either or both of the exterior walls contain a living room window, shall be 21.0 metres.
 - II. the minimum distance between two exterior walls of different **buildings** facing each other, neither of which is an end wall, where either or both of the exterior walls contain windows to **habitable rooms** other than living room windows, shall be 15.0 metres.
 - III. the minimum distance between an exterior wall containing a living room window in one **building** and the end wall of another **building**, which end wall contains no windows to **habitable rooms**, shall be 10.5 metres.
 - IV. the minimum distance between an exterior wall containing a

window to a **habitable room**, other than a living room window, and the end wall of another **building** containing no windows to **habitable rooms** shall be 7.5 metres.

V. the minimum distance between two end walls of different **buildings**, where neither end wall contains windows to **habitable rooms**, shall be 4.5 metres.

- (6) Lot area minimum for a:
- | | |
|------------------------|-----------------------|
| 5-unit building | 1,017.5 square metres |
| 6-unit building | 1,107.5 square metres |
| 7-unit building | 1,197.5 square metres |
- (7) 3.5 metres on one side and 4.5 metres on the opposite side
- (8) Additions to **existing dwellings** for the purpose of accommodating the conversion of **existing dwellings** shall be **permitted** provided that the following provisions are met:
- (a) the addition shall have a ground floor area of not greater than 50 per cent of the ground floor area and a total floor area of not greater than 50 per cent of the total floor area of the **dwelling** prior to the conversion.
 - (b) any addition that is **erected** for the purpose of accommodating a conversion must be constructed so as to fit in with the character and design of the **existing dwelling**.

Any additional external stairways beyond those that existed prior to the conversion shall be provided in the **rear yard** of the **lot** and shall be no closer to the **rear lot line** than the **minimum rear yard** required for the **dwelling**.

- (9) 1017.5 square metres for each **Row or Townhouse dwelling**; however the gross **density** shall not exceed 50 units per hectare.
- (10) **Interior Lot:** 27.5 metres for the first three units plus 6.0 metres for each additional **dwelling unit**
- Corner Lot:** 29.0 metres for the first three units plus 6.0 metres for each additional **dwelling unit**
- (11) More than one **row or townhouse dwelling** may be **erected** on a **lot** provided that the following provisions are met:
- (a) The **minimum lot area** requirement shall be calculated on the basis of the provisions of Section 8.2, Table 8F above.
 - (b) The **minimum lot frontage** requirement shall be calculated by applying the **minimum lot frontage** provisions of Section 8.2, Table 8F above to the **row or townhouse** which faces the **front lot line** or the **townhouse** with the greatest number of **dwelling units**, whichever results in the greatest requirement but in no case shall the **minimum lot frontage** be less than 27.5 metres.
 - (c) The **front, side, and rear yard** requirements as set out in Section 8.2, Table 8F above shall apply to the **development** as a whole.
 - (d) Notwithstanding the provisions of Clause (c) above, where internal

vehicular access to a **lot** being developed or **used** for a **row or townhouse development** is provided through an **interior side yard**, that **side yard** shall have a minimum width of 7.5 metres.

- (e) Separation distances between **buildings** within a **row or townhouse** project shall be according to all applicable requirements of the Ontario Building Code, as amended.

(12) **Lot Area, Minimum**

Interior Lot	222 square metres
End Unit	397.75 square metres
Corner Lot	453.25 square metres

(13) **Lot Frontage, Minimum**

Interior Lot	6.0 metres
End Unit	10.75 metres
Corner Lot	12.25 metres

- (14) Where an **interior lot** has a **lot frontage** of 9.0 metres or more, the minimum required **lot depth** shall be reduced to 30.0 metres.

- (15) No **side yard** is required on the **attached** side(s) of the **dwelling unit**. 4.5 metres is required on the side of the **dwelling unit** not **attached** to another **dwelling unit**.

- (16) 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first where an **attached garage** or **carport** is provided.

2.7 metres on one side of the **dwelling** where no **attached garage** or **carport** is provided and 1.2 metres plus 0.6 metres for each additional or partial **storey** above the first on the opposite side.

When determining which **side yard** requirement should apply, the maximum **building height** of that part of the **dwelling** nearest the **side lot line** shall prevail.

- (17) **Gross Floor Area** per Bedroom, Minimum: 9.0 square metres

8.3 Requirements for a Bed and Breakfast Establishment

In accordance with the provisions of Section 5.3.

8.4 Requirements for a Home Occupation

In accordance with the provisions of Section 5.11.

8.5 Requirements for Accessory Uses, Buildings, and Structures

In accordance with the provisions of Section 5.1

8.6 Requirements for a Public Park

In accordance with the provisions of Section 15.

8.7 Special Provisions

8.7.1 Residential Zone One Special Provisions

Amended by By-law No. Z60-2006

8.7.1.1 R1-1

- (a) Location: Part of Lot 16, Concession Thames (Key Map 1)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum front yard** requirement for a **single-detached dwelling** located within the “R1-1” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006) shall be 12.0 metres.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, a **single-detached dwelling** shall be located no further than 54.4 metres from the Emily Street **front lot line** on the land within the “R1-1” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006).
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z60-2006

8.7.1.2 R1-2

- (a) Location: Part of Lot 16, Concession Thames (Key Map 1)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum front yard** requirement for a **single-detached dwelling** located within the “R1-2” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006) shall be 12.0 metres.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, a **single-detached dwelling** shall be located no further than 44.4 metres from the Emily Street **front lot line** on the land within the “R1-2” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006).
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z60-2006

8.7.1.3 R1-3

- (a) Location: Part of Lot 16, Concession Thames (Key Map 1)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum front yard** requirement for a **single-detached dwelling** located within the “R1-3” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006) shall be 12.0 metres.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, a **single-detached dwelling** shall be located no further than 38.5 metres from the Emily Street **front lot line** on the land within the “R1-3” **zone** as shown on Key Map 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z60-2006).
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z107-2014

8.7.1.4 R1-4

- (a) Location: Part of Lot 16 and Part of Lot 17, Thames Concession (Key Map 1)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum front Yard for a permitted use on a lot located within the "R1-4" zone as shown on Key Map 1 of Schedule "A" to this By-law shall be 12.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

8.7.2 Residential Zone Two Special Provisions

8.7.2.1 R2-1

- (a) Location: All lands within the "R2-1" zone as shown on Schedule "A" to this By-law.
- (b) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, an additional **permitted uses** described as one **converted dwelling** on one **lot**, containing not more than two **dwelling units**, shall be **permitted** within the "R2-1" zone as shown on Schedule "A" to this By-law.

Amended by By-law No. Z17-2000 and Z31-2001

- (c) Notwithstanding Section 8.7.2.1 (b) above, a **converted dwelling** containing not more than two **dwelling units**, shall not be **permitted** on:
 - (i) any **lot** that is not service with both a municipal water supply and municipal sanitary sewers;
 - (ii) any **lot** located east of the CNR tracks and north of Trout Creek until a secondary means of access to these lands is available;
 - (iii) any **lot** if the **dwelling** has been constructed for less than five years.
- (d) All other provisions of this By-law shall apply.

8.7.2.2 R2-2

- (a) Location: Lots 34 to 42, inclusive, n/w side of Thomas St. and Lots 34 to 37, inclusive, s/e side of Ontario St. and Block H and pt. of Block J Registered Plan No. 235; part of Lot 23, Thames Concession.
- (b) Notwithstanding the provisions of Section 8.1, only the following **uses** shall be **permitted** within the "R2-2" zone as shown on Schedule "A" to this By-law.
 - (i) a **hotel; a cocktail bar;**
 - (ii) four **accessory dwelling units** for the housing of staff;
 - (iii) an **eating establishment, restaurant;**
 - (iv) a **parking lot;**
 - (v) a **retail store** with a **gross floor area** of less than 95 square metres;
 - (vi) a religious shrine;
 - (vii) **accessory uses.**
- (c) For the purpose of Section 8.7.2.1(b) of this By-law, the following **zone** provisions shall apply to the lands within the "R2-2" zone as shown on Schedule "A" to this By-law.

Amended by By-law No. Z12-1999

- (i) **Lot Area**, Minimum 6.1 hectares
- (ii) **Lot Frontage**, Minimum 15.0 metres
- (d) All other provisions of this By-law shall apply.

Amended by By-law No. Z107-2014

8.7.2.3 R2-3

- (a) Location: Part of Lot 36, Registered Plan No. 371, Part of Lot 18, west side of Water Street South, Registered Plan No. 235 (Key Map 17)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum lot depth** for the land within the "R2-3" **zone** as shown on Schedule "A" to this By-law shall be 36.0 metres.
- (c) All other provisions of this By-law, including the provisions of Section 8.2 shall apply.

Amended by By-law No. Z38-2002

8.7.2.4 R2-4

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding the provision of Section 8.2 of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply to the land in the "R2-4" **zone** (also shown on Schedule "A" to By-law No. Z38-2002):

(i) **Lot area, Minimum**

Interior Lot	555	square metres
Corner Lot	666	square metres

(ii) **Lot Frontage, Minimum**

Interior Lot	15.0	metres
Corner Lot	18.0	metres

(iii) **Lot Depth, Minimum**

37.0 metres

(iv) **Front Yard, Minimum**

6.0 metres

(v) **Interior Side Yard, Minimum**

2.4 metres on one side
1.2 metres on the other side
for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where an **attached garage** or **carport** is provided or within the **main building**, the **interior side yards** may be reduced from 2.4 metres to 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements.

(vi) **Exterior Side Yard, Minimum** 6.0 metres

- | | | | |
|--------|---|--|---------------|
| (vii) | Rear Yard , Minimum | 7.5 | metres |
| (viii) | Building Height , Maximum | 10.5 | metres |
| (ix) | Lot Coverage , Maximum | 35.0 | per cent |
| (x) | Gross floor area , Minimum | 85 | square metres |
| (xi) | Landscaped open space ,
Minimum | 30.0 | per cent |
| (xii) | Parking Requirements | In accordance with the provisions of Section 5.21. | |
- (c) All other provisions of By law No. Z1-1997, as amended, shall apply, including the provisions of Section 8.3, 8.4, 8.5, and 8.6.

Amended by By-law No. Z38-2002

8.7.2.4A Deleted by By-Law No. Z107-2014

Amended by By-law No. Z66-2006

8.7.2.5 R2-5

- (a) Location: Part of Lot 20, Concession 18 (Key Map 18)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot frontage** for a **corner lot** located within the “R2-5” **zone** as shown on Key Map 18 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z66-2006) shall be 18.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z86-2009

8.7.2.6 R2-6

- (a) Location: Part of Lot 17, Concession 15 (Key Map 4)
- (b) Notwithstanding the provisions Section 8.2 of this By-law to the contrary, the **minimum rear yard** for an **existing dwelling** and additions thereto located on the lands within the “R2-6” **zone** as shown on Schedule “A” to this By-law shall be 1.5 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z89-2010

8.7.2.7 R2-7

- (a) Location: Part of Lot 33, Registered Plan No. 371
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot depth** for a **lot** within the “R2-7” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z89-2010) shall be 25.0 metres.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum front yard** for an **existing dwelling (existing as of the date of adoption of By-law No. Z89-2010)** within the “R2-7” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z89-2010) shall be 2.5 metres.
- (d) All other provisions of this By-law shall apply.

Amended by By-law No. Z89-2010 and Z107-2014

8.7.2.8 R2-8

- (a) Location: Part of Lot 33, Registered Plan No. 371
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot area** for an **interior lot** within the "R2-8" **zone** as shown on Key Map 17 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z89-2010) shall be 550 square metres.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot depth** for a **lot** within the "R2-8" **zone** as shown on Key Map 17 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z89-2010) shall be 29.0 metres.
- (d) All other provisions of this By-law shall apply.

Amended by By-law No. Z107-2014

8.7.2.9 R2-9 (Former A2-1, Emily Street)

- (a) Location: Part of Lot 81 and Lot 82, Registered Plan No. 220 (Key Map 2)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot frontage** for a **lot** located within the "R2-9" **zone** as shown on Key Map 2 of Schedule "A" to this By-law shall be 15.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z103-2014

8.7.2.10 R2-10

- (a) Location: Part of Lot 3, East side of James Street, North side of Queen Street, Registered Plan No. 225
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot depth** for a **lot** within the "R2-10" **zone** as shown on Key Map 3 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z103-2013) shall be 34.0 metres.
- (c) All other provisions of this By-law shall apply.

8.7.3 Residential Zone Three Special Provisions

8.7.3.1 R3-1

- (a) Location: Lot 71, Registered Plan No. 235.
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum easterly **side yard** for any **building** or **structure** in the "R3-1" shall be 1.95 metres to maintain a spatial separation.
- (c) All other provisions of this By-law shall apply.

Amended By By-law No. Z17-2000

8.7.3.2 R3-2

- (a) Location: Lots 26 and 27, e/s of Salina St.,
Lots 26 and 27, w/s of Ontario St., Registered Plan No. 235
- (b) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, one **converted dwelling**, containing not more than four **dwelling units**, shall be **permitted** within the land zoned "R3-2" on Schedule "A" to this By-law.
- (c) All other provisions of this By-law shall apply.

Amended By By-law No. Z14-2000

8.7.3.3 R3-3

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding the provisions of Section 8.2, Table 8C of this By-law to the contrary, the minimum **lot depth** for the land within the “R3-3” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z14-2000) shall be 35.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z14-2000 and Z31-2001

8.7.3.4 R3-4

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding any provision of this By-law to the contrary, no **building** or **structure** used for human habitation shall be **permitted** to be located on the land in the “R3-4” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z14-2000) within the triangular area formed by measuring along the easterly **side lot line** back from the point of intersection of the **rear lot line** and the easterly **side lot line** a distance of 6.09 metres to a point and measuring back along the **rear lot line** from the point of intersection of the **rear lot line** and the easterly **side lot line** a distance of 6.78 metres to a point. These two points and the intersection of the easterly **side lot line** and the **rear lot line** shall form the three points of the aforementioned triangle in which no **buildings** or **structures** shall be **permitted**.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z14-2000 and Z31-2001

8.7.3.5 R3-5

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding any provision of this By-law to the contrary, the **minimum rear yard** for any **permitted building** and/or **structure** used for human habitation on the land in the “R3-5” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z14-2000) shall be the distance from the **rear lot line** to a line joining two points along the **side lot lines**. The points along the **side lot lines** shall be determined by measuring back from the point of intersection of the rear and the southerly **side lot line** a distance of 6.09 metres to a point and measuring back from the point of intersection of the **rear lot line** and the northerly **side lot line** a distance of 13.48 metres to a point. The line formed by joining the two aforementioned points along the **side lot lines** shall be the **minimum rear yard** setback and the area between this line and the **rear lot line** shall be the required **rear yard** in which no **buildings** or **structures** shall be **permitted**.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z14-2000 and Z31-2001

8.7.3.6 R3-6

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding any provision of this By-law to the contrary, no **building** or **structure** used for human habitation shall be **permitted** to located on the land in the “R3-6” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z14-2000) within the triangular area formed by measuring along the southerly **lot line** back from the point of intersection of the **rear lot line** and the southerly **side lot line** a distance of 13.48 metres to a point and measuring back along the **rear lot line** from the point of intersection of the **rear lot line** and the southerly **side lot line** a distance of 22.83 metres to a point. These two points and the intersection of the southerly **side lot line** and the **rear lot line** shall form the three points of the aforementioned triangle in which no **buildings** or **structures** shall be **permitted**.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z53-2005

8.7.3.7 R3-7

- (a) Location: Part of Lots 1, 2, and 3, Block “A”, Registered Plan No. 216 (Key Map 6)
- (b) Notwithstanding the provisions of Section 8.1 of By-law No. Z1-1997 to the contrary, the only **permitted** uses, **buildings** and **structures** located on the land in the “R3-7” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z53-2005) shall be as follows:
 - (i) a **bed and breakfast establishment**;
 - (ii) a **home occupation**;
 - (iii) a **public park**;
 - (iv) one **single-detached dwelling** on one **lot**; and
 - (v) **accessory uses, buildings, and structures**.
- (c) Notwithstanding the provisions of Section 8.2, Table 8C of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply to the land in the “R3-7” **zone** as shown on Key Map 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z53-2005):
 - (i) **Lot Area**, Minimum 540 square metres;
 - (ii) **Lot Frontage**, Minimum 14.8 metres;
 - (iii) **Lot Depth**, Minimum 36.5 metres.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z53-2005

8.7.3.8 R3-8

- (a) Location: Part of Lots 1, 2, and 3, Block “A”, Registered Plan No. 216 (Key Map 6)
- (b) Notwithstanding the provisions of Section 8.2, Table 8C of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply to the land in the “R3-8” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z53-2005):
 - (i) **Lot Area (Corner Lot)**, Minimum 570 square metres;
 - (ii) **Lot Frontage (Corner Lot)**, Minimum 15.8 metres; and

- (iii). **Lot Depth**, Minimum 36.5 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z66-2006

8.7.3.9 R3-9

- (a) Location: Part of Lot 20, Concession 18 (Key Map 18)
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot depth** for lots located within the “R3-9” **zone** as shown on Key Map 18 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z66-2006) shall be 32.5 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z82-2009

8.7.3.10 R3-10

- (a) Location: Part of Block N east side of St. George Street, Registered Plan No. 225.
- (b) Notwithstanding the provisions of Section 8.2, Table 8C of this By-law to the contrary, the minimum **lot frontage** for any uses, **buildings** and **structures permitted** by Section 8.1 of this By-law on the land within the “R3-10” **zone** as shown on Key Map 8 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z82-2009) shall be 7.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z98-2012

8.7.3.11 R3-11

- (a) Location: Part of Lot 15, Thames Concession, Part of Lot 15, Concession 17, and Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the **minimum front yard** for the land within the “R3-11” **zone** as shown on Key Map 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z98-2012) shall be 7.5 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z98-2012

8.7.3.12 R3-12

- (a) Location: Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the **minimum front yard** for the land within the “R3-12” **zone** as shown on Key Map 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z98-2012) shall be 8.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z98-2012

8.7.3.13 R3-13

- (a) Location: Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the **minimum front yard** for the land within the “R3-13” **zone** as shown on Key Map 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z98-2012) shall be 10 metres.
- (c) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the

contrary, the minimum southerly **interior side yard** for the land within the “R3-13” **zone** as shown on Key Map 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z98-2012) shall be 2.4 metres.

- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z107-2014

8.7.3.14 R3-14

- (a) Location: Part of Block 11, s/s Elgin w/s Huron, Registered Plan No. 225 (Key Map 7)
- (b) Notwithstanding the provisions of Section 5.1.3 of this By-law to the contrary, the **minimum side yard** for a deck located within the “R3-14” **zone** as shown on Key Map 14 of Schedule “A” to this By-law shall be 2.2 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

8.7.3.15 R3-15

Exception No. Not used

Amended by By-law No. Z112-2014

8.7.3.16 R3-16

- (a) Location: Part of Lot 23, Thames Concession and Part of Salina Street (closed), Registered Plan No. 235 (Key Map 6)
- (b) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, only the following **uses, buildings and structures** shall be **permitted** within the “R3-16” **zone** as shown on Key Map 6 of Schedule “A” to this By-Law (also shown on Schedule “A” to By-law No. Z112-2014):
- (i) a **bed and breakfast establishment**;
 - (ii) a **home occupation**;
 - (iii) a **public park**;
 - (iv) one **single-detached dwelling** on one lot;
 - (v) **accessory uses, buildings, and structures**.
- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum lot area** for an **interior lot** within the “R3-16” **zone** as shown on Key Map 6 of Schedule “A” to this By-Law (also shown on Schedule “A” to By-law No. Z112-2014) shall be 491 square metres.
- (d) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum lot frontage** for an **interior lot** within the “R3-16” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z112-2014) shall be 14.7 metres.
- (e) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the **minimum lot depth** for a **lot** within the “R3-16” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z112-2014) shall be 33 metres.
- (f) All other provisions of this By-law shall apply.

Amended by By-law No. Z128-2018

8.7.3.17 R3-17

- (a) Location: Part of Lots 21 and 22, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Section 8.2, Table 8C, the minimum **lot depth** shall be 35.0 metres on those lands zoned “R3-17”.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z134-2019

8.7.3.18 R3-18

- (a) Location: Part of Lots 15 and 16, Concession 17, Key Map 2
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to one **single-detached dwelling** on one lot, a **home occupation**, and **accessory uses, buildings and structures** on those lands zoned "R3-18".
- (c) Notwithstanding the provisions of Section 8.2, Table 8C, the following provisions shall apply to those lands zoned "R3-18":
 - (i) **Lot Area** Minimum
 - Interior Lots** 315 square metres
 - Corner Lots** 450 square metres
 - (ii) **Lot Frontage** Minimum
 - Interior Lots** 10.5 metres
 - Corner Lots** 15.0 metres
 - (iii) **Lot Depth** Minimum 30.0 metres
 - (iv) **Front Yard** Minimum 6.0 metres to garage and 4.5 metres to dwelling or front porch
 - (v) **Interior Side Yard** Minimum 1.2 metres on both sides
 - (vi) **Exterior Side Yard** Minimum 4.5 metres
 - (vii) **Rear Yard** Minimum 6.0 metres
 - (viii) **Lot Coverage** Maximum 45 percent
 - (ix) **Gross Floor Area Ratio** Maximum 80 percent
 - (x) **Landscaped Open Space** Minimum 25 percent
- (d) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z134-2019

8.7.3.19 R3-19

- (a) Location: Part of Lots 15 and 16, Concession 17, Key Map 2
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to one **single-detached dwelling** on one lot, a **home occupation**, and **accessory uses, buildings and structures** on those lands zoned "R3-18".
- (c) Notwithstanding the provisions of Section 8.2, Table 8C, the following provisions shall apply to those lands zoned "R3-18":
 - (i) **Lot Depth** Minimum 29.5 metres
 - (ii) **Front Yard** Minimum 4.5 metres to dwelling or front porch
 - (iii) **Interior Side Yard** Minimum 1.2 metres for one storey and 1.8 metres for two storeys
 - (iv) **Exterior Side Yard** Minimum 4.5 metres
 - (v) **Rear Yard** Minimum 6.0 metres for lots with depths less than 35 metres
 - (vi) **Lot Coverage** Maximum 45 percent
- (d) All other provisions of this By-law, as amended, shall apply.

8.7.4 Residential Zone Four Special Provisions

8.7.4.1 R4-C-1

- (a) Location: Part of Lot 20, Thames Concession and Part of Lot 27, Registered Plan No. 210
- (b) Notwithstanding the provisions of Section 8 of this By-law to the contrary, the following **zone** provisions shall apply to the lands in the "R4-C-1" **zone** as shown on Schedule "A" to this By-law:
- | | | | |
|--------|---|------|-----------------------------------|
| (i) | Minimum Lot Area | 4.8 | hectares; |
| (ii) | Minimum Lot Frontage | 18 | metres; |
| (iii) | Minimum Lot Depth | 100 | metres; |
| (iv) | Minimum Front Yard | 7.5 | metres; |
| (v) | Minimum Side Yard | 7.5 | metres; |
| (vi) | Minimum Rear Yard | 7.5 | metres; |
| (vii) | Maximum Lot Coverage | 35 | per cent; |
| (viii) | Gross Floor Area per Dwelling Unit , Minimum | 78.0 | square metres; |
| (ix) | Minimum Landscaped Open Space | 30 | per cent; |
| (x) | Maximum Building Height | 10.5 | metres; |
| (xi) | Parking Requirements, Minimum | 1.25 | spaces per dwelling unit . |
- (c) For the purpose of Section 8.7.4.1 of this By-law:

Cluster Housing shall mean a group or groups of detached modular home **dwelling units** which may be in various forms, and so located on a **lot** that each **dwelling unit** will not have legal frontage on a **public street or road** and more than one **dwelling unit** exists on one **lot**.

Recreational facility shall mean a **building** designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities which has no legal frontage on a **public street or road**.

Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, the following **uses** are **permitted** on the land in the "R4-C-1" **zone** as shown on Schedule "A" to this By-law:

- (i) Cluster Housing consisting of not more than 76 detached modular home **dwelling units**;
- (ii) one recreational facility;
- (iii) **accessory uses**.
- (d) For the purpose of Section 8.7.4.1 of this By-law, a site shall mean a parcel of land identified in a development agreement pursuant to Section 41 of the Planning Act, R.S.O. 1990 on which one detached modular home **dwelling unit** may be placed and each site shall have a minimum area of 400 square metres.
- (e) For the purpose of Section 8.7.4.1 of this By-law, a front site line shall mean the boundary line between a site and a private **driveway** which is **used** to gain access to individual sites; a rear site line shall mean the boundary of a site

opposite to the front site line; a side site line shall mean the boundary of a site which is not a front site line or a rear site line.

In the case of a site bounded by a private **driveway** on two sides, the shorter boundary shall be the front site line and the longer boundary shall be the exterior side site line.

- (f) For the purpose of Section 8.7.33 of this By-law, the following site provisions shall apply to each site in the "R4-C-1" **zone** as shown on Schedule "A" to this By-law:
- (i) No detached modular home **dwelling unit** shall be located within:
 - (A) 6.0 metres of a front site line;
 - (B) 1.2 metres of a side site line on one side and 3.0 metres on the other side except that where an **attached garage** or **carport** is provided to or is within the **main building** or the site is a corner site, the minimum interior side site **yard** shall be 1.2 metres;
 - (C) 6.0 metres of an exterior side site line;
 - (D) 7.5 metres of a rear site line.
 - (ii) Provisions for **buildings** and **structures accessory** to a modular home **dwelling unit**.
No **accessory building** shall be located within:
 - (A) 6.0 metres of a front or exterior site line;
 - (B) 1.2 metres of a side or rear site line.
 - (iii) **Permitted** Encroachment into required **yards**.
Notwithstanding any **zone** provision of this By-law to the contrary, only the following projections shall be **permitted** into the required **yards**:
Amended by By-law No. Z17-2000
 - (A) a roof projection, not exceeding 0.5 metres shall be **permitted** to project into any required site **yard**;
 - (B) a bow or bay window which is not more than 3.0 metres wide along the face of the **building** shall be **permitted** to project into the required front and/or exterior side site line by not more than 0.5 metres;
 - (C) a deck with a width of not more than 5.0 metres shall be **permitted** to encroach into the required rear site **yard** by not more than 2.5 metres.

8.7.4.1.1 R4-C-1-H-H₂ Section Repealed by By-Law No. Z29-2001

Amended by By-law No. Z43-2003
Amended by By-law No. Z58-2005
Amended by By-law No. Z86-2009

8.7.4.2 R4-2

- (a) Location: Part of Lot 17, Concession 15
- (b) Notwithstanding the provisions of Section 5.13, Section 5.26(ix), and Section 8.1 of By-law No. Z1-1997 to the contrary, the following **uses** are also **permitted** on the land in the "R4-2" **zone** as shown on Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z86-2009):

- (i) a **mobile home park**;
- (ii) one recreational facility with a maximum size of 150 square metres;
- (iii) **accessory uses, buildings, and structures.**

For the purpose of this Section of the By-law a recreational facility shall mean:

a **building** designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities which has no legal frontage on a **public street or road.**

- (c) Notwithstanding the provisions of Section 8 of this By-law to the contrary, the following **zone** provisions shall apply to a **mobile home park development** on the lands in the "R4-2" **zone** as shown on Schedule "A" to this By-law:
 - (i) Minimum **Lot Area** 2.5 hectares;
 - (ii) Minimum **Lot Frontage** 18 metres;
 - (iii) Minimum **Lot Depth** 100 metres;
 - (iv) **Minimum Front yard** 7.5 metres;
 - (v) **Minimum Side Yard** 7.5 metres;
 - (vi) **Minimum Rear Yard** 7.5 metres;
 - (vii) Maximum **Lot Coverage** 35 per cent;
 - (viii) Maximum number of mobile home **dwelling units** 41;
 - (ix) **Gross floor area per Dwelling Unit, Minimum** 55.0 square metres;
 - (x) Minimum Landscaped Open Space 30 per cent;
 - (xi) Maximum **Building Height** 10.5 metres;
 - (xii) Parking Requirements, Minimum 1.25 spaces per **dwelling unit.**
- (d) Notwithstanding the provisions of Section 5.21 of By-law No. Z1-1997 to the contrary, an internal **driveway** may be located within 1.0 metres of the northerly **lot line** between Site No. 25 and Site No. 46 on the land within the "R4-2" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z43-2003).
- (e) For the purpose of Section 8.7.4.2 of this By-law, a site shall mean a parcel of land identified in a development agreement pursuant to Section 41 of the Planning Act, R.S.O. 1990 on which one detached **mobile home dwelling unit** may be placed and each site shall have a minimum area of 400 square metres and a minimum frontage of 12 metres.
- (f) For the purpose of Section 8.7.4.2 of this By-law, a front site line shall mean the boundary line between a site and a private **driveway** which is used to gain access to individual sites; a rear site line shall mean the boundary of a site opposite to the front site line; a side site line shall mean the boundary of a site which is not a front site line or a rear site line.
In the case of a site bounded by a private **driveway** on two sides, the shorter boundary shall be the front site line and the longer boundary shall be the exterior side site line.
In the case of a **through lot**, the shorter **lot line** abutting a private **driveway** shall be deemed to be the front line while the longer of the **lot lines** abutting a **street** shall be deemed to be the **rear lot line.**

- (g) For the purpose of Section 8.7.4.2 of this By-law, the following site provisions shall apply to the placement of a **mobile home dwelling unit** on each new site (established after the date of adoption of By-law No. Z43-2003) in the "R4-2" **zone** as shown on Schedule "A" to By-law No. Z43-2003:
- (i) No **mobile home dwelling unit** shall be located within:
 - (A) 6.0 metres of a front site line;
 - (B) 1.2 metres of a side site line on one side and 3.0 metres on the other side except that where a **carport** is provided to or is within the **main building** or the site is a corner site, the minimum interior side site **yard** shall be 1.2 metres;
 - (C) 6.0 metres of an exterior side site line;
 - (D) 7.5 metres of a rear site line.
 - (ii) No **accessory building** and **structures** accessory to a **mobile home dwelling unit** shall be located within:
 - (A) 6.0 metres of a front or exterior site line;
 - (B) 1.2 metres of a side or rear site line.
 - (iii) Permitted Encroachment into required yards.
Notwithstanding any **zone** provision of this By-law to the contrary, only the following projections shall be **permitted** into the required yards:
 - (A) a roof projection, not exceeding 0.5 metres shall be **permitted** to project into any required site yard;
 - (B) a bow or bay window which is not more than 3.0 metres wide along the face of the **building** shall be **permitted** to project into the required front and/or exterior side site line by not more than 0.5 metres;
 - (C) a deck with a width of not more than 7.5 metres shall be **permitted** to encroach into the required rear site **yard** by not more than 2.5 metres;
 - (D) stairs, decks, ramps, and landings which are located immediately adjacent to a **mobile home** and not more than 1.80 metres wide and not higher than 1.20 metres above **finished grade level** shall be **permitted** to encroach into one of the required interior side site yards provided that such stairs, decks, ramps, and landings are no closer than 1.00 metres from the interior side site line. The provisions of this Section shall not permit stairs, decks, ramps, and landings which are located immediately adjacent to a deck or **porch** to encroach into a required interior side site yard;
 - (E) stairs, decks, ramps, and landings as **permitted** in clause 8.7.4.2 (g)(iii)(D) above shall remain unenclosed and unroofed save for that portion of the stairs, decks, ramps, or landings located immediately adjacent to the entrance of the **mobile home** in which case a roof, not exceeding 1.80 metres in width (including eaves and gutters) and not exceeding 5.0 metres in length and not projecting above the **mobile home** shall be **permitted** to cover the stairs, decks, ramps, and landings.
- (h) For the purpose of Section 8.7.4.2 of this By-law, every **existing** site (**existing** before the date of adoption of By-law No. Z58-2005) shall be deemed to conform with the "R2-4" **zone** provisions notwithstanding that they may not have the minimum site area and site frontage described in Section 8.7.4.2(d).

The position of each **existing mobile home dwelling unit** (existing before the date of adoption of By-law No. Z58-2005) and the location of any stairs, landings, decks or **porches** shall also be deemed to conform with the “R2-4” **zone** provisions notwithstanding that they may not meet some or all of the provisions of Section 8.7.34 (c)(ix) or 8.7.34 (g) as set out herein. Any additions or **alternations** to an **existing mobile home dwelling unit** (existing before the date of adoption of By-law No. Z58-2005) shall conform with the provisions of the “R2-4” **zone** and all other applicable provisions of By-law No. Z1-1997.

- (i) Notwithstanding any **zone** provision of this By-law to the contrary, the word “site” and “**lot**” shall be considered synonyms for the purpose of the general provisions of By-law No. Z1-1997.
- (j) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z15-2000

8.7.4.3 R4-3

- (a) Location: Lot 6, Registered Plan No. 235
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot depth** for a **converted dwelling** containing 4 **dwelling units** in the “R4-3” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z15-2000) shall be 30.1 metres.
- (c) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the **minimum front yard** (along Victoria Street) for an **existing building** converted to contain a maximum of 4 **dwelling units** in the “R4-3” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z15-2000) shall be 0.0 metres.
- (d) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **exterior side yard** (along Water Street) for an **existing building** converted to contain a maximum of 4 **dwelling units** in the “R4-3” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z15-2000) shall be 0.3 metres.
- (e) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, structural changes to the **existing** roof line of the **existing building** for the purposes of accommodating the conversion of the **existing building** into a 4 **dwelling unit building** in the “R4-3” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z15-2000) shall be **permitted** provided; however, that no increase in the ground floor area or the **lot coverage** shall be **permitted**.
- (f) Notwithstanding the provisions of Section 5.6 of By-law No. Z1-1997 to the contrary, no **daylight or sight triangle** shall be required at the south-east corner of the intersection of Water Street and Victoria Street for an **existing building** converted to contain a maximum of 4 **dwelling units** in the “R4-3” **zone** as shown on Key Map 17 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z15-2000).
- (g) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z61-2006

8.7.4.4 R4-4

- (a) Location: Lot 6, Block “8”, Registered Plan No. 250 (Key Map 14)
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot frontage** for a **semi-detached dwelling** on an **interior lot** located on the land in the “R4-4” **zone** as shown on Key Map 14 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z61-2006) shall be 15.0 metres.
- (c) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot frontage** for one **dwelling unit** of a **semi-detached dwelling** on an **interior lot** located on the land in the “R4-4” **zone** as shown on Key Map 14 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z61-2006) shall be 7.5 metres.
- (d) Notwithstanding the provisions of Sections 8.2 of By-law No. Z1-1997 to the contrary, a single set of stairs may project into the required **interior side yard** a distance of not more than 0.6 metres.
- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law Nos. Z81-2008 and Z85-2009

8.7.4.5 R4-C-5

- (a) Location: Part of Lot 23, Thames Concession and Part of Salina Street (closed), Registered Plan No. 235 (Key Map 6)
- (b) Notwithstanding the provisions Section 8 of this By-law to the contrary, the following **zone** provisions shall apply to the lands in the “R4-C-5” **zone** as shown on Schedule “A” to this By-law:
 - (i) **Minimum Lot Area** 4.0 hectares;
 - (ii) **Minimum Lot Frontage** 200 metres;
 - (iii) **Minimum Lot Depth** 100 metres;
 - (iv) **Minimum Front Yard** 7.5 metres;
 - (v) **Minimum Side Yard** 8.0 metres, except that a minimum side yard of 3.0 metres shall be **permitted** for those **side lot lines** associated with the **lot** described as Part of Lot 23, Thames Concession and containing the dwelling with the municipal address of 186 Ardmore Avenue.
 - (v) **Minimum Side Yard** 8.0 metres;
 - (vi) **Minimum Rear Yard** 8.0 metres;
 - (vii) **Maximum Building Height** 10.5 metres;
 - (viii) **Maximum Lot Coverage** 35 per cent;
 - (ix) **Gross floor area per Dwelling Unit, Minimum** 78.0 square metres;
 - (x) **Minimum Landscaped Open Space** 30 per cent;
 - (xi) **Parking Requirements, Minimum** 2.0 spaces per dwelling unit.

- (c) For the purpose of Section 8.7.4.5 of this By-law:

Cluster Housing shall mean a group or groups of **dwelling units** which may be in various forms, including **single-detached dwellings** and **rowhouse dwellings**, so located on a **lot** that each **dwelling unit** will not have legal frontage on a **public street** or **road** and more than one dwelling unit exists on one **lot**.

Recreational Facility shall mean a **building** designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities which has no legal frontage on a **public street** or **road**.

- (d) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, the following **uses** are **permitted** on the land in the "R4-C-5" **zone** as shown on Schedule "A" to this By-law:

- (i) Cluster Housing consisting of not more than 71 one **storey dwelling units**;
- (ii) one Recreational Facility with a maximum size of 150 square metres;
- (iii) **accessory uses, buildings, and structures**.

- (e) For the purpose of Section 8.2 of this By-law, the following provisions shall apply to each **single-detached dwelling** in the "R4-C-5" **zone** as shown on Schedule "A" to this By-law:

- (i) **Single-detached dwelling units** shall be located:
 - (A) No closer than 6.0 metres to any **private street**;
 - (B) The front of any **single-detached dwelling** shall abut a private **driveway** and shall be no closer than 19.0 metres from the front of any other **single-detached dwelling**;
 - (C) With an **attached garage**, the side of any **single-detached dwelling** shall be no closer than 2.4 metres from the side of any other **single-detached dwelling**. If an **attached garage** is not provided, the side of any **single-detached dwelling** shall be no closer than 3.0 metres from the side of any other **single-detached dwelling**. No **single-detached dwelling** shall be closer than 6.0 metres from any **private street**;
 - (D) The rear of any **single-detached dwelling** shall be located not closer than 15.0 metres from any other **single-detached dwelling** and no closer than 7.5 metres from a **private street**.
- (ii) **Rowhouse dwelling** units shall be located:
 - (A) No closer than 6.0 metres to any **private street**;
 - (B) The front of any **rowhouse dwelling** shall abut a private **driveway** and shall be no closer than 19.0 metres from the front of any other **rowhouse dwelling**.
 - (C) The unattached side of any **rowhouse dwelling** shall be no closer than 3.0 metres from the side of any other **dwelling** and shall be no closer than 6.0 metres from any **private street**.
 - (D) The rear of any **rowhouse dwelling** shall be located not closer than 15.0 metres from any other **dwelling** and no closer than 7.5 metres from a **private street**.
- (iii) Provisions for **buildings** and **structures** accessory to a **dwelling unit**.

The location of any **accessory building** or **structure** shall be as shown on the **Site plan** governing this development.

- (f) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z94-2011

8.7.4.6 R4-6

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 5.21.2 of By-law No. Z1-1997 to the contrary, each **driveway** servicing a **dwelling unit** within the “R4-6” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) shall have a minimum width of 4.0 metres.
- (c) Notwithstanding any provision of By-law No. Z1-1997 to the contrary, each **driveway** servicing a **dwelling unit** within the “R4-6” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) shall be located a minimum of 1.0 metres from a side or **rear lot line**. Where the garages servicing each unit of the **semi-detached dwelling** is located along the common **lot line** of the **semi-detached dwelling**, no **side yard** is required for the **driveway**.
- (d) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, each **attached garage** or **carport** servicing a **semi-detached dwelling** or one unit of a **semi-detached dwelling** within the “R4-6” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) shall have a **minimum front yard** of 7.5 metres.
- (e) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z94-2011

8.7.4.7 R4-7

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 5.24.2 of By-law No. Z1-1997 to the contrary, steps and unenclosed decks not greater than 1.2 metres above the **finished grade level** adjacent to such **structure** located within the “R4-7” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) may project into any required **rear yard** a distance of not more than 2.8 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z99-2013

8.7.4.8 R4-8

- (a) Location: Part of Lots 35, 36, and 46, and Part of Tracy Street (Closed), Registered Plan No. 371.
- (b) Notwithstanding any provision of Section 8 of this By-law to the contrary, where a **lot** located within the “R4-8” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z99-2013) abuts a railway, the minimum **rear yard** for a **dwelling** on such **lot** shall be 30.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z105-2014

8.7.4.9 R4-9

- (a) Location: Lot 1 and Lot 2, Registered Plan No. 210.
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot area** for a 3-unit **dwelling** within the “R4-8” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z105-2014) shall be 650 square metres.
- (c) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot frontage** for a 3-unit **dwelling** within the “R4-8” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z105-2014) shall be 20.0 metres.
- (d) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot depth** for a 3-unit **dwelling** within the “R4-8” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z105-2014) shall be 32.0 metres.
- (e) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z114-2015

8.7.4.10 R4-10

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **lot depth** for the land within the “R4-10” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z114-2015) shall be 27.5 metres.
- (c) Notwithstanding the provisions of Section 5.24.2 of By-law No. Z1-1997 to the contrary, steps and unenclosed decks not greater than 1.2 metres above the **finished grade level** adjacent to such **structure** located within the “R4-10” zone as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z114-2015) may project into any required **rear yard** a distance of not more than 2.8 metres.
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z134-2019

8.7.4.11 R4-11

- (a) Location: Part of Lots 15 and 16, Concession 17, Key Map 2
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to one **single-detached dwelling** on one lot, a **home occupation**, and **accessory uses, buildings and structures** on those lands zoned “R4-11”.
- (c) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned “R4-11”:
 - (i) **Lot Frontage** Minimum
 - Corner Lots** 13.0 metres
 - (ii) **Interior Side Yard** Minimum 1.2 metres on both sides
 - (iii) **Exterior Side Yard** Minimum 4.5 metres
 - (iv) **Rear Yard** Minimum 6.0 metres for lots with depths less than 35 metres
 - (v) **Lot Coverage** Maximum 45 percent
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z141-2020

8.7.4.12 R4-12 *(applies to Blks 6 & 744M-86 – attached duplexes)*

- (a) Location: Part of Lot 16, Concession 17, Key Map 7
- (b) Notwithstanding the provisions of Section 8.1, **permitted** uses are limited to two **dwelling units** of one **attached duplex** on one lot, a **home occupation**, and **accessory uses, buildings** and **structures**.
- (c) An “attached duplex” shall mean a duplex dwelling, as defined, attached to another duplex dwelling, thereby accommodating four dwelling units in total in one building, but has been divided vertically.
- (d) Notwithstanding the provisions of Section 8, the following provisions shall apply to those lands zoned “R4-12”:
 - (i) **Lot Area**, Minimum 400 m²
 - (ii) **Lot Frontage**, Minimum 11.0 metres
 - (iii) **Lot Depth**, Minimum 35 metres
 - (iv) **Front Yard**, Minimum 6.0 metres
 - (v) **Interior Side Yard** Minimum 1.8 metres on both sides
 - (vi) **Rear Yard** Minimum 7.5 metres
 - (vii) **Building Height**, Maximum 10.5 metres
 - (viii) **Lot Coverage** Maximum 40 percent
 - (ix) **Landscaped Open Space**, Minimum 30 percent
 - (x) **Required Parking (attached duplex)** 2 per dwelling unit
- (e) Notwithstanding the provisions of Section 5.21.5, the minimum width of internal **driveways** shall be 3.0 metres.
- (f) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z141-2020

8.7.4.13 R4-13 *(applies to Blks 2 through 5 44M86 – semi-detached)*

- (a) Location: Part of Lot 16, Concession 17, Key Map 7
- (b) Notwithstanding the provisions of Section 8.1, **permitted** uses are limited to one **semi-detached dwelling unit** on one lot, a **home occupation**, and **accessory uses, buildings** and **structures**.
- (c) The provisions of Section 8.2 (**gross floor area** ratio, maximum), shall not apply to those lands zoned “R4-13”.
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z145-2021

8.7.4.14 R4-14

- (a) Location: 615 Queen Street East, Key Map 10
- (b) Notwithstanding the provisions of Sections 8.1 and 8.2, **permitted** uses are limited to a **converted dwelling** with a maximum of three **dwelling units**, and **accessory uses, buildings** and **structures** on those lands zoned “R4-14”.
- (c) Notwithstanding Sections 8.2 and 8.7.4.14(b) the **gross floor area** of a **permitted converted dwelling** may be increased to a maximum of 15% of the original **gross floor area** at the time of the passing of the by-law.
- (d) Notwithstanding the provisions of Sections 5 and 8, the following provisions shall apply to those lands zoned “R4-14”:
 - (i) **Minimum Front Yard** 4 metres;
 - (ii) **Minimum Side Yard (West)** 2 metres;
 - (iii) **Maximum Driveway Width** Existing on the date of the

- | | | |
|------|------------------------------------|---|
| (iv) | Minimum Driveway Separation | passing of the by-law
Existing on the date of the
passing of the by-law |
| (v) | Minimum Driveway Width | 4 metres; |
| (vi) | Minimum Gross Floor Area | 45 square metres
per Dwelling Unit |

Amended by By-Law No. Z152-2022

8.7.4.15 R4-15

- (a) Location: 178 Queen Street West, Key Map 12
- (b) Notwithstanding the provisions of Sections 8.1 and 8.2, permitted uses are limited to a **converted dwelling** with a maximum of three **dwelling units**, and **accessory uses, buildings and structures** on those lands zoned “R4-15”.
- (c) Notwithstanding the provisions of Sections 5 and 8, the following provisions shall apply to those lands zoned “R4-15”:
 - (i) Minimum **Lot Area** 650 square metres
 - (ii) Minimum **Lot Depth:** 29 metres
 - (iii) Minimum **Front Yard:** 5.3 metres (Ontario Street)
 - (iv) Minimum Interior **Side Yard** 1.1 metres (South)
 - (v) Minimum **Exterior Side Yard:** 1.0 metres
 - (vi) Minimum **Off-Street Parking:** 1.25 per converted dwelling unit
 - (vii) Maximum **Driveway Width:** Existing on the date of the passing of the by-law
 - (viii) **Parking Space Access:** Accessed directly from a public road
 - (ix) **Parking Space Size:** A maximum of one (1) parking space shall be a minimum of 5.4 metres in length by 2.7 metres in width
 - (x) **Tandem Parking:** Permitted for one (1) dwelling unit
 - (xi) **Daylight Triangle:** Existing on the date of the passing of the by-law

8.7.5 Residential Zone Five Special Provisions

8.7.5.1 R5-1

- (a) Location: Part of Lot 23, Thames Concession
- (b) Notwithstanding the provisions of Section 8.1 of By-law No. Z1-1997 to the contrary, only **apartment dwelling uses** and **accessory uses, buildings and structures, shall be permitted** on the lands located within the “R5-1” zone as shown on Key Map 12 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z19-2000).

For the purpose of this Section, **accessory uses, buildings, and structures** shall include, but are not necessarily limited to, an on-site **community centre** with recreational area, exercise room, billiard room, lounge, computer room, indoor **swimming pool**, meeting rooms, and verandahs, including an **accessory residential use** located in the **existing** homestead.
- (c) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the

contrary, the following **zone** provisions shall apply to the lands located within the “R5-1” **zone** as shown on Key Map 12 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z19-2000):

Lot Area , Minimum	4.0	hectares;
Lot Frontage , Minimum	25.0	metres;
Lot Depth , Minimum	37.0	metres;
Front Yard , Minimum	7.5	metres;
Interior Side Yard (Northerly), Minimum	12.0	metres;
Interior Side Yard (Westerly), Minimum	12.0	metres;
Exterior Side Yard , Minimum	7.5	metres;
Rear Yard , Minimum	12.0	metres;
Building Height , Maximum	13.5	metres;
Number of Stories, Maximum	3;	
Maximum Number of Apartment Dwellings	9;	
Maximum Number of Dwelling Units	102 plus 1	accessory dwelling unit;
Lot Coverage , Maximum	20.0	per cent;
Landscaped open space , Minimum	60.0	per cent;
Dwelling Unit Gross floor area , Minimum		
(i) 1 bedroom unit	88.0	square metres;
(ii) 2 bedroom unit	105.0	square metres;
Planting strip Requirement		in accordance with the provisions of Section 8.2;
Parking Requirements		1.25 parking spaces per dwelling unit;
Driveway Requirements		in accordance with the provisions of Section 8.2;
Setbacks between Apartment Dwellings		in accordance with the provisions of Section 8.2.

(d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by-By-law No. Z38-2002

Amended by By-law No. Z39-2002

8.7.5.2 R5-2

- (a) Location: Block 34, Registered Plan No. 44M-7
Block 35, Registered Plan No. 44M-7
- (b) Notwithstanding the provisions of Section 8.7.49 of this By-law to the contrary, the following additional **uses** shall be **permitted** on one **lot** within the “R5-2” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z38-2002 and Z39-2002): one semi-detached dwelling, one **dwelling unit** of a **semi-detached dwelling**, one **duplex dwelling**, one **triplex dwelling**, one **fourplex dwelling**, and cluster home **dwelling units**.
- (c) Notwithstanding any provision of Section 8 of this By-law to the contrary, the following **zone** requirements shall apply to those additional **uses permitted** in the “R5-2” **zone** by Clause (b) above:

- (i) The **zone** provisions of Section 8.2 shall apply to one **semi-detached dwelling** on one **lot**;
- (ii) The **zone** provisions of Section 8.2 shall to one dwelling unit of a **semi-detached dwelling** on one **lot**;
- (iii) The **zone** provisions of Section 8.2 shall apply to one **duplex dwelling** on one **lot**;
- (iv) The **zone** provisions of Section 8,2 shall apply to one **triplex dwelling** on one **lot**;
- (v) The **zone** provisions of Section 8.2 shall apply to one **fourplex dwelling** on one **lot**;

- (vi) The following **zone** provisions shall apply to cluster home **dwelling units**:
 - (A) For the purposes of the “Residential Zone Five (R5-2)” Zone, cluster home **dwelling units** means a group or groups of **dwelling units** which may be in the form of a **single detached dwelling, a semi-detached dwelling, a duplex dwelling a triplex dwelling, a fourplex dwelling, or a townhouse dwelling** so located on a **lot** that each **dwelling unit** may not have legal frontage on a **public street or road** and more than one **dwelling unit** may exist on a **lot**.
 - (B) **Minimum Lot Area** 2000 square metres for the first dwelling unit plus 100 square metres for each additional dwelling unit
 - (C) **Minimum Lot Depth** 30.0 metres
 - (D) **Minimum Lot Frontage** 30.0 metres
 - (E) **Minimum Front Yard** 6.0 metres
 - (F) **Minimum Side Yard,**
(Interior or Exterior) 6.0 metres
 - (G) **Minimum Rear Yard** 7.5 metres
 - (H) **Building Height, Maximum** 10.5 metres
 - (I) **Lot Coverage, Maximum** 35 per cent
 - (J) **Landscaped Open,**
Space, Minimum 35 per cent.
 - (K) **Planting strip**
Requirements A **planting strip** shall be required in accordance with Section 5.25 where a **townhouse dwelling** abuts an interior side or **rear lot line** and abuts a **lot** in a Residential Zone or in a Residential Holding (-H) Zone or is used for a residential purpose
 - (L) **Parking Requirements** In accordance with Section 5.21
 - (M) **Separation Between**
Dwelling Units In accordance with all applicable requirements of the Ontario Building Code, as amended.

- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By-By-law No. Z38-2002

8.7.5.2.1 R5-2-H₂

- (a) Location: Block 34, Registered Plan 44M-7
Block 35, Registered Plan 44M-7
- (b) Notwithstanding any provision of this By-law to the contrary, the only **permitted uses buildings** and **structures** on the land in the “R5-2-H₂” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z38-2002 and Z39-2002) are those uses, **building** and **structures existing** on the day of adoption of By-law No. Z38-2002 and Z39-2002.
- (c) Prior to the removal of the Holding “H₂” provisions as established by this By-law, the owner of the land within the “R5-2-H₂” **zone** must enter into a subdivision or development agreement pursuant to Section 51 of the Planning Act R.S.O. 1990. Such agreements shall contain provisions which stipulate that a minimum of 14 dwelling units shall be provided on the lands in the “R5-2-H₂” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z38-2002 and Z39-2002) and described and Blocks 34 and 35, Registered Plan 44M-7.
- (d) The **zone** provisions of the “Residential Zone Five (R5-2)” **zone** and the provisions Section 8.7.5.2 shall apply if the Holding “H₂” provisions are removed by **Council**.
- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By-By-law No. Z94-2011 and Z115-2015

8.7.5.3 R5-3

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot frontage** for the land within the “R5-3” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) shall be 10.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By-By-law No. Z96-2012

8.7.5.4 R5-4

- (a) Location: Part of Lot 2, east side of Church Street and Lot A, west side of Peel Street, Registered Plan No. 235.
- (b) Notwithstanding the provisions of Section 5.21.2 of By-law No. Z1-1997 to the contrary, the number of **driveways** serving the land within the “R5-4” **zone** as shown on Key Map 13 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z96-2012) shall be 3.
- (c) Notwithstanding any provision Section 8 of By-law No. Z1-1997 to the contrary, one **apartment dwelling**, containing no more than 20 **dwelling units** shall be **permitted** on the land within the “R5-4” **zone** as shown on Key Map 13 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z96-2012).
- (d) Notwithstanding the provision Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **interior side yard** for an **existing building** on land within the “R5-4” **zone** as shown on Key Map 13 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z96-2012) shall be 3.5 metres.
- (e) Notwithstanding the provision Section 8.2 of By-law No. Z1-1997 to the contrary,

the **rear yard** (along Church Street) for an **existing building** on land within the "R5-4" **zone** as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z96-2012) shall be 3.0 metres.

- (f) All other provisions of this By-law, as amended, shall apply.

Amended By-By-law No. Z99-2013

8.7.5.5 R5-5

- (a) Location: Part of Lots 35 and 36, and Part of Tracy Street (Closed), Registered Plan No. 371.
- (b) Notwithstanding any provision of Section 8 of this By-law to the contrary, where a **lot** located within the "R5-5" **zone** as shown on Key Map 6 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z99-2013) abuts a railway, the minimum **rear yard** for a **dwelling** located on such **lot** shall be 30.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By-By-law No. Z117-2016

8.7.5.6 R5-6

- (a) Location: Part of Block 13, Registered Plan No. 250, Key Map 14
- (b) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, one **fourplex dwelling**; one six-plex dwelling (6 units); and **accessory uses, buildings, and structures** shall be permitted on the land within the "R5-6" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z117-2016).
- (c) Notwithstanding any provision of Section 8.2 of By-law No. Z1-1997 to the contrary, the following regulations shall apply for the permitted **uses** on the land within the "R5-6" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
- | | | |
|-------|--|--|
| (i) | Lot Area , Minimum | 2,000 square metres; |
| (ii) | Lot Frontage , Minimum | 21.0 metres; |
| (iii) | Lot Depth , Minimum | 37.0 metres; |
| (iv) | Lot Coverage , Maximum | 35 per cent; |
| (v) | Landscaped Open Space , Minimum | 35 per cent; |
| (vi) | Parking Requirements | In accordance with the provisions of Section 5.21. |
- (d) Notwithstanding any provision of Section 8.2 of By-law No. Z1-1997 to the contrary, the site regulation for a **fourplex dwelling** as permitted by clause (b) on the land within the "R5-6" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
- | | | |
|-------|---|-------------------|
| (i) | Front Yard , Minimum | 6.0 metres; |
| (ii) | Interior Side Yard , Minimum | 3.5 metres; |
| (iii) | Rear Yard , Minimum | 7.5 metres; |
| (iv) | Building Height , Maximum | 10.5 metres; |
| (v) | Gross Floor Area per Dwelling Unit , Minimum | 55 square metres; |
- (e) Notwithstanding any provision of Section 8.2 of By-law No. Z1-1997 to the contrary, the site regulation for a six-plex dwelling (6 units) as permitted by clause (b) on the land within the "R5-6" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:

- (i) **Front Yard**, Minimum 38.0 metres;
 - (ii) **Interior Side Yard**, (westerly) Minimum 3.5 metres;
 - (iii) **Interior Side Yard**, (northerly) Minimum 7.0 metres;
 - (iv) **Rear Yard**, Minimum 7.5 metres;
 - (v) **Building Height**, Maximum 10.5 metres;
 - (vi) **Number of Stories**, Maximum 2
- (f) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z128-2018

8.7.5.7 R5-7

- (a) Location: Part of Lots 21 and 22, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Section 8.2, the minimum **interior side yard** shall be 3.0 metres on those lands zoned "R5-7".
- (c) Notwithstanding the provisions of Section 8.2, the maximum lot coverage for row or townhouse dwellings shall be 40 percent on those lands zoned "R5-7".
- (d) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-7":
 - (i) **Front Yard**, Minimum 6.0 metres
 - (ii) **Side Yard**, Minimum No **side yard** is required on the attached side(s) of the **dwelling unit**. 3.0 metres is required on the side of the **dwelling unit** not attached to another **dwelling unit**.
 - (iii) Notwithstanding the provisions of Section 8.2, Table 8F, the maximum lot coverage for one dwelling unit of a row or townhouse dwelling on one lot shall be 50 percent on those lands zoned "R5-7".
- (e) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z128-2018

8.7.5.8 R5-8

- (a) Location: Part of Lots 21 and 22, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Sections 8.2, the following provisions shall apply to those lands zoned "R5-8":
 - (i) **Lot Depth**, Minimum 34.0 metres
 - (ii) **Interior Side Yard**, Minimum 3.0 metres
 - (iii) Lot coverage maximum for row or townhouse dwellings - 40 percent
- (c) Notwithstanding the provisions of Section 8.2, Table 8F, the following provisions shall apply to those lands zoned "R5-8":
 - (i) **Lot Depth**, Minimum 34.0 metres
 - (ii) **Front Yard**, Minimum 6.0 metres
 - (iii) **Side Yard**, Minimum No **side yard** is required on the attached side(s) of the **dwelling unit**. 3.0 metres is required on the side of the **dwelling unit** not attached to another **dwelling unit**.
 - (iv) Lot coverage maximum for one dwelling unit of a row or townhouse dwelling on one lot - 50 percent
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z128-2018

8.7.5.9 R5-9

- (a) Location: Part of Lot 21, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-9":
 - (i) **Lot Frontage**, Minimum 19.0 metres (as measured along the east streetline)
 - (ii) Minimum setback from a **street line** 6.0 metres
 - (iii) **Interior Side Yard**, Minimum 7.5 metres
 - (iv) Lot coverage maximum for row or townhouse dwellings - 40 percent
- (c) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-9":
 - (i) **Lot Depth**, Minimum 20.0 metres
 - (ii) Minimum setback from a **street line** 6.0 metres
 - (iii) **Front Yard**, Minimum 6.0 metres
 - (iv) **Side Yard**, Minimum No **side yard** is required on the attached side(s) of the **dwelling unit**. 3.0 metres is required on the side of the **dwelling unit** not attached to another **dwelling unit**.
 - (v) Lot coverage maximum for one dwelling unit of a row or townhouse dwelling on one lot - 50 percent
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-law No. Z128-2018

8.7.5.10 R5-10

- (a) Location: Part of Lots 21 and 22, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Section 8.2, the minimum **lot frontage** shall be 21.0 metres on those lands zoned "R5-10".
- (c) Notwithstanding the provisions of Section 8.2, the minimum **interior side yard** shall be 7.5 metres on those lands zoned "R5-10".
- (d) Notwithstanding the provisions of Section 8.2, the maximum lot coverage for row or townhouse dwellings shall be 40 percent on those lands zoned "R5-10".
- (e) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-10":
 - (i) **Front Yard**, Minimum 6.0 metres
 - (ii) **Side Yard**, Minimum No **side yard** is required on the attached side(s) of the **dwelling unit**. 3.0 metres is required on the side of the **dwelling unit** not attached to another **dwelling unit**.
 - (iii) Lot coverage maximum for one dwelling unit of a row or townhouse dwelling on one lot - 50 percent.
- (f) All other provisions of this By-law, as amended, shall apply.

Amended By-By-law No. Z125-2018

8.7.5.11 R5-11

- (a) Location: Lots 14-20, west side of Thomas Street, Lots 16-20, east side of Ontario Street, Registered Plan 235 (Key Map 12 of Schedule "A")
- (b) Notwithstanding the provisions of Section 3 of this By-law to the contrary and only for the purpose of the land within the "R5-11" **zone**, an **apartment dwelling** shall mean a **dwelling** containing 5 or more **dwelling units** each of which has an independent entrance either directly or from a common corridor within the **building**.
- (c) Notwithstanding the provisions of Section 3 of this By-law to the contrary and only for the purpose of the land within the "R5-11" **zone**, the Ontario Street frontage shall be deemed to be the **front lot line**, the Thomas Street frontage shall be deemed to be the **rear lot line**, and the Park Lane frontage shall be deemed to be the **exterior side lot line**.
- (d) Notwithstanding the provisions of Section 8.1 of this By-law to the contrary, permitted **uses, buildings and structures** shall be limited to **apartment dwellings** on the land within the "R5-11" **zone**, with a maximum of 23 **apartment units** permitted on the property.
- (e) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the following provisions shall apply to the land within the "R5-11" **zone**:
 - (i) **Rear Yard**, Minimum 9.0 metres
 - (ii) Section 8.2, Table 8F shall not apply
- (f) All other provisions of By-law No. Z1-1997, as amended, shall apply.
- (g) Notwithstanding any provision of Section 8.2 of By-law No. Z1-1997 to the contrary, the site regulation for a six-plex dwelling (6 units) as permitted by clause (b) on the land within the "R5-6" zone as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z117-2016) shall be:
 - (i) Front Yard, Minimum 38.0 metres;
 - (ii) Interior Side Yard, (westerly) Minimum 7.5 metres;
 - (iii) Interior Side Yard, (northerly) Minimum 7.0 metres;
 - (iv) Rear Yard, Minimum 7.5 metres;
 - (v) Building Height, Maximum 10.5 metres;
 - (vi) Number of Stories, Maximum 2.
- (h) All other provisions of this By-law, as amended, shall apply.

Amended By-By-law No. Z134-2019

8.7.5.11.A R5-11A

- (a) Location: Part of Lots 15 and 16, Concession 17, Key Map 2
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to **row or townhouse dwellings**, and **accessory uses, buildings and structures** on those lands zoned "R5-11".
- (c) Notwithstanding the provisions of Section 8.2 the following provisions shall apply to those lands zoned "R4-11":
 - (i) **Lot Depth** Minimum 29.3 metres
 - (ii) **Front Yard** Minimum 6.0 metres to garage and 4.5 metres to dwelling
 - (iii) **Interior Side Yard** Minimum 2.5 metres

- (iv) **Exterior Side Yard** Minimum 3.5 metres
- (v) **Rear Yard** Minimum 6.0 metres
- (vi) **Building Height** Maximum 12.0 metres
- (vii) **Lot Coverage** Maximum 50 percent
- (d) Notwithstanding the provisions of Section 8.2 the following provisions shall apply to those lands zoned "R4-11":
 - (i) **Lot Area** Minimum
 - Interior Lots** 180 square metres
 - End Units** 255 square metres
 - Corner Lots** 285 square metres
 - (ii) **Lot Frontage** Minimum
 - End Units** 8.5 metres
 - Corner Lots** 9.5 metres
 - (iii) **Lot Depth** Minimum 30.0 metres
 - (iv) **Interior Side Yard** Minimum 2.5 metres
 - (v) **Exterior Side Yard** Minimum 3.5 metres
 - (vi) **Rear Yard** Minimum 6.0 metres
 - (vii) **Building Height** Maximum 12.0 metres
 - (viii) **Lot Coverage** Maximum N/A
- (e) All other provisions of this By-law, as amended, shall apply.

Amended By-By-Law No. Z131-2019

8.7.60 R5-12

- (a) Location: Block D and Lot 20, Key Map 18
- (b) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-12":
 - (i) Lot Area, Minimum 120.5 square metres (per unit measured from edge of condominium road/driveway to 1 metre off of rear wall of the dwelling).
 - (ii) Lot Frontage, Minimum 13.7 metres (the Maxwell Street frontage is deemed to be the frontage of the lot)
 - (iii) Lot Depth, Minimum 25.0 metres per unit (measured from edge of condominium road/driveway to property line behind unit)
 - (iv) Exterior Side Yard, Minimum 6.5 metres to James Street (measured from limit of required 5.0 metre wide road widening)
 - (v) Rear Yard, Minimum 3.0 metres (setback from north property line of the lot)
 - (vi) Maximum number of townhouse dwellings 24
- (c) All other provisions of this By-law, as amended, shall apply.

8.7.5.12 Exception number not used.

Amended By-By-law No. Z140-2020

8.7.5.13 R5-13

- (a) Location: 323 Queen Street West, Lots 5 and 6, and Part Lot 4, Plan 210, Key Map 5
- (b) The requirements for row and townhouse dwellings in By-law No. Z1-1997 shall also apply to stacked townhouse dwellings.
- (c) Notwithstanding the provisions of Sections 8.1 and 8.2, the following provisions shall apply to those lands zoned “R5-13”:
 - (i) Stacked townhouse dwellings shall be an additional permitted use.
 - (ii) Dwelling, Stacked Townhouse means a separate building that has been divided vertically and horizontally into three (3) or more dwelling units each of which has a separate and independent entrance and which are separated from the adjoining unit or units by a common unpierced wall with no interior access between the units.
 - (iii) **Lot Area**, Minimum 2,000 square metres and a maximum gross density of 50 units per hectare
 - (iv) **Lot Frontage**, Minimum (Corner Lot) 45.0 metres
 - (v) **Front Yard**, Minimum 4.5 metres
 - (vi) **Interior Side Yard**, Minimum 1.5 metres
 - (vii) **Exterior Side Yard**, Minimum 4.5 metres
 - (viii) **Rear Yard**, Minimum 1.5 metres
 - (ix) **Lot Coverage**, Maximum 40 percent
 - (x) **Planting Strip Requirement** 2.0 metre high fence
 - (xi) **Minimum Number of Required Parking Spaces** 2 per dwelling unit, and a cumulative total of 22 for those lands zoned R5-13
- (d) Section 5.18.3 shall also apply to dwellings with direct access to an internal private driveway connecting to a public street.
- (e) All other provisions of this By-law, as amended, shall apply.

Amended By-By-law No. Z141-2020

8.7.4.14 R5-14a, R5-14b, and R5-14c (*applies to Blks 1, 8 and 9, 44M-86 – towns*)

- (a) Location: Part of Lot 16, Concession 17, Key Map 7
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to **row or townhouse dwellings**, and **accessory uses, buildings and structures** on those lands zoned “R5-14a”, “R5-14b” and “R5-14c”.
- (c) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned “R5-14a”: (*Blk 1*)
 - (i) **Lot Area**, Minimum 985 m²
- (d) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned “R5-14a”, “R5-14b” and “R5-14c”: (*Blks 1, 8 and 9*)
 - (i) **Lot Coverage** Maximum 50 percent
- (e) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned “R5-14a”, “R5-14b” and “R5-14c”: (*Blks 1, 8 and 9*)
 - (i) **Lot Area**, Minimum (corner lot) 430 m²

- (f) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned "R5-14a": (*Blk 1*)
 - (i) **Lot Area**, Minimum (interior lot) 295 m²
 - (ii) **Side Yard**, Minimum (interior lot) 1.8 metres
- (g) Notwithstanding the provisions of Sections 3 and 8.2, the following provisions shall apply to those lands zoned "R5-14c": (*Blk 9*)
 - (i) The Egan Avenue frontage is deemed to be the **lot frontage** of the **lot**.
 - (ii) **Side Yard**, Minimum 7.0 metres
 - (iii) **Lot Frontage**, Minimum 38 metres

Amended By-By-law No. Z143-2021

8.7.5.15 R5-15

- (a) Location: 347 James Street South, Key Map 18
- (b) Notwithstanding the provisions of Section 8.1, permitted uses are limited to **row or townhouse dwellings**, and **accessory uses, buildings and structures** on those lands zoned "R5-15".
- (c) Notwithstanding the provisions of Sections 3, 5.21.1.1B, 5.21.2, 5.21.3(a), 5.25.3 and 8.2, the following provisions shall apply to those lands zoned "R5-15":
 - (i) **Side Yard**, Minimum (interior lot) 1.6 metres
 - (ii) **Building Height**, Maximum 6.8 metres (to highest point)
 - (iii) **Lot Coverage**, Maximum 40 percent
 - (iv) A minimum of two **parking spaces** per **dwelling unit** shall be provided and can be provided in tandem;
 - (v) A maximum of three **driveways** shall be permitted serving one **lot** with three **row or townhouse dwellings**;
 - (vi) The minimum distance between **driveway** ramps where access to a **lot** is by means of more than one **driveway** shall be 2.4 metres;
 - (vii) A required **planting strip** along the **side lot lines** may consist of a combination of solid wood fencing and landscaping, with a solid wood fence with a minimum height of 1.5 metres along the north property line;
 - (viii) A maximum of three **dwelling units** shall be permitted on one **lot**; and,
 - (ix) All regulations in Section 8.2 shall be based on the size and dimensions of the lot at the timing of enactment of this By-law.

Amended By-By-law No. Z147-2021

8.7.5.16 R5-16

- (a) Location: 17 Peel Street South, Key Map 13
- (b) Notwithstanding the provisions of Sections 5.6, 5.21, 5.24, 5.25 and 8 to the contrary:
 - (i) Permitted uses are limited to **dwelling units, wholesale establishment (commercial), institutional use, and business or professional office** including a registered massage therapist in **buildings existing** on the date of passage of this By-law on those lands zoned "R5-16".
 - (ii) The **existing lot area, lot frontage, yard setbacks, lot coverage, daylight triangle or sight triangle** and **building height** shall be deemed to comply with the Zoning By-law.
 - (iii) A **wholesale establishment (commercial)** shall have a maximum **gross floor area** of 30 square metres.

- (iv) An **institutional use** shall have a maximum **gross floor area** of 400 square metres.
- (v) A **business or professional office** shall have a maximum **gross floor area** of 30 square metres and shall include the office of a registered massage therapist.
- (vi) An off-street parking rate of 1.25 spaces per **dwelling unit** shall be required.
- (vii) To permit a **planting strip** to include either a minimum 1.5 metres of opaque visual barrier or a solid wood **fence** with a height 1.8 metres.
- (viii) **Amenity space** shall be provided at a rate of 5 square metres per **dwelling unit**.

Amended by By-Law No. Z138-2020

8.7.5.17 R5-17

- (a) Location: 665 James Street North, Part of Lot 15, Concession 18 Blanshard, Key Map 3
- (b) Notwithstanding the provisions of Section 8.2, the following provisions shall apply to those lands zoned “R5-12”:
 - (i) Lot Area, Minimum 3,650 square metres
 - (ii) Front Yard, Minimum 5.75 metres
 - (iii) Exterior Side Yard, Minimum 2.4 metres
 - (iv) Rear Yard, Minimum 7.0 metres
 - (v) Building Height, Maximum (to highest point) 15.93 metres
 - (vi) Number of Storeys, Maximum 4
 - (vii) Landscaped Open Space, Minimum 28.0 percent
 - (viii) A balcony shall be permitted to encroach into the required exterior side yard a distance of not more than 0.9 metres
- (c) All other provisions of this By-law, as amended, shall apply.

8.7.6 Residential Zone Six Special Provisions

Amended by By-law No. Z8-1999

8.7.6.1 R6-1

- (a) Location: Lots 25, 26, 27, and 28 south side of Queen Street, Registered Plan No. 225;
Lot 1 and part of Lot 2 west side of St. John Street Registered Plan No. 225;
Lot 1 and part of Lot 2 east side of St. George Street Registered Plan No. 225 and part of St. George Street (Closed, as described by Reference Plan No. 44R1275, Parts 1 and 2), Registered Plan No. 225.
- (b) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the following description of **lot lines** shall apply to the land in the “R6-1” **zone** as shown on Key May 14 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z8-1999).
 - (i) The northerly streetline abutting Queen Street shall be deemed to be the **front lot line**;
 - (ii) The southerly streetline abutting St. George Street shall be deemed to be the **rear lot line**;

(iii) The easterly streetline abutting St. John Street shall be deemed to be an exterior **side lot line**;

(iv) All other **lot lines** shall be deemed to be interior **side lot lines**.

Notwithstanding the provisions of Section 8.1 of By-law No. Z1-1997 to the contrary, an **existing single-detached dwelling** and **uses** accessory thereto shall be **permitted** within the "R6-1" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z8-1999)

Notwithstanding the provisions of Section 8.2, and of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply in the "R6-1" **zone** as shown on Key Map 14 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z8-1999):

(i) **Lot Area**, Minimum 6,300 square metres;

(ii) **Interior Side Yard** (Southerly),
Minimum 8.4 metres for the **existing nursing home dwelling**;
6.5 metres for an **existing dwelling** and **uses** and /or **buildings** accessory thereto;

(iii) **Interior Side Yard** (Northerly),
Minimum 3.2 metres for the **existing dwelling** and **uses** and/or **buildings** accessory thereto;

(iv) **Exterior Side Yard**, Minimum 7.5 metres for the **existing dwelling**;

(c) Notwithstanding the provisions of Section 5.24 of By-law No. Z1-1997 to the contrary, balconies, whether they be covered or uncovered, may project 1.0 metres into any required **yard** in the "R6-1" **zone** as shown on Key Map 7 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z8-1999).

(d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z122-2016

8.7.6.2 R6-2

(a) Location: Lots 1-12, and part of Ann Street (closed), Registered Plan No. 505, Key Map 18

(b) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **front yard** from Ann Street for a **home for the aged** as permitted on the land within the "R6-2" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z122-2016) shall be 3.0 metres.

- (c) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **interior yard** along the southerly **side yard**, west of Ann Street, for a **home for the aged** as permitted on the land within the "R6-2" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z122-2016) shall be 2.0 metres.
- (d) Notwithstanding the provisions of Section 8.2 of this By-law to the contrary, the minimum **interior yard** along the westerly **side yard** for a **home for the aged** as permitted on the land within the "R6-2" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z122-2016) shall be 3.0 metres.
- (e) Notwithstanding any provision of this By-law to the contrary, a wooden board-on-board **fence** with a minimum height of 1.8 metres above average finished grade shall be erected along the interior southerly **side yard**, west of Ann Street, on the land within the "R6-2" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z122-2016).
- (f) All other provisions of this By-law, as amended, shall apply.

Amended by By-Law No. Z146-20218.7.68 R6-3

- (a) Location: 151 Water Street North, Lots 14-17, inclusive W/S Wellington Street and Lots 13-17, inclusive E/S Water Street, Registered Plan No. 225 Part of Lot 16, Concession 17, Key Map 7
- (b) Notwithstanding the provisions of Sections 3, 5.21.1.1, 8.1 and 8.2, the following provisions shall apply to those lands zoned "R6-3":
 - (i) Permitted uses, buildings and structures are limited to a **retirement home and accessory uses, buildings and structures**.
 - (ii) **Lot Area, Minimum**

	550 square metres for the first dwelling unit or assisted living unit plus 89 square metres for each additional dwelling unit or assisted living unit
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 - (iii) **Front Yard, Minimum** 4.5 metres
 - (iv) **Rear Yard, Minimum** 8.6 metres
 - (v) **Building Height, Maximum** (for R6-3 Zone and R6-3a, R6-3b and R6-3c Overlays on Schedule "A")

R6-3	14.5 metres
R6-3a	11.5 metres
R6-3b	8.5 metres
R6-3c	5.5 metres
 - (vi) **Number of Storeys, Maximum** (for R6-3 Zone and R6-3a, R6-3b and R6-3c Overlays on Schedule "A")

R6-3	4
R6-3a	3
R6-3b	2
R6-3c	1
 - (vii) The **lot line** fronting onto Wellington Street North shall be deemed to be the **front lot line** and the **lot line** fronting onto Water Street North shall be deemed to be the **rear lot line**.
 - (viii) **Gross Floor Area, Maximum** 17,000 square metres

- (ix) A private road or **driveway** access shall not be permitted from Water Street North.
- (x) The minimum setback from a surface **parking space** to Wellington Street North or Water Street North shall be 30 metres.
- (xi) The entrance to the property will be via an access located at and aligned with the three-way intersection at Wellington Street North and Egan Avenue, to the satisfaction of the Town. The separation between **buildings** to accommodate access to the site shall be a minimum of 12 metres.
- (xii) Building facades greater than 50 metres in length should be articulated through design measures such as recesses, courtyards, step-backs and/or replacing one building with multiple **buildings**.
- (xiii) A minimum of 25 percent of the surface area of each wall facing and located within 30 metres of the **front lot line** or **rear lot line** shall be comprised of **openings**.
- (xiv) Rooftop mechanical equipment, including any appurtenances thereto, shall be fully enclosed within a **mechanical penthouse** or screened by an architectural feature, and shall not exceed 3.0 metres in height,
- (xv) A balcony shall be permitted to encroach into the required **front or rear yard** a distance of not more than 1.5 metres.
- (xvi) **Retirement home** means a **building** or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor amenity areas, consisting of either **dwelling units** or **assisted living units** or both.
- (xvii) **Assisted living unit** means a place of residence with one or more habitable rooms containing separate bathroom facilities for private *use* as a single housekeeping unit and where personal support services may be provided.
- (xviii) **Openings** means any window on a building façade which provides clear, unobstructed visibility to goods, exhibits, or the interior spaces of a **building** through the use of transparent glazing; or any public entrance on a **building** façade which provides clear access from the outside to the interior spaces of a **building**, but does not include entrances to any stairwell, boiler room, maintenance room, mechanical or electrical or utility room.
- (xix) **Mechanical penthouse** means a room or enclosure on the roof of a **building** exclusively used for mechanical equipment, a stair or elevator tower, elevator equipment, or any combination thereof.

(xx) Minimum Number of Required Parking Spaces

Type of Use	Number of Spaces
Retirement Home – Dwelling Unit	0.5 per dwelling unit (for residents) plus 0.2 per dwelling unit (for visitors and employees)
Retirement Home – Assisted Living Unit	0.3 per assisted living unit (for residents) plus 0.2 per assisted living unit (for visitors and employees)

(c) Section 4.4 shall not apply.

(d) All other provisions of this By-law, as amended, shall apply.

SECTION 9 - COMMERCIAL ZONES

No **person** shall within any C1, C2, C3 and C4 **zone use** any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

9.1 Permitted Uses, Buildings, and Structures

Uses permitted in a Commercial Zone are denoted by the symbol '☒' in the column applicable to the Zone and corresponding with the row for a specific permitted use in Tables 9A and 9B. A number(s) following the symbol '☒' or identified permitted use indicates that one or more special provisions apply, which are listed below Table 9A and 9B.

Table 9A Commercial Zones C1, C2 and C4 – Permitted Uses			
Use	C1	C2	C4
Assembly hall	☒		
Antique store	☒		
Artisan's establishment	☒		
Automobile gas bar	☒(1)	☒	
Automobile parts supply store	☒		
Bakery	☒		☒
Bank or a financial institution	☒		☒
Barber shop or a hairdresser shop	☒		☒
Beer parlour or a cocktail bar or a tavern	☒		☒
Boutique	☒		
Bowling alley	☒		☒
Bus station			☒
Business or professional office	☒		☒
Church			☒
Convenience or variety store	☒	☒	
Convenience business services establishment	☒		
Clinic, medical	☒		☒
Club, private	☒		☒
Club, commercial	☒		☒
Commercial use, excluding adult entertainment parlours, billiards parlours and video arcades	☒		
Community centre or a banquet hall or a dance hall or an auditorium	☒		☒
Day Nursery	☒		
Department store	☒		
Dressmaking or tailor shop	☒		☒
Dry cleaning outlet	☒		☒
Dry cleaner's establishment	☒		☒
Dwelling units (only permitted in the upper portion or upper floor levels of a commercial building)	☒(2)		☒(2)

Table 9A Commercial Zones C1, C2 and C4 – Permitted Uses			
Eating establishment, restaurant	✍	✍	✍
Eating establishment, take-out	✍		✍
Fire hall			✍
Farmer's market	✍		
Florist shop	✍		
Funeral home	✍		
Government administrative office	✍		✍
Grocery store	✍		
Home decorating store	✍		
Home improvement store	✍		
Hotel	✍		✍
Laundromat	✍		
Library	✍		
Liquor, beer or wine store	✍		
Movie video rental and sales business	✍		
Office	✍		
Office, business	✍		
Office, medical/dental	✍		
Office, service	✍		
Office, support	✍		
Parking lot			✍
Parking lot, commercial	✍		
Personal service shop	✍	✍	
Pet shop	✍		
Pharmacy	✍		
Place of entertainment	✍		
Photographic studio	✍		✍
Police station	✍		✍
Postal outlet	✍		
Printing and/or publishing establishment	✍		
Public library	✍		✍
Public park	✍		✍
Rental shop	✍		
Repair shop	✍		
Retail store	✍		✍
Service commercial centre	✍		
School, commercial	✍		
Shopping centre	✍		
Shopping plaza	✍		
Supermarket	✍		
Studio	✍		
Taxi stand and office	✍		

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Table 9A Commercial Zones C1, C2 and C4 – Permitted Uses			
Theatre	☒		☒
Accessory uses, buildings and structures	☒	☒	☒

Table 9A Additional Regulations:

- (1) Existing only.
- (2) **Dwelling Unit Gross Floor Area, Minimum**
 - (a) Bachelor unit 40.5 square metres
 - (b) 1 bedroom unit 54.0 square metres
 - (c) 2 bedroom unit 72.0 square metres
 - (d) 3 bedroom unit 90.0 square metres
 - (e) Additional bedrooms beyond 3 9.0 square metres per bedroom

Table 9B Commercial Zones C3 – Permitted Uses			
Use	C3 (Column A)	C3 (Column B)	C3 (Column C)
Assembly hall	☒		
Auction Establishment	☒		
Automobile gas bar			
Automobile parts supply store	☒		
Automobile rental establishment	☒		
Automobile repair establishment	☒ (1)	☒	
Automobile sales and service establishment			☒
Automobile service station		☒	
Automobile washing establishment		☒	
Bowling alley	☒		
Building supply outlet	☒		☒
Bus depot	☒		
Convenience or variety store	☒		
Convenience business services establishment	☒		
Clinic, animal	☒		
Department store			☒
Eating establishment, restaurant	☒		
Eating establishment, take-out	☒		
Farm implement sales and service			☒
Farmer's market	☒		
Funeral home	☒		
Fuel pump island		☒	
Golf course, miniature	☒		
Greenhouse, commercial	☒		
Home decorating store			☒
Home improvement store			☒
Hotel or motel	☒		

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Table 9B	Commercial Zones C3 – Permitted Uses		
Landscaping business and/or garden centre	✘		✘
Liquor, beer or wine store	✘		
Office, business			✘
Office, medical/dental			✘
Parking lot, commercial	✘		
Place of entertainment			✘
Recreational commercial use	✘		
Rental shop	✘		
Repair shop	✘		
Self-storage establishment	✘		
Service commercial centre	✘		✘
Supermarket			✘
Taxi stand and office	✘		
Tire sales establishment	✘		
Accessory uses, buildings and structures	✘	✘	✘

Table 9A Additional Regulations:

- (1) Excluding body and fender
- repair shops**

9.2 Requirements for Permitted Uses, Buildings, and Structures

A number(s) following the Zone standards, Zone heading, or the standard, indicates that one or more special provisions apply, which are listed below in Tables 9C and 9D.

Table 9C	Commercial Zone Standards – C1, C2 and C4		
Standard	C1 (2)(3)	C2 (3)	C4 (3)(6)
Lot Area, Minimum (m ²)	225.0	900.00	450.0
Lot Frontage, Minimum (m)	7.5	30.0	15.0
Lot Depth, Minimum (m)	30.0	30.0	30.0
Front Yard, Minimum (m)	0.0	6.0	6.0
Interior Side Yard, Minimum (m)	(1)	6.0	0.0 (5)
Exterior Side Yard, Minimum (m)	1.5	6.0	6.0
Rear Yard, Minimum (m)	6.0	9.0	9.0
Building Height, Maximum (m)	13.5	10.5	10.5
Lot Coverage, Maximum (%)	75.0	50.0	40.0
Gross Floor Area, Minimum (m ²)	N/A	250	
Landscaped Open Space, Minimum (%)	N/A	20	20.0

Table 9C Additional Regulations:

- (1) No **interior side yard** is required except where a "C1" **zone** abuts a Residential **zone** in which case a **minimum side yard** of 3.0 metres is required.
- (2) No **parking spaces** are required with the exception of new **dwelling units** and hotels in accordance with Section 5.

Notwithstanding the provisions of Section 5.6 and Section 5.24.8 of this By-law, the following provisions shall apply with respect to **daylight or sight triangles** in the "C1" **zone**:

- a. a **daylight or sight triangle** with distances of 6.0 metres measured along the **lot lines** abutting the **streets** shall be required.
- b. Clause (a) above shall not apply so as to prevent the projection of a second or higher **storey** of a **building** or **structure** into the required **daylight or sight triangle** provided that a vertical height of 3.0 metres measured vertically above **finished grade level** is kept free of any **buildings** and **structures**.
- c. Clause (a) above shall not apply so as to prevent the **erection** of one structural support column, with a maximum diameter of 450 mm, in the required **daylight or sight triangle** provided that the column is required for the structural support of the second or higher **storey** of a **building** or **structure**.
- d. Clause (a) above shall not apply to those **buildings** on **lots** at the at the following intersections:
 - i. Queen Street E. and Water Street;
 - ii. Queen Street E. and Wellington Street;
 - iii. Queen Street E. and Church Street.

The **outdoor display and sale areas** for goods or materials shall not be **permitted** in the **front yard**.

- (3) A **planting strip** shall be required in accordance with the provisions of Section 5.25 where an **interior side or rear lot line** for a **lot** being developed for commercial purposes abuts a **lot** that is in a Residential **Zone** or a Residential (-H) Holding **Zone**.
- (4) The outdoor storage of goods or materials shall not be permitted.
Fuel pumps and canopies over a **pump island** shall not be located closer than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a **corner lot**.
Fuel storage tanks shall not be located closer than 4.5 metres to a **front, interior side, exterior side, or rear lot line**.
- (5) Except where a "C4" **zone** abuts a Residential **zone** in which case a **minimum interior side yard** of 6.0 metres is required.
- (6) No ingress or egress **driveway** shall be located closer than 1.5 metres to any **side or rear lot line**.

Table 9D Commercial Zone Standards – C3			
Standard	Column A Uses	Column B Uses	Column C Uses
Lot Area, Minimum (m²)	900.0	1350.0	4000.0
Lot Frontage, Minimum (m)	30.0	45.0	45.0
Lot Depth, Minimum (m)	30.0	30.0	45.0
Front Yard, Minimum (m)	10.0	10.0	10.0
Interior Side Yard, Minimum (m)	3.0 is required except where a "C3" zone abuts a Residential zone in which case a minimum interior side yard of 7.5 is required.	7.5 or one half the building height, whichever is greater.	10.0 or one half the building height, whichever is greater.
Exterior Side Yard, Minimum (m)	6.0	7.5	7.5
Rear Yard, Minimum (m)	4.5 is required except where a "C3" zone abuts a Residential zone in which case a minimum rear yard of 7.5 is required.	7.5	10.0
Building Height, Maximum (m)	10.5	10.5	13.5
Lot Coverage, Maximum (%)	40.0	40.0	40.0
Planting Strip Requirement	A planting strip shall be required in accordance with the provisions of Section 5.25 where an interior side or rear lot line for a lot being developed for commercial purposes abuts a lot that is in a Residential Zone or a Residential (-H) Holding Zone.		
Landscaped Open Space, Minimum (%)	20	20	20
Notwithstanding any provisions of this By-law, a landscaped open space strip with a minimum width of <u>3.0 metres</u> shall be required for all lands zoned "C3" with a front or side lot line along Queen Street or James Street.			
Outdoor Storage	The outdoor storage of goods or materials shall be permitted in accordance with the provisions of Section 5.19.		
Outdoor Display and Sales Area	An outdoor display and sale area shall be permitted in accordance with the provisions of Section 5.20.		

Section 9
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Dwelling units shall be **permitted** only on the upper portion or upper floor levels of **buildings used for commercial/business** purposes.

9.3.2 Dwelling Unit Gross Floor Area, Minimum

(a)	Bachelor unit	40.5	square metres
(b)	1 bedroom unit	54.0	square metres
(c)	2 bedroom unit	72.0	square metres
(d)	3 bedroom unit	90.0	square metres
(e)	Additional bedrooms beyond 3	9.0	square metres per bedroom

9.4 Requirements for Accessory uses, Buildings, Structures

In accordance with the provisions of Section 5.1.

9.5 Requirements for Public Parks

In accordance with the provisions of Section 15.

9.6 Special Provisions**9.6.1 Central Commercial Zone One (C1) Special Provisions****9.6.1.1 C1-1**

- (a) Location: All land within the "C1-1" **zone** as shown on Schedule "A" to this By-law and identified as being within in the **Special Policy Area** designation(s) of the Town's Official Plan
- (b) Notwithstanding the provisions of Section 15.1 of this By-law, the following **uses** are prohibited within the "C1-1" **zone** as shown on Schedule "A" to this By-law:
 - (i) a **child care centre**;
 - (ii) a firehall;
 - (iii) a **government administrative office**;
 - (iv) a police station;
- (c) Notwithstanding any provision of this By-law, no new building permits nor any change in **use** shall be **permitted** without the written approval of the Upper Thames River Conservation Authority stating that the proposed development or redevelopment satisfies the flood proofing measures as required by the Town's Official Plan and the Upper Thames River Conservation Authority.
- (d) All other provisions of the "C-1" **zone**, as amended, shall apply.

Amended by By-law No. Z4-1997 and Z5-1997**9.6.1.2 C1-2**

- (a) Location: Pt. Lot 1 and 2, Block S, w/s of Wellington St., and pt. of Block N, e/s of Water St., Registered Plan No. 235,
Lots 1-3, and Block I, s/s of Elgin St., w/s of Wellington St., and
Lots 10-13 s/s of Elgin St., e/s of Water St., Registered Plan No. 225.
- (b) Notwithstanding the provisions of Section 9.1 to the contrary, an additional **use** described as an **Automobile Repair Establishment**, Minor shall also be permitted within the "C1-2" **zone** as shown on Key Map 13 of Schedule "A" to

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this By-law:

- (c) For the purpose of paragraph (b) of Section 9.6.1.2 an **Automobile Repair Establishment**, Minor shall mean:
a **building** or part thereof or other **structure**, associated with an automotive part and accessories **retail store**, where the repairing, rebuilding or conditioning of **motor vehicles** or parts thereof, is carried on as a **use** but does not include body or fender work, painting, steam cleaning, an **automobile service station** or an automobile wrecking yard.
- (d) Notwithstanding the provisions of Section 5.21.2 to the contrary, the maximum width of **driveways** on the land within the "C1-2" **zone** as shown on Key Map 13 of Schedule "A" to this By-law shall be 11 metres.
- (e) All other provisions of By-law No. Z1-1997, as amended, including the provisions of the **Special Policy Area** Constraint Zone, shall apply.

Amended by By-law No. Z11-1999**9.6.1.3 C1-3-H**

- (a) Location: Part of Lots 1, 2, and 3, west side of Peel Street, Registered Plan No. 225.
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, an additional **use** described as a **bed and breakfast establishment**, containing not more than two guest bedrooms, shall be **permitted** on the land within the "C1-3-H" **zone** as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z11-1999).
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z18-2000**9.6.1.4 C1-4**

- (a) Location: Lot 1 and Part of Lot 2, north side of Jones Street and west side of Church Street, and
Part of Lot 10, south side of Queen Street, Registered Plan No. 225.
- (b) Notwithstanding the provisions of Section 9.1.1 of By-law No. Z1-1997 to the contrary, an additional **permitted use** consisting of one additional ground level **single-detached dwelling** and **accessory uses** shall be **permitted** in the "C1-4" **zone** as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z18-2000).
- (c) Notwithstanding any provision of By-law No. Z1-1997 to the contrary, the additional residential **use permitted** in Clause (b) above shall only be **permitted** within an **existing 1 ½ storey frame building (existing** as of the day of adoption of By-law No. Z18-2000) situated in the "C1-4" **zone** as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z18-2000).
- (d) Notwithstanding any provision of By-law No. Z1-1997 to the contrary, the maximum **gross floor area** for the additional ground level **single-detached dwelling permitted** in Clause (b) above and located in the "C1-4" **zone** as shown on Key Map 13 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z18-2000) shall be the **existing building area (existing** as of the day of adoption of By-law No. Z18-2000) or 100 square metres, whichever is less.

- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z74-2008

9.6.1.5 C1-5

- (a) Location: Lot 1, and Lot 2 N/S Queen Street, W/S Wellington Street, Part of Lots 1 and 2 N/S Queen Street, E/S Water Street, Registered Plan No. 225.
- (b) Notwithstanding the provisions of Section 9.2 of this By-law to the contrary, the minimum **lot depth** and the **minimum rear yard** for the land within the “C1-5” **zone** as shown on Key May 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z74-2008) shall be 27.5 metres and 3.5 metres, respectively.
- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the provisions of Section 9.6.1.1 (b) and (c) shall apply to the land within the “C1-5” **zone** as shown on Key May 2 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z74-2008).
- (d) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z111-2014

9.6.1.6 C1-6

- (a) Location: Lots 7, 8, and 9 north side Elgin Street, west side Church Street, Registered Plan No. 225 (Key Map 13)
- (b) Notwithstanding the provisions of Section 9.1 of this By-law to the contrary, the conversion of an existing ground level Dentist Office into one residential **apartment dwelling unit** shall be permitted on a **lot** within the “C1-6” **zone** as shown on Key Map 13 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z111-2014).
- (c) Notwithstanding any provision of this By-law to the contrary, the conversion of an existing ground level Dentist Office into one residential **apartment dwelling unit**, as described above, shall be **permitted** without a Site Plan Agreement pursuant to Section 41 of the *Planning Act RSO 1990*.
- (d) All other provisions of this By-law shall apply.

9.6.2 Limited Commercial Zone (C2) Special Provisions

Amended By By-law No. Z20-2000

9.6.2.1 C2-1

- (a) Location: Part of Lots 19 and 20, Concession 17
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, only the following **uses** shall be **permitted** on the lands located within the “C2-1” **zone** as shown on Key Map 18 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z20-2000).
- (i) an **automobile sales and service establishment**;
 - (ii) an **automobile service station**;
 - (iii) an **automobile washing establishment**;
 - (iv) a **barber shop or a hairdresser shop**;
 - (v) a building supply shop or yard;
 - (vi) a **business or professional office**;
 - (vii) a **church**;
 - (viii) a **clinic, animal**;

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- (ix) a **clinic, medical**;
 - (x) a **convenience store** with a maximum **gross floor area** of 250 square metres;
 - (xi) a **dress making or tailor shop**;
 - (xii) a dry cleaner's establishment;
 - (xiii) a **government administrative office**;
 - (xiv) an **eating establishment, restaurant**;
 - (xv) an **eating establishment, takeout**;
 - (xvi) a parking lot;
 - (xvii) a photographic studio;
 - (xviii) a police station;
 - (xix) a **repair shop**;
 - (xx) a **rental shop**;
 - (xxi) a small engine **repair shop**;
 - (xxii) **accessory uses, buildings and structures.**
- (c) The provisions of Section 9.2, Table 9C of By-law No. Z1-1997 shall not apply to any **uses permitted** in clause (b) above. However, the maximum **gross floor area** for a **convenience store permitted** pursuant to item (x) of clause (b) above shall be 250 square metres.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

9.6.3 Highway Commercial Zone (C3) Special Provisions**9.6.3.1 C3-1**

- (a) Location: Lots 69 to 72, s/s of Queen St., and Lots 70 to 72 and part of Lot 69, n/s of Jones St., Registered Plan No. 235;
- (b) Notwithstanding the provisions of Section 9.1, only the following **uses, buildings, and structures** are **permitted** on the land within the "C3-1" **zone** as shown on Schedule "A" to this By-law.
- Permitted Uses, Buildings, and Structures**

- (i) an **automobile sales and service establishment**;
- (ii) an **automobile service station**;
- (iii) an **automobile washing establishment**;
- (iv) a building supply shop and yard;
- (v) an **eating establishment, restaurant**;
- (vi) an **eating establishment, take out**;
- (vii) a farm implements dealership;
- (viii) a **parking lot**;

Amended By By-law No. Z97-2012

- (ix) a home health care establishment;
 - (x) **accessory uses, buildings, and structures.**
- (c) All other provisions of the C3 **zone** shall apply.

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- (a) Location: Part of Lot 19, Thames Concession.
- (b) Notwithstanding the provisions of Section 9.1 to the contrary, the following **uses, buildings, and structures** are also **permitted** on the land within the "C3-2" **zone** as shown on Schedule "A" to this By-law.
 - (i) a hardware/automotive type merchandise store;
 - (ii) a **supermarket**.
- (c) Notwithstanding any provision to this By-law to the contrary, the maximum **Gross Floor Area** for a hardware/automotive type merchandise store as **permitted** in Section 9.1 Table 9B shall be 1,858 square metres and the maximum **Gross Floor Area** for a **supermarket** as **permitted** in Section 9.1 Table 9B shall be 2,137 square metres.
- (d) All other provisions of the C3 **zone** shall apply.

9.6.3.3 C3-3

- (a) Location: Part of Lot 20, Thames Concession.
Amended By By-law No. Z90-2011
- (b) Notwithstanding the provisions of Section 9.1 to the contrary, the following **uses, buildings, and structures** are also **permitted** on the land within the "C3-3" **zone** as shown on Schedule "A" to this By-law.
 - (i) a **business and professional office**;
 - (ii) a **personal service shop**;
 - (iii) a **laundromat**.
- (c) All other provisions of the C3 **zone** shall apply.

Amended By By-law No. Z17-2000**9.6.3.3.1 C3-3-H**

- (a) Location: Part of Lot 20, Thames Concession.
- (b) Notwithstanding any provision of this By-law to the contrary, the only **permitted uses** on the land in the "C3-3-H" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A-1" to By-law No. Z17-2000) are those **buildings, structures, and uses** that lawfully existed on the day of adoption of this By-law.
- (c) Prior to the removal of the "H" provisions as established by this By-law, the owner/developer of the land within the "C3-3-H" **zone** must enter into a **site plan** agreement pursuant to Section 41 of the Planning Act R.S.O. 1990.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z13-1999**9.6.3.4 C3-4**

- (a) Location: Part of Lot 17, Concession 15 (formerly in the Township of Blanshard).
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, one accessory residential use, with a total **gross floor area** not exceeding 185 square metres, shall be **permitted** in the upper portion of a **building** used for **highway commercial uses** in the "C3-4" **zone** as shown on Key Map 5 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z13-1999).

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- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, no **landscaped open space** shall be required along the southerly **lot line** of the land within the “C3-4” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z13-1999).
- (d) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, an access **driveway** with a width of 53 metres shall be **permitted** along the southerly **lot line** (along Queen Street) of the land within the “C3-4” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z13-1999).
- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z22-2000 and By-Law No. Z150-2022**9.6.3.5 C3-5**

- (a) Location: Part of Lot 18, Concession 19.
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, an additional **use** described as an egress and ingress **driveway** used in conjunction with **uses permitted** in the abutting “Industrial Zone One (M1)” **zone** to the south shall be **permitted** on the lands located within the “C3-5” **zone**.
- (c) Additional permitted uses: pet food and pet supplies sales, pet grooming and washing, and pet adoptions.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z22-2000 and Z107-2014**9.6.3.5.1 C3-5-H**

- (a) Location: Part of Lot 18, Concession 19.
- (b) Notwithstanding the provisions of Section 9.1 and Section 18.1 of By-law No. Z1-1997 to the contrary, only the following **uses** shall be **permitted** on the lands located within the “C3-5-H” **zone** as shown on Key Map 10 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z22-2000):
 - (i) **existing** uses, **existing** as of the day of passing of By-law No. Z1-1997;
 - (ii) an egress and ingress **driveway** used in conjunction with **uses permitted** in the abutting “Industrial Zone One (M1)” **zone** to the south;
 - (iii) sediment and erosion control fencing;
 - (iv) **accessory uses, buildings and structures**.
- (c) The provisions of Section 18 of By-law No. Z1-1997, as amended, shall be satisfied prior to the removal of the holding (H) symbol and the **permitted uses** as established in Section 9.6.3.5 of By-law No. Z1-1997, as amended, shall apply.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z52-2004**9.6.3.6 C3-6**

- (a) Location: Part of Lot 20, Concession Thames.
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, an additional **permitted use** described as a specialty food store and **accessory uses** shall be **permitted** within the “C3-6” **zone** as shown on Key Map 5 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No.

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- Z52-2004).
- (c) For the purposes of Section 9.6.3.6 of this By-law, a specialty food store **use** means:
 “a **use** located in a **building** or part thereof having a maximum **gross floor area** of 250.0 square metres in which frozen prepared food products are offered for retail sale to the general public over a counter for home preparation and consumption.”
- (d) For the purposes of Section 9.6.3.6 of this By-law, a **convenience store use** located in the “C3-6” **zone** means:
 “a **use** located in a **building** or part thereof in which a small quantity but large variety of articles, such as milk, bread, soft drinks, ice cream, canned and bottled goods, snacks and candy, magazines, housewares, personal hygiene products, tobacco products, and lottery tickets are offered for retail sale to the general public primarily to serve the daily needs of people and may include the rental of movie videos and DVDs, an automated teller machine, and/or a depot for such items as film, laundry or dry-cleaning but does not include a grocery store.”
- (e) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z59-2005**9.6.3.7 C3-7**

- (a) Location: Part of Lot 18, Concession 19 (Key Map 10).
- (b) Notwithstanding the provisions of Section 9.1 of By-law No. Z1-1997 to the contrary, the following **uses** will also be **permitted** on the land within the “C3-7” **zone** as shown on Key Map 10 of Schedule “A” to this By-law:
- (i) a grocery store;
 - (ii) **personal service shops**;
 - (iii) service retail uses; and
 - (iv) **accessory uses, buildings, and structures**.
- (c) Notwithstanding the provisions of Section 9.2 and 9.4 of this By-law to the contrary, the following provisions shall apply to the **permitted uses** in clause (b) above on the land within the “C3-7” **zone** as described in Section 9.1 of By-law No Z1-1997 and clause (b), above:
- (i) **Lot Area**, Minimum 4.0 hectares;
 - (ii) **Lot Frontage**, Minimum 40 metres;
 - (iii) **Front Yard**, Minimum 7.5 metres;
 - (iv) **Side Yard**, Minimum 3.0 metres;
 - (v) **Rear Yard**, Minimum 4.5 metres;
 - (vi) **Gross floor area**, Maximum
- | | |
|---|--|
| (A) Grocery Store | 5,800 square metres;
consisting of not more than
500 square metres of
pharmacy type uses; |
| (B) Personal Service Shops and
Service retail uses | 1,000 square metres. |
- (d) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z77-2008 and By-Law No. Z151-2022

9.6.3.8 C3-8

- (a) Location: Part of Lots 19 and 20, Concession 17, Part of Lot 35, Thames Concession, (formerly in the Township of Blanshard) and Lots 3 to 9, inclusive, and Gore Street, Registered Plan No. 235.
- (b) Notwithstanding the provisions of Section 9.1 of this By-law to the contrary, only the following **uses** are **permitted** on the land within the “C3-8” **zone** as shown on Key Map 19 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z77-2008):
 - (i) a building supply outlet;
 - (ii) a bus depot;
 - (iii) an **clinic, animal**;
 - (iv) a **convenience store**;
 - (v) an **eating establishment, restaurant**;
 - (vi) an **eating establishment, take-out**;
 - (vii) a **farm market**;
 - (viii) a gas bar;
 - (ix) a **greenhouse, commercial**;
 - (x) a landscaping **business** and/or garden centre;
 - (xi) a parking lot, commercial;
 - (xii) a **rental shop**; and
 - (xiii) contractor’s yard or shop and ancillary uses.
 - (xiv) **accessory uses, buildings, and structures**.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law Nos. Z92-2011 and Z113-2015

9.6.3.9 C3-9

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 9.1 of this By-law, the following **uses, buildings, and structures** are also **permitted** on the land within the “C3-9” **zone** as shown on Schedule “A” to this By-law.
 - (i) a **business and professional office**;
 - (ii) a police station;
 - (iii) a specialty store; and
 - (iv) a **taxi stand and office**.
- (c) For the purpose of Section 9.6.3.9(b)(iii) above,
A specialty store means – a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment and in which some or all of the goods so listed may also be available within the establishment for sale at retail and which a majority of the retail floor area is devoted to the sale of physically large bulky items.
- (d) Notwithstanding the provisions of Section 9.2 or Section 9.4 of this By-law to the contrary, the **minimum front yard** for an **existing building (existing** on the date of adoption of By-law No. Z92-2011) for the land within the “C3-9-T” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z92-2011) shall be 3.0 metres.

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- (a) Location: Lots 6 and 7, Registered Plan No. 235 and Part of Lot 35, Thames Concession.
- (b) Notwithstanding the provisions of Section 9.1 of this By-law to the contrary, only the following **uses** are **permitted** on the land within the "C3-10" **zone** as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z102-2013):
 - (i) a building supply outlet;
 - (ii) a bus depot;
 - (iii) a **clinic, animal**;
 - (iv) a **clinic, medical**;
 - (v) a **convenience store**;
 - (vi) an **eating establishment, restaurant**;
 - (vii) an **eating establishment, take-out**;
 - (viii) a **farm market**;
 - (ix) a gas bar;
 - (x) a **greenhouse, commercial**;
 - (xi) a landscaping **business** and/or garden centre;
 - (xii) a parking lot, commercial;
 - (xiii) a **rental shop**; and
 - (xiv) **accessory uses, buildings, and structures**.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z124-2017**9.6.3.11 C3-11-H**

- (a) Location: Part of Lot 17, Concession 19, Key Map 10
- (b) Notwithstanding the provisions of Section 9.1 of this By-law to the contrary, two existing **single detached dwellings** shall be permitted on the land within the "C3-11-H" **zone** as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z124-2017).
- (c) Notwithstanding any provision of Section 9.2 of By-law No. Z1-1997 to the contrary, the following regulations shall apply for existing residential **uses** on the land within the "C3-11-H" **zone** as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z124-2017):
 - (i) **Lot Area**, Minimum 3,000 square metres;
 - (ii) **Lot Area**, Maximum 4,000 square metres;
 - (iii) **Lot Frontage**, Minimum 45.0 metres;
 - (iv) **Lot Depth**, Minimum 65.0 metres;
 - (v) **Front Yard**, Minimum 35.0 metres;
 - (vi) **Interior Side Yard**, Minimum 5.0 metres;
 - (vii) **Rear Yard**, Minimum 10.0 metres;
 - (viii) **Building Height**, Maximum height of existing **dwelling**;
 - (ix) **Lot Coverage**, Maximum 35 percent.
- (d) Notwithstanding the definition of **front lot line** in Section 3 of By-law No. Z1-1997 to the contrary, the **lot line** adjacent to Road 120 shall be deemed to be the **front lot line** for the purposes of any **through lot** on the land within the "C3-11-

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- H" **zone** as shown on Key Map 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law Z124-2017);
- (e) The minimum **interior side yard** requirement for any existing non-residential **building** is 1.0 metres;
 - (f) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z137-2020**9.6.3.12 C3-12**

- (a) Location: Part of 465 Water Street South and 481 Water Street South, Part of Lots 21 and 35, Thames Concession, Key Map 19
- (b) Notwithstanding the provisions of Section 9.1, permitted uses are limited to the following on those lands zoned "C3-12":
 - (i) **business or professional office**;
 - (ii) **contractor's yard or shop**;
 - (iii) **convenience store or variety store**;
 - (iv) equipment sales and rental business;
 - (v) laboratory or research facility;
 - (vi) **office**;
 - (vii) **office, business**;
 - (viii) **office, support**;
 - (ix) private club;
 - (x) production studio;
 - (xi) **repair shop**;
 - (xii) restaurant;
 - (xiii) **retail store** including the sale of cannabis and related products and vitamins; and,
 - (xiv) **accessory uses, buildings, and structures.**
- (c) For the purpose of those lands zoned "C3-12", a production studio means premises used for producing motion pictures, or audio or video recordings or transmissions.
- (d) Notwithstanding the provisions of Section 9.2, Table 9C, the following provisions shall apply to those lands zoned "C3-12":

Front Yard, Minimum	5 metres (Alexander McDonald House)
	8.5 metres (new buildings)
- (e) All other provisions of this By-law, as amended, shall apply.

Amended By-By-Law No. Z132-2019**9.6.3.13 C3-13**

- (a) Location: 481 Water Street South, Part of Lot 35, Thames Concession, Key Map 19
- (b) Notwithstanding the provisions of Section 9.1, permitted uses are limited to the following on those lands zoned "C3-13":
 - (i) **business or professional office**;
 - (ii) **convenience store or variety store**;
 - (iii) equipment sales and rental business;
 - (iv) laboratory or research facility;
 - (v) private club;

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- (vi) production studio;
- (vii) restaurant;
- (viii) accessory uses, buildings, and structures.
- (c) For the purpose of those lands zoned "C3-13", a production studio means premises used for producing motion pictures, or audio or video recordings or transmissions.
- (d) Notwithstanding the provisions of Section 9.2, Table 9C, the following provisions shall apply to those lands zoned "C3-13":
 - (i) **Front Yard, Minimum** 5 metres
 - (ii) **Interior Side Yard, Minimum** 2.5 metres
 - (iii) **Rear Yard, Minimum** 2.5 metres
- (e) All other provisions of this By-law, as amended, shall apply.

9.6.4 Special Commercial Zone (C4) Special Provisions

9.6.4.1 C4-1

- (a) Location:
 - (i) Lots 4, 5, and 6 and part of Lot 3, s/s of Queen St., Registered Plan No. 209;
 - (ii) Lot 14 and part of Lot 15, s/s of Queen St., Registered Plan No. 207;
 - (iii) Lot 16 and part of Lot 15, s/s of Queen St., Registered Plan No. 207;
 - (iv) part of Lot 15, s/s of Queen St., Registered Plan No. 207 and Lot 23 and part of Lots 21 and 22, s/s Queen St., Registered Plan No. 211;
 - (v) part of Lot 15, s/s of Queen St., Registered Plan No. 235;
 - (vi) part of Lots 2,3,4, and 5, s/s of Queen St., Registered Plan No. 217.
- (b) Notwithstanding the provisions of Section 9.1, only the following **uses, buildings, and structures** are **permitted** on the land within the "C4-1" **zone** as shown on Schedule "A" to this By-law.

Permitted Uses, Buildings, and Structures

- (i) a **barber shop or a hairdresser shop**;
- (ii) a **business or professional office**;
- (iii) a **dressmaking or tailor shop**;
- (iv) a **dry cleaning outlet**;
- (v) a **convenience store**;
- (vi) a **laundromat**;
- (vii) a retail food store;
- (viii) a shoe repair store;
- (ix) an **automobile service station**;
- (x) one or more **dwelling units** in the upper or rear portion of a commercial **building**;
- (xi) **accessory uses, buildings, and structures**.
- (c) In addition to the **zone** provisions of Section 9.2 of this By-law, fuel pumps and canopies over a **pump island** used in association with an **automobile service station** shall not be located closer than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a **corner lot**. Fuel storage tanks shall not be located closer than 4.5 metres to a **front, interior side, exterior side, or rear lot line**.

- (d) All other provisions of the C4 **zone** shall apply.

9.6.4.2 C4-2

- (a) Location: All lands within the "C4-2" **zone** as shown on Schedule "A" to this By-law.
- (b) Notwithstanding the provisions of Section 9.1, only the following **uses, buildings, and structures** are **permitted** on the land within the "C4-2" **zone** as shown on Schedule "A" to this By-law.

Permitted Uses, Buildings, and Structures

- (i) an **automobile sales and service establishment**;
- (ii) an **automobile service station**;
- (iii) an **automobile washing establishment**;
- (iv) a building supply shop and yard;
- (v) an **eating establishment, restaurant**;
- (vi) an **eating establishment, take out**;
- (vii) a farm implements dealership;
- (viii) a **parking lot**;

Amended By By-law No. Z26-2001

- (ix) a **business or professional office**;

Amended By By-law No. Z44-2004

- (x) appliance sales & service;
- (xi) auto detailing;
- (xii) auto glass;
- (xiii) auto part & accessories;
- (xiv) awnings & canopies;
- (xv) **bakery**;
- (xvi) barbecues & patio furniture;
- (xvii) bathroom & kitchen accessories;
- (xviii) bicycle sales & service;
- (xix) billiard equipment & supplies;
- (xx) boating marines sales & service;
- (xxi) bridal shop;
- (xxii) bulk foods;
- (xxiii) camping supplies;
- (xxiv) collectibles (cards, etc.);
- (xxv) concrete products, sales;
- (xxvi) contractor's shop;
- (xxvii) custom meat market;
- (xxviii) electrical supply;
- (xxix) exercise equipment;
- (xxx) financial institution;
- (xxxi) fireplace sales & service;
- (xxxii) furniture;
- (xxxiii) health foods;
- (xxxiv) hearing aid services;
- (xxxv) home entertainment sales & service; kitchens & cabinets sales &

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- service;
 - (xxxvi) lighting supplies;
 - (xxxvii) locks & locksmith;
 - (xxxviii) mattress & bedding;
 - (xxxix) monument, sales;
 - (xl) motorcycles & snowmobiles sales;
 - (xli) office furniture (new & used);
 - (xlii) orthopedic appliances;
 - (xliii) plumbing & heating supplies;
 - (xliv) pools sales & services;
 - (xlv) RV dealer sales;
 - (xlvi) telecommunication sales & service;
 - (xlvii) upholstery;
 - (xlviii) vacuums sales & service;
 - (xlix) wholesale retail outlet;
 - (l) **accessory uses, buildings, and structures.**
- (c) In addition to the **zone** provisions of Section 9.2 of this By-law, fuel pumps and canopies over a **pump island** used in association with an **automobile service station** shall not be located closer than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a **corner lot**. Fuel storage tanks shall not be located closer than 4.5 metres to a **front, interior side, exterior side, or rear lot line**.
- (d) All other provisions of the C4 **zone** shall apply.

9.6.4.3 Deleted By By-law No. Z107-2014**9.6.4.4 C4-4**

- (a) Location: Part of lots 73, 74, and 75, n/s of Jones St., Registered Plan No. 235 and Lots 1, 2, 3, and 4, s/s of Queens St., Registered Plan No. 228.
- (b) Notwithstanding the provisions of Section 9.1, the only **permitted uses** on the land within the "C4-4" **zone** as shown on Schedule "A" to this By-law shall be a **parking lot**.
- (c) All other provisions of the C4 **zone** shall apply.

9.6.4.5 Deleted By By-law No. Z107-2014.**9.6.4.6 Deleted By By-law No. Z107-2014.****Amended By By-law No. Z93-2011****9.6.4.7 C4-7**

- (a) Location: Part of Lot 19, Concession 18
- (b) Notwithstanding the provisions of Section 9.1, only the following uses, **buildings**, and **structures** are **permitted** on the land within the "C4-7" **zone** as shown on Schedule "A" to this By-law.

Permitted Uses, Buildings and Structures

- (i) an **automobile sales and service establishment**;
 - (ii) an **automobile service station**;
 - (iii) an **automobile washing establishment**;
 - (iv) a bicycle repair/sales establishment;
 - (v) a building supply shop and yard;
 - (vi) an **eating establishment, restaurant**;
 - (vii) an **eating establishment, take out**;
 - (viii) a farm implements dealership;
 - (ix) a landscaping outlet;
 - (x) a small engine repair establishment;
 - (xi) a parking lot;
 - (xii) **accessory uses, buildings, and structures**.
- (c) For the purposes of Section 9.6.4.7(b), a “landscaping outlet” shall be defined as “a **building** and area used for the parking, storage, and servicing of equipment such as lawn mowers, tillers, trucks, and **trailers** associated and used for the maintenance and upkeep of lawns, shrubs, trees, and similar vegetation and may include storage of small quantities of materials used in conjunction with the operation such as fertilizers and herbicides, as well as the bulk storage of materials used in conjunction with the operation such as top soil, mulch, and gravel and may also include limited sales of products directly to the public.”
- (d) In addition to the **zone** provisions of Section 9.2 of this By-law, fuel pumps and canopies over a **pump island** used in association with an **automobile service station** shall not be located closer than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a corner lot. Fuel storage tanks shall not be located closer than 4.5 metres to a front, interior side, exterior side, or **rear lot line**.
- (e) All other provisions of the C4 **zone** shall apply.

9.6.4.8 Deleted By By-law No. Z113-2015.

SECTION 10 - LIGHT INDUSTRIAL ZONE (M1)

No **person** shall within any M1 **zone use** any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

10.1 Permitted Uses, Buildings, and Structures

- (a) an **assembly hall**;
- (b) an **auction establishment**, excluding a **livestock** auction facility;
- (b.1.) an **automobile Parts Supply Store**;
- (b.2) an **automobile Rental Establishment**;
- (c) an **automotive gas bar**;
- (d) an **automobile repair establishment**;
- (e) an **automobile service station**;
- (f) an **automobile washing establishment**;
- (f.1) a **caterer's establishment**;
- (g) a cold storage locker plant;
- (h) a communications facility;
- (i) a **contractor's yard or shop**;
- (i.1) a **convenience business services establishment**;
- (i.2) a **convenience or variety store**;
- (j) an equipment sales and rental **business**;
- (j.1) a **factory outlet**;
- (k) a farm implement sales and service establishment;
- (k.1) a **fuel pump island**;
- (l) a furniture refinishing, woodworking, and/or upholstery shop;
- (m) a **garage, public works**;
- (n) a **kennel**;
- (o) a laboratory or research facility;
- (o.1) a **landscape supply outlet**;
- (p) a **laundromat**;
- (q) a **laundry plant**;
- (r) a machine shop;
- (s) a mini-storage facility;
- (s.1) an office support;
- (t) a **parking area**;
- (u) a **recycling depot**;
- (v) a **rental shop**;
- (w) a **repair shop**;
- (w.1) a **self-storage establishment**;
- (x) a **wholesale establishment**;
- (x.1) a **pet hotel**;
- (y) a **warehouse**;
- (z) **accessory uses, buildings, and structures**, including **accessory office uses** and retail outlets but excluding any **accessory residential uses**.

10.2 Requirements for Permitted Uses

- 10.2.1 **Lot Area**, Minimum 1,125 square metres
- 10.2.2 **Lot Frontage**, Minimum 30.0 metres
- 10.2.3 **Lot Depth**, Minimum 37.5 metres
- 10.2.4 **Front Yard**, Minimum 7.5 metres
- 10.2.5 **Interior Side Yard**, Minimum 3.0 metres is required
except where a "M1" **zone** abuts a Residential **zone** in which case a **minimum side yard** of 6.0 metres is required.
- 10.2.6 **Exterior Side Yard**, Minimum 7.5 metres
- 10.2.7 **Rear Yard**, Minimum 6.0 metres
- 10.2.8 **Building Height**, Maximum 13.5 metres
- 10.2.9 **Lot Coverage**, Maximum 50.0 per cent
- 10.2.10 Loading and Unloading Requirements
In accordance with the provisions of Section 5.12.
- 10.2.11 Parking Requirements
In accordance with the provisions of Section 5.21.
- 10.2.12 **Planting Strip** Requirement
A **planting strip** shall be required in accordance with the provisions of Section 5.25 where an **interior side or rear lot line** for a **lot** being developed for industrial purposes abuts a **lot** that is in a Residential **Zone** or a Residential (-H) Holding **Zone**.
- 10.2.13 **Landscaped Open Space**, Minimum 20.0 per cent
Notwithstanding the provisions this By-law, a **landscaped open space** strip with a minimum width of 5.0 metres shall be required for all lands **zoned** M1 with a **front or side lot line** along James Street.
- 10.2.14 Outdoor Storage
The outdoor storage of goods or materials shall be **permitted** in accordance with the provisions of Section 5.19.

Notwithstanding the provisions of Section 5.19 (b), outdoor storage **permitted** above shall comply with the **yard** requirements for **permitted uses** as set out in Sections 10.2.5 and 10.2.7.
- 10.2.15 **Outdoor Display and Sales Area**
A **outdoor display and sale area** shall be **permitted** in accordance with the provisions of Section 5.20.
- 10.2.16 Property abutting Railway
Notwithstanding any provision of this By-law, where any **lot line** or portion thereof abuts a railway, no **interior side yard** or **rear yard** shall be required along that portion of such **lot line** which so abuts the railway.
- 10.2.17 Fuel Pump, Canopies, and Storage Tank Location
Fuel pumps and canopies over the **pump island** shall not be located closer than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a **corner lot**.

Fuel storage tanks shall not be located closer than 4.5 metres to a **front, interior side, exterior side, or rear lot line**.

10.2.18 **Driveway** Requirements

- (a) No ingress or egress **driveway** shall exceed 10.0 metres in width measured at the **lot line**.
- (b) No ingress or egress **driveway** shall be located closer than 3.0 metres to any **side** or **rear lot line**.
- (c) No ingress or egress **driveway** shall be located closer than 15.0 metres to the corner of intersecting **street lines** on a **corner lot**.

Amended by By-law No. Z107-2014

10.2.19 Requirements for **Kennels**

New dog **kennel buildings** and **structures** and/or additions to **existing dog kennel buildings** and/or **structures** must be located at a distance of not less than 150 metres from a residential, institutional, and park and **recreational uses** situated on adjacent lots and be located at a distance of not less than 300 metres from lands zoned for Residential purposes.

10.3 Requirements for Accessory uses, Buildings, Structures

In accordance with the provisions of Sections 3.1 and 5.1.

Notwithstanding any provision of this By-law, a retail **use** being clearly **accessory** and incidental to a light **industrial use** as **permitted** to Section 10.1 shall be located in the **main building** or unit occupied by the **industrial use** and shall not exceed 20 per cent of the total floor area of the **building** or unit or not exceed 30 square metres, whichever is the lesser.

10.4 Special Provisions

10.4.1 M1-1

- (a) Location: Part of Lot 16, Concession 17.
- (b) Notwithstanding the provisions of Section 10.1, an additional **permitted use** described as a small metal wares factory **and accessory uses, buildings, and structures** shall be **permitted** in the "M1-1" **zone**. A small metal wares factory is herein defined as a **building** that is used only for the forming, stamping, spinning, machining, buffing, plating, coating or other such fabrication or processing of ferrous or non-ferrous small wares or small parts, including cutlery, small springs, small automotive parts, light carpenter's tools, light electrical equipment, or other small wares or small parts of iron, and steel and their products, but shall not include the manufacture of bronze powder other similar grinding process, or a die and casting factory.
- (c) All other provisions of the M1 **zone** shall apply.

10.4.2 M1-2

- (a) Location: Part of Lot 12, South Boundary Concession.
- (b) Notwithstanding the provisions of Section 10.2.4 and Section 10.2.6 of this By-law to the contrary, the minimum **yard** between the **street line** parallel to James Street and any **building** or **structure** within the "M1-2" **zone** as shown on Schedule "A" to this By-law shall be 15.0 metres.
- (c) All other provisions of the M1 **zone** shall apply.

Amended By-By-law No. Z17-2000

10.4.3 M1-3

- (a) Location: Part of Lot 5 and Lots 6 thru 12, Registered Plan No. 219.
- (b) Notwithstanding the provisions of Section 10.1 of this By-law to the contrary, the only **uses permitted** within the "M1-3" **zone** as shown on Schedule "A" to this By-law shall be:
 - an **assembly hall**; an **auction establishment**, excluding a **livestock auction facility**; an **automobile washing establishment**; a cold storage locker plant; a communications facility; a **contractor's yard or shop**; an equipment sales and rental **business**; a farm implement sales and service establishment; a furniture refinishing, woodworking, and/or upholstery shop; a laboratory or research facility; a **laundromat**; a **laundry plant**; a machine shop; a mini-storage facility; a **parking area**; a **recycling depot**; a **rental shop**; a **repair shop**; a **wholesale establishment**; a **warehouse**; **accessory uses, buildings, and structures**, including **accessory office uses** and retail outlets but excluding any **accessory residential uses**.
- (c) Notwithstanding the provisions of Section 10.2.3 of this By-law to the contrary, the minimum **lot depth** for the land within the "M1-3" **zone** shall be 18.2 metres;
- (d) All other provisions of this By-law shall apply.

Amended By-By-law No. Z32-2001

10.4.4 M1-4

- (a) Location: Part of Lot 12, South Boundary Concession
- (b) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, any ingress or egress **driveway permitted** on the lands located within the "M1-4" **zone** as shown on Key Map 20 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z32-2001) shall be located no closer than 1.5 metres to any **side** or **rear lot line**.
- (c) Notwithstanding the provisions of Section 10.2.4 and Section 10.2.6 of this By-law to the contrary, the minimum **yard** between the **street line** parallel to James Street and any **building** or **structure** within the "M1-4" **zone** as shown on Schedule "A" to this By-law shall be 15.0 metres.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

SECTION 11 - GENERAL INDUSTRIAL ZONE (M2)

No **person** shall within any M2 **zone** use any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

11.1 Permitted Uses, Buildings, and Structures

- (a) an assembling, manufacturing, fabricating, packaging, printing, publishing plant or **warehouse** conducted and wholly contained within an enclosed **building**;
- (b) an **auction establishment**;
- (c) an **automobile gas bar**;
- (d) an **automobile repair establishment**;
- (e) an **automobile washing establishment**;
- (f) an **automobile service station**;
- (g) a cold storage locker plant;
- (h) a communications facility;
- (i) a **contractor's yard or shop**;
- (j) an egg processing plant;
- (k) an equipment sales and rental business;
- (k.1) a **factory outlet**;
- (l) a farm implement sales and service establishment;
- (m) a feed mill;
- (n) a flour mill;
- (n.1) a food processing plant;
- (n.2) a **fuel pump island**;
- (o) a fuel storage and/or supply business;
- (p) a furniture refinishing, woodworking, and/or upholstery shop;
- (q) a **garage, public works**;
- (r) a grain elevator;
- (s) a laboratory or research facility;
- (s.1) a **landscape supply outlet**;
- (t) a **laundry plant**;
- (u) a lumber yard and building supply outlet;
- (v) a machine shop;
- (v.1) a **manufacturing and assembly industry**;
- (w) a mini-storage facility;
- (w.1) an office support;
- (x) a **parking area**;
- (x.2) a **pet hotel**;
- (y) a planing mill or saw mill;
- (z) a **recycling depot**;
- (aa) a **repair shop**;
- (bb) a **salvage or wrecking yard**;
- (bb.1) a **self-storage establishment**;
- (cc) a steel supply business;
- (dd) a **transportation terminal**;
- (ee) a welding shop;
- (ff) a **wholesale establishment**;

- (gg) a **warehouse**;
- (hh) **accessory uses, buildings, and structures**, including accessory **office uses** and retail outlets, but excluding any **accessory residential uses**.

11.2 Requirements for Permitted Uses

- 11.2.1 **Lot Area**, Minimum 1,350 square metres
 - 11.2.2 **Lot Frontage**, Minimum 30.0 metres
 - 11.2.3 **Lot Depth**, Minimum 45.0 metres
 - 11.2.4 **Front Yard**, Minimum 15.0 metres
 - 11.2.5 **Interior Side Yard**, Minimum 3.0 metres is required except where a “M2” **zone** abuts a Residential **zone** in which case a **minimum side yard** of 6.0 metres is required.
 - 11.2.6 **Exterior Side Yard**, Minimum 15.0 metres
 - 11.2.7 **Rear Yard**, Minimum 7.5 metres
 - 11.2.8 **Building Height**, Maximum 20.0 metres
- Amended By By-law No. Z31-2001**
- 11.2.9 **Lot Coverage**, Maximum 60.0 per cent
 - 11.2.10 Loading and Unloading Requirements
In accordance with the provisions of Section 5.12.
 - 11.2.11 Parking Requirements
In accordance with the provisions of Section 5.21.
 - 11.2.12 **Planting Strip** Requirement
A **planting strip** shall be required in accordance with the provisions of Section 5.25 where an **interior side or rear lot line** for a **lot** being developed for industrial purposes abuts a **lot** that is in a Residential **Zone** or a Residential (-h) Holding **Zone**.
 - 11.2.13 **Landscaped Open Space**, Minimum 20.0 per cent
Notwithstanding the provisions this By-law, a **landscaped open space** strip with a minimum width of 5.0 metres shall be required for all lands **zoned** M2 with a **front or side lot line** along James Street.
 - 11.2.14 Outdoor Storage
The outdoor storage of goods or materials shall be **permitted** in accordance with the provisions of Section 5.19.

Notwithstanding the provisions of Section 5.19 (b), outdoor storage **permitted** above shall comply with the **yard** requirements for **permitted uses** as set out in Sections 11.2.5 and 11.2.7.
 - 11.2.15 **Outdoor Display and Sales Area**
An **outdoor display and sale area** shall be **permitted** in accordance with the provisions of Section 5.20.
 - 11.2.16 Property abutting Railway
Notwithstanding any provision of this By-law, where any **lot line** or portion thereof abuts a railway, no **interior side yard** or **rear yard** shall be required along that portion of such **lot line** which so abuts the railway.
 - 11.2.17 Fuel Pump, Canopy, and Storage Tank Location
Fuel pumps and canopies over a **pump island** shall not be located closer

than 3.0 metres to any **street line** or within a radius of 15.0 metres of the corner of intersecting **street lines** on a **corner lot**.

Fuel storage tanks shall not be located closer than 4.5 metres to a **front, interior side, exterior side, or rear lot line**.

11.2.18 **Driveway Requirements**

Amended By By-law No. Z31-2001

- (a) No ingress or egress **driveway** shall exceed 13.0 metres in width measured at the **lot line**.
- (b) No ingress or egress **driveway** shall be located closer than 3.0 metres to any **side or rear lot line**.
- (c) No ingress or egress **driveway** shall be located closer than 15.0 metres to the corner of intersecting **street lines** on a **corner lot**.

11.3 **Requirements for Accessory Uses, Buildings, Structures**

In accordance with the provisions of Section 5.1.

Notwithstanding any provision of this By-law, a retail **use** being clearly **accessory** and incidental to a light **industrial use** as **permitted** to Section 11.1 shall be located in the **main building** or unit occupied by the **industrial use** and shall not exceed 20 per cent of the total floor area of the **building** or unit or not exceed 30 square metres, whichever is the lesser.

11.4 **Special Provisions**

Amended By By-law No. Z9-1999

11.4.1 M2-1

- (a) Location: Part of Lot 13, South Boundary Concession (more particularly described as Part 1 on Reference Plan No. 44R-502)
- (b) Notwithstanding the provisions of Section 11.2.8 of By-law No. Z1-1997 to the contrary, the maximum **building height** for an enclosure **building** around and about any silo or elevator complex located within the “M2-1” **zone** as shown on Key Map 20 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z9-1999) shall be 45 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply

Amended By By-law No. Z32-2001

11.4.2 M2-2

- (a) Location: Part of Lot 12, South Boundary Concession
- (b) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, any ingress or egress **driveway permitted** on the lands located within the “M2-2” **zone** as shown on Key Map 20 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z32-2001) shall be located no closer than 1.5 metres to any side or **rear lot line**.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z36-2001

11.4.3 M2-3

- (a) Location: Part of Lot 21, Concession 17 (more particularly described as Part 1, Reference Plan No. 44R-4014)
- (b) Notwithstanding the provisions of Section 11.1 of By-law No. Z1-1997 to the contrary, an additional **permitted use** described as a **funeral home** and **accessory uses**, including one **accessory dwelling unit**, shall be **permitted** within the “M2-3” **zone** as shown on Key Map 9 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z36-2002).
- (c) Notwithstanding any provision of By-law No. Z1-1997 to the contrary, an **accessory dwelling unit** to a **funeral home use** shall physically be **attached** and designed to form a part of the **building used** as a **funeral home**. The maximum **gross floor area** for an **accessory dwelling unit** to a **funeral home use** shall be 200 square metres. The **zone** provisions of Section 11.2, save and except Section 11.2.16, shall apply to an **accessory dwelling unit** to a **funeral home use**.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z51-2004

11.4.4 M2-4

- (a) Location: Part of Lot 21, Concession 17.
- (b) Notwithstanding the provisions of Section 11.1 of By-law No. Z1-1997 to the contrary, two additional **permitted uses** described as an **Eating Establishment, Restaurant** and an **Eating Establishment, Take Out** and **accessory uses** shall be **permitted** within the “M2-4” **zone** as shown on Key Map 18 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z51-2004).
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z78-2008

11.4.5 M2-5

- (a) Location: South Boundary Concession, Part of Lot 13
- (b) Notwithstanding the provisions of Section 5.1.3(a), 5.1.3(c) and Section 5.1.4 of this By-law to the contrary, **accessory structures**, being described as a maximum of three storage silos, shall be **permitted** in the **front yard**, shall be **permitted** to be **attached** to the **main building**, and shall have a maximum height of 6.5 metres on the land within the “M2-5” **zone** as shown on Key Map 20 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z78-2008).
- (c) All other provisions of this By-law shall apply.

Amended By By-law No. Z79-2008

11.4.6 M2-6

- (a) Location: Part of Lot 13, South Boundary Concession
- (b) Notwithstanding the provisions of Section 11.2.2 of By-law No. Z1-1997 to the contrary, the **minimum lot frontage** for the land within the “M2-6” **zone** as shown on Key Map 20 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z79-2008) shall be 20.0 metres.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z88-2009

11.4.7 M2-7

- (a) Location: Lots 212 and 213, Registered Plan No. 215 (Key Map 3)
- (b) Notwithstanding the provisions Section 5.19 (b) and Section 11.2.14 of this By-law to the contrary, outdoor storage shall be **permitted** in the front **yard** on the lands within the “M2-7” **zone** as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z88-2009) provided that such outdoor storage shall be setback a minimum distance of 1.5 metres from the **front lot line**.
- (c) Notwithstanding the provisions Section 5.19 (c) of this By-law to the contrary, outdoor storage, as **permitted** in clause (b) above, shall be completely concealed from view from the **street** by a solid steel clad **fence**.
- (d) Notwithstanding the provisions of Section 5.21.2 of this By-law to the contrary, an additional **driveway** shall be **permitted** to service the lands within the “M2-7” as shown on Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z88-2009), notwithstanding that 3 **driveways** currently service the abutting property to the west.
- (e) All other provisions of this By-law, as amended, shall apply

Amended By By-Law Z136-2020

11.4.8 M2-8

- (a) Location: 480 Glass Street, Part of Lots 14 and 15, Concession 18 Blanshard (Key Map 3)
- (b) Notwithstanding the provisions of Section 11.1, permitted uses are limited to the following on those lands zoned “M2-8”:
 - (i) an assembling, manufacturing, processing, preparing, fabricating, packaging, shipping, wholesaling, storing or **warehouse** conducted and wholly contained within an enclosed **building**;
 - (ii) **caterer’s establishment, convenience business services establishment, laboratory or research facility, office support, repair shop, and wholesale establishment**;
 - (iii) micro-brewery meaning a building or structure used for the manufacturing, processing, preparing, packaging, wholesaling or storing of alcoholic beverages;
 - (iv) limited accessory food preparation and sales from the existing caboose for consumption in the tasting room or accessory patio, or off-site; and,
 - (v) **accessory uses, buildings, and structures**, including accessory:
 - **office uses**
 - tasting room for the sale of individual servings of alcohol beverages produced in the micro-brewery and consumed on-site
 - retail sale of products manufactured, produced, processed or stored on the premises

A tasting room does not include an **eating establishment, restaurant or eating establishment, take-out** as defined however, pre-packaged food or food brought in from elsewhere may be served.

- (c) Notwithstanding the provisions of Sections 5.1, 5.21.1.1 and 11.2.4, the following provisions shall apply to those lands zoned “M2-8”:
 - (i) Front Yard, Minimum 7.5 metres
 - (ii) A tasting room and retail sales accessory to a micro-brewery shall be located in a **main building** and shall not exceed a total floor area of 56 m²

(600 ft²) of the **building**. An accessory patio is also permitted provided it is attached to the **main building** and associated with the tasting room function.

- (iii) The minimum number of parking spaces required for uses accessory to a micro-brewery (including tasting room retail sales and patio) shall be 1 space per 25 m² of floor area.
- (d) Section 5.21.6.3 shall not apply
- (e) All other provisions of this By-law, as amended, shall apply.

SECTION 12 - EXTRACTIVE INDUSTRIAL ZONE THREE (M3)

No **person** shall within any M3 **zone use** any **land** or **erect, alter, or use** any **building or structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

12.1 Permitted Uses, Buildings, and Structures

- (a) **existing agricultural uses;**
- (b) a cement plant;
- (c) a concrete plant or an asphalt plant;
- (c.1) a **dog park;**
- (d) a **golf course;**
- (d.1) a **hiking trail;**
- (d.2) a multiuse pathway;
- (e) **open storage** of aggregate material;
- (f) a **parking lot;**
- (f.1) a **passive recreational use;**
- (g) a **pit;**
- (h) a **quarry;**
- (h.1) a **resource extraction operation trail;**
- (i) a **wayside pit;**
- (j) **accessory uses, buildings, and structures.**

12.2 Requirements for Uses Permitted in Section 12.1

- | | | |
|---------|---------------------------------------|--|
| 12.2.1 | Lot Area, Minimum | no minimum required |
| 12.2.2 | Lot Frontage, Minimum | no minimum required |
| 12.2.3 | Lot Depth, Minimum | no minimum required |
| 12.2.4 | Front Yard, Minimum | 15.0 metres |
| 12.2.5 | Interior Side Yard, Minimum | 18.0 metres |
| 12.2.6 | Exterior Side Yard, Minimum | 15.0 metres |
| 12.2.7 | Rear Yard, Minimum | 15.0 metres |
| 12.2.8 | Building Height, Maximum | 30.0 metres |
| 12.2.9 | Lot Coverage, Maximum | 80.0 per cent |
| 12.2.10 | Landscaped Open Space, Minimum | 10.0 per cent |
| 12.2.11 | Loading and Unloading Requirements | In accordance with the provisions of Section 5.12. |
| 12.2.12 | Parking Requirements | No parking spaces are required for uses permitted in Section 12.1
The provisions of Section 5.21 shall apply. |

12.2.13 Outdoor Storage

The outdoor storage of goods or materials shall be **permitted** in accordance with the provisions of Section 5.19.

Notwithstanding the provisions of Section 5.19 (b), outdoor storage **permitted** above shall comply with the **yard** requirements for **permitted uses** as set out in Sections 10.2.5 and 10.2.7.

12.3 Requirements for Accessory uses, Buildings, and Structures

In accordance with the provisions of Sections 3.1 and 5.1.

12.4 Special Provisions

SECTION 13 - ENVIRONMENTAL CONSTRAINT ZONE (EC)

No **person** shall within any EC **zone** use any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

13.1 Permitted Uses, Buildings, and Structures

- (a) open space uses;
- (a.1) a **dog park**;
- (a.2) a **hiking trail**;
- (b) a landfill site;
- (c) those **buildings** and **structures** required by the Town or the Ministry of the Environment and Energy and necessary to study and monitor leachate and methane gas production and migration and those **structures** required to ventilate gas production;
- (c1) a multi-use pathway;
- (c.2) a **passive recreational use**;
- (d) a **recycling depot**;
- (e) a sewage treatment facility;
- (f) a waste disposal facility;
- (f.1) a **yard waste composting facility**;
- (g) **accessory uses, buildings, and structures.**

13.2 Requirements for a Permitted Uses.

13.2.1	Lot Area, Minimum	1.0	hectare
13.2.2	Lot Frontage, Minimum	20	metres
13.2.3	Lot Depth, Minimum	30	metres
13.2.4	Front Yard, Minimum	30	metres
13.2.5	Interior Side Yard, Minimum	30	metres
13.2.6	Exterior Side Yard, Minimum	30	metres
13.2.7	Rear Yard, Minimum	30	metres
13.2.8	Building Height, Maximum	10	metres
13.2.9	Lot Coverage, Maximum	5	per cent

13.3 Requirements for Accessory uses, Buildings, and Structures

In accordance with the provisions of Sections 3.1 and 5.1.

13.4 Special Provisions

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SECTION 14 - INSTITUTIONAL ZONE (I)

No **person** shall within any I **zone** use any **land** or **erect**, **alter**, or use any **building** or **structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

14.1 Permitted Uses, Buildings, and Structures

- (a) an ambulance dispatch depot;
- (b) an arena;
- (c) a **cemetery**;
- (d) a **church**;
- (e) a **club, private**;
- (f) a **recreation or community centre**;
- (g) a **day nursery**;
- (g.1) a **dog park**;
- (h) a fire hall;
- (i) a **government administrative office**;
- (i.1) a **hiking trail**;
- (j) a **hospital**;
- (j.1) a multiuse pathway;
- (k) a museum;
- (l) a **nursery school**;
- (l.1) a **passive recreational use**;
- (m) a police station;
- (n) a **public library**;
- (o) a **public park**;
- (p) a **public works garage**;
- (q) a **school**;
- (r) a sports field, baseball diamond, curling rink;
- (s) a **swimming pool**;
- (t) a tennis court;
- (u) an **institutional use**;
- (v) **accessory uses, buildings, and structures.**

14.2 Requirements for Permitted Uses

14.2.1	Lot Area, Minimum	540	square metres
14.2.2	Lot Frontage, Minimum	18	metres
14.2.3	Lot Depth, Minimum	30.0	metres
14.2.4	Front Yard, Minimum	6.0	metres
14.2.5	Interior Side Yard, Minimum	4.5	metres
14.2.6	Exterior Side Yard, Minimum	6.0	metres
14.2.7	Rear Yard, Minimum	7.5	metres
14.2.8	Building Height, Maximum	13.5	metres
14.2.9	Lot Coverage, Maximum	40.0	per cent
14.2.10	Landscaped Open Space, Minimum	20.0	per cent
14.2.11	Loading and Unloading Requirements		
	In accordance with the provisions of Section 5.12		

14.2.12 Parking Requirements

In accordance with the provisions of Section 5.21.

14.2.13 Outdoor Storage

The outdoor storage of goods or materials shall be **permitted** in accordance with the provisions of Section 5.19.

14.2.14 **Driveway** Requirements

No ingress or egress **driveway** shall be located closer than 1.5 metres to any **side or rear lot line**.

Amended by By-law No. Z107-2014

14.2.15 Requirements for **Accessory Uses** for **Hospitals**

A retail area used for the sale of cards, small gifts, flowers and other similar items, but excluding the pharmaceutical sale of drugs and medicines, which does not exceed 60 square metres shall be **permitted** as an **accessory use** to a **hospital** use.

14.3 Requirements for Accessory Uses, Buildings, and Structures

In accordance with the provisions of Sections 3.1 and 5.1.

14.4 Special Provisions

14.4.1 Deleted By By-law No. Z113-2015

Amended By By-law No. Z28-2001

14.4.2 I-2

- (a) Location: Lots 1 to 19, Block F, Registered Plan No. 216; Lots 1 to 21, Block E, Registered Plan No. 216; Part of Markham Street (closed) (closed between the north Limit of Queen Street and the south Limit of Maiden Lane) Registered Plan No. 216.
- (b) Notwithstanding the provisions of Section 14.1 of By-law No. Z1-1997 to the contrary, the following additional **uses** shall be **permitted** on the lands located within the "I-2" **zone** as shown on Key Map 6 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z28-2001).
 - (i) **business and professional offices** for doctors and other health related practitioners and agents;
 - (ii) a fitness centre, operated in association with the St. Marys Memorial **Hospital**;
 - (iii) **accessory uses, buildings and structures**, including accessory residential **uses** in the form of five **existing single detached dwellings**.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z72-2008

14.4.3 I-3

- (a) Location: Lot 3, Registered Plan No. 228 (Key Map 15)
- (b) In addition to the provisions of Section 14.2 of By-law No. Z1-1997 a **planting strip**, installed in accordance with the provisions of Section 5.25 of By-law No. Z1-1997, shall be required along the southerly **lot line** of the land within the "I-3" **zone** as shown on Key Map 15 of Schedule "A" to this By-law.
- (c) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z76-2008 and Amended by By-law No. Z107-2014

14.4.4 I-4

- (a) Location: Part of Lots 20 and 21, Concession 17 and Part of Lot 35, Thames Concession.
- (b) Notwithstanding the provisions of Section 14.1 of this By-law to the contrary, the following additional **uses** are also **permitted** on the land within the "I-4" **zone** as shown on Key Maps 6, 9, and 10 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z76-2008):
 - (i) an indoor sports training facility;
 - (ii) a museum **building**, housing a museum, accessory **offices**, and a cafeteria with a maximum seating capacity of 300 people;
 - (iii) an academy (dormitory) capable of accommodating 180 guests.

For the purposes of this By-law, a dormitory shall mean a **building** or part thereof operated by a charitable organization and containing a room or rooms in which sleeping units are provided and/or rented for occupancy on a temporary basis. A dormitory may include a communal dining facility but shall exclude the preparation of meals within the sleeping units.

- (c) All other provisions of this By-law, as amended, shall apply.

Amended by By-law Nos. Z76-2008, Z107-2014 and Z127-2018

14.4.5 I-5

- (a) Location: Part of Lot 17, Concession 5 (Key Map 4 of Schedule "A")
- (b) Notwithstanding the provisions of Section 14.1 of this By-law to the contrary, permitted **uses, buildings and structures** shall be limited to a **private club, church, government administrative office, day nursery, nursery school, museum, meeting room facility, passive recreational uses** and a park on the land within the "I-5" **zone**.
- (c) Notwithstanding the provisions of Section 14.2.8 of this By-law to the contrary, the maximum **building height** for land within the "I-5" **zone** shall be 7.0 metres.
- (d) All other provisions of By-law No. Z1-1997, as amended, shall apply.

SECTION 15 - OPEN SPACE ZONE (OS)

No **person** shall within any OS **zone** use any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

Amended by By-law No. Z107-2014

15.1 Permitted Uses, Buildings, and Structures

- (a) a **cemetery**;
- (a.1) a **dog park**;
- (b) a **golf course**;
- (b.1) a **hiking trail**;
- (b.2) a multi-use pathway;
- (b.3) a **passive recreational use**;
- (c) a **public park**;
- (d) a sports field, baseball diamond;
- (e) a **swimming pool**;
- (f) a tennis court;
- (g) **accessory uses, buildings, and structures.**

15.2 Requirements for Permitted Uses

15.2.1	Lot Area, Minimum	540	square metres
15.2.2	Lot Frontage, Minimum	18	metres
15.2.3	Lot Depth, Minimum	30.0	metres
15.2.4	Front Yard, Minimum	6.0	metres
15.2.5	Interior Side Yard, Minimum	4.5	metres
15.2.6	Exterior Side Yard, Minimum	6.0	metres
15.2.7	Rear Yard, Minimum	7.5	metres
15.2.8	Building Height, Maximum	10.5	metres
15.2.9	Lot Coverage, Maximum	40.0	per cent
15.2.10	Landscaped Open Space, Minimum	20.0	per cent
15.2.11	Parking Requirements		

In accordance with the provisions of Section 5.21.

15.3 Requirements for Accessory Uses, Buildings, and Structures

In accordance with the provisions of Section 5.1.

15.4 Special Provisions

15.4.1 OS-1

- (a) Location: Part of Lot 17, Concession 19.
- (b) Notwithstanding the provisions of Section 15.1, a **commercial club**, a **private club**, and a curling rink and **accessory uses** are also **permitted** on the land within the "OS-1" **zone** as shown on Schedule "A" to this By-law.
- (c) All other provisions of the OS **zone** shall apply.

Amended by By-law No. Z14-2000

15.4.2 OS-2

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding the provisions of Section 15.2.2 of this By-law to the contrary, the minimum **lot frontage** for the land within the “OS-2” **zone** as shown on Key Map 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z14-2000) shall be 6.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z99-2013

15.4.3 OS-3

- (a) Location: Part of Lots 35 and 36, and Part of Tracy Street (Closed), Registered Plan No. 371
- (b) Notwithstanding the provisions of Section 15.2.2 of this By-law to the contrary, the minimum **lot frontage** for the land within the “OS-3” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z99-2013) shall be 6.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z112-2014

15.4.4 OS-4

- (a) Location: Part of Lot 23, Thames Concession and Part of Salina Street (closed), Registered Plan No. 235
- (b) Notwithstanding the provisions of Section 15.2.2 of this By-law to the contrary, the minimum **lot frontage** for the land within the “OS-4” **zone** as shown on Key Map 6 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z112-2014) shall be 7.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z128-2018

15.4.5 OS-5

- (a) Location: Part of Lots 21 and 22, Concession 18, Key Map 18
- (b) Notwithstanding the provisions of Section 15.2.2, the minimum **lot frontage** for those lands zoned “OS-5” shall be 6.0 metres.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z134-2019

15.4.6 OS-6

- (a) Location: Part of Lots 15 and 16, Concession 17, Key Map 2
- (b) Notwithstanding the provisions of Section 15.2.2, the minimum lot frontage requirement shall not apply to those lands zoned “OS-6”.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended by By-law No. Z146-2021

15.4.6A OS-6A

- (a) Location: 151 Water Street North, Lots 14-17, inclusive W/S Wellington Street and Lots 13-17, inclusive E/S Water Street, Registered Plan No. 225 Part of Lot 16, Concession 17, KeyMap 7
- (b) Notwithstanding the provisions of Section 15.1, the following provisions shall

apply to those lands zoned "OS-6":

- (i) Permitted uses are limited to landscaped open space.
- (c) Section 4.4 shall not apply.
- (d) All other provisions of this By-law, as amended, shall apply.

Amended by By-Law No. Z155-2023

15.4.7 OS-7

- (a) Location: 769 Queen Street East, Key Map 10
- (b) Notwithstanding the provisions of Section 15.1, a **short-term rental accommodation** is an additional permitted use on those lands zoned "OS-6", with a maximum of 21 units permitted.
- (c) Notwithstanding the provisions of Sections 3, 5, 15.1 and 15.2, the following provisions shall apply to those lands zoned "OS-6":
 - (i.) Minimum **Front Yard:** 4.5 metres
 - (ii.) Minimum **number of parking spaces** shall be 1.25 spaces per unit.
 - (iii.) **Short-term rental accommodation** means a dwelling unit that is used for any period of less than 28 consecutive days and is operated by the owner of the St. Marys Golf and Country Club. Short-term rental accommodation shall not include a hotel, motel, dwelling apartment, dwelling boarding or lodging house. The principal use of the dwelling unit shall be for the short-term rental accommodation accessory to the existing golf course, restaurant, and wedding venue operations.

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SECTION 16 - FLOOD PLAIN ZONE (FP)

No **person** shall within any **FP zone** use any **land** or **erect, alter, or use** any **building** or **structure** for any purpose except in accordance with the following provisions:

16.1 Permitted Uses, Buildings, and Structures

- (a) an **agricultural use**;
- (b) an **conservation use**;
- (c) **existing uses**;
- (d) an **forestry use**;
- (e) an **public park**;
- (f) a **public works and utility facilities**;
- (g) **accessory uses**.

16.2 Permitted Buildings and Structures

Only those **buildings** and **structures** necessary for flood or erosion control work or for necessary municipal services shall be **permitted** in the **FP Zone**.

16.3 Buildings and Structures Permitted in Accordance with Section 3.6 of the Official Plan

Notwithstanding the provisions of Sections 16.1 and 16.2 of this By-law, the following applies:

Where a **lot** is located entirely within the **FP Zone**, limited **development** associated with the "**existing uses**" located in the "**Floodway**" may be **permitted** in accordance with the policies set forth in Section 3.6 of the Official Plan for the Town of St. Marys.

Where a **lot** is situated in both the **FP Zone** and a **development permitted zone**, **buildings** and **structures** associated with the **uses permitted** in the **zone** abutting the **FP Zone** may be **permitted** within the "**flood fringe**" portion of the **FP Zone** in accordance with the policies set forth in Section 3.6 of the Official Plan for the Town of St. Marys.

EXPLANATORY NOTE: Buildings and structures as permitted by Sections 16.2 and 16.3 above are to be permitted if and to the extent allowed by the regulations made under the Conservation Authorities Act, R.S.O. 1990, as amended from time to time.

16.4 Special Provisions

Amended By By-law No. Z60-2006

16.4.1 FP-1

- (a) Location: Part of Lot 16, Concession Thames (Key Map 1).
- (b) The "FP-1" **Zone** applies to the "**flood fringe**" which is the outer boundary of the "Flood Plain" designation between the Regional - 1:100 year floodline and the Regulatory - 1:250 year floodline as shown on Schedule "A" to the Town of St. Marys Official Plan. The provisions of the "FP-1" **Zone** as established by this

By-law are to be applied in conjunction with the **zone** provisions for the “adjacent” zones as established by this By-law.

- (c) The **permitted** uses, **buildings**, and **structures** in the “FP-1” **zone** shall be the same as those that are **permitted** in the applicable “adjacent” “R1” Zone as identified on Key Map 1 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z60-2006) to the extent allowed by the regulations made under the Conservation Authorities Act, as amended.
- (d) All uses, **buildings**, and **structures permitted** in the “FP-1” **zone** must satisfy the policies of Section 3.6 of the Town of St. Marys Official Plan before they are to be **permitted** and before any required building permits will be issued.
- (e) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z62-2006

16.4.2 FP-2

- (a) Location: Lot 10, Registered Plan No. 235 (Key Map 17).
- (b) Notwithstanding the provisions of Section 16.1 and 16.2 of By-law No. Z1-1997 to the contrary one **single-detached dwelling** shall be **permitted** on the land located in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006).
- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the **zone** provisions of Section 8.2, save and except Lot Depth on Table 8C, shall apply to any **single-detached dwelling** located on the land in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006).
- (d) Notwithstanding the provisions of Section 8.2 of By-law No. Z1-1997 to the contrary, the minimum **lot depth** for a **lot** located in the “FP-2” **zone** as shown on Key Map 17 of Schedule “A” to By-law No. Z1-1997, as amended. (also shown on Schedule “A” to By-law No. Z62-2006) shall be 30.0 metres.
- (e) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z68-2007

16.4.3 FP-3

- (a) Location: Part of Lot 4, East Side of Thomas St./North Side of Jones St., Registered Plan No. 235 (Key Map 12).
- (b) Notwithstanding the provisions of Section 16.1 and 16.2 of By-law No. Z1-1997 to the contrary, **one single-detached dwelling** shall be **permitted** on the land located in the “FP-3” **zone** as shown on Key Map 12 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007).
- (c) Notwithstanding any provisions of By-law No. Z1-1997 to the contrary, the following **zone** provisions shall apply to any **single-detached dwelling** located on the land in the “FP-3” **zone** as shown on Key Map 12 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007):

- (i) **Lot Area**, Minimum 500 square metres;
- (ii) **Lot Frontage**, Minimum Lot 18.0 metres;
- (iii) Lot Depth, Minimum 27.0 metres;
- (iv) **Front Yard**, Minimum 6.0 metres;
- (v) **Interior Side Yard**, Minimum 1.2 metres for the **first storey** plus 0.6 metres for each additional or partial **storey** above the first.

Where the floor level of the **first storey** is 1.2 metres or more above the **finished grade level**, an additional 0.3 metres shall be required in addition to the above requirements;

- (vi) **Exterior Side Yard**, Minimum 5.0 metres;
 - (vii) **Rear Yard**, Minimum 2.0 metres;
 - (viii) Building Height, Maximum 10.5 metres;
 - (ix) **Lot Coverage**, Maximum 35.0 per cent;
 - (x) **Gross floor area**, Minimum 85 square metres;
 - (xi) Ground Floor Area, Maximum 120 square metres;
 - (xii) **Landscaped open space**, Minimum 30.0 per cent;
 - (xiii) Parking Requirements In accordance with the provisions of Section 5.21.
- (d) Notwithstanding the provisions of Section 5.24 of By-law No. Z1-1997 to the contrary, no encroachments shall be **permitted** in the rear (east) **yard** on the **lot** located in the “FP-3” **zone** as shown on Key Map 6 of Schedule “A” to By-law No. Z1-1997, as amended (also shown on Schedule “A” to By-law No. Z68-2007). The provisions of Section 5.24 shall continue to apply to all other yards.
- (e) All other provisions of this By-law, as amended, shall apply.

SECTION 17 - SPECIAL POLICY AREA CONSTRAINT ZONE (SPA)

The SPA constraint **zone** is intended to be an "overlay" **zone** that applies to potential flood prone areas that are located in the central portion of the Town. These potential flood prone areas, referred to as the Special Policy Area, are identified by shading on the **zone** maps contained in Schedule "A". The provisions of the SPA constraint **zone** as established by this By-law are to be applied in conjunction with the **zone** provisions for the "underlying" **zones** as established by this By-law.

17.1 Permitted Uses, Buildings, and Structures

The **permitted uses, buildings, and structures** in the SPA constraint **Zone** shall be the same as those that are **permitted** in the applicable "underlying" **zone** as identified on Schedule "A" - **Zone** Maps to this By-law.

17.2 Permitted Buildings and Structures in Accordance with Section 3.8 of the Official Plan

All **uses, buildings, and structures permitted** in the "underlying" **zone** must satisfy the policies of Section 3.8 of the Official Plan for the Town of St. Marys before they are to be **permitted** and before any required building permits will be issued.

EXPLANATORY NOTE: Buildings and structures as permitted by Sections 17.1 and 17.2 above are to be permitted to the extent allowed by the regulations made under the Conservation Authorities Act, R.S.O. 1990, as amended.

26.3 Special Provisions

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AMENDED BY BY-LAW 107-2014
SECTION 18.1 - NATURAL HAZARD CONSTRAINT AREAS

The “Natural Hazard Constraint Areas” applies to the “flood plain” (which includes floodway and the flood fringe), natural slopes (e.g. fill lines), steep slopes, unstable soils (muck), and wetlands (for their flood control). The “Natural Hazard Constraint Areas” boundaries are intended to be coincident with the outer boundaries of the “Natural Hazard Constraint Area” designation as shown on Schedule “C” to the Town of St. Marys Official Plan. The provisions of the “Natural Hazard Constraint Areas” as established by this By-law are to be applied in conjunction with the **zone** provisions for the “underlying” **zones** as established by this By-law.

18.1 Permitted Uses, Buildings, and Structures

The **permitted uses, buildings, and structures** in the “Natural Hazard Constraint Areas” shall be the same as those that are permitted in the applicable “underlying” **Zone** as identified on Schedule “A” - Key Maps to this By-law.

18.2 Permitted Buildings and Structures in Accordance with Section 8 of the Town of St. Marys Plan

All **uses, buildings, and structures permitted** in the “underlying” **Zone** must satisfy the policies of Section 8 of the Town of St. Marys Official Plan before they are to be **permitted** and before any required **building** permits will be issued.

EXPLANATORY NOTE:

Uses, buildings and structures as permitted by Sections 18.1 and 18.2 above are to be permitted to the extent allowed by the regulations made under the Conservation Authorities Act, as amended.

18.3 Special Provisions

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SECTION 19 - HOLDING ZONE (-H)

19.1 Use of "-H" Symbol

Where the symbol "-H" appears on a zoning map as a suffix to a **zone** symbol applying to certain lands, notwithstanding the provisions of that **zone** or **zones**, unless this By-law has been amended to remove the relevant "-H" symbol, those lands shall not be developed or **used** except in compliance with the provisions of the applicable **zone** for existing **uses**, or for such other **uses** set out in the relevant Holding Zone provisions below. The relevant Holding Zone provisions are denoted by the number (if any) immediately following the symbol "-H" on the zoning maps.

19.2 Holding Zone Provisions

19.2.1 -H Purpose To ensure that development takes a form compatible with adjacent land **uses**, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act R.S.O. 1990, prior to the removal of the "-H" symbol.

Permitted Interim Uses: Existing **Uses**.

19.2.2 -H₁ Purpose To ensure that development within 500 metres of operating or closed landfill sites will occur in a safe manner and in accordance with the Environmental Protection Act R.S.O. 1990, agreements shall be entered into specifying any necessary studies and protective measures to the satisfaction of the Town of St. Marys, demonstrating that the development in the form and manner proposed, will not be adversely affected prior to the removal of the "-H₁" symbol.

Permitted Interim Uses: Existing **Uses**.

19.2.3 -H₂ Purpose To ensure the orderly development of lands and the adequate provision of municipal services, the "-H₂" symbol shall not be removed until a subdivision agreement or development agreement is entered into for the lands affected by the "-H₂" symbol with the Town of St. Marys.

Permitted Interim Uses: Existing **Uses**.

Amended By By-law No. Z98-2012

19.2.4 -H₃ Purpose

To ensure safe vehicular movements along Emily Street, the H₃ symbol shall not be removed until it is demonstrated, to the Town's satisfaction, that the sightlines associated with the Emily Street underpass are adequate for safe vehicular movements in terms ingress and egress to the subject lands.

Permitted Interim Uses

Uses lawfully existing as of the date of adoption of By-law No. Z98-2012.

SECTION 20 - DEVELOPMENT ZONE (D)

No **person** shall within any **D zone use** any **land** or **erect, alter, or use** any **building or structure** for any purpose except in accordance with the following provisions:

20.1 Permitted Uses, Buildings, and Structures

- (a) **uses, buildings, and structures** lawfully existing on the date of passing of this By-law and additions to existing residential dwellings in accordance with Section 20.2.
- (b) **agricultural uses**, excluding **buildings** and **structures**.
- (c) **accessory uses, buildings, and structures** lawfully existing on the date of passing of this By-law.

20.2 Site and Building Requirements

The **minimum lot area** and **lot frontage** requirements shall be as they lawfully **existed** on the date of passing of this By-law.

The replacement of part or all of an **existing single-detached dwelling** is **permitted** provided the replacement occurs in the same location as **existed** on the **lot**. An addition onto an existing or replacement **single-detached dwelling** is **permitted** provided the addition is no greater than 50 percent of the **gross floor area** of the **dwelling** that **lawfully existed** on the date of the passing of this By-law and complies with the following requirements:

- (a) Front Yard, Minimum 15 metres
- (b) Interior Side Yard, Minimum 10 metres
- (c) Exterior Side Yard, Minimum 10 metres
- (d) Rear Yard, Minimum 10 metres
- (e) Building Height, Maximum 11 metres
- (f) Lot Coverage, Maximum Equal to 150 percent of the lot coverage as lawfully existed on the date of passing of this By-law.

20.3 Use of Symbols

20.3.1 RD The "RD" zone symbol indicates that some form of residential development is contemplated in the future for the lands within the "RD" **zone**; however timing for development and development standards (i.e. housing type and density) have yet to be determined.

Permitted Interim Uses: Uses, buildings and structures in accordance with Sections 20.1 and 20.2.

20.3.2 RD-1 The "RD-1" zone symbol indicates that some form of residential development is contemplated in the future for the lands within the "RD-1" **zone**; however timing for development and development standards (i.e. housing type and **density**) have yet to be determined.

Permitted Interim Uses: Uses, buildings and structures in accordance with Sections 20.1 and 20.2.

20.4 Special Provisions

20.4.1 RD-2

- (a) Location: Part of Lot 35 and 36, Registered Plan No. 36 and part of Lot 21, Concession 17.
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the **minimum lot frontage** and the **minimum lot area** for the land within the "RD-2" **zone** as shown on Schedule "A" to this By-law shall be 20.0 metres and 5.7 hectares respectively.
- (c) All other provisions of the "D" **zone** shall apply.

Amended By By-law No. Z14-2000

20.4.2 RD-3

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard).
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the **minimum lot area** and **minimum lot frontage** for the land within the "RD-3" **zone** as shown on Key May 3 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z14-2000) shall be 3,500 square metres and 39.7 metres, respectively.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z14-2000

20.4.3 RD-4

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard)
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the **minimum lot area** and **minimum lot frontage** for the land within the "RD-4" zone as shown on Key May 3 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z14-2000) shall be 5,000 square metres and 79.0 metres, respectively.
- (c) All other provisions of By-law No. Z1-1997, as amended, shall apply.

Amended By By-law No. Z71-2007

20.4.4 RD-5

- (a) Location: Part of Lot 15, Concession 18 (formerly in the Township of Blanshard).
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the **minimum lot area** and **minimum lot frontage** for the land within the "RD-5" zone as shown on Key May 3 of Schedule "A" to this By-law (also shown on Schedule "A" to By-law No. Z71-2007) shall be 2.4 hectares and 158 metres, respectively.
- (c) Notwithstanding the provisions of Section 20.2 of By-law No. 100-1998 to the contrary, the **minimum yard requirements** for all **existing buildings and structures** (existing as of the day of passing of By-law No. Z71-2007) in the "RD-5" zone as shown on Key Map 3 of Schedule "A" to By-law No. 100-1998 (also shown on Schedule "A" to By-law No. Z71-2007) shall be as they lawfully existed on the day of passing of By-law No. Z71-2007.

- (d) All other provisions of this By-law, as amended, shall apply.

Amended By By-law No. Z80-2008

20.4.5 RD-6

- (a) Location: Part of Lot 15, Thames Concession (formerly in the Township of Blanshard).
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the **minimum lot area** and **minimum lot frontage** for the land within the “RD-5” zone as shown on Key May 1 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z80-2008) shall be 3.1 hectares and 160 metres, respectively.
- (c) All other provisions of this By-law, as amended, shall apply.

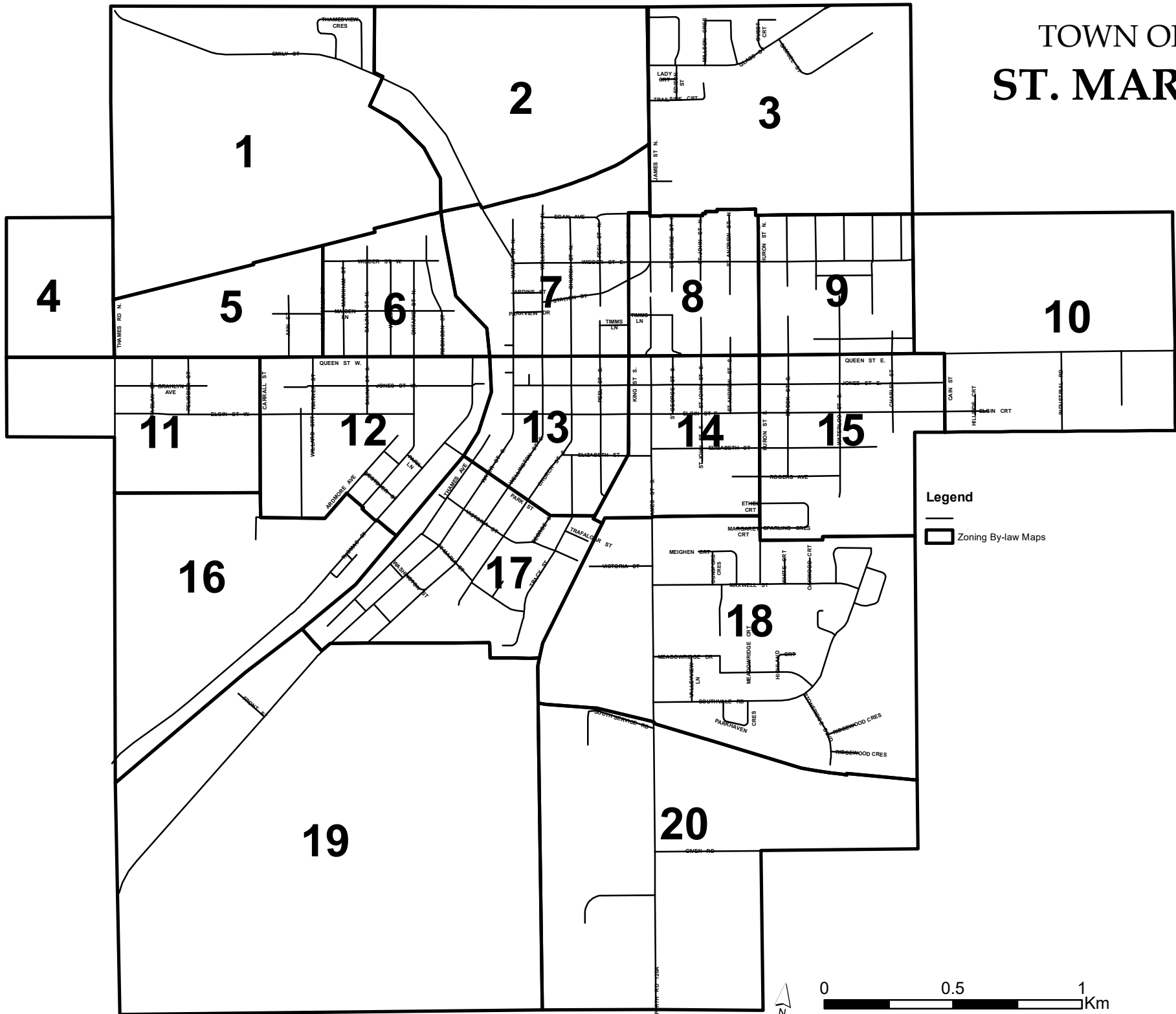
Amended By By-law No. Z94-2011

20.4.6 RD-7

- (a) Location: Part of Lot 15, Concession 18.
- (b) Notwithstanding the provisions of Section 20.2 of this By-law to the contrary, the minimum lot area and minimum lot frontage for the land within the “RD-7” zone as shown on Key May 3 of Schedule “A” to this By-law (also shown on Schedule “A” to By-law No. Z94-2011) shall be 1,200 square metres and 15.0 metres, respectively.
- (c) All other provisions of this By-law, as amended, shall apply.

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TOWN OF ST. MARYS









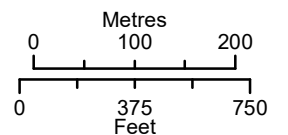
THIS IS **KEY MAP 1** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.



-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

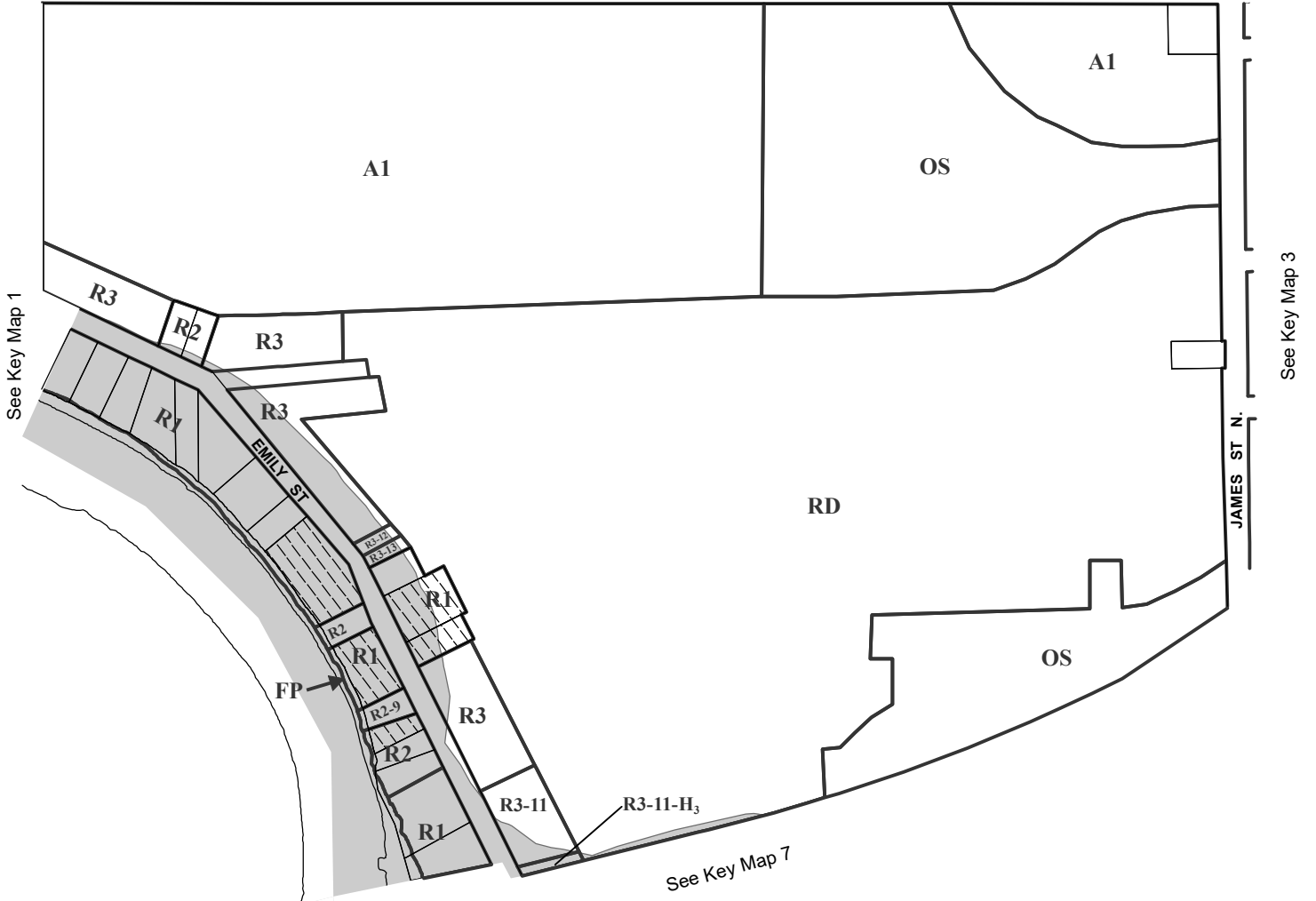
Last Amended: December 14, 2018
Absolute Scale 1:7 500









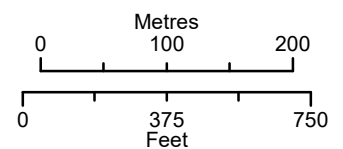
THIS IS **KEY MAP 2** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.



-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:6 000



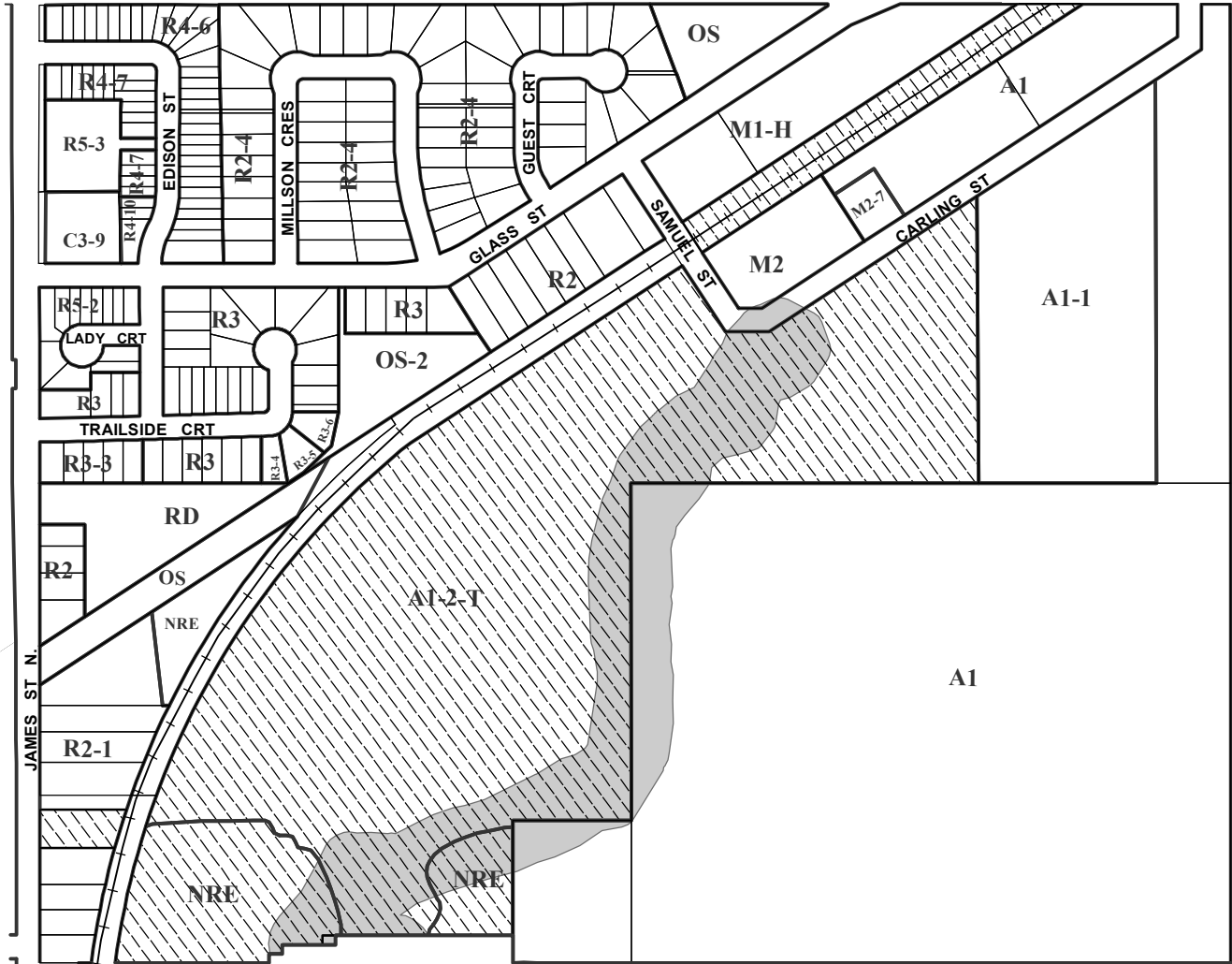


THIS IS **KEY MAP 3** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

See Key Map 2

See Key Map 7



See Key Map 8

See Key Map 9

—+—+— Railway

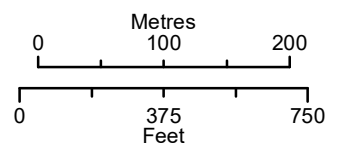
▭ Parcels

▭ Zoning By-law Boundaries

▨ Heritage Classified

▭ UTRCA Regulation Limit

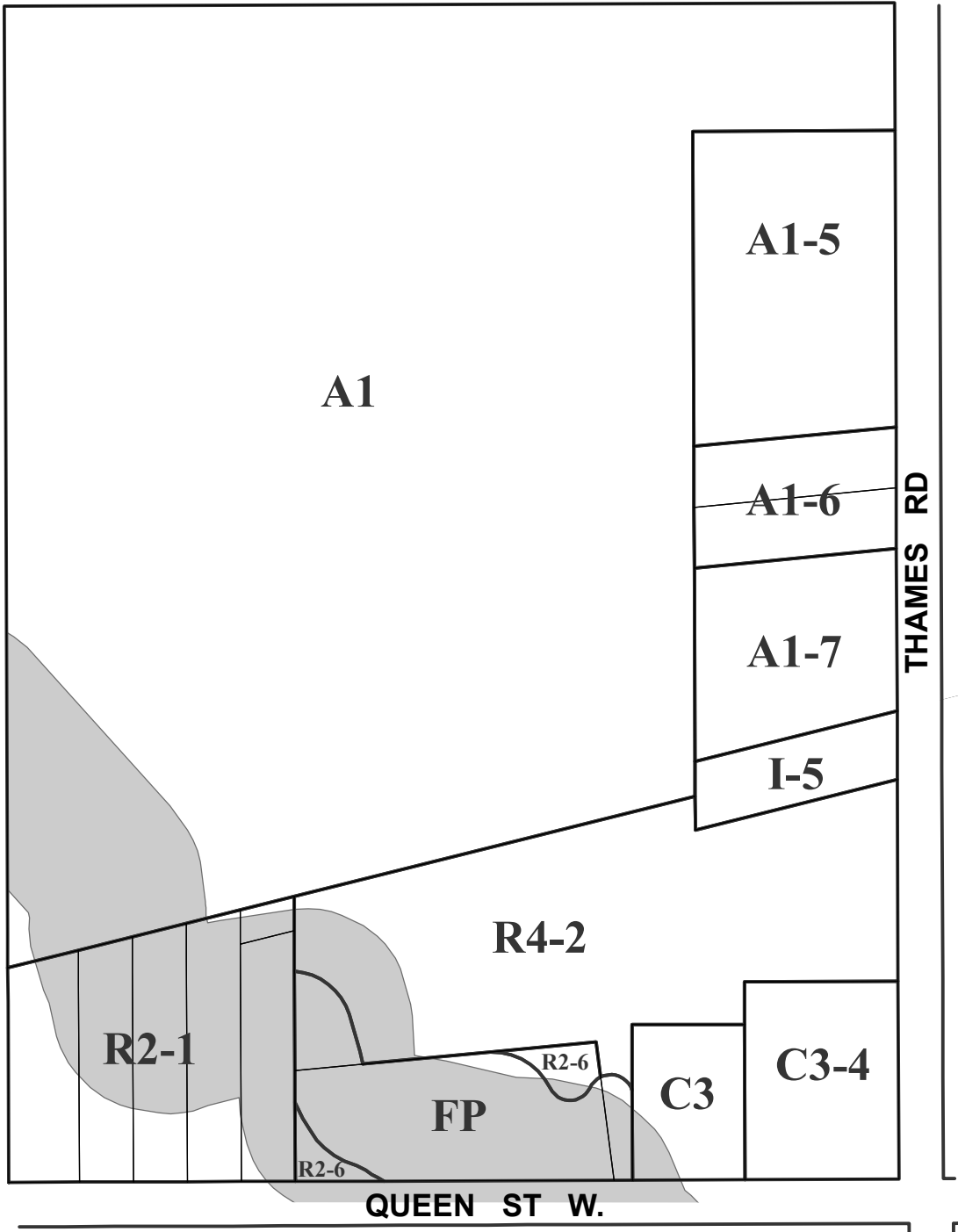
Last Amended: December 14, 2018
Absolute Scale 1:6 000





THIS IS **KEY MAP 4** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS




AMENDED BY BY-LAW NO.



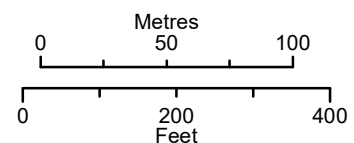
See Key Map 1

See Key Map 5

See Key Map 11

- Private Roads
-  Parcels
-  Zoning By-law Boundaries
-  UTRCA Regulation Limit

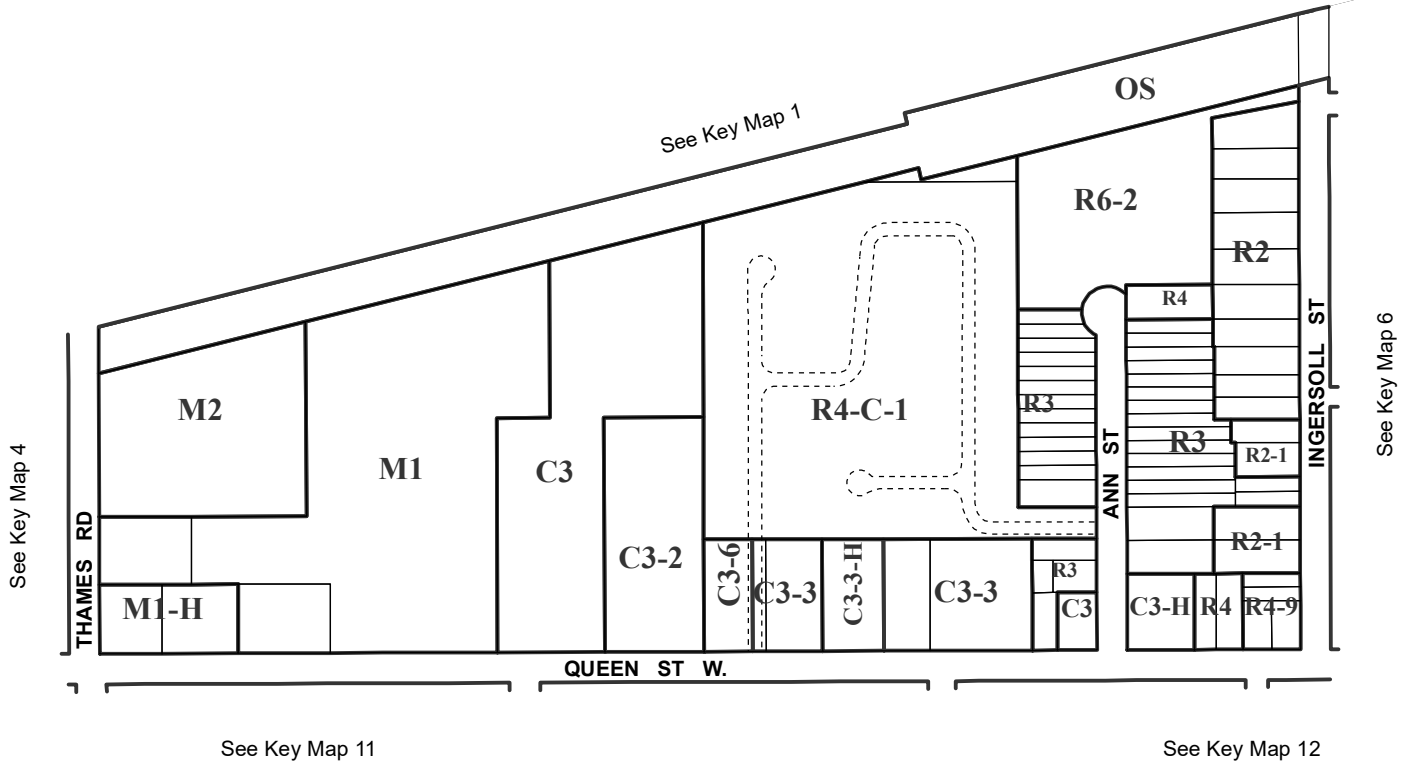
Last Amended: December 14, 2018
Absolute Scale 1:3 000





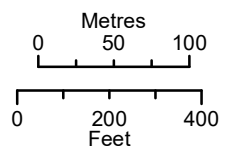
THIS IS **KEY MAP 5** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.



- Private Roads
- Parcels
- Zoning By-law Boundaries

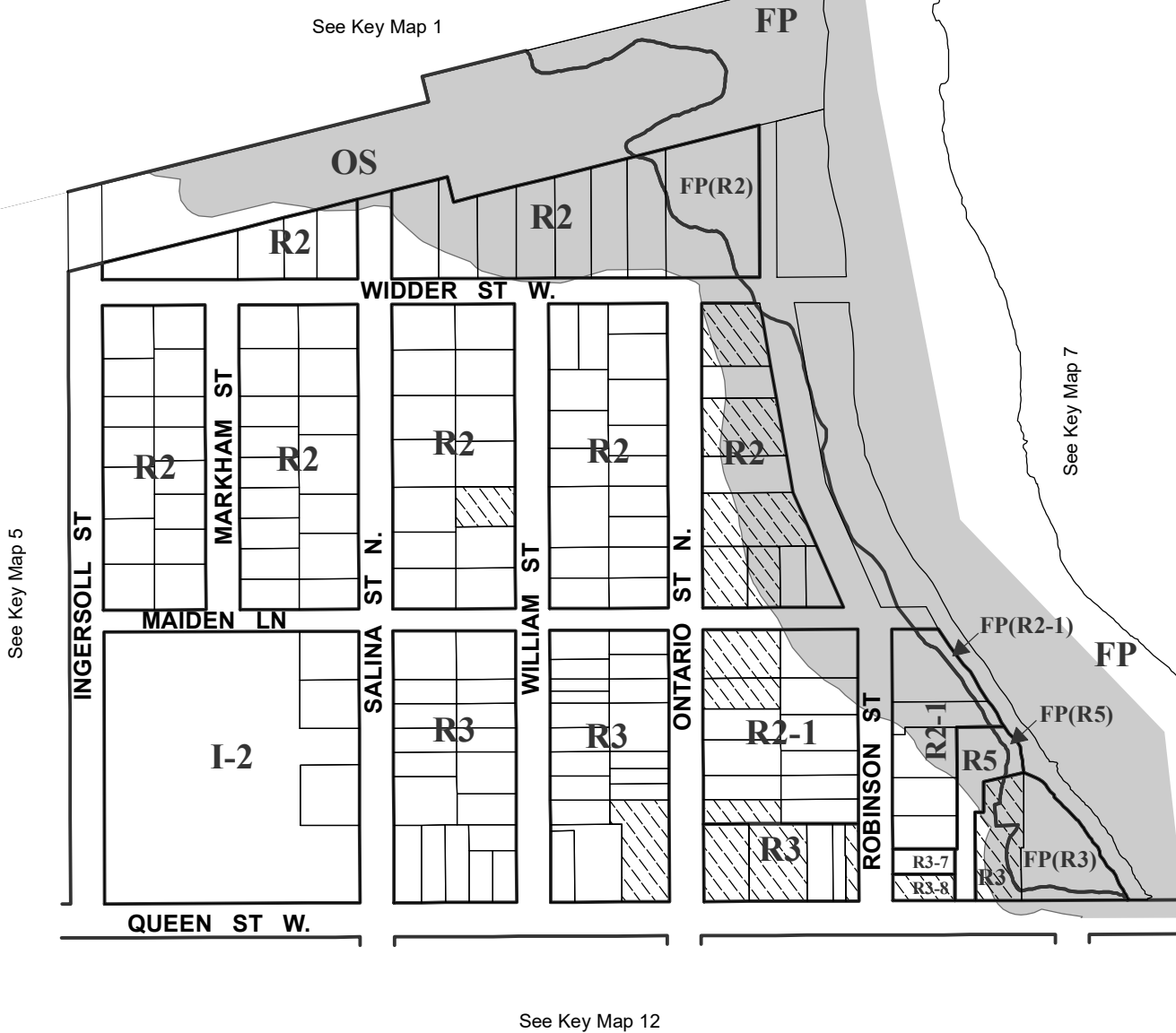
Last Amended: December 14, 2018
Absolute Scale 1:5 000









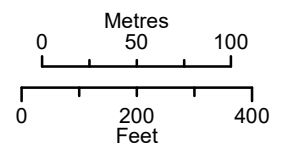
THIS IS **KEY MAP 6** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.



-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:4 000





THIS IS **KEY MAP 7** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.






See Key Map 6

See Key Map 2

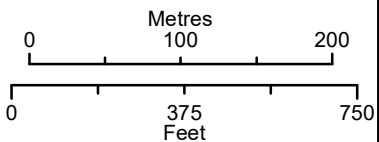
See Key Map 3

See Key Map 8

See Key Map 13

-  Parcels
-  Zoning By-law Flood Fringe Constraint Area
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:5 000





THIS IS **KEY MAP 8** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO. 103-2013

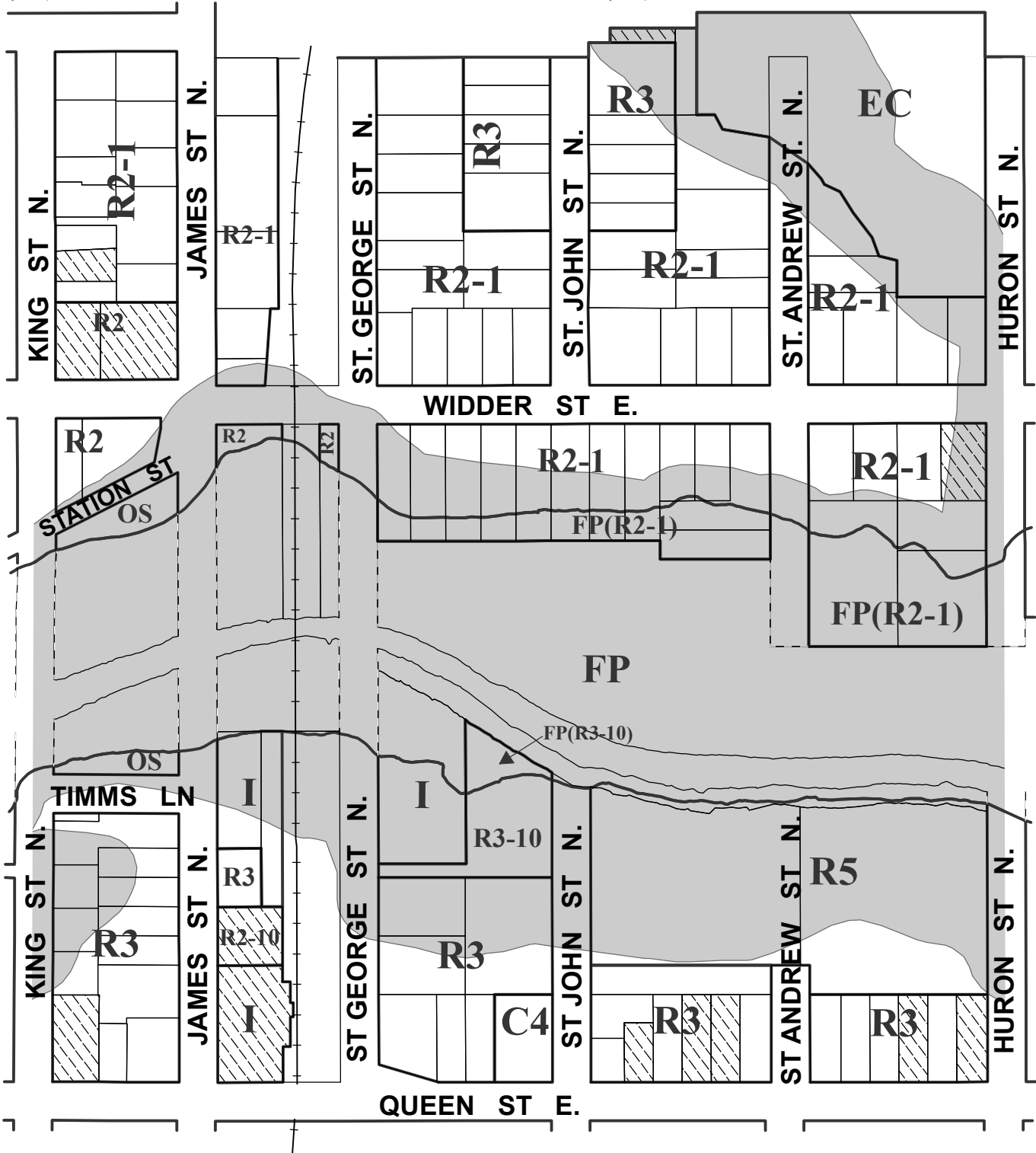
See Key Map 2

See Key Map 3

See Key Map 7

See Key Map 9

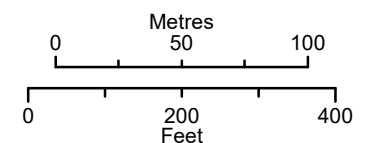
See Key Map 14



- Railway
- Parcels
- Zoning By-law Boundaries
- Heritage Classified

UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:3 000

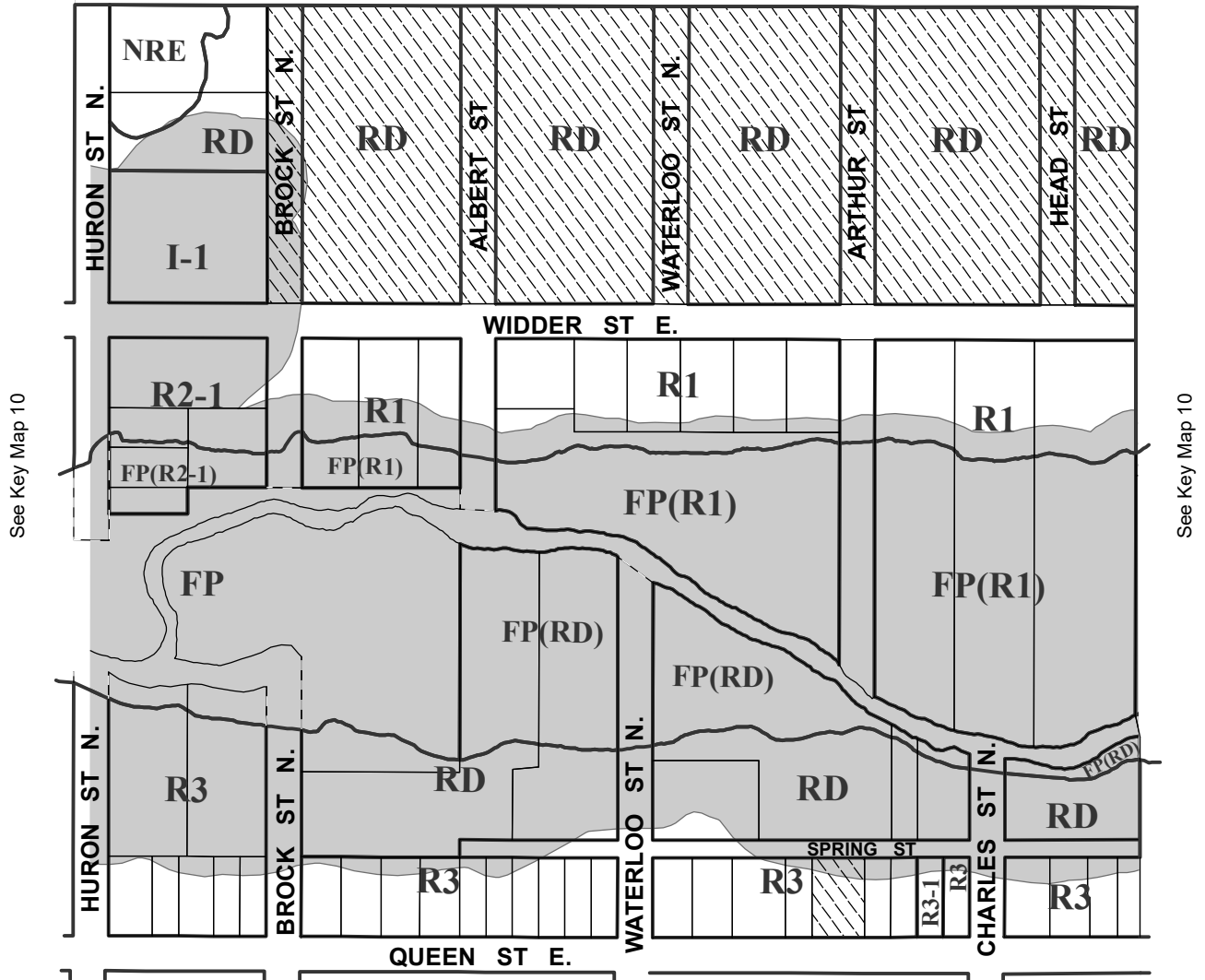








THIS IS **KEY MAP 9** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

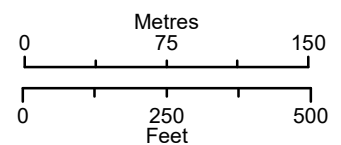
See Key Map 3



See Key Map 15

-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:4 000

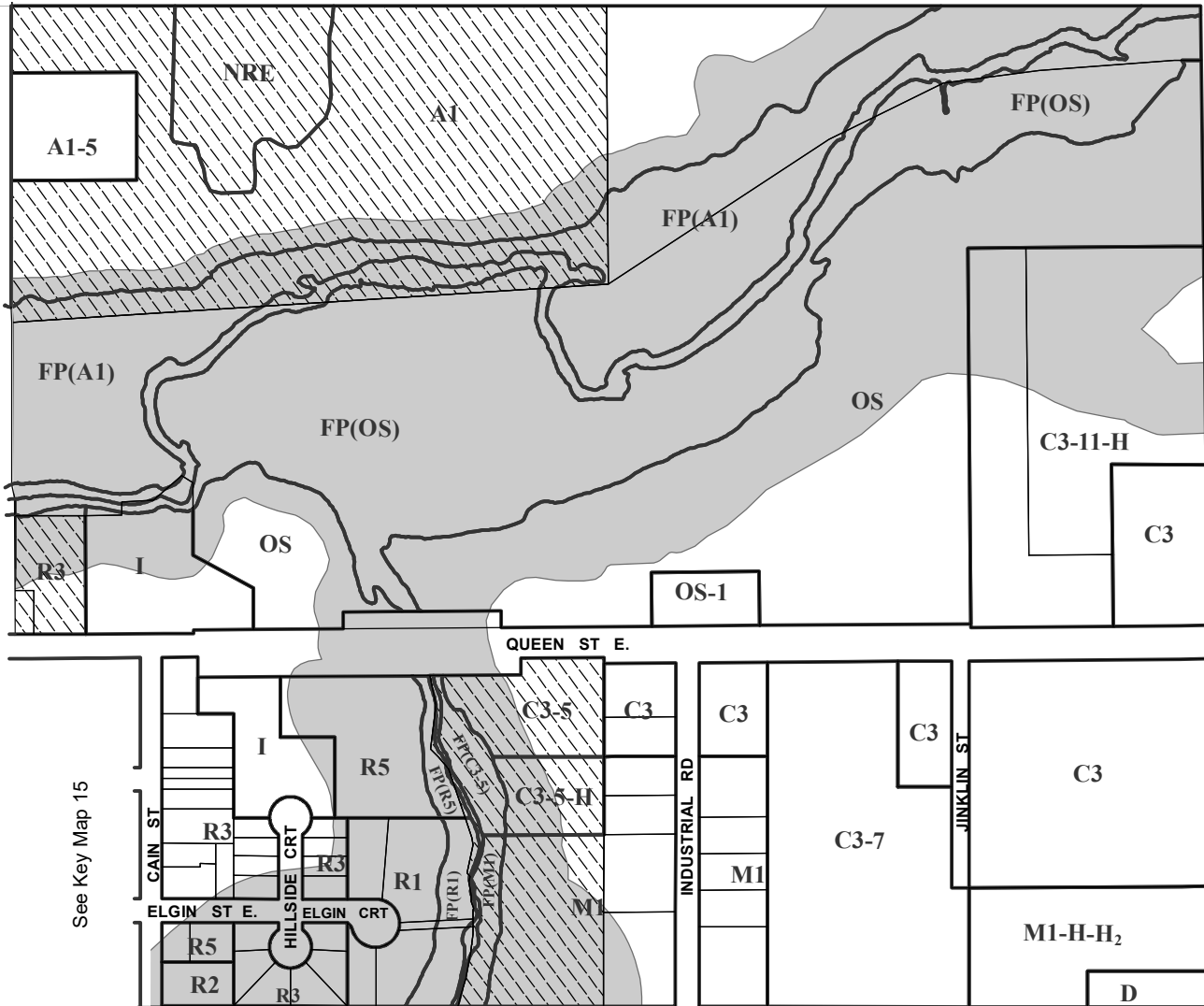








THIS IS **KEY MAP 10** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

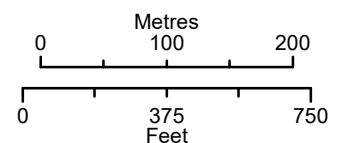
See Key Map 9



See Key Map 15

-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:6 000



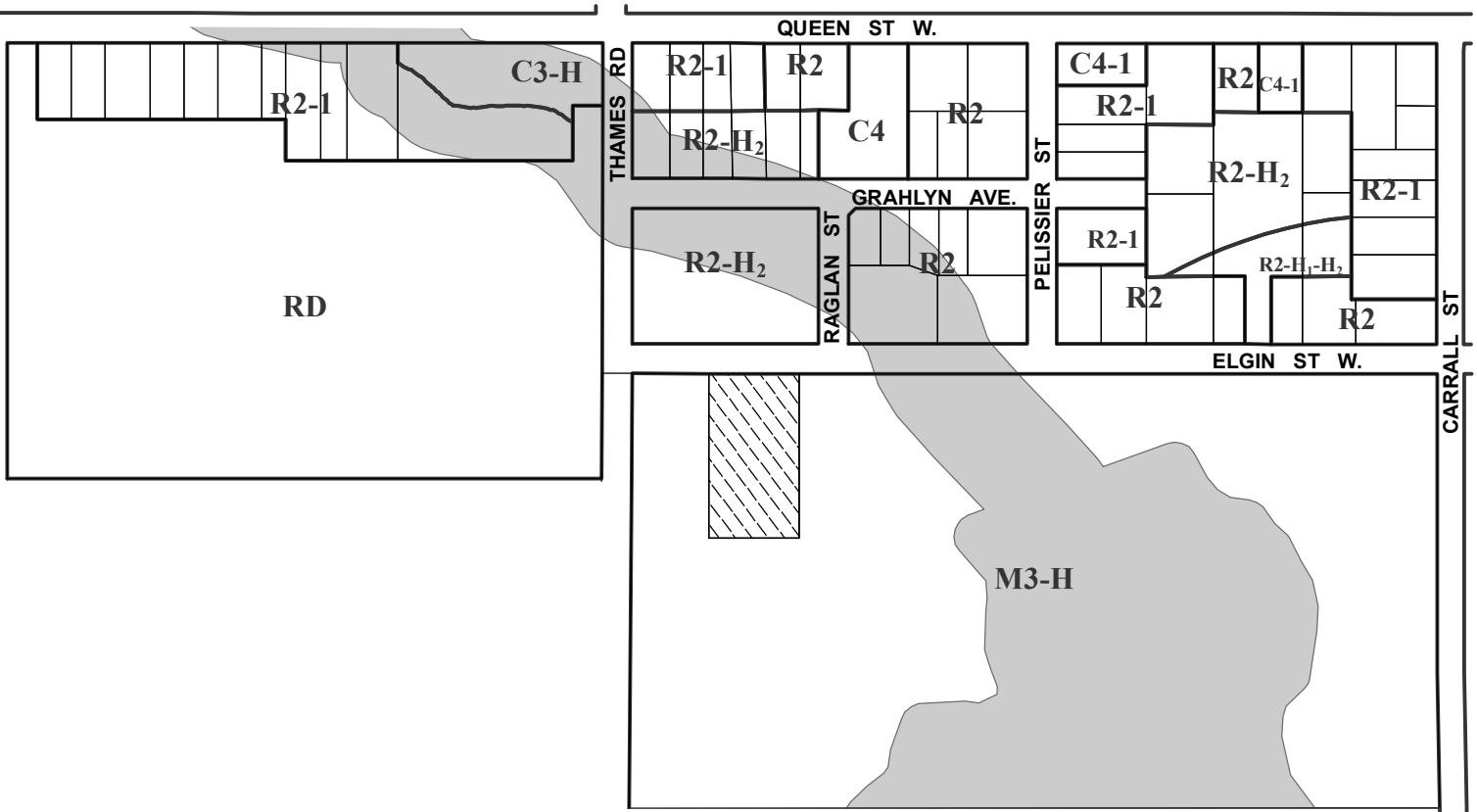


THIS IS **KEY MAP 11** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.





See Key Map 4

See Key Map 5

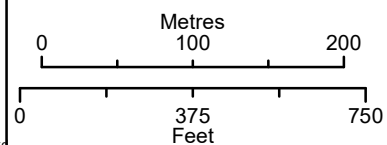


See Key Map 16

See Key Map 12

-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:5 000





**THIS IS KEY MAP 12 OF SCHEDULE "A" TO BY-LAW
NO. OF THE TOWN OF ST. MARYS**

AMENDED BY
BY-LAW NO.
104-2013

See Key Map 5

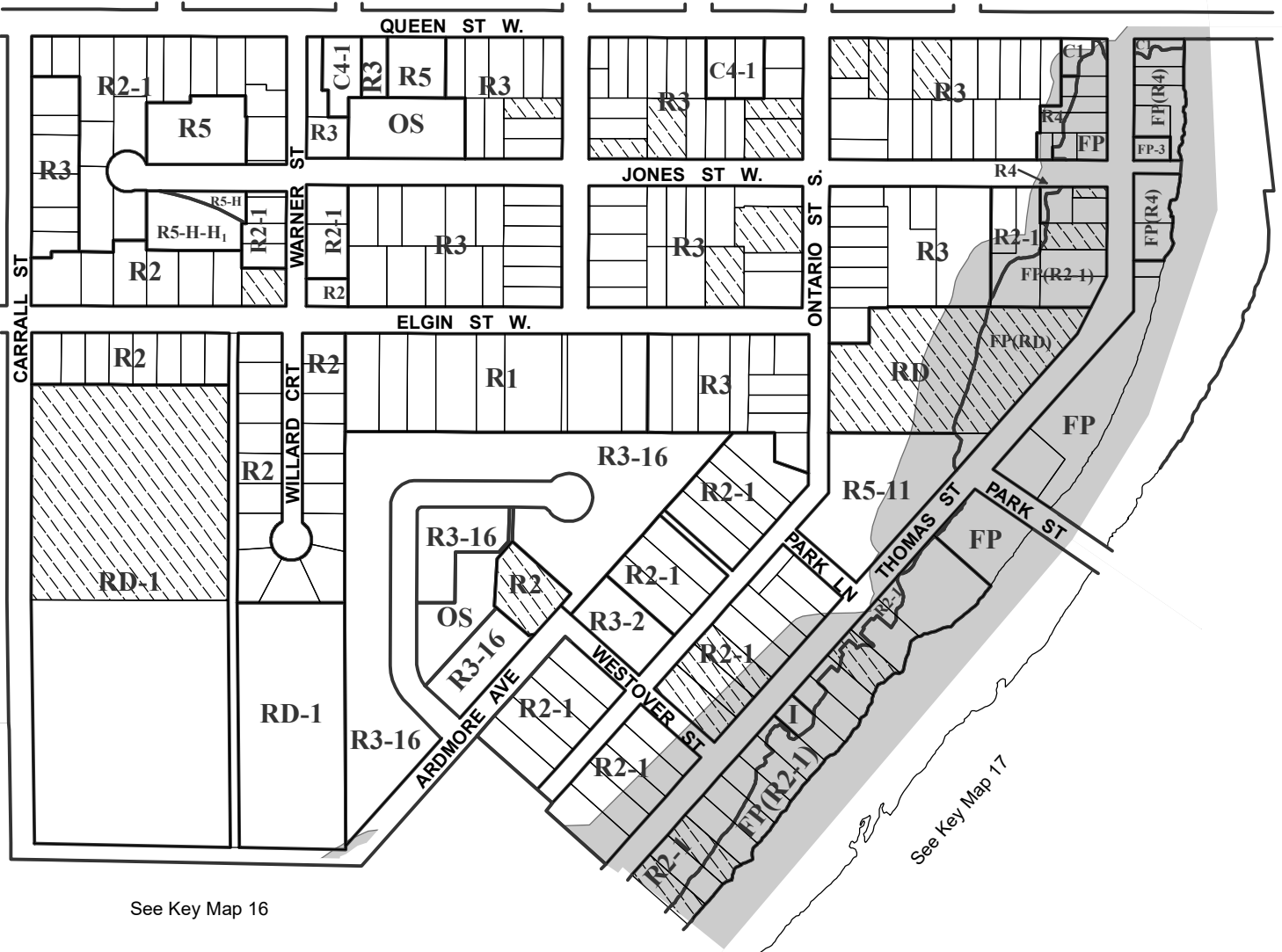
See Key Map 6





See Key Map 11

See Key Map 13

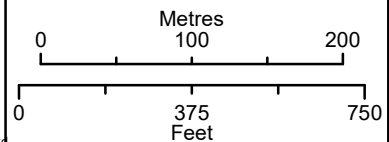
See Key Map 17

See Key Map 16



-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:5 000





THIS IS KEY MAP 13 OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

See Key Map 7

See Key Map 12

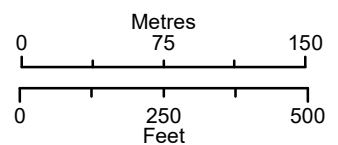


See Key Map 14

See Key Map 17

- Parcels
- Zoning By-law Flood Fringe Constraint Area
- Zoning By-law Boundaries
- Heritage Classified
- UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:4 000

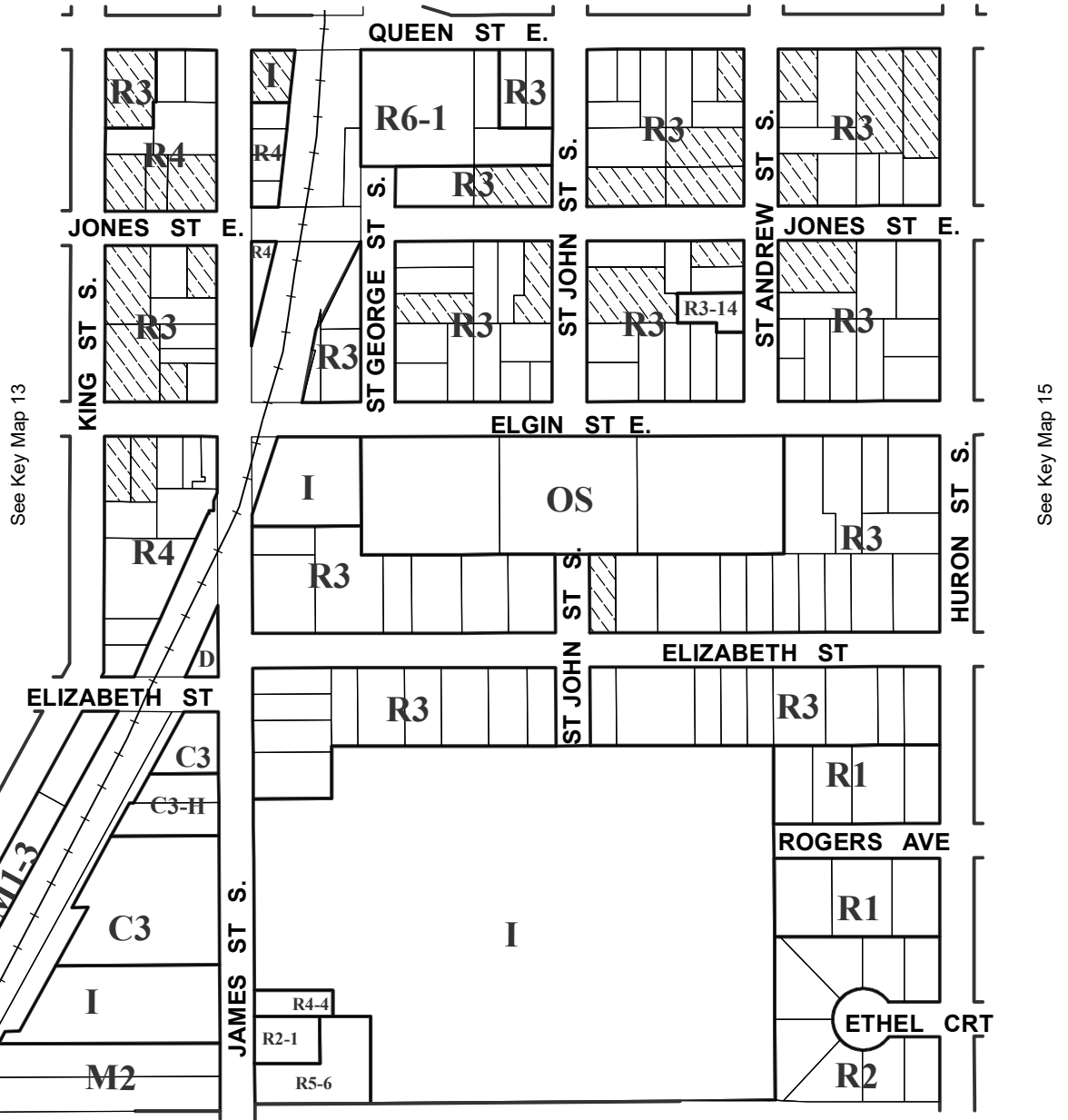




THIS IS **KEY MAP 14** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

See Key Map 8







See Key Map 13

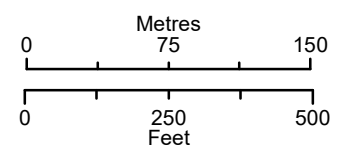
See Key Map 15

See Key Map 17

See Key Map 18

-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  Railway

Last Amended: December 14, 2018
Absolute Scale 1:4 000

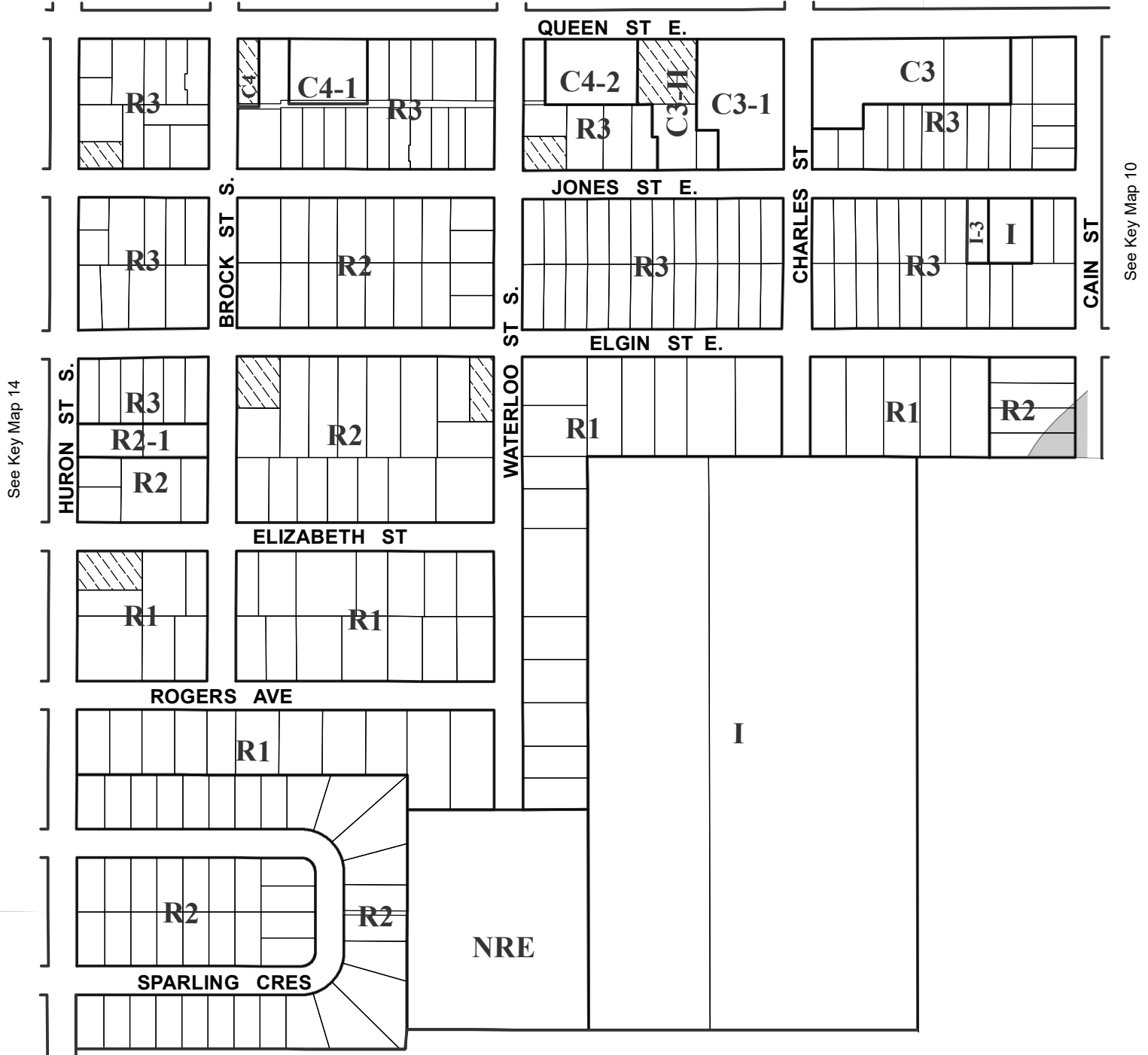








THIS IS **KEY MAP 15** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

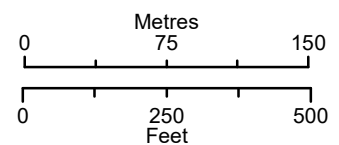
See Key Map 9



See Key Map 18

-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:4 000



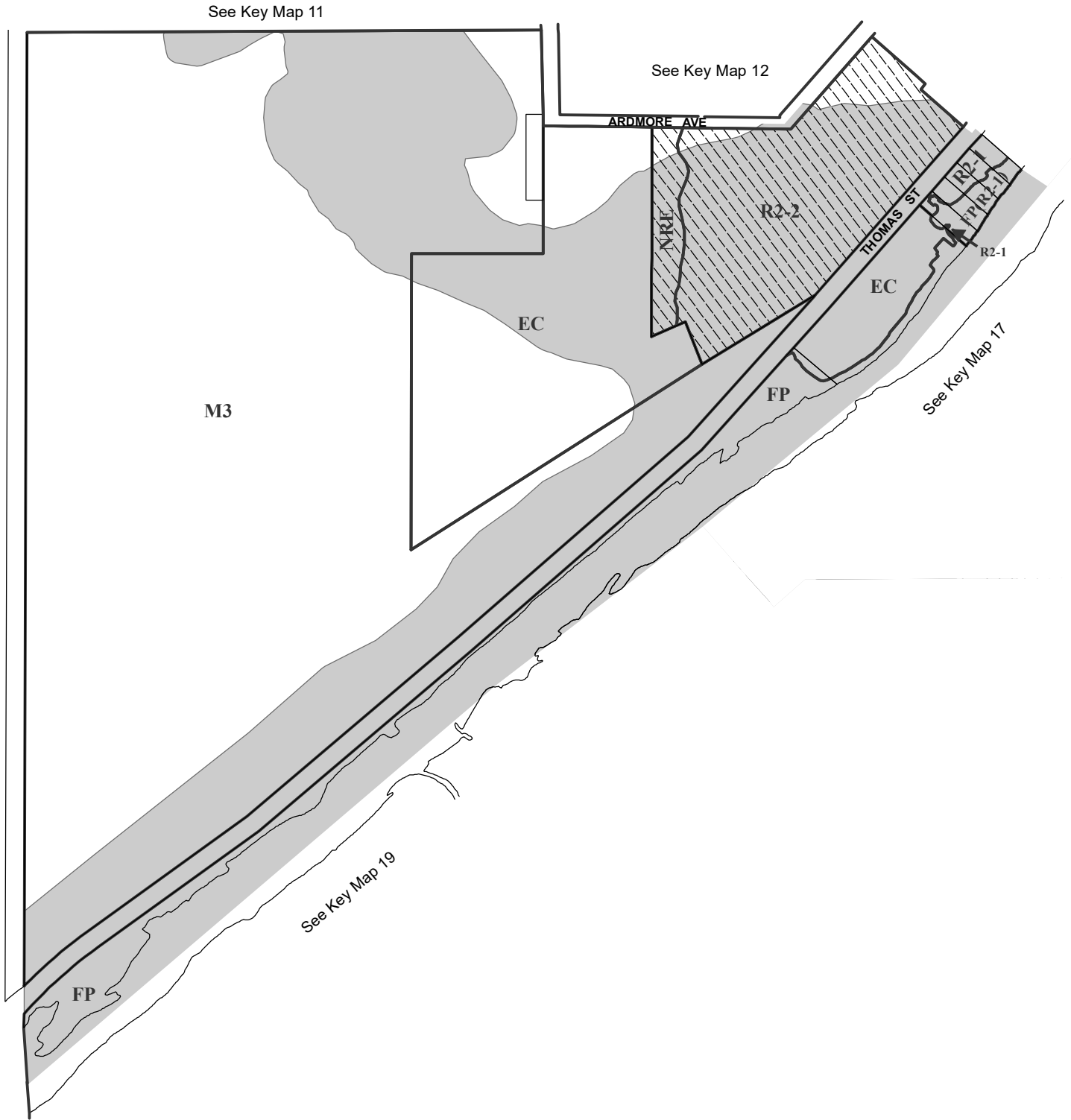
See Key Map 10





See Key Map 14



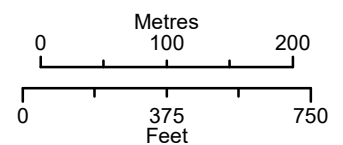
**THIS IS KEY MAP 16 OF SCHEDULE "A" TO BY-LAW
NO. OF THE TOWN OF ST. MARYS**

AMENDED BY
BY-LAW NO.



-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

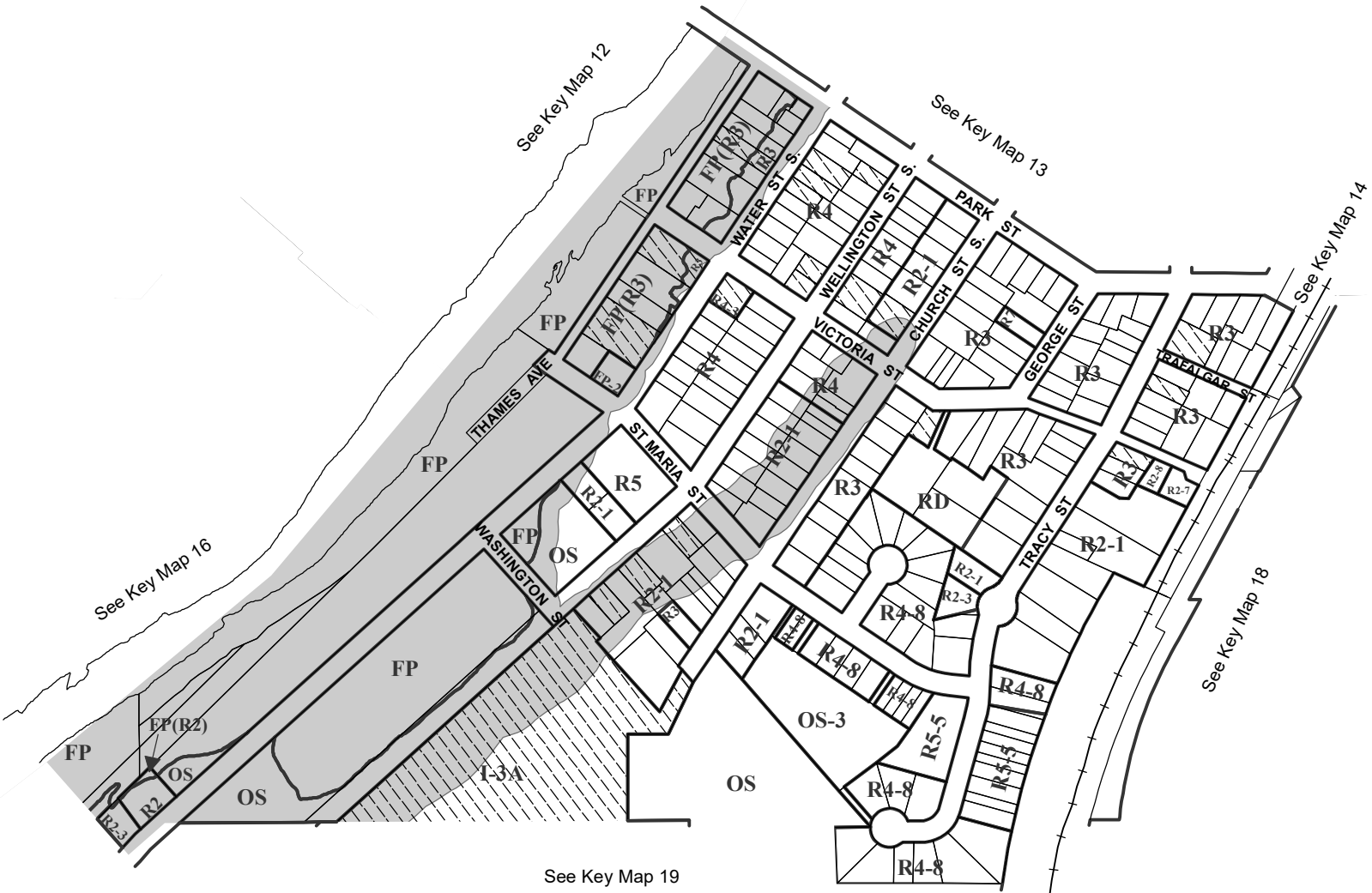
Last Amended: December 14, 2018
Absolute Scale 1:6 000





THIS IS KEY MAP 17 OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

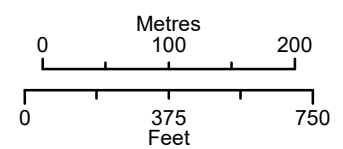
AMENDED BY BY-LAW NO.



- Railway
- Parcels
- Zoning By-law Boundaries
- Heritage Classified

UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:6 000





THIS IS **KEY MAP 18** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

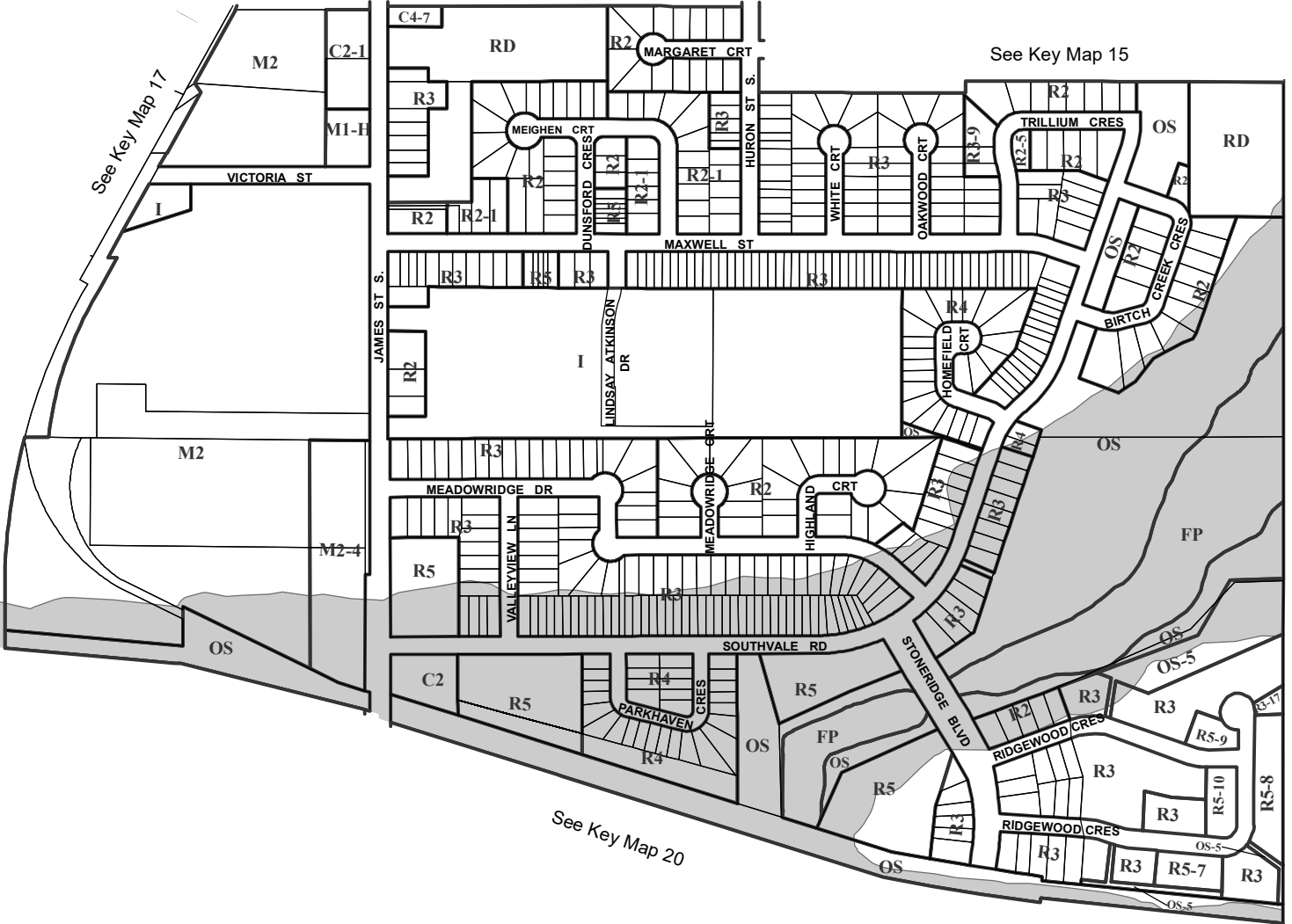
See Key Map 14




See Key Map 15

See Key Map 17

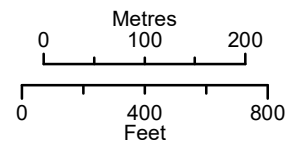
See Key Map 19

See Key Map 20



-  Parcels
-  Zoning By-law Boundaries
-  UTRCA Regulation Limit

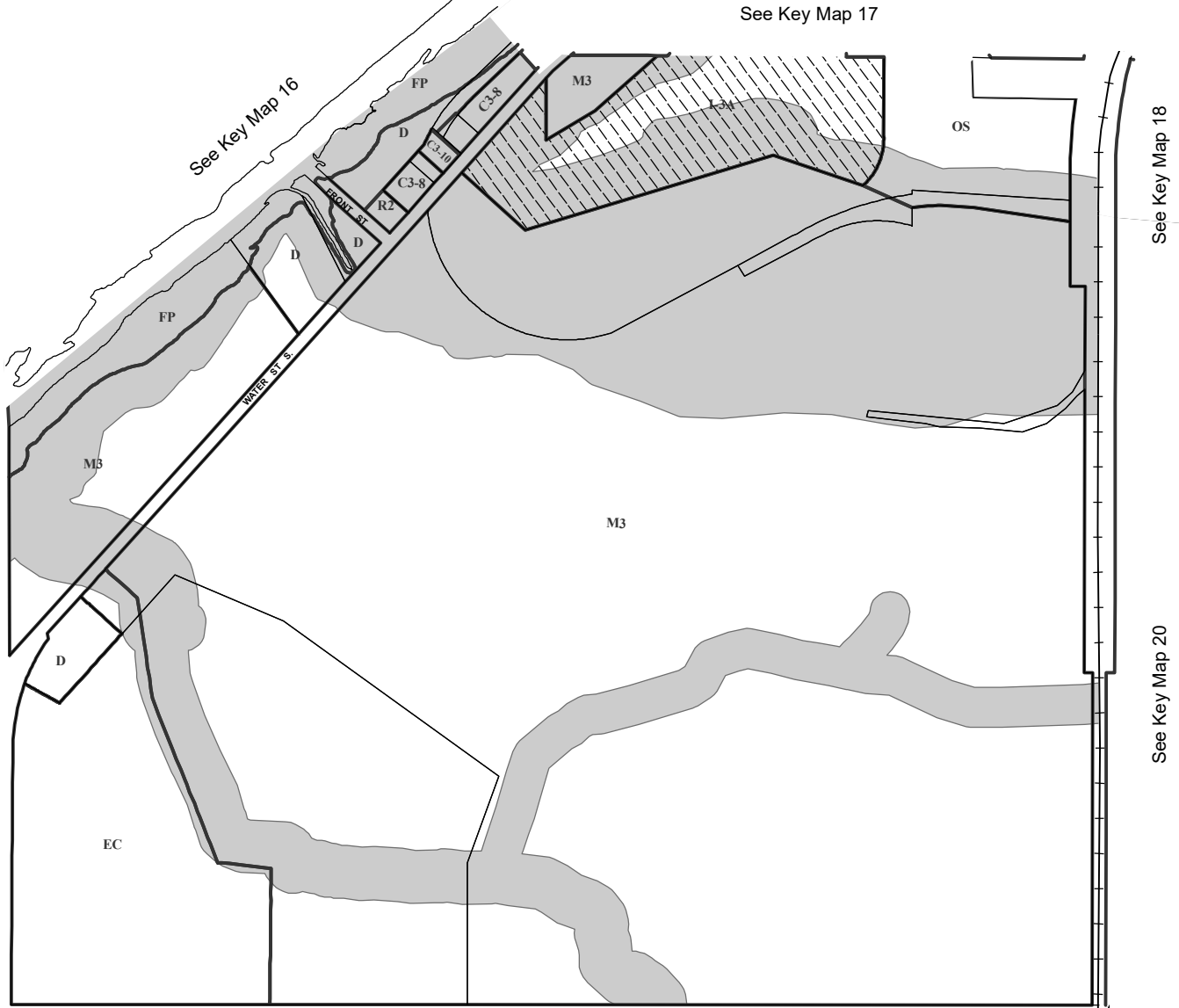
Last Amended: December 14, 2018
Absolute Scale 1:7 500





THIS IS KEY MAP 19 OF SCHEDULE "A" TO BY-LAW
NO. OF THE TOWN OF ST. MARYS

AMENDED BY
BY-LAW NO.



—+—+— Railway

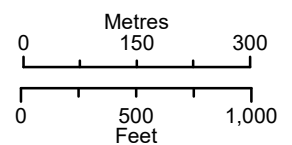
▭ Parcels

▭ Zoning By-law Boundaries

▨ Heritage Classified

▭ UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:10 000

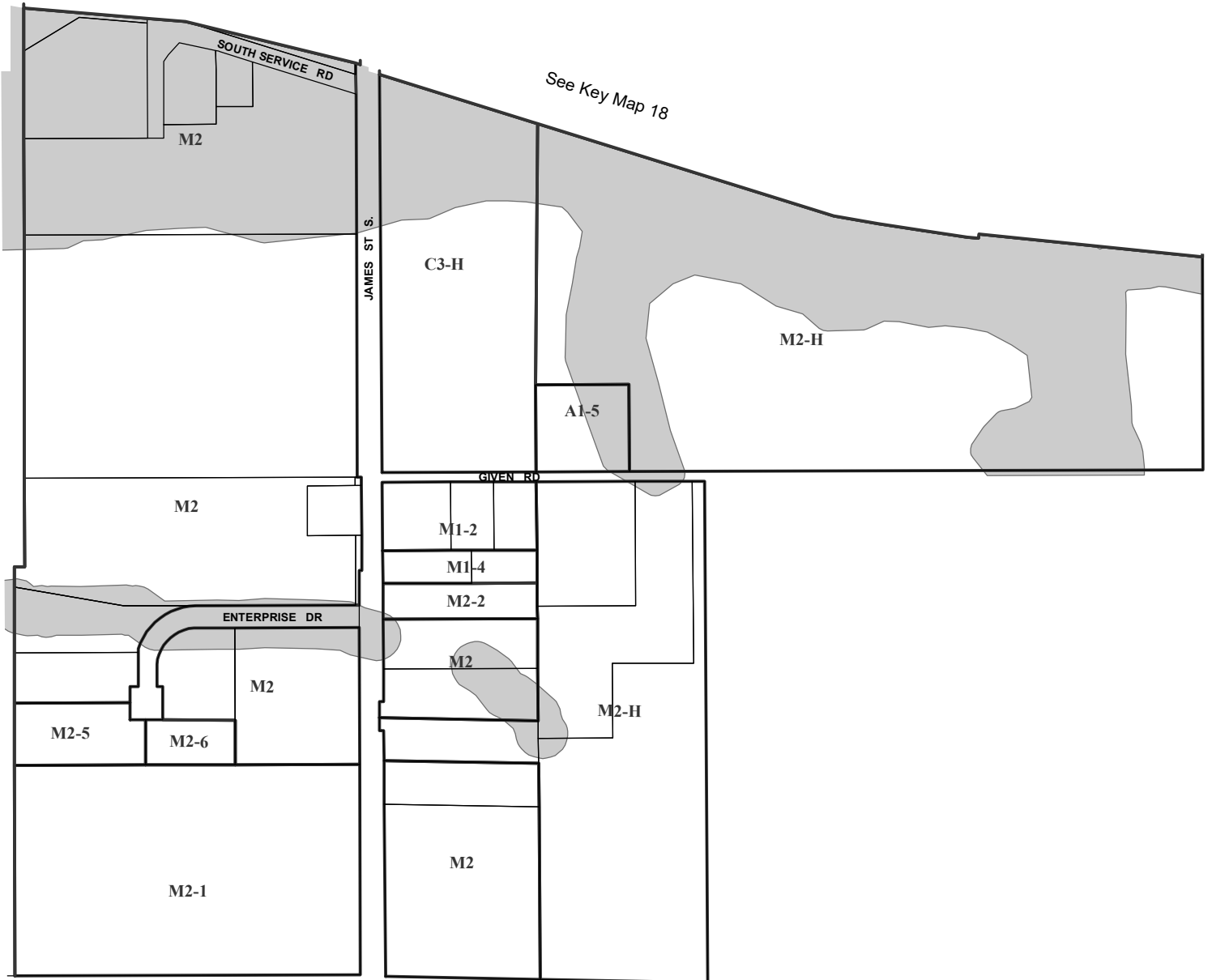







THIS IS **KEY MAP 20** OF SCHEDULE "A" TO BY-LAW NO. OF THE TOWN OF ST. MARYS

AMENDED BY BY-LAW NO.

See Key Map 19



-  Parcels
-  Zoning By-law Boundaries
-  UTRCA Regulation Limit

Last Amended: December 14, 2018
Absolute Scale 1:7 500

