

# Town of New Tecumseth Zoning By-Law



September 2021



**New Tecumseth**  
Alliston · Beeton · Tottenham

 **The Planning  
Partnership**

Municipal Planning Services  
Plan-it Geographical



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THE CORPORATION OF  
THE TOWN OF NEW  
TECUMSETH

BY-LAW NO. 2021-128

Being a by-law to regulate the use of lands and the character, location and use of buildings and structures within the Town of New Tecumseth.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF NEW TECUMSETH ENACTS AS  
FOLLOWS:

NOTE: The portions of Zoning By-law 2021-128 that are highlighted grey are under appeal to the Ontario Land Tribunal (OLT Case No.: OLT-21-001535) and are not in full force and effect.

Consolidated November 2023

# SECTION I INTRODUCTION

## 1.1 Application, Interpretation and Scope

### 1.1.1 Title

- a) This By-law shall be known as the Zoning By-law of the Town of New Tecumseth.

### 1.1.2 Defined Area

- a) The provisions of this By-law shall apply to all lands within the Town of New Tecumseth.

### 1.1.3 Effective Date

- a) This By-law shall take force and effect in accordance with the provisions of The Planning Act, R.S.O. 1990.

### 1.1.4 Repeal Of Existing By-Laws

- a) All previous By-laws and Amendments made thereto, passed pursuant to Section 34 of The Planning Act, R.S.O. 1990 or a predecessor thereof, applying to lands within the Town of New Tecumseth are repealed upon this By-law taking force and effect in accordance with the provisions of The Planning Act, R.S.O. 1990.

### 1.1.5 Interpretation

- a) In this By-law:
  - i) The word "shall" is mandatory;
  - ii) Words used in the present tense shall also include the future tense; and,
  - iii) Words which are singular shall also denote plural and vice versa.

### 1.1.6 Scope And Effect

- a) No person shall erect, alter, or use any **building**, structure or land within the boundaries of the Town of New Tecumseth except in conformity with the provisions of this By-law.
- b) No use of land or **building** shall be changed, nor **building** be constructed, nor land divided if the effect of such change, construction or division contravenes any of the provisions of this By-law.
- c) Notwithstanding any other regulations of this By-law, for any legal lot, or any use, **building** or structure legally established on a lot, that is subsequently altered as a result of a project of a public authority or by expropriation of municipal, provincial or federal acquisition which causes it to contravene any regulations of the By-law, the said lot, use, **building** or structure shall be deemed to comply with the By-law and may be enlarged, extended, reconstructed, repaired or renovated provided that any regulations which are currently not met, are not further contravened and that all regulations which are complied with, are not contravened by any works undertaken.

### 1.1.7 Validity

- a) If any Section, or provision of this By-law, including anything contained in the attached schedules, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining Sections, provisions and schedules of this By-law.

## 1.2 Administration and Enforcement

### 1.2.1 Administration

- a) This By-law shall be administered by a person or persons designated from time to time by the Council of the Town of New Tecumseth.

### 1.2.2 Compliance With Other Restrictions

- a) This By-law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the Town or by any governmental authority having jurisdiction to make such restrictions or regulations. Where the requirements of this By-law and those of any governmental authority are in conflict, the more stringent restrictions shall apply.

### 1.2.3 Building And Other Permits

- a) No Municipal Permit, Certificate or License shall be issued for the use of any lot or **building**, nor any proposed erection, alteration or enlargement of any **building** or structure that would be in contravention to any provision(s) of this By-law, except as provided for by The Planning Act, R.S.O. 1990, as amended from time to time.
- b) No **building** or structure shall be occupied, in whole or in part, until such time as an occupancy permit has been issued by the Town.
- c) Where development activity is proposed on lands regulated by a Conservation Authority having jurisdiction shall be obtained pursuant to the provisions of the Conservation Authorities Act, R.S.O. 1990, as amended from time to time, prior to the following:
  - i) Any placement, dumping or removal of any material in an area defined by the Conservation Authority;
  - ii) Any construction or reconstruction of a **building** or structure in a wetland or in an area susceptible to flooding or erosion under regional storm conditions; and,
  - iii) Any works proposed in association with a watercourse.
- d) Properties located within the Beeton Heritage Conservation District shown on Schedule K will be required to have an approved Heritage Permit issued by the Town, if required, prior to commencement of works that would require a heritage permit.

## 1.2.4 Penalty

- a) Any person convicted of a breach of any of the provisions of this By-law shall be liable to a penalty within the limits permitted in The Planning Act, R.S.O. 1990, as amended from time to time, exclusive of costs, and recoverable under The Provincial Offences Act, R.S.O. 1990, as amended from time-to-time.
- b) Every person who contravenes any of the provisions of this By-law is guilty of an offence and is liable:
  - i) On a first conviction to a fine of not more than \$25,000; and,
  - ii) 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 the person was first convicted.
- c) Where a corporation is convicted of contravening any of the Provisions of this By-law, the maximum penalty that may be imposed is:
  - i) On a first conviction a fine of not more than \$50,000; and,
  - ii) On a subsequent conviction 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 the corporation was first convicted.

## 1.2.5 Interpretation of Boundaries

- a) The following provisions shall apply to assist with the interpretation of zone boundaries:
  - i) A zone boundary which is indicated as following a road allowance, transmission line or watercourse shall be deemed to be the centre line of such road allowance, right- of- way, transmission line or watercourse;
  - ii) A zone boundary which is indicated as following the lot lines of any lot shall be deemed to follow such lot lines;
  - iii) A zone boundary which is indicated as following the boundary of the Conservation Authority Regulated Area as denoted by the most current mapping available from the Conservation Authority having jurisdiction;
  - iv) Where the provisions of Sections 1.24 ( i),( ii) and (iii) are not applicable, the zone boundary shall be determined from the most up- to- date digital Schedules; and,
  - v) Within the Oak Ridges Moraine Area, a zone boundary shall be in conformity with the Oak Ridges Moraine Conservation Plan and the limits of the “ Oak Ridges Moraine — Environmental Protection Zone (ORM EP)” shall reflect at a minimum the related minimum vegetation protection zones in conformity with Part III of the Oak Ridges Moraine Conservation Plan.

# SECTION II GENERAL PROVISIONS

Town of New Tecumseth - Zoning By-law

# GENERAL PROVISIONS

The provisions of this Section shall apply to all zones contained in the By-law except as otherwise indicated. These provisions shall be in addition, where applicable, to the specific provisions included in this By-law for each zone category.

## 2.1 Accessory Uses

### 2.1.1 Additional Residential Units

- a) **Additional Residential Unit (Attached)** - One additional residential unit (attached) may be permitted within a single detached dwelling, semi-detached dwelling or street townhouse dwelling with or without an additional residential unit (detached), in accordance with the regulations specified by the applicable zone category, in addition the following:
- i) The additional residential unit (attached) shall be built in accordance with all relevant regulations;
  - ii) Where the principal dwelling is connected to full municipal sanitary sewer and water services, the additional residential unit (attached) shall also be connected;
  - iii) The additional residential unit (attached) shall be clearly accessory to the principal dwelling;  
**(By-law 2022-086)**
  - iv) A maximum of one entrance to the principal building shall be permitted along each public street.
  - v) Notwithstanding Section 2.30, exterior access to an additional residential unit (attached) must be provided via a walkway with a minimum unobstructed width of 0.6 meters. Walkways shall not be obstructed by chimneys, gas meters, air conditioning units, heat pump, garbage receptacle, or any other permanent or non-permanent structures.  
**(By-law 2022-086)**
- b) **Additional Residential Units (Detached)** - One additional residential unit (detached) may be permitted on the same lot as a single detached dwelling, semi-detached dwelling or street townhouse dwelling with or without an additional residential unit (attached), in accordance with the regulations specified by the applicable zone category, in addition to the following:
- i) The additional residential unit (detached) shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling or street townhouse dwelling;
  - ii) The additional residential unit (detached) shall be built in accordance with all relevant regulations;
  - iii) Where the principal dwelling is connected to full municipal sanitary sewer and water services, the additional residential unit (detached) shall also be connected;
  - iv) The gross floor area of the additional residential unit (detached) shall be a maximum of 50 percent of the gross floor area of the principal building, to a maximum of 80 square metres;
  - v) The additional residential unit (detached) shall be placed upon a permanent footing/foundation;
  - vi) The maximum height of an accessory building containing an additional residential unit (detached) shall be 6.5 metres. However, under no circumstances shall the height of the accessory building exceed the building height of the principal dwelling on the lot;

- vii) An **additional residential unit (detached)** must have direct pedestrian access from a public **street** or laneway, or must be provided with access via an unobstructed walkway, with pedestrian access being in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act. Where there is no access from a public **street** or laneway, such walkway shall be accommodated within an **interior side yard**; and,
- viii) The **accessory building** containing an **additional residential unit (detached)** shall:
  - Not be located in the required **front yard** or within the required **exterior side yard setback**; and,
  - Be located a minimum of 1.2 metres from a **rear lot line** and **interior side lot line**. Notwithstanding this requirement, where the **accessory building** abuts a rear laneway, it shall be set back from the right-of-way of the rear laneway a minimum of 0.6 metres.  
**(By-law 2022-086)**
- c) **Additional Residential Units** are permitted in accordance with the regulations specified by the applicable zone category, and the provisions below, in the following configurations:
  - i) One **Additional Dwelling Unit (Attached)** in addition to the primary dwelling.
  - ii) One **Additional Dwelling Unit (Detached)** in addition to the primary dwelling.
  - iii) One **Additional Dwelling Unit (Attached)** and One **Accessory Dwelling Unit (Detached)** in addition to the primary dwelling.
  - iv) Two **Additional Dwelling Units (Attached)** in addition to the primary dwelling unit.

### 2.1.2 Help House

- a) A **help house** may be permitted as an **accessory** use to an agricultural use in the Agricultural One (A1) Zone, Agricultural Two (A2) Zone or Oak Ridges Moraine - Countryside - Rural (ORM CS-RL) Zone, provided that:
  - i) The **help house** is located on the same lot as or within 1 km of the farm it is accessory to;
  - ii) A **help house** shall be compliant with the zone regulations for a **single detached dwelling**;
  - iii) The maximum number of **help houses** permitted on one lot shall be two and a **help house** shall not exceed 220 square metres in **gross floor area**;
  - iv) The minimum lot area shall be 20 hectares;
  - v) The **help house** shall utilize the same entrance and driveway as the entrance and driveway utilized for the farm operation and shall be connected to a suitable water supply and septic system; and,
  - vi) Prior to the construction of the **help house**, the owner shall obtain from the Town a building permit specifying that the use of the house is for agricultural purposes.
- b) Notwithstanding the above, a **help house** within the Oak Ridges Moraine Area shall be a temporary, mobile or portable unit and shall not include a **single detached dwelling**.

### 2.1.3 Accessory Uses and Buildings

- a) Where this By-law permits a lot to be used, or a **building** or structure to be erected or used for a purpose, that purpose shall include any **accessory building**, structure or use. No **accessory building** or structure shall be used as a **dwelling unit** or part thereof, with the exception of an **additional residential unit (detached)** or **help house**, as defined and regulated herein.
- b) Unless stated otherwise, **accessory buildings** shall comply with the height of building provisions of the zone in which the accessory use is located. Notwithstanding the above, accessory structures within a Residential or Hamlet Zone shall not exceed 4.6 metres in **height**.
- c) **Accessory buildings** or **structures** shall be located in accordance with the following provisions:
  - i) No **accessory building** or structure shall be located within a required **front yard** or a required **exterior side yard**;
  - ii) No deck shall be located in any required **interior side yard**;
  - iii) No **accessory building** or structure shall be located within 0.6 metres of an **interior side lot line** or **rear lot line**, except for a mutual private garage for which no minimum side yard requirement shall be applicable, and which may be located on the common **lot line** between the two (2) lots; and,
  - iv) Notwithstanding Section 2.1.3 c), a **building** or structure used as a kiosk for parking attendants or security personnel may be erected within 1.0 metre from any **front** or **exterior side yard**.
  - v) No air conditioning unit, heat pump, or other similar device shall be located within any required **interior side yard**.

## 2.2 Construction Uses

- a) Notwithstanding Section 1.2.3, the following temporary construction **structures** shall be permitted in all zones; construction trailers, sea/shipping containers, tool sheds, scaffolds or other temporary **structures** incidental to and necessary for on-going construction work, but only for as long as the building permit is active. Where such temporary construction **structures** are not associated with a building permit, they shall be permitted for a maximum of six (6) months.

## 2.3 Easements

- a) Notwithstanding any other provision of this By-law, to the contrary, no part of any easement in favour of the Town or public utility shall be obstructed by any structure, **building**, or paving, from the ground to the sky unless written approval has been obtained by the applicable authority.

## 2.4 Frontage On A Street

- a) No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon a street or has access to a street by means of a right-of-way existing at the date of enactment of this By-law.
- b) For the purpose of this By-law a street does not include an unopened road allowance, or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the provisions of the Planning Act, as amended.

c) The above provisions shall not apply to prohibit the erection of any building on a lot on a Registered Plan of Subdivision or a Registered Plan of Condominium where a subdivision or condominium agreement has been entered into, but the streets will not be assumed until the end of the maintenance period, or where the agreement recognizes that the streets will remain in private ownership.

## 2.5 Height Exemption

a) Any **height** limitations stipulated by this By-law shall not apply to church spires, belfries, cupolas or penthouses which are not used as a **dwelling unit**. In addition, chimneys; ventilators; flagpoles; skylights; water tanks; windsocks; solar collectors; windmills; barns; silos; grain elevators; movie screens; telecommunications towers; public utilities or similar **structures**, are not subject to the **height** limitations of this By-law, nor do the **height** limitations apply to any necessary mechanical **structures** or electrical supply facilities usually situated above the roof level.

## 2.6 Home Occupations

- a) A **home occupation** shall be permitted as an **accessory** use, and may locate in any **dwelling unit** and/or within an associated **accessory building**, subject to the following provisions, unless stated otherwise:
- i) No external evidence of the **home occupation**, including that of a **parking area** not associated with the principal use, except for one (1) lawful sign which would indicate that any part of the **building** is being used for any purpose other than for residential purposes;
  - ii) No **open storage** of materials, equipment or goods associated with the **home occupation** shall be permitted;
  - iii) No **home occupation** shall occupy more than 25 percent of the **gross floor area** of the **dwelling unit** and shall be a maximum of 50.0 square metres, including any portion in an **accessory building**;
  - iv) Only goods and merchandise produced on the premises, or goods and merchandise associated with a service conducted on the premises shall be offered or exposed for sale;
  - v) No mechanical or other equipment shall be used or kept except such as is customarily employed in a **dwelling unit** for recreational hobbies, domestic or household purposes, but shall not include equipment associated with auto repair, a paint shop, or furniture stripping;
  - vi) The **home occupation** shall be conducted only by members of the household residing on the premises and one (1) additional person not residing on the premise;
  - vii) Notwithstanding the above, a fenced outdoor play area for **home child care** is permitted;
  - viii) Notwithstanding the above, a professional office shall be the only type of **home occupation** permitted in an **apartment dwelling**;
  - ix) Notwithstanding the above, within the Oak Ridges Moraine Area, a **home occupation** providing personal or professional services or producing custom or artisanal products, excluding an auto repair, paint shop, or furniture stripping, shall be operated within a **single detached dwelling** by one or more of its residents;
  - x) Notwithstanding the above, within the Oak Ridges Moraine Area, a **home occupation** providing a trade such as carpentry, metal working, or electrical work, excluding an auto repair, paint shop, or furniture stripping, shall primarily service the farming community; and,
  - xi) In addition to the provisions above, auto repair, a paint shop, furniture stripping and a **restaurant**, including catering or a food delivery service, shall not be permitted as a **home occupation**.

## 2.7 Landscaped Open Space

- a) **Landscaped open space** shall be provided in accordance with the applicable zone provisions and the following general provisions:
- i) All parts of a lot which are not occupied by **buildings, structures, parking areas**, loading spaces, **driveways**, excavations, **agricultural uses** or permitted **open storage** shall be maintained as **landscaped open space**;
  - ii) **Landscaped open space** shall be comprised of pervious planting and paving materials that contribute to rainwater infiltration on the lot. Notwithstanding this requirement, nothing in this By-law shall apply to prevent a pedestrian walkway comprised of impervious paving materials from covering up to a maximum of 15 percent of the required **landscaped open space** in the **front yard** and **exterior side yard**,
  - iii) Notwithstanding anything to the contrary, walkways, patios and other amenities comprised of **impervious** paving materials may cover a maximum of 50 percent of the rear yard; and,
  - iv) The parking of motor vehicles shall not be permitted within the required **landscaped open space**.

## 2.8 Landscaped Buffer

- a) Where a **landscaped buffer** is required, said **landscaped buffer** shall be provided in accordance with the following provisions:
- i) A **landscaped buffer** shall have a minimum width of 3.0 metres, measured perpendicular to the adjacent **lot line**, except when a continuous solid **fence** or wall is provided, then the minimum width of the **landscaped buffer** shall be 1.5 metres;
  - ii) Nothing in this By-law shall prevent a **landscaped buffer** from being crossed by a pedestrian walkway or **driveway**;
  - iii) Where a **landscaped buffer** is required and is crossed by a pedestrian walkway or by a **driveway**, the **landscaped buffer** shall not be required to extend closer than 1.0 metre to the edge of the pedestrian walkway or **driveway**. The intervening space between the **landscaped buffer** and the pedestrian walkway or **driveway** shall be maintained as **landscaped open space**;
  - iv) Any **landscaped buffer** shall be delineated by a continuous curb, brick or wooden barrier; and,
  - v) A **landscaped buffer** may form part of any **landscaped open space** required by this By-law.

## 2.9 Sight Triangles

- a) On any corner lot within any zone, except within the Downtown Core Commercial (DCC) and the Downtown Beeton Commercial (DBC) Zones, any **building**, structure or use which would obstruct or impair the vision of an operator of a motor vehicle, including any **fence** or vegetation which exceeds 0.60 metres above the grade of the **streets** that abut the lot, shall be prohibited.
- b) Any required site triangle shall be counted toward fulfilling the **landscaped open space** and **landscaped buffer** requirements of this By-law.
- c) Notwithstanding the requirements of this By-law, the **sight triangle** provisions of the Province of Ontario and County of Simcoe shall apply to all roads within their jurisdiction.

## 2.10 Loading Spaces

### 2.10.1 General Loading Space Requirements

- a) Loading space(s) shall be provided in accordance with the following general provisions:
- i) Required general loading space(s) shall be provided on the same lot as and about the **building** or structure which requires such loading space(s) but shall not form part of any **driveway**;
  - ii) Access to loading spaces shall be provided by one (1) or more **driveway(s)** which have a minimum unobstructed width of at least 4.6 metres;
  - iii) The minimum dimensions of a loading space are 3.5 metres in width and 10.0 metres in length, with a minimum vertical clearance of 4.2 metres;
  - iv) A loading space shall be set back 7.5 metres from any urban residential or communally serviced residential zone, except if it is located entirely within a structure. This does not apply to a loading space located in an urban residential or communally serviced residential zone;
  - v) A loading space is not permitted in any **front yard** or in the required **exterior side yard**. Loading spaces shall only be permitted adjacent to a **street** where there is a **landscaped buffer** between the loading space and the **street**;
  - vi) All loading space(s) and **driveway(s)** shall be provided and maintained with a stable surface which is treated in a manner to prevent the raising of dust or loose particles and shall be drained in a manner to prevent the pooling of surface water or the flow of surface water to adjacent lot(s); and,
  - vii) When a **building** or structure has insufficient loading space(s), to comply with the applicable requirements on the date of passing of this By-law, it shall not be interpreted that the deficiency be rectified. If any addition is made to the **building** or structure which increases the total **gross floor area**, additional loading space(s) shall be provided, as required, for the **gross floor area** of such addition.

### 2.10.2 Commercial and Industrial Loading Space Requirements

- a) For any commercial or industrial use involving the shipping and/or receiving of goods, wares, merchandise or raw materials permanent loading spaces shall be provided and maintained in accordance with the following:

| GROSS FLOOR AREA OF BUILDING OR STRUCTURE  | NUMBER OF LOADING SPACES REQUIRED |
|--|-----------------------------------|
| Less than 500 m <sup>2</sup>               | 0                                 |
| 501 m <sup>2</sup> to 2,500 m <sup>2</sup> | 1                                 |
| Greater than 2,500 m <sup>2</sup>          | 2                                 |

## 2.11 Lots With Less Lot Area And/Or Lot Frontage Than Required

- a) Where a conveyable lot existing on the date of passing of this By-law had less than the minimum **lot area** and/or **lot frontage** than that required by this By-law, or where a lot was or is created as a result of an expropriation or conveyance to the municipality or other applicable authority, such lot may be used and a **building** or structure may be altered, erected or used provided that the use, **building** or structure is permitted in the zone and all other requirements of this By-law are met.

## 2.12 Lots With More Than One Zone

- a) Where a lot is included within two (2) or more zones, each portion of the lot shall be used in accordance with the provisions of the applicable zone.

## 2.13 Minimum Distance Separation

- a) Notwithstanding anything to the contrary, no residential, institutional, commercial, industrial or recreational use, **building** or structure located on a separate lot and permitted within a zone, shall be established or expanded unless it complies with the Minimum Distance Separation (MDS I) setback from a livestock facility, manure storage or anaerobic digester, calculated using the Formulas published by the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA), as may be amended from time to time.
- b) Notwithstanding anything to the contrary, no new or expanding odour sources, including livestock facilities, manure storage and anaerobic digestors, shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) setback, calculated using the Formulas published by the Ontario Ministry of Agricultural, Food and Rural Affairs (OMAFRA), as may be amended from time to time.

## 2.14 Non-Complying Buildings And Structures And Non-Conforming Uses

### 2.14.1 Deeming of Non-Complying Buildings or Structures

- a) Any **building** or structure erected in any zone prior to the date of passing of this By-law that no longer complies with the provisions of the zone within which it is located shall be deemed to be legal non-complying to the provisions of said zone, provided that said **building** or structure was constructed legally in accordance with the applicable requirements in force and effect at the time of construction. Nothing in this By-law shall:
  - i) Prevent the repair or restoration of any existing, non-complying **building** or structure, or part thereof, to a safe condition provided that such repair or restoration does not increase the **height**, area or density of such **building** or structure and that the **building** or structure continues to be used for the same purpose and in the same manner as it was used on the date of passing of this By-law; and,
  - ii) Prevent an extension or an addition to a **building** or structure which is non-complying to this By-law provided that such extension or addition does not contravene any provision of this By-law or cause further increase to the non-compliance.
- b) If a **building** or structure which is lawfully non-complying is involuntarily destroyed or damaged, in whole or in part, by fire or natural event, it may be restored or replaced provided:

- i) The restoration or reconstruction does not increase the **height**, size, or volume of the **building** or structure;
- ii) The location of the **building** or structure either:
  - Remains the same; or,
  - Complies with the setbacks of the zoning applied to the lot.

### 2.14.2 Deeming Non-Conforming Uses

- a) A non-conforming use means that the lot and/or the **buildings** and **structures** on the lot are being used for a use that is not permitted by this By-law. Nothing in this By-law shall:
  - i) Make legal any use of any land, **building** or structure which was illegal under any previous Zoning By-law applicable within the Town of New Tecumseth and which continues to be illegal under the provisions of this By-law;
  - ii) Prevent the use of any land, **building** or structure for any purpose prohibited by this By-law if such land, **building** or structure was legally used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
  - iii) Prevent the re-establishment of a non-conforming use provided that the non-conforming use has been discontinued due to restoration, renovation purposes, or as a result of change in ownership and/or tenancy; and,
  - iv) Prevent the erection or use for a purpose prohibited by the By-law of any **building** or structure for which a permit had been issued under The Ontario Building Code Act, as amended, prior to the date of passing of this By-law, so long as the **building** or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked in accordance with The Ontario Building Code Act, as amended.

## 2.15 Model Homes

- a) Notwithstanding the provisions of this By-law, model homes, temporary sales office use and associated parking are permitted in any zone, provided said uses have been approved by way of an agreement with the Town.

## 2.16 Oak Ridges Moraine Area

### 2.16.1 Uses Permitted Within the Oak Ridges Moraine Area

- a) Notwithstanding any other provision of this By-law, lands located within the Oak Ridges Moraine Area may be used for:
  - i) Conservation projects and flood and erosion control projects;
  - ii) Transportation, Infrastructure and Utility Uses that are initiated by a public body or utility provider;
  - iii) Uses listed in Section 2.27;
  - iv) Oak Ridges Moraine Trail and other non-motorized trails; and,
  - v) **Accessory** Uses and **Building** to the above.

### 2.16.2 Landform Conservation Areas within the Oak Ridges Moraine Area

- a) Notwithstanding any other provision of this By-law, the establishment or expansion of uses, **buildings**, or **structures**, and **development** and **site alteration** on such lands, located within the Oak Ridges Moraine Area shall comply with the following provisions:
  - i) For lands shown as Category 1 on Schedule 'J' to this By-law and within the net developable area of a site, the disturbed area is a maximum of 25 percent and impervious surfaces is a maximum of 15 percent of the total area of the site; and,
  - ii) For lands shown as Category 2 on Schedule 'J' to this By-law and within the net developable area of a site, the disturbed area is a maximum of 50 percent and impervious surfaces is a maximum of 20 percent of the total area of the site.

### 2.16.3 Conformity Requirements within the Oak Ridges Moraine Area

- a) Notwithstanding any other provision of this By-law, **major development** is prohibited within the Oak Ridges Moraine Area.
- b) Notwithstanding any other provision of this By-law, the establishment or expansion of uses, **buildings**, or **structures**, and **development** and **site alteration**, shall not be permitted within or 90.0m from an Oak Ridges Moraine – Environmental Protection (ORM EP) Zone.
- c) Where there is a conflict between provisions of this By-law within the Oak Ridges Moraine Area, the more restrictive provision shall prevail.
- d) Where there is a conflict between this By-law and the Oak Ridges Moraine Conservation Act, 2001 as amended from time to time, or the Oak Ridges Moraine Conservation Plan, the more restrictive provision shall prevail.
- e) Any amendment to this By-law shall be in conformity with the Oak Ridges Moraine Conservation Act, 2001 as amended from time to time, the Oak Ridges Moraine Conservation Plan, and the Official Plan of the Town of New Tecumseth.

### 2.16.4 Existing Uses, Buildings, and Structures within the Oak Ridges Moraine Area

- a) Nothing in this By-law, with exception to subsection (c), shall prevent the:
  - i) Use of any land, **building** or structure for a purpose prohibited by this By-law, if the land, **building** or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose;
  - ii) Erection or use for a purpose prohibited by this By-law of a **building** or structure for which a permit has been issued under The Ontario Building Code Act, as amended, on or before November 15, 2001, provided the permit has not been revoked and is to be used for the same purpose for which it was constructed; and,
  - iii) Reconstruction of an existing **building** or structure lawfully in existence on November 15, 2001 that is damaged or destroyed by causes beyond the owner's control, provided it is within the same location and dimensions and there is no change or intensification of the use.

- b) Nothing in Section 3 of this By-law shall prevent the expansion of an existing **building** or structure lawfully in existence on November 15, 2001, provided it is on the same lot and there is no change in use.
- c) Expansion of an existing **building**, or structure, and further **development** and **site alteration** on such lands, shall comply to the provisions of this By-law and the Town's Site Alteration and Fill By-law.

## 2.17 Open Storage

- a) In addition to the applicable zone provisions, except for any **open storage** permitted in conjunction with a permitted **agricultural use**, the following shall apply:
  - i) Where permitted, **open storage** shall be **accessory** use to a permitted use located on the same property;
  - ii) No **open storage** shall be permitted in any **front yard** or **exterior side yard**;
  - iii) All **open storage** areas shall be screened from view from any **street** or urban residential or neighbourhood supporting zone with a **landscaped buffer** which includes a screen **fence** or wall of no less than 2.0 metres in **height**; and,
  - iv) No parking spaces or loading spaces, as required by this By-law, shall be used for purposes of **open storage**.

## 2.18 Refuse Containers

- a) In addition to the applicable zone provisions, all refuse and refuse containers for commercial uses shall be:
  - i) Screened from view from any **street** or urban residential, neighbourhood supporting, downtown or commercial zone by a **landscaped buffer**, including a solid **fence** or wall having a minimum **height** of 1.8 metres around three (3) sides and gates on the fourth side, or wholly enclosed within a **building** or **accessory** structure. Notwithstanding anything to the contrary, the **landscaped buffer** shall have a minimum width of 3.0 metres;
  - ii) Notwithstanding the above, in-ground refuse containers, such as Molok containers or similar, are not required to be screened from view;
  - iii) Refuse containers of any type, including those located in an **accessory** structure, shall not be located within the **front yard**, or within the required **exterior side yard**; and,
  - iv) No parking spaces or loading spaces, as required by this By-law, shall be used for purposes of refuse containers.

## 2.19 Parking Regulations

### 2.19.1 General Parking Space Provisions

- a) The owner of any **building**, structure or use shall provide and maintain parking spaces on the same lot and within the same zone as the **building**, structure or use requiring said parking spaces, unless otherwise permitted by this By-law, in accordance with the requirements of each zone and the following provisions.

### 2.19.2 Dimensions of Parking Spaces

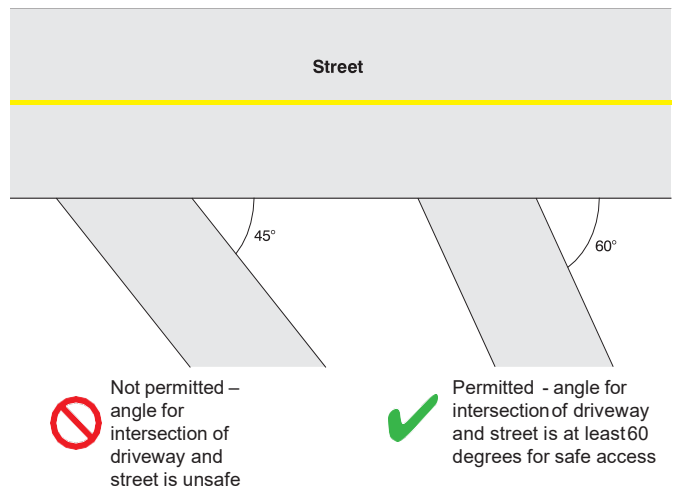
- a) Each parking space shall have a minimum width of 2.75 metres and minimum length of 5.5 metres except for a parallel parking space which shall have a minimum width of 2.5 metres and a minimum length of 6.1 metres.
- b) Notwithstanding the minimum length dimensions of this provision, where a parking space is provided in an urban residential or communally serviced residential zone that abuts a municipal sidewalk, said parking space shall have a minimum length of 5.8 metres.

### 2.19.3 Use of Parking Spaces

- a) Parking spaces required by this By-law shall be used only for the parking of operative motor vehicles bearing a valid motor vehicle licence plate and for vehicles normally incidental to the permitted uses for which such parking spaces are required.

### 2.19.4 Access

- a) The following policies apply to all zones, except Low-Rise Residential and Communally Serviced Residential Zones:
  - i) Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or lanes at least 3.0 metres, but not more than 9.0 metres in width;
  - ii) With the exception of lands within the agricultural zones, the aisles between parking spaces within a parking area shall have a minimum width of 6.0 metres;
  - iii) The minimum distance between two (2) separate driveways on one lot, measured along the street line, shall be 9.0 metres;
  - iv) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, shall be 15.0 metres;
  - v) The minimum angle of intersection between a driveway and a street line shall be 60 degrees; and,



- vi) Every lot may be permitted to have the following maximum number of **driveways**, subject to the issuance by the Town of a Property Access Permit and/or Road Occupancy Permit:
- Two (2) **driveways**, with a combined width not exceeding 30 percent of the **lot frontage**, for the first 30.0 metres of **lot frontage** or portion thereof; and,
  - One (1) additional **driveway**, with a combined width not exceeding 30 percent of the **lot frontage**, for each additional 30.0 metres of **lot frontage**.
- b) Notwithstanding the above, the location and design of access to a County Road or a Provincial Highway shall be subject to the requirements of the County of Simcoe and the Ministry of Transportation, respectively.
- i) Every lot may be permitted to have the following maximum number of **driveways**, subject to the issuance by the Town of a Property Access Permit and/or Road Occupancy Permit:
- Two (2) **driveways**, with a combined width not exceeding 30 percent of the **lot frontage**, for the first 30.0 metres of **lot frontage** or portion thereof; and,
  - One (1) additional **driveway**, with a combined width not exceeding 30 percent of the **lot frontage**, for each additional 30.0 metres of **lot frontage**.
- c) Notwithstanding the above, the location and design of access to a County Road or a Provincial Highway shall be subject to the requirements of the County of Simcoe and the Ministry of Transportation, respectively.

### 2.19.5 Location

- a) No part of any **parking area**, other than the ingress or egress points used for access from the **street**, shall be located closer than 1.0 metre to any **lot line**, except:
- i) Where a **landscaped buffer** is otherwise required, then the requirements of the **landscaped buffer** take precedence;
  - ii) Where adjacent lots have been comprehensively planned to have shared vehicular access, either via **parking areas**, or through shared lanes or **driveways**; or,
  - iii) In the Low-Rise Residential (LR) and Mid-Rise Residential (MR) Zones and the communally serviced residential zones there shall be no minimum setback for a **parking area**, except in the case of a **Boarding House** where parking is being provided in the **rear yard**.
- b) No **parking area** shall be permitted within any required **sight triangle**.

### 2.19.6 Surface and Drainage

- a) All parking spaces, areas, **driveways** and aisles shall be provided and maintained with a stable surface (i.e. asphalt, concrete, interlocking brick, crushed stone/aggregate, permeable pavement) which is treated in a manner to prevent the raising of dust and shall be drained in a manner to prevent the pooling of surface water or the flow of surface water to adjacent lots and roads.

### 2.19.7 Addition or Change of Use

- a) Where a **building**, structure or lot has an insufficient number of parking space(s) to comply with the requirements of this By-law, nothing in this By-law shall be interpreted to require that the deficiency be rectified. In the event that any addition is made to the **building** or structure, or if any change of use takes place, any additional parking space(s) required as a result of such addition or change of use shall be provided and maintained in accordance with this By-law.
- b) Notwithstanding subsection a), no additional parking space requirement shall be imposed for a change in use within existing **buildings** in the Downtown Core Commercial (DCC), Downtown Beeton Commercial (DBC) or Downtown Core Transition (DCT) Zones.

### 2.19.8 Additional Residential Parking Provisions

- a) In any Urban Residential and Communally Serviced Residential Zones, a lot, **building** or structure may be used for the parking or storage of not more than one **commercial motor vehicle**, provided that:
  - i) said owner and operator of the vehicle is the primary resident.
  - ii) said **commercial motor vehicle** shall not include construction equipment, back-hoes, dump trucks, and food trucks.
  - iii) said **commercial motor vehicle** does not exceed 6m in length, 2.5m in width and 2.5m in height.
  - iv) notwithstanding Section 2.19.8 a) iii), said commercial motor vehicle is wholly parked within the property limits within an approved parking area.
  - v) said commercial motor vehicle is not a vehicle used for the transport and storage of any dangerous goods as defined by The Transportation of Dangerous Goods Act, as amended.
- b) In any Urban Residential and Communally Serviced Residential Zones, a lot may be used for the parking or storage of not more than one (1) boat or one (1) recreational trailer or one (1) recreational vehicle subject to the following provisions:
  - i) The boat, recreational trailer or recreational vehicle shall have have a maximum **height** of 3.7 metres;
  - ii) The boat, recreational trailer or recreational vehicle shall only be permitted to be parked or stored in the **front yard** or **exterior side yard** on a **driveway** between May 1st and October 31st;
  - iii) Snowmobiles or other similar winter-season recreational vehicles and portable **structures** for transporting such vehicles shall only be permitted to be parked or stored in the **front yard** or **exterior side yard** on a **driveway** between November 1st and April 30th;
  - iv) No boat, recreational trailer, or recreational vehicle shall be located within a required parking space; and,
  - v) No boat, recreational trailer or recreational vehicle shall be located within 0.6 metres of a rear or interior **lot line**.
- c) No **parking area** shall be permitted within 1.5 metres of a window of a habitable room of a dwelling unit that is located entirely in the **basement**.

- d) Notwithstanding anything to the contrary, within the Low-Rise Residential and Communally Serviced Residential Zones, properties shall have a maximum of one (1) driveway with a minimum width of 3.0 metres. The maximum width of a driveway shall be 50 percent of the lot frontage to a maximum of 6.0 metres. For a lot containing ten or more parking spaces, the maximum width shall be 50 percent of the lot frontage to a maximum of 7.0 metres.
- e) Notwithstanding anything to the contrary, the minimum distance between a driveway and an intersection of a street line shall be 9.0 metres, except in the case of an apartment building where the minimum distance shall be 15.0 metres.

**2.19.9 Additional Commercial Parking Regulations**

- a) Notwithstanding anything to the contrary, parking for employees may be provided in tandem to a maximum of two (2) parking spaces.

**2.19.10 Minimum Parking Space Requirements**

- a) Where the calculation of parking requirements results in a fraction of a parking space being required, such fraction shall be considered one (1) parking space for the purpose of determining the total number of parking spaces required for the use.
- b) When a building, structure or lot contains more than one (1) type of use, the parking space requirement for all uses on the lot shall be the sum of the requirements for each separate use unless otherwise specified in this By-law.
- c) Where parking spaces are required to be provided for the use of visitors, such parking spaces shall be clearly defined and identified as being reserved for the exclusive use of such visitors through signage and/or painting on the spot.
- d) Off-street parking for motor vehicles shall be provided at the rate set out in the table below:

|                         | TYPE OF USE   | MINIMUM PARKING REQUIREMENT  |  |
|-------------------------|---|--|--|
| <b>RESIDENTIAL USES</b> | Bachelor Apartment Dwelling   | 0.75 parking spaces per dwelling unit  |  |
|                         | All other Apartment Dwellings   | 1.5 parking spaces per dwelling unit   |  |
|                         | Block or Stacked Townhouse Dwelling   | 1.5 parking spaces per dwelling unit   |  |
|                         | Visitor parking for the above residential uses                              | 0.25 parking spaces per dwelling unit  |  |
|                         | Additional Residential Unit   |  | 1 parking space for the first Additional Residential Unit, which may be provided in tandem |
|                         |   |  | No parking space is required for the second Additional Residential Unit                    |
|                         | Single Detached Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling | 2 parking spaces per dwelling unit   |  |
|                         | Duplex Dwelling   | 1 parking space per dwelling unit  |  |
|                         | Triplex Dwelling, Fourplex Dwelling   | 1.5 parking spaces per dwelling unit   |  |
|                         | Bed and Breakfast Facility  | 2 parking spaces for the Single Detached Dwelling, plus 1 parking space per guest room |  |
| Boarding House          | 1 parking space per bedroom   |  |  |

|                        | TYPE OF USE   | MINIMUM PARKING REQUIREMENT   |
|------------------------|---|---|
| <b>COMMERCIAL USES</b> | Auto-Oriented Use   | 3 parking spaces per 100.0 square metres of <b>gross floor area</b>                           |
|                        | Taxi Stand/Dispatch Office  | 1 parking space per employee  |
|                        | Hotel   | 1 parking space per guest room plus the required parking spaces for any <b>ancillary uses</b> |
|                        | Convention/Conference Facility  | 3 parking spaces per 100.0 square metres of <b>gross floor area</b>                           |
|                        | Restaurant  | 10 parking spaces per 100.0 square metres of <b>gross floor area</b>                          |
|                        | Patio   | No parking is required for a <b>patio</b> or <b>temporary patio</b>                           |
|                        | Office, Health Services Facility, Veterinary Clinic, Commercial School  | 3 parking spaces per 100.0 square metres of <b>gross floor area</b>                           |
|                        | Shopping Centre, Retail Use, Service Commercial Use, Financial Institution, Beer, Wine and/or Alcohol Sales + Manufacturing Facility (where located in a commercial or downtown zone)   | 4 parking spaces per 100.0 square metres of <b>gross floor area</b>                           |
|                        | *The <b>shopping centre</b> parking rate shall be used for any <b>development</b> that is in accordance with the <b>shopping centre</b> definition, regardless of if its component businesses/tenants fall under a different parking rate |   |
|                        | Convenience Retail Store  | 3 parking spaces per 100.0 square metres of <b>gross floor area</b>                           |

|  |              |   |
|--|--------------|---|
|  | Funeral Home | 5 parking spaces per 100.0 square metres of <b>gross floor area</b> |
|--|--------------|---|

All commercial **structures** built after November 10, 2008 within the Downtown Core Commercial (DCC) or Downtown Beeton Commercial (DBC) Zones shall provide parking spaces as follows:

|  |   |
|--|---|
| GFA less than 235.0 m <sup>2</sup>                       | No parking spaces required                                      |
| GFA between 235.0 m <sup>2</sup> to 560.0 m <sup>2</sup> | 1 parking space per 55.0 square metres over 235.0 square metres |
| GFA greater than 560.0 m <sup>2</sup>                    | 1 parking space per 40.0 square metres over 560.0 square metres |

| <b>AGRICULTURAL USES</b> | Animal Shelter, <b>Kennel</b> | 2 parking spaces per 100.0 square metres of <b>gross floor area</b>  |
|--------------------------|-------------------------------|--|
|                          | Agricultural Uses             | 1 parking space per 100.0 square metres of <b>gross floor area</b>   |
|                          | Farmers Market                | 4 parking space per 100.0 square metres of <b>gross floor area</b> , with a minimum of ten (10) parking spaces |

|                        |   |  |
|------------------------|---|--|
| <b>EMPLOYMENT USES</b> | Employment Uses, unless otherwise specified         | 1 parking space per employee per shift                       |
|                        | Ancillary Uses, Research and Development Facilities | 4 parking spaces per 100.0 square metres of gross floor area |

|                        |   |  |
|------------------------|---|--|
| <b>RECREATION USES</b> | Golf Course   | 6 parking spaces per hole                                    |
|                        | Golf Driving Range  | 1 parking space per individual driving area                  |
|                        | Entertainment Facility, Private Club, Recreational Facility | 5 parking spaces per 100.0 square metres of gross floor area |
|                        | Restaurant in conjunction with a permitted use recreation   | 4 parking spaces per 100.0 square metres of gross floor area |

| TYPE OF USE | MINIMUM PARKING REQUIREMENT |
|-------------|-----------------------------|
|-------------|-----------------------------|

|  |  |   |                          |
|--|--|---|--------------------------|
| <b>INSTITUTIONAL USES</b>                                  | Special Needs Housing  | 1 parking space per 6 resident beds plus 1 parking space per employee   |                          |
|  | Hospital   | 1 parking space per patient bed   |                          |
|  | Elementary School  | 2 parking spaces per classroom, which includes a portable classroom or a child care centre classroom where the child care centre is located in an elementary school |                          |
|  | Secondary School   | Parking spaces are required in accordance with the on-the-ground capacity of a school, as defined by the Ministry of Education, and as outlined below:              |                          |
|  |  | On-the-Ground Capacity  | Number of parking spaces |
|  |  | 0-400   | 80                       |
|  |  | 401-700   | 100                      |
|  |  | 701-1000  | 150                      |
|  |  | 1001-1500   | 200                      |
|  | 1501-2000  | 250   |                          |
| 2001-2500  | 300  |   |                          |
| Place of Worship   | 1 parking space per 3 person design capacity                 |   |                          |
| Child and Adult Day Care Facilities                        | 3 parking spaces per 100.0 square metres of gross floor area |   |                          |
| All other Public Service Facilities and Institutional Uses | 2 parking spaces per 100.0 square metres of gross floor area |   |                          |

### 2.19.11 Additional Agricultural Provisions

- a) In an Agricultural Zone, a **lot**, **building**, or **structure** may be used for the parking of:
  - i) Agricultural equipment directly related to a permitted Agricultural Use;
  - ii) **Commercial Motor Vehicle accessory** to and required for any permitted use;
  - iii) One (1) **commercial motor vehicle** not **accessory** to or required for an agricultural use provided that the parking area for such commercial motor vehicle shall not be located within any required **front yard**, **exterior side yard** or **interior side yard** and be fully screened with a **landscaped buffer** when adjacent to any lot line or lot line, and provided that said **commercial motor vehicle** is not a vehicle used for the transport and storage of any dangerous goods defined by the Transportation of Dangerous Goods Act, 1992, as amended from time to time.

## 2.20 Accessible Parking Regulations

- a) Accessible parking spaces are required whenever parking is provided for all non-residential uses.
- b) Accessible parking spaces are additionally required whenever visitor parking is provided for residential uses. Accessible parking space requirements for residential uses shall be calculated using only the total number of visitor parking spaces on the lot.

### 2.20.1 Minimum Number of Accessible Parking Spaces

- a) The minimum required number of accessible parking spaces shall be calculated in accordance with the following, rounding up to the nearest whole number:

| TOTAL NUMBER OF PARKING SPACES IN ALL PARKING AREAS ON A LOT | MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES   |
|--|---|
| 1-25   | 1   |
| 26-100   | 4% of the total number of parking spaces      |
| 101-200  | 1 + 3% of the total number of parking spaces  |
| 201-1000   | 2 + 2% of the total number of parking spaces  |
| 1001+  | 11 + 1% of the total number of parking spaces |

- b) Where the minimum required number of accessible parking spaces is even, an equal number of Type A and Type B accessible parking spaces shall be required.
- c) Where the minimum required number of accessible parking spaces is odd, the additional accessible parking space remaining may be either a Type A or Type B accessible parking space.
- d) Notwithstanding anything to the contrary, a required Type B accessible parking space may be satisfied as a Type A accessible parking space.

### 2.20.2 Accessible Parking Space Design

- a) Each accessible parking space shall be provided as follows:

| TYPE   | WIDTH      | LENGTH     |
|--------|------------|------------|
| Type A | 3.4 metres | 5.5 metres |
| Type B | 2.4 metres | 5.5 metres |

- b) An access aisle 1.5 metres in width is required abutting the entire length of an accessible parking space, and may be shared by two adjacent accessible parking spaces.
- c) Access aisles must be marked with high tonal contrast diagonal lines, which discourage parking in them, where the surface is asphalt, concrete or some other hard surface.
- d) All required accessible parking spaces shall provide a sign in accordance with the Town's Parking and Traffic By-law. Type A accessible parking spaces shall have signage that identifies the space as "van accessible".

## 2.21 Bicycle Parking Regulations

- a) The following bicycle parking regulations shall apply to residential uses with 3 or more dwelling units in the principal building within any zone constructed after the effective date of this By-law:
  - i) Where a building contains twenty (20) dwelling units or less, a minimum of 0.6 bicycle parking spaces shall be provided for each dwelling unit; and,
  - ii) Where a building contains more than twenty (20) dwelling units, a minimum of 0.6 bicycle parking spaces shall be required per dwelling unit, and a minimum of 50 percent of the required bicycle parking spaces shall be weather protected.
- b) Within the Downtown Core Commercial (DCC), Downtown Beeton Commercial (DBC) and Downtown Core Transitional (DCT) Zones, bicycle parking spaces shall be provided at a minimum rate of forty percent (40%) of the required motor vehicle parking spaces for non-residential uses, plus any bicycle parking spaces required for applicable dwelling units. Where a non-residential use is not required to provide additional motor vehicle parking, no bicycle parking spaces shall be required.

## 2.22 Patios

- a) A patio or a temporary patio shall be permitted in accordance with all Town regulations, policies and by-laws provided that a restaurant or retail use is a permitted use in the zone.
- b) Notwithstanding anything to the contrary, a patio or a temporary patio shall not be permitted in any yard abutting the Low-Rise Residential (LR) Zone.
- c) A patio or a temporary patio:
  - i) Shall be setback at least 1.5 metres from any fire hydrant, at least 0.6 metres from any gas assets or meters and at least 1.5 metres from any utility vault; and,
  - ii) Shall not be located in a sight triangle.
- d) A temporary patio shall not be placed on site prior to April 15th and shall be removed on or before November 15th each year, or as specified by a Town permit.
- e) Notwithstanding anything to the contrary, a temporary patio may occupy the required parking spaces for the restaurant it serves in accordance with the following provisions:
  - i) Where the restaurant occupies a stand-alone building, the temporary patio may occupy a maximum of 50% of the parking area for the restaurant;

- ii) Where the **restaurant** is in a multi-unit **building**, the **temporary patio** may occupy the parking spaces that are directly in front of the **restaurant** but shall not occupy or obstruct the only parking aisle; and,
- iii) Notwithstanding the above, a **temporary patio** shall not occupy any accessible or **bicycle parking space** unless an alternative accessible or **bicycle parking space** is provided.

## 2.23 Prohibited Forms Of Dwelling Units

- a) No vehicle or structure shall be used as a **dwelling unit** except where it is in compliance with all relevant regulations for a **dwelling unit**, including the Building Code and Fire Code, or for a mobile home or trailer where specifically permitted by this By-law.

## 2.24 Source Water Protection

- a) Notwithstanding any other provision of this By-law, on any lot located wholly or partly within a Source Water Protection Overlay, any non-residential use that is proposed and listed in this Section or any non-residential use that is proposed and has the potential to use or store any of the items listed in this Section shall be prohibited until it is demonstrated to the satisfaction of the Risk Management Official, or other duly qualified person under the Clean Water Act, that the use does not represent a significant drinking water threat:

**Waste disposal sites** within the meaning of Part V of the Environmental Protection Act, excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste;

- i) Large (more than 10,000 L) on-site sewage systems;
- ii) Agricultural source material storage facilities;
- iii) Non-agricultural source material storage facilities;
- iv) Commercial fertilizer storage facilities;
- v) Pesticide storage facilities;
- vi) Road salt storage facilities; of road salt;
- vii) Snow storage facilities;
- viii) Fuel storage facilities;
- ix) Dense non-aqueous phase liquid (excluding incidental volumes for personal/domestic use) storage facilities;
- x) Organic solvent storage facilities;
- xi) Livestock grazing and pasturing where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre; or,
- xii) Outdoor confinement areas and farm-animal yards.

## 2.25 Special Setbacks For Provincial Highways And County Roads

- a) Notwithstanding any other provision of this By-law, minimum yard requirements for any **buildings** or **structures** or signs adjacent to any Provincial Highway, County Road or railway line shall be as required by the Ministry of Transportation and the County of Simcoe, provided that if the requirements of the County or Ministry of Transportation are less restrictive than the requirements of this By-law, this By-law shall prevail.

## 2.26 Swimming Pools

- a) Outdoor **swimming pools** shall be permitted in association with a permitted residential use, subject to the criteria below:
- i) In any yard other than a required **front yard** or required **exterior side yard**;
  - ii) In an agricultural, urban residential or communally serviced residential zone, the minimum **setback** for a pool shall be 1.2 metres from any **lot line**;
  - iii) In the Institutional (I) Zone, the minimum **setback** for a pool from any **lot line** shall be 9.0 metres;
  - iv) If an above-ground pool is surrounded by a deck, the required **setback**, as specified above, shall be measured from the outside edge of the deck;
  - v) **Setbacks** for **swimming pools**, with the exception of those specified in (iv) above, shall be measured from the inside edge of the **swimming pool**;
  - vi) All **swimming pools** shall be required to be wholly enclosed by a **fence** with self-latching gates in accordance with the Town's Fence By-law;
  - vii) Any **swimming pool** located in association with an **apartment building** shall have a minimum **setback** of 9.0 metres from the said **apartment building**; and,
  - viii) In-ground **swimming pools** and **swimming pools** constructed above grade, that are not enclosed by a **building** or structure, shall not be included in the calculation of **lot coverage**.

## 2.27 Uses Permitted In All Zones

- a) Nothing in this By-law shall prevent the use of any lot or the erection or use of any **building** or structure in any zone outside of the Oak Ridges Moraine Area for the provision of the following uses, provided that the use, **building** or structure complies with the general provisions of Section 2 of this By-law and the provisions of the zone in which a use, **building** or structure is located:
- i) Uses related to emergency services (i.e. Police, Fire, EMS);
  - ii) A public **street**;
  - iii) Transportation, infrastructure and **public and private utilities**, including any associated utility service **building** or structure, but excluding any **building** used exclusively for retail commercial or **office** purposes;
  - iv) A railway line;
  - v) Any properly authorized traffic sign or signal;

- vi) Any sign or notice of the town, or other governmental authority;
- vii) Public **park space** or trail;
- viii) **Conservation uses**; and,
- ix) Any use, provided said use is temporary and approval by way of a council resolution has been granted.
- x) Public use.

**(By-law 2022-086)**

## 2.28 Prohibited Uses

- a) Notwithstanding any other provision of this By-law, no use shall be permitted which is considered under the terms of The Health Protection and Promotion Act, as amended, to be a health hazard or noxious use as defined by this By-law.
- b) No person shall use any land or erect or use any **building** or structure for any purpose other than one (1) or more of the uses listed under the heading "Permitted Uses" for each zone category in which such land, **building** or structure is located, or as otherwise permitted by this By-law. Prohibited uses, in all zones shall include, but not be limited to the following:
  - i) Asbestos Products Manufacturing;
  - ii) A Track for the Racing of Motor Vehicles or Motorcycles or for the Operation of Go-carts;
  - iii) Blood boiling;
  - iv) Bone boiling;
  - v) Extraction of Oil from Fish and/or Animal Matter;
  - vi) Fish Products Processing;
  - vii) Glue Manufacturing;
  - viii) Hide Processing;
  - ix) Manufacturing and/or Storage of Fertilizers from Dead Animals or Animal Waste;
  - x) Manufacturing of Explosives, other than Products used in the Manufacturing of Ammunition;
  - xi) Petroleum Refinery;
  - xii) Pulp and Paper Mill;
  - xiii) Rendering Fats;
  - xiv) Salvage Yard; and,
  - xv) Vegetable Oil Mill.

- c) Notwithstanding any other provision of this By-law, the following uses are prohibited on the lands shown as “High Aquifer Vulnerability” on Schedule “I” to this By-law, with the exception of those uses listed below which were lawfully existing on November 15, 2001 and may continue until the uses cease, provided that the period of any discontinuity complies with Section 2.14 of this By-law.
- i) Generation, handling and storage of hazardous waste and liquid industrial waste;
  - ii) **Waste disposal sites** and facilities, organic soil condition sites, and snow storage, and disposal facilities;
  - iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,
  - iv) Generation, handling and storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulation of Ontario, 1990.
- d) Notwithstanding any other provision of this By-law, the following uses are prohibited on the lands shown as “Wellhead Protection Area” on Schedule “I” to this By-law with the exception of those uses listed below which were lawfully existing on November 15, 2001 and may continue until the uses cease, provided that the period of discontinuity complies with Section 2.14 of this By-law:
- i) Storage, except by an individual for personal and family use, of petroleum fuels, petroleum solvents and chlorinated solvents, pesticides, herbicides, and fungicides, construction equipment, inorganic fertilizers, road salt;
  - ii) Storage, except by an individual for personal or family use, of contaminants listed in Schedule 3 (Severally Toxic Contaminants) to Regulation 347 of the Revised Regulation of Ontario, 1990;
  - iii) Generation and storage of hazardous waste or industrial waste; and,
  - iv) **Waste disposal sites** and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- e) Notwithstanding any other provision of this By-law, the following uses are prohibited within the Oak Ridges Moraine Area:
- i) New storm water management ponds within the “Oak Ridges Moraine - Environmental Protection Zone (ORM EP)”; and,
  - ii) New rapid infiltration basins or columns.

## 2.29 Wayside Pit or Quarry, Portable Asphalt Plants, and Portable Concrete Plants

- a) A **wayside pit or quarry**, **portable asphalt plants** and **portable concrete plants** are permitted in all zones except within the Oak Ridges Moraine Area, the Downtown Core Commercial (DCC), Downtown Beeton Commercial (DBC), Downtown Core Transitional (DCT) and Environmental Protection (EP) Zones, or any urban residential or communally serviced residential zone.

## 2.30 Yard Encroachments

- a) Except as otherwise provided by this By-law, no part of any required yard shall be obstructed by any structure or **building**, or part thereof, from the ground to the sky except as follows:

| STRUCTURE  | YARD INTO WHICH ENCROACHMENT IS PERMITTED                                   | MAXIMUM ENCROACHMENT PERMITTED INTO REQUIRED YARD |                            |
|--|---|---|----------------------------|
| Sills, beltcourses, cornices, chimney breasts, baywindow, pilasters, eaves or gutters                      | All Yards   | 0.61 m  |                            |
| Balconies, canopies, awnings, steps, unenclosed porches with or without roofs, or decks (By-law #2005-006) | Required <b>front yard</b> , <b>rear yard</b> and <b>exterior side yard</b> | <b>Front yard and exterior side yard</b> - 1.5m   | <b>Rear yards</b> - 4.0 m* |
| Fire escapes or exterior staircases  | Required <b>exterior side yard</b> and <b>rear yard</b>                     | 1.5 m   |                            |
| Unenclosed ramps for wheelchair access, flag or clothes poles, private utility infrastructure.             | All yards   | 100%  |                            |

\*Balconies, canopies, awnings, steps or decks in the communally serviced residential zones shall comply with the zone provisions in the Communally Serviced Residential (CSR-1), (CSR-2) and (CSR-3) Zones.

**OLT Appeal**  
OLT-21-001535

## 2.31 Environmental Protection Overlay

- a) Notwithstanding any other provision of this By-law, where new **development** or **redevelopment** is proposed within the lands subject to the Environmental Protection Overlay as identified on the Schedules to this By-law, the Town shall review the application in consideration of the natural heritage features and functions, and shall only approve new **development** or **redevelopment** where it has been shown, to the satisfaction of the Town, in consultation with the appropriate Conservation Authority, that:

- i) There are no negative impacts on any identified significant natural heritage feature, or associated ecological function;
- ii) The delineation of natural hazards has been appropriately determined; and/or,
- iii) Any potential flood hazard has been appropriately considered and adequately mitigated.

## 2.32 Development on Private Services

- a) No person shall erect any **building** or structure in any zone within an urban settlement area as outlined in the Town's Official Plan unless such **building** or structure is serviced by municipal water and sanitary services, to the satisfaction of the Town.

## 2.33 Ministry of Transportation Permit Control

- a) In addition to applicable municipal requirements, all proposed **developments** located in proximity to a Provincial Highway, within the Ministry's permit control area, will be subject to the approval of the Ministry of Transportation. Ministry permits must be obtained prior to any construction being undertaken.

## 2.34 Residential Areas - Livestock Prohibited

- a) The keeping or raising of livestock, including but not limited to cattle, sheep, goats, swine, poultry, horses, or any wild animals as stipulated by the Town's Wildlife and Prohibited Animals By-law shall be prohibited within any urban residential or communally serviced residential zone.

## 2.35 Cannabis Production Facility

- a) A **Cannabis Production Facility** shall only be permitted where full municipal services are available, and where there is sufficient municipal sewer and water capacity to support the facility;
- b) Where a **Cannabis Production Facility** is located on a lot, no other use shall be permitted on the same lot;
- c) All relevant Provincial and Federal Regulations shall apply, and;
- d) A **Cannabis Production Facility** shall only be permitted on lands that are zoned Employment Area Two (EA2) by this By-law, and shall only be permitted through a Site-Specific Amendment to this By-law that identifies a **Cannabis Production Facility** as a permitted use, and:
  - i) The Minimum Lot Area shall be 4,000 square metres;
  - ii) Is set back a minimum of 500 metres from any existing or approved sensitive land use. The required setback may be reduced where impact mitigation measures are implemented to the satisfaction of the Town. Under no circumstances will the required setback to a sensitive land use be less than 70 metres.
  - iii) A Landscape Planting Strip with a minimum width of 15 metres shall be provided and maintained adjacent to all lot lines provided that such Landscape Planting Strip may be interrupted by driveways and railways; and
  - iv) All other relevant regulations of the EA2 Zone shall apply. Where there is a conflict with the regulations that are specific to a **Cannabis Production Facility**, and the regulations of the EA2 Zone, the more restrictive regulation shall apply.

**(By-law 2021-136)**

## 2.36 Municipal Services in Urban Settlement Areas

- a) No land shall be Used or built upon and no Building or Structure shall be erected, Used or expanded for any purpose, within an Urban Settlement Area, unless all **Municipal Services** including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are **Available** and **Adequate**.

- i) Additions to and **accessory Buildings** or **Structures** for existing legal non-conforming **residential dwellings** if such additions and accessory **Buildings** or **Structures** comply with the established Building Setback and all other regulations of the Zone in which the building or structure is located, may be permitted.
- ii) Other accessory uses or structures, in accordance with the applicable zone provisions, as well as uses that do not require **Municipal Services**, may be permitted only with explicit approval from the Town.

## 2.37 Boarding House

- a) **Home Occupations** are not permitted within a **Boarding House**
- b) An **Accessory Residential Unit** is not permitted within a **Boarding House**
- c) All refuse containers of any type must be screened from view from any street or abutting residence by a **landscaped buffer**, including a solid fence or wall.
- d) All refuse containers of any type, including those located within an **accessory structure**, shall not be located within the **front yard**, or within the required **exterior side yard**.
- e) Any provided **Bicycle Parking Spaces** must not be located within the front yard or exterior side yard. **Bicycle Parking Spaces** shall be provided in the form of bicycle parking infrastructure (such as a bicycle rack, an accessory structure that stores bicycles).
- f) Any **parking area** that is provided in the rear yard must be screened from view from any abutting residential use by a **landscaped buffer** in order to mitigate any impacts.

## 2.38 Environmental Protection Zone

- a) Notwithstanding any other provision of this By-law, the establishment or expansion of uses, buildings, or structures, and development and site alteration, shall not be permitted within or 30.0m from the Environmental Protection (EP) Zone.
- b) Notwithstanding any other provision of this By-law, the establishment or expansion of uses, buildings, or structures, and development and site alteration, shall not be permitted within or 120.0m from the Environmental Protection (EP) Zone for properties located within the Lake Simcoe Protection watershed.
- c) Where there is a conflict between provisions of this By-law within the Environmental Protection Zone, the more restrictive provision shall prevail.
- d) In accordance with Section 3.7 of this By-law, where a new **Single Detached Dwelling**, is proposed within the lands subject to the Environmental Protection Zone as identified on the Schedules to this By-law, the Town shall review the application in consideration of the natural heritage features and functions, and shall only approve a new **Single Detached Dwelling** where it has been shown, to the satisfaction of the Town;
  - i) The delineation of natural hazards has been appropriately determined, where necessary in consultation with the appropriate Conservation Authority;
  - ii) There are no negative impacts on any identified significant natural heritage feature, or associated ecological function to the satisfaction of the Town; and/or,
  - iii) Any potential flood hazard has been appropriately considered and adequately mitigated, where necessary in consultation with the appropriate Conservation Authority.
- e) Expansion of an existing building, or structure, and further development and site alteration on such lands, shall comply with the provisions of this By-law and the Town's Site Alteration and Fill By-law.

# SECTION III ZONES

Town of New Tecumseth - Zoning By-law

# SECTION III ZONES

## 3.1 Urban Residential Zones

The urban residential zones have the following permitted uses:

### LR Low-Rise Residential Zone

Permitted Uses:

- Additional Residential Units
- Bed and Breakfast Facilities
- Block Townhouse Dwellings
- Boarding Houses
- Duplex Dwelling
- Existing Residential Uses
- Fourplex Dwellings
- Semi-Detached Dwellings
- Single Detached Dwellings
- Special Needs Housing, in a built form otherwise permitted in this zone
- Stacked Townhouse dwellings
- Street Townhouse Dwellings
- Triplex Dwellings

### MR Mid-Rise Residential Zone

Permitted Uses:

- Apartment Buildings
- Back-to-Back Townhouse Dwellings
- Block Townhouse Dwellings
- Boarding Houses
- Park Space
- Restaurants, but not including Drive-Through Service Facilities, where located on the main floor of a mixed use building
- Retail Uses, where located on the main floor of a mixed use building
- Service Commercial Uses, where located on the main floor of a mixed use building
- Special Needs Housing, in a built form otherwise permitted in this zone
- Stacked Townhouse Dwellings

### HR High-Rise Residential Zone

Permitted Uses:

- Apartment Buildings
- Park Space
- Restaurants, but not including Drive-Through Service Facilities, where located on the main floor of a mixed use building
- Retail Uses, where located on the main floor of a mixed use building
- Service Commercial Uses where located on the main floor of a mixed use building
- Special Needs Housing, in a built form otherwise permitted in this zone

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| LR<br>Low-Rise Residential        |                        |                                     |                           |                          |                            |
|-----------------------------------|------------------------|-------------------------------------|---------------------------|--------------------------|----------------------------|
| Single detached / Duplex dwelling | Semi-detached dwelling | Triplex dwelling, fourplex dwelling | Street townhouse dwelling | Block townhouse dwelling | Stacked townhouse dwelling |

| LOT SIZE/BUILDING HEIGHT | Minimum lot area              | 270 m <sup>2</sup>                        | 270 m <sup>2</sup> per dwelling unit  | 465 m <sup>2</sup> | 225 m <sup>2</sup> per dwelling unit   | 200 m <sup>2</sup> per dwelling unit | 130 m <sup>2</sup> per dwelling unit |
|--------------------------|-------------------------------|---|---|--------------------|--|--------------------------------------|--------------------------------------|
|                          | Minimum lot frontage          | 10.0 m                                    | 9.0 m per dwelling unit, except for a corner lot where the minimum lot frontage is 12.0 m | 15.0 m             | 6.0 m per dwelling unit, 7.2 m for an end unit abutting an interior side yard, and 9.0 m for an end unit abutting an exterior side yard<br>maximum 8 units per row | 30.0 m                               | 30.0 m                               |
|                          | Lot coverage by all buildings | Maximum of 50%                            |   |                    |  |                                      |                                      |
|                          | Maximum building height       | 3.5 storeys, or 11.0 m, whichever is less |   |                    |  |                                      |                                      |

| YARDS | Front yard setback | <i>Build-within zone</i> - 4.5 m to 7.5 m; except for an attached garage where the minimum front yard setback for the garage is 6.0 m<br>Alternatively, a dwelling built between two (2) existing dwellings, within 60.0 metres of each other on the same side of the street and within the same block, may be built with a minimum front yard equal to the average of that of those adjacent dwellings, to a minimum of 3.0 m. |
|-------|--------------------|---|
|       | Interior side yard | Minimum 1.2 m, however one interior side yard may be reduced to 0.6 m   |
|       | Exterior side yard | <i>Build-within zone</i> - 3.0 m to 4.5 m   |
|       | Rear yard          | Minimum 7.5 m   |

| PARKING/OPEN SPACE | Width of garage       | Maximum of 50% of the width of the lot, measured 6.0 m from the front lot line         |
|--------------------|-----------------------|--|
|                    | Garage projection     | No garage shall project beyond the main front wall of the dwelling.                    |
|                    | Landscaped open space | Minimum of 50% of the front yard and exterior side yard shall be landscaped open space |

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|                              |                               | MR<br>Mid-Rise Residential  |                                      |                                      | HR<br>High-Rise Residential   |
|------------------------------|-------------------------------|---|--------------------------------------|--------------------------------------|---|
|                              |                               | Block townhouse dwelling  | Stacked/back-to-back townhouse       | Apartment building                   |   |
| LOT SIZE/BUILDING HEIGHT/GFA | Minimum lot area              | 200 m <sup>2</sup> per dwelling unit  | 130 m <sup>2</sup> per dwelling unit | 100 m <sup>2</sup> per dwelling unit | 85 m <sup>2</sup> per dwelling unit   |
|                              | Minimum lot frontage          | 30.0 m  |                                      |                                      | 30.0 m  |
|                              | Lot coverage by all buildings | Maximum of 50%  |                                      |                                      | Maximum of 50%  |
|                              | Building height               | Maximum 6 storeys, or 20.0 m, whichever is less.<br>However, buildings taller than 11.0 m shall be subject to the application of an angular plane where the property abuts the LR zone.<br><br>No building shall exceed the height as defined by the angular plane. |                                      |                                      | Minimum 6 storeys, or 20.0 m, whichever is greater<br>Maximum 12 storeys, or 36.0 m, whichever is less.<br><br>However, buildings taller than 20.0 m shall be subject to the application of an angular plane.<br><br>No building shall exceed the height as defined by the angular plane. |
|                              | Angular plane requirement     | An angular plane is 45 degrees, measured 7.5 m above any rear lot line and any interior side lot line that abuts a LR Zone.   |                                      |                                      | An angular plane is 45 degrees, measured 7.5 m above any rear lot line and any interior side lot line that abuts a LR or MR Zone.   |
|                              | Gross floor area              | All Retail Uses and Service Commercial Uses shall have a maximum gross floor area of 350 m <sup>2</sup> .<br>All Restaurants shall have a maximum gross floor area of 100 m <sup>2</sup> .  |                                      |                                      | All Retail Uses and Service Commercial Uses shall have a maximum gross floor area of 350 m <sup>2</sup> .<br><br>All Restaurants shall have a maximum gross floor area of 100 m <sup>2</sup> .  |
| YARDS                        | Front yard setback            | Build-within zone - 4.5 m to 7.5 m; except for an attached garage where the minimum front yard setback for the garage is 6.0 m.   |                                      |                                      | Build-within zone - 4.5 m to 7.5 m  |
|                              | Interior side yard            | Minimum 3.0 m   |                                      |                                      | Minimum 4.5 m   |
|                              | Exterior side yard            | Build-within zone - 3.0 m to 7.5 m  |                                      |                                      | Build-within zone - 4.5 m to 7.5 m  |
|                              | Rear yard                     | Minimum 7.5 m   |                                      |                                      | Minimum 12.5 m  |

|                    |                          |   |   |
|--------------------|--------------------------|---|---|
| PARKING/OPEN SPACE | Location of parking area | May not be located in the <b>front yard</b> , except for a lane or driveway   | May not be located in the <b>front yard</b> , except for a lane or driveway   |
|                    | Width of garage          | Maximum of 60% of the width of the dwelling unit, measured 6.0 m from the lot line  | -   |
|                    | Garage projection        | No garage shall project beyond the main frontwall of the dwelling.  | -   |
|                    | Landscaped open space    | Minimum of 7.5% of site area<br>Minimum of 50% of the <b>front yard</b> and <b>exterior side yard</b> shall be <b>landscaped open space</b>   | Minimum of 7.5% of site area<br>Minimum of 50% of the <b>front yard</b> and <b>exterior side yard</b> shall be <b>landscaped open space</b>   |
|                    | Amenity space            | Lots with fewer than 5 <b>dwelling units</b> – n/a<br>Lots with 5 or more <b>dwelling units</b> - a minimum of 3.0 m <sup>2</sup> per <b>dwelling unit</b> plus 2.0 m <sup>2</sup> for the second bedroom and each additional bedroom in the <b>dwelling unit</b> | Lots with fewer than 5 <b>dwelling units</b> – n/a<br>Lots with 5 or more <b>dwelling units</b> - a minimum of 3.0 m <sup>2</sup> per <b>dwelling unit</b> plus 2.0 m <sup>2</sup> for the second bedroom and each additional bedroom in the <b>dwelling unit</b> |
|                    | Landscaped buffer        | Required along any <b>rear lot line</b> and any <b>interior side lot line</b> abutting a LR zone  | Required along any <b>rear lot line</b> and any <b>interior side lot line</b> abutting a LR or MR zone  |



## 3.2 Neighbourhood Supporting Zones

The neighbourhood supporting zones have the following permitted uses:

### NC Neighbourhood Centre Zone

Permitted Uses:

- Apartment Dwellings, where located above the first floor
- Artisan Studios
- Child and Adult Day Care Facilities
- Maker Spaces
- Offices
- Privately Owned Park Space
- Public Service Facilities
- Recreational Facilities
- Restaurants, but not including Drive-Through Service Facilities
- Retail Uses
- Service Commercial Uses

### I Institutional Zone

Permitted Uses:

- Child and Adult Day Care Facilities
- Elementary and Secondary Schools
- Places of Worship
- Public Service Facilities

### OS Open Space Zone

Permitted Uses:

- Community Gardens, Garden Plots and Nursery Gardening
- Conservation Uses
- Forestry Uses
- Park Space
- Public Service Facilities

# N | S

|                              |                               | NC<br>Neighbourhood Centre  | I<br>Institutional   | OS<br>Open Space                                |
|------------------------------|-------------------------------|---|--|---|
| LOT SIZE/BUILDING HEIGHT/GFA | Minimum lot area              | 450 m <sup>2</sup>  | -  | -   |
|                              | Minimum lot frontage          | 15.0 m  | -  | -   |
|                              | Lot coverage by all buildings | Maximum of 50%  | Maximum of 50%   | -   |
|                              | Building height               | Maximum 3.5 storeys, or 11.0 m, whichever is less   | Maximum 3 storeys, or 15.0 m, whichever is less  | Maximum 6 storeys, or 20.0 m, whichever is less |
|                              | Gross floor area              | All <b>Retail Uses, Service Commercial Uses, Restaurants and Offices</b> shall have a maximum <b>gross floor area</b> of 350 m <sup>2</sup> .   | -  | -   |
| YARDS/ACCESS                 | Front yard setback            | <b>Build-within zone</b> - 4.5 m to 7.5 m   | Minimum 3.0 m  | Minimum 2.0 m                                   |
|                              | Interior side yard            | Minimum 3.0 m, or 6.0 m where the site abuts a LR or MR zone  | Minimum 3.0 m, or 9.0 m where the site abuts a LR or MR zone   | Minimum 2.0 m                                   |
|                              | Exterior side yard            | <b>Build-within zone</b> - 4.5 m to 7.5 m   | Minimum 3.0 m  | Minimum 2.0 m                                   |
|                              | Rear yard                     | Minimum 7.5 m, or 10.0 m where the site abuts a LR or MR Zone   | Minimum 7.5 m, or 10.5 m where the site abuts a LR or MR Zone  | Minimum 7.0 m                                   |
|                              | Location of front entrance    | Every <b>building</b> shall have the front entrance oriented towards an adjacent public <b>street</b> .   | Every <b>building</b> shall have the front entrance oriented towards an adjacent public <b>street</b> .  | -   |
| PARKING/OPEN SPACE           | Location of parking area      | May not be located in the <b>front yard</b> , except for a lane or driveway   | May not be located in the <b>front yard</b> , except for a lane or driveway or in association with a school which was in existence as of the date of the passing of this Zoning By-law. This provision does not apply to bus drop-off areas. | -   |
|                              | Landscaped open space         | Minimum of 20% of site area   | Minimum of 20% of site area  | -   |
|                              | Amenity space                 | Lots with fewer than 5 <b>dwelling units</b> – n/a<br><br>Lots with 5 or more <b>dwelling units</b> - a minimum of 3.0 m <sup>2</sup> per <b>dwelling unit</b> plus 2.0 m <sup>2</sup> for the second bedroom and each additional bedroom in the <b>dwelling unit</b> | -  | -   |



### 3.3 Communally Serviced Residential Zones

The communally serviced residential zones have the following permitted uses:

## CSR-1

### Communally Serviced Residential One Zone

Permitted Uses:

- Convenience Retail Store
- Fourplex Dwellings
- Health Services Facilities
- Recreational Facilities
- Semi-Detached Dwellings
- Single Detached Dwellings
- Street Townhouse Dwellings

## CSR-2

### Communally Serviced Residential Two Zone

Permitted Uses:

- Apartment Buildings and Apartment Dwellings
- Convenience Retail Store
- Health Services Facilities
- Nursing Home
- Privately Owned Park Space
- Recreational Facilities
- Retirement Home
- Semi-Detached Dwellings
- Single Detached Dwellings

## CSR-3

### Communally Serviced Residential Three Zone

Permitted Uses:

- Apartment Buildings and Apartment Dwellings
- Convenience Retail Store
- Health Services Facilities
- Nursing Home
- Public Park Space
- Recreational Facilities
- Retirement Home
- Semi-Detached Dwellings
- Single Detached Dwellings
- Street Townhouse Dwellings



|                               |                                       | CSR-1<br>Communally Serviced Residential One            |                      | CSR-2<br>Communally Serviced Residential Two            |   |                      |
|-------------------------------|---------------------------------------|---|----------------------|---|---|----------------------|
|                               |                                       | Single detached dwelling                                | Other permitted uses | Single detached dwelling, semi-detached dwelling        | Apartment building  | Other permitted uses |
| BUILDING HEIGHT/<br>INTENSITY | Lot coverage by all buildings         | Minimum of 35%  | Minimum of 50%       | Maximum of 35%  | Maximum of 50%  |                      |
|                               | Building height                       | Maximum 11.0 m  |                      | Maximum 11.0 m  | Maximum 22.0 m  | Maximum 11.0 m       |
|                               | Density                               | Maximum 35 dwelling units per hectare                   |                      | Maximum 25 dwelling units per site hectare              | Maximum 98 dwelling units per site hectare  | -                    |
| YARDS/ACCESS                  | Front yard setback from internal road | Minimum 6.0 m   |                      | Minimum 6.0 m   |   |                      |
|                               | Distance between foundations          | Minimum 3.0 m; except 1.85 m between garage foundations |                      | Minimum 2.5 m; except 1.85 m between garage foundations | Minimum 10.5 m<br>Where two (2) or more Apartment Buildings are located on the same lot, the distance between foundations shall be no less than half the average height of the buildings. | -                    |
|                               | Exterior side yard                    | Minimum 3.0 m   |                      | Minimum 3.0 m   | Minimum 10.5 m  | Minimum 3.0 m        |
|                               | Rear yard                             | Minimum 3.0 m   |                      | -   |   |                      |
|                               | Setback from pathways                 | Minimum 3.0 m between foundations                       |                      | Minimum 3.0 m   |   |                      |

|                                    |   |                      |                      |
|------------------------------------|---|----------------------|----------------------|
| <b>GFA OF NON-RESIDENTIAL USES</b> | Maximum Gross Floor Area of any permitted Health Service Facility or Convenience Retail Store | 95.0 m <sup>2</sup>  | 95.0 m <sup>2</sup>  |
|                                    | Maximum Gross Floor Area of any permitted Recreational Facility                               | 950.0 m <sup>2</sup> | 950.0 m <sup>2</sup> |

# CSR

| CSR-3<br>Communally Serviced Residential Three   |                           |                    |                      |
|--|---------------------------|--------------------|----------------------|
| Single detached dwelling, semi-detached dwelling | Street townhouse dwelling | Apartment building | Other permitted uses |

| BUILDING HEIGHT/<br>INTENSITY | Lot coverage by all buildings | Maximum of 35%                                    | Maximum of 50% |  |                |
|-------------------------------|-------------------------------|---|----------------|--|----------------|
|                               | Building height               | Maximum 11.0 m                                    |                | Maximum 22.0 m                                     | Maximum 11.0 m |
|                               | Density                       | Maximum 25 <i>dwelling units</i> per site hectare |                | Maximum 120 <i>dwelling units</i> per site hectare | -              |

| YARDS/ACCESS          | Front yard setback from internal road | Minimum 6.0 m   |  |   |               |
|-----------------------|---------------------------------------|---|--|---|---------------|
|                       | Distance between foundations          | Minimum 2.5 m; except 1.85 m between garage foundations |  | Minimum 10.5 m<br>Where two (2) or more <i>Apartment Buildings</i> are located on the same lot, the distance between foundations shall be no less than half the average <i>height</i> of the <i>buildings</i> . | -             |
|                       | Exterior side yard                    | Minimum 3.0 m   |  | Minimum 10.5 m  | Minimum 3.0 m |
|                       | Rear yard                             | -   |  |   |               |
| Setback from pathways | Minimum 3.0 m                         |   |  |   |               |

| GFA OF NON-RESIDENTIAL USES | Maximum Gross Floor Area of any permitted Health Service Facility or Convenience Retail Store | 95.0 m <sup>2</sup>  |
|-----------------------------|---|----------------------|
|                             | Maximum Gross Floor Area of any permitted Recreational Facility                               | 950.0 m <sup>2</sup> |

## 3.4 Downtown Zones

The downtown zones have the following permitted uses:

### DCC Downtown Core Commercial Zone

Permitted Uses:

- Additional Residential Units
- Apartment Dwellings, where located above the first floor
- Artisan Studios
- Bed and Breakfast Facilities
- Beer, Wine and/or Alcohol Sales + Manufacturing Facilities, where it includes a retail and/or hospitality component
- Boarding Houses in existing buildings
- Child and Adult Day Care Facilities
- Commercial Schools
- Entertainment Facilities
- Existing Residential Uses
- Farmers Market
- Financial Institutions
- Health Services Facilities
- Hospitals
- Hotels, including Convention/Conference Facilities, where located above the first floor
- Maker Spaces
- Offices, including Business Incubators
- Places of Worship
- Private Club
- Privately Owned Park Space
- Public Service Facilities
- Recreational Facilities
- Restaurants, but not including Drive-Through Service Facilities
- Retail Uses
- Service Commercial Uses
- Special Needs Housing, where located above the first floor, except for an emergency shelter which may be located on the first floor
- Taxi Stand/Dispatch Office
- Veterinary Clinic

### DBC Downtown Beeton Commercial Zone

Permitted Uses:

- Additional Residential Units
- Apartment Dwellings, where located above the first floor
- Artisan Studios
- Bed and Breakfast Facilities
- Beer, Wine and/or Alcohol Sales + Manufacturing Facilities, where it includes a retail and/or hospitality component
- Boarding Houses in existing buildings
- Child and Adult Day Care Facilities
- Commercial Schools
- Entertainment Facilities
- Existing Residential Uses
- Farmers Market
- Financial Institutions
- Health Services Facilities
- Hospitals
- Hotels, including Convention/Conference Facilities, where located above the first floor
- Maker Spaces
- Offices, including Business Incubators
- Places of Worship
- Private Club
- Privately Owned Park Space
- Public Service Facilities
- Recreational Facilities
- Restaurants, but not including Drive-Through Service Facilities
- Retail Uses
- Service Commercial Uses
- Special Needs Housing, where located above the first floor, except for an emergency shelter which may be located on the first floor
- Taxi Stand/Dispatch Office
- Veterinary Clinic



## DCT Downtown Core Transitional Zone

### Permitted Uses:

- Additional Residential Units
- Artisan Studios
- Bed and Breakfast Facilities
- Back-to-Back Townhouse Dwellings
- Block Townhouse Dwellings
- Boarding Houses
- Child and Adult Day Care Facilities
- Existing Residential Uses
- Fourplex Dwellings
- Health Services Facilities
- Hotels
- Maker Spaces
- Places of Worship
- Privately Owned Park Space
- Public Service Facilities
- Special Needs Housing
- Stacked Townhouse Dwellings
- Street Townhouse Dwellings
- Triplex Dwellings

The following uses are permitted in a building that legally existed as of the date of approval of this Zoning By-law:

- Apartment Buildings and Apartment Dwellings
- Commercial Schools
- Offices
- Restaurants, but not including Drive-Through Service Facilities
- Retail Uses
- Service Commercial Uses



| DCC<br>Downtown Core Commercial | DBC<br>Downtown Beeton Commercial |
|---------------------------------|-----------------------------------|
|---------------------------------|-----------------------------------|

| LOT SIZE/BUILDING HEIGHT/GFA | Minimum lot area              | -  | -   |
|------------------------------|-------------------------------|--|---|
|                              | Minimum lot frontage          | -  | -   |
|                              | Lot coverage by all buildings | Maximum of 75%   | Maximum of 75%  |
|                              | Lot coverage by parking area  | Maximum of 50% of site area  | Maximum of 50% of site area   |
|                              | Building height               | Minimum 2 storeys, or 8.0 m, whichever is greater. The maximum <b>building height</b> shall be defined by an <b>angular plane</b> , and no <b>building</b> shall exceed the <b>height</b> as defined by the <b>angular plane</b> . | Minimum 2 storeys<br>Maximum 6 storeys, or 19.5 m, or as defined by an <b>angular plane</b> , whichever is less. No <b>building</b> shall exceed the <b>height</b> as defined by the <b>angular plane</b> . |
|                              | Angular plane requirement     | An <b>angular plane</b> is 45 degrees, measured 7.5 m above any <b>rear lot line</b> and any <b>interior side lot line</b> that abuts a LR or MR zone.   | An <b>angular plane</b> is 45 degrees, measured 7.5 m above any <b>rear lot line</b> and any <b>interior side lot line</b> that abuts a LR or MR zone.  |
|                              | Gross floor area              | All <b>Retail Uses</b> , <b>Service Commercial Uses</b> and <b>Restaurants</b> shall have a maximum <b>gross floor area</b> of 4,000 m <sup>2</sup> .  | All <b>Retail Uses</b> , <b>Service Commercial Uses</b> and <b>Restaurants</b> shall have a maximum <b>gross floor area</b> of 4,000 m <sup>2</sup> .   |

| YARDS / ACCESS | Front yard setback         | The required <b>build-within zone</b> shall be 0.0 m to 3.0 m.   | The required <b>build-within zone</b> shall be 0.0 m to 3.0 m.  |
|----------------|----------------------------|--|---|
|                | Interior side yard         | Minimum 0.0 m  | Minimum 0.0 m<br>The combined width of both side yard <b>setbacks</b> , including an <b>exterior side yard setback</b> for a corner lot, shall be no more than 3.5 m. |
|                | Exterior side yard         | The required <b>build-within zone</b> shall be 0.0 m to 3.0 m.   | The required <b>build-within zone</b> shall be 0.0 m to 3.0 m.  |
|                | Rear yard                  | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 7.5 m<br>For <b>buildings</b> between 12.5 m and 22.5 m in <b>height</b> - minimum 10.0 m<br>For <b>buildings</b> greater than 22.5 m in <b>height</b> - minimum 12.5 m | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 7.5 m<br>For <b>buildings</b> between 12.5 m and 19.5 m in <b>height</b> - minimum 10.0 m                |
|                | Location of front entrance | Every <b>building</b> shall have the front entrance oriented towards an adjacent public <b>street</b> .  | Every <b>building</b> shall have the front entrance oriented towards an adjacent public <b>street</b> .   |

|  |                 |   |  |
|--|-----------------|---|--|
|  | <p>Stepback</p> | <p>Minimum 2.0 m <b>building stepback</b> at the top of the 3rd storey abutting the <b>front lot line</b> and the <b>exterior side lot line</b></p> | <p>For new <b>buildings</b>, or additions to existing non-heritage <b>buildings</b>, a minimum 2.0 m <b>building stepback</b> at the top of the 3rd storey abutting the <b>front lot line</b> and the <b>exterior side lot line</b> is required.</p> <p>For any new rooftop additions to an existing heritage listed or designated <b>building</b>, a minimum 3.0 m <b>building stepback</b> abutting the <b>front lot line</b> and the <b>exterior side lot line</b> is required.</p> |
|--|-----------------|---|--|



|  |  |
|--|--|
| <b>DCC</b><br>Downtown Core Commercial | <b>DBC</b><br>Downtown Beeton Commercial |
|--|--|

|                           |                          |   |   |
|---------------------------|--------------------------|---|---|
| <b>PARKING/OPEN SPACE</b> | Location of parking area | May not be located in the <i>front yard</i> or <i>exterior side yard</i> , except for a lane or driveway  | May not be located in the <i>front yard</i> or <i>exterior side yard</i> , except for a lane or driveway  |
|                           | Amenity space            | Lots with fewer than 5 <i>dwelling units</i> – n/a<br><br>Lots with 5 or more <i>dwelling units</i> - a minimum of 3.0 m <sup>2</sup> per <i>dwelling unit</i> plus 2.0 m <sup>2</sup> for the second bedroom and each additional bedroom in the <i>dwelling unit</i> , for <i>buildings</i> and <i>building</i> additions that include <i>dwelling units</i> approved and constructed after the date of approval of this Zoning By-law | Lots with fewer than 5 <i>dwelling units</i> – n/a<br><br>Lots with 5 or more <i>dwelling units</i> - a minimum of 3.0 m <sup>2</sup> per <i>dwelling unit</i> plus 2.0 m <sup>2</sup> for the second bedroom and each additional bedroom in the <i>dwelling unit</i> , for <i>buildings</i> and <i>building</i> additions that include <i>dwelling units</i> approved and constructed after the date of approval of this Zoning By-law |
|                           | Landscaped buffer        | Required along any <i>rear lot line</i> and any <i>interior side lot line</i> abutting a LR or MR zone  | Required along any <i>rear lot line</i> and any <i>interior side lot line</i> abutting a LR or MR zone  |



## DCT Downtown Core Transitional

|  |                              |                             |  |                       |                         |
|--|------------------------------|-----------------------------|--|-----------------------|-------------------------|
| Triplex dwelling,<br>fourplex dwelling | Street townhouse<br>dwelling | Block townhouse<br>dwelling | Stacked/back-to-<br>back townhouse<br>dwelling | Apartment<br>dwelling | Other permitted<br>uses |
|--|------------------------------|-----------------------------|--|-----------------------|-------------------------|

Uses in existing residential buildings      *Within existing residential buildings, a maximum of 50% of the gross floor area may be used for non-residential uses, including Home Occupations.*

|                                  |                               |  |   |                                      |                                      |                                     |   |
|----------------------------------|-------------------------------|--|---|--------------------------------------|--------------------------------------|-------------------------------------|---|
| LOT SIZE / BUILDING HEIGHT / GFA | Minimum lot area              | 465 m <sup>2</sup>   | 225 m <sup>2</sup> per dwelling unit  | 200 m <sup>2</sup> per dwelling unit | 130 m <sup>2</sup> per dwelling unit | 85 m <sup>2</sup> per dwelling unit | - |
|                                  | Minimum lot frontage          | -  | 6.0 m per dwelling unit, 8.0 m for an end unit abutting an interior side yard, and 10.0 m for an end unit abutting an exterior side yard<br><br>Maximum 6 units per row | -                                    | -                                    | -                                   | - |
|                                  | Lot coverage by all buildings | Maximum of 65%   |   |                                      |                                      |                                     |   |
|                                  | Building height               | Maximum 3.5 storeys, or 12.0 m, whichever is less  |   |                                      |                                      |                                     |   |
|                                  | Gross floor area              | All Retail Uses, Service Commercial Uses and Restaurants shall have a maximum gross floor area of 750 m <sup>2</sup> . |   |                                      |                                      |                                     |   |

|                     |                            |  |  |  |
|---------------------|----------------------------|--|--|--|
| <b>YARDS/ACCESS</b> | Front yard setback         | Minimum 4.5 m; except for an attached garage where the minimum <b>front yard setback</b> for the garage is 6.0 m |  |  |
|                     | Interior side yard         | Minimum 2.0 m  |  |  |
|                     | Exterior side yard         | Minimum 3.0 m  |  |  |
|                     | Rear yard                  | Minimum 7.5 m  |  |  |
|                     | Location of front entrance | Every <b>building</b> shall have the front entrance oriented towards an adjacent public <b>street</b> .          |  |  |

|                           |                       |  |   |   |
|---------------------------|-----------------------|--|---|---|
| <b>PARKING/OPEN SPACE</b> | Width of garage       | Maximum 60% of the width of the <b>dwelling unit</b> , measured 6.0 m from the lot line                | - | - |
|                           | Garage projection     | No garage shall project beyond the <b>main front wall</b> of the dwelling.                             |   |   |
|                           | Landscaped open space | Minimum 7.5% of site area  |   |   |
|                           | Landscaped buffer     | Required along any <b>rear lot line</b> and any <b>interior side lot line</b> abutting a LR or MR zone |   |   |



## 3.5 Commercial Zones

The commercial zones have the following permitted uses:

### CC Corridor Commercial Zone

Permitted Uses:

- Artisan Studios
- Child and Adult Day Care Facilities
- Commercial Schools
- Entertainment Facilities
- Funeral Homes
- Health Services Facilities
- Hotels
- Institutional Uses
- Maker Spaces
- Offices, including Business Incubators
- Places of Worship
- Private Club
- Privately Owned Park Space
- Public Service Facilities
- Recreational Facilities
- Restaurants
- Retail Uses
- Service Commercial Uses

### MC Major Commercial Zone

Permitted Uses:

- Artisan Studios
- Auto-Oriented Uses
- Beer, Wine and/or Alcohol Sales + Manufacturing Facilities
- Child and Adult Day Care Facilities
- Commercial Schools
- Drive-Through Service Facilities
- Entertainment Facilities
- Funeral Homes
- Health Services Facilities
- Hotels, including Convention/Conference Facilities
- Institutional Uses
- Maker Spaces
- Offices, including Business Incubators
- Places of Worship
- Private Club
- Privately Owned Park Space
- Public Service Facilities
- Recreational Facilities
- Restaurants
- Retail Uses
- Service Commercial Uses



| CC<br>Corridor Commercial | MC<br>Major Commercial |
|---------------------------|------------------------|
|---------------------------|------------------------|

| LOT SIZE/BUILDING HEIGHT/GFA | Minimum lot area              | -   | -  |
|------------------------------|-------------------------------|---|--|
|                              | Minimum lot frontage          | -   | -  |
|                              | Lot coverage by all buildings | Maximum of 50%  | Maximum of 40%   |
|                              | Building height               | Minimum 2 storeys, or 7.0 m, whichever is greater<br>Maximum 22.5 m, or as defined by an <b>angular plane</b> , whichever is less<br>No <b>building</b> shall exceed the <b>height</b> as defined by the <b>angular plane</b> . | Minimum 3 storeys, or 10.0 m, whichever is greater; Maximum 37.5 m<br>However, <b>buildings</b> taller than 22.5 m shall be subject to the application of an <b>angular plane</b> and no <b>building</b> shall exceed the <b>height</b> as defined by the <b>angular plane</b> . |
|                              | Angular plane requirement     | An <b>angular plane</b> is 45 degrees, measured 7.5 m above any <b>rear lot line</b> or any <b>interior side lot line</b> that abuts a LR or MR zone.   | An <b>angular plane</b> is 45 degrees, measured 7.5 m above any <b>rear lot line</b> or any <b>interior side lot line</b> that abuts a LR or MR zone.  |
|                              | First floor height            | Minimum 4.25 m  | Minimum 4.25 m   |
|                              | Gross floor area              | -   | Minimum of 300 m <sup>2</sup> <b>gross floor area</b> per <b>retail use</b>  |

| YARDS/ACCESS | Front yard setback | Minimum 7.5 m  | Minimum 7.5 m   |
|--------------|--------------------|--|---|
|              | Interior side yard | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 2.0 m<br>For <b>buildings</b> between 12.5 m and 22.5 m in <b>height</b> - minimum 4.0 m  | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 2.0 m<br>For <b>buildings</b> between 12.5 m and 22.5 m in <b>height</b> - minimum 4.0 m<br>For <b>buildings</b> greater than 22.5 m in <b>height</b> - minimum 6.0 m  |
|              | Exterior side yard | Minimum 6.0 m  | Minimum 6.0 m   |
|              | Rear yard          | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 7.5 m<br>For <b>buildings</b> between 12.5 m and 22.5 m in <b>height</b> - minimum 10.0 m | For <b>buildings</b> up to 12.5 m in <b>height</b> - minimum 7.5 m<br>For <b>buildings</b> between 12.5 m and 22.5 m in <b>height</b> - minimum 10.0 m<br>For <b>buildings</b> greater than 22.5 m in <b>height</b> - minimum 12.5 m<br>For properties abutting a LR or MR zone - |

|                    |                           |   |   |
|--------------------|---------------------------|---|---|
| PARKING/OPEN SPACE | Location of parking area  | May not be located in the <b>front yard</b> or <b>exterior side yard</b> , except for a lane or driveway  | Existing parking lots are permitted in the <b>front yard</b> , or <b>exterior side yard</b> .   |
|                    | Landscaped open space     | Minimum of 7.5% of site area  | Minimum of 10.0% of site area   |
|                    | Landscaped buffer         | Required along any <b>rear lot line</b> and any <b>interior side lot line</b> abutting a LR or MR zone  | Required along any <b>rear lot line</b> and any <b>interior side lot line</b> abutting a LR or MR zone  |
|                    | Outside sales/rental area | An <b>outside sales/rental area</b> shall be a maximum of 15.0% of the site area and shall be <b>setback</b> a minimum of 4.5 m from any <b>lot line</b> .<br><br>The <b>height</b> of any <b>outside sales/rental area</b> element shall not exceed 3.0 m. | An <b>outside sales/rental area</b> shall be a maximum of 15.0% of the site area and shall be <b>setback</b> a minimum of 4.5 m from any <b>lot line</b> .<br><br>The <b>height</b> of any <b>outside sales/rental area</b> element shall not exceed 3.0 m. |
|                    |                           |   | minimum 15.0m   |



## 3.6 Employment Zones

The employment zones have the following permitted uses:

### EA1 Employment Area One Zone

Permitted Uses:

- Computer, Electronics and Data Processing Facilities
- Hotels, including Convention/Conference Facilities
- Industrial Uses (Prestige)
- Manufacturing Facilities
- Medical Marijuana Production Facility
- Offices
- Printing and Associated Service Establishments
- Research and Development Facilities
- Service Industries
- Storage Facilities

Permitted ancillary uses:

- Child and Adult Day Care Facilities
- Convenience Retail Stores
- Recreational Facilities
- Restaurants
- Retail Uses limited to the sale of goods resulting from the operations of a permitted use
- Service Commercial Uses

### EA2 Employment Area Two Zone

Permitted Uses:

- Auto-Oriented Uses
- Commercial Schools
- Computer, Electronics and Data Processing Facilities
- Contractor Facilities
- Industrial Uses (General)
- Industrial Uses (Prestige)
- Offices where included in a multi-tenant building containing another permitted use
- Printing and Associated Service Establishments
- Recreational Facilities
- Research and Development Facilities

Permitted ancillary uses:

- Child and Adult Day Care Facilities
- Convenience Retail Stores
- Offices
- Restaurants
- Retail Uses limited to the sale of goods resulting from the operations of a permitted use
- Service Commercial Uses



|  | EA1<br>Employment Area One | EA2<br>Employment Area Two |
|--|----------------------------|----------------------------|
|--|----------------------------|----------------------------|

| LOT SIZE/BUILDING HEIGHT/GFA | Minimum lot area  | -   | -  |
|------------------------------|---|---|--|
|                              | Minimum lot frontage  | 30.0 m  | 45.0 m   |
|                              | Lot coverage by all buildings   | -   | -  |
|                              | Building height   | Maximum 20.0 m<br>However, buildings taller than 12.5 m shall be subject to the application of an angular plane, and no building shall exceed the height as defined by the angular plane. | Maximum 37.5 m   |
|                              | Angular plane requirement   | An angular plane is 45 degrees, measured 7.5 m above any rear lot line or any interior side lot line that abuts a LR or MR zone.  | An angular plane is 45 degrees, measured 7.5 m above any rear lot line or any interior side lot line that abuts a sensitive land use or LR, MR, NC, or I zone. |
| Gross floor area             | All ancillary uses shall be a maximum of 20% of the gross floor area of the principal use(s). | All ancillary uses shall be a maximum of 20% of the gross floor area of the principal use(s).   |  |

| YARDS/ACCESS | Front yard setback | Minimum 3.0 m  | Minimum 3.0 m  |
|--------------|--------------------|--|--|
|              | Interior side yard | Minimum 3.0 m, except where abutting a LR or MR zone, where the minimum interior side yard shall be 10.0 m | Minimum 3.0 m, except where abutting a LR or MR zone, where the minimum interior side yard shall be 15.0 m |
|              | Exterior side yard | Minimum 3.0 m  | Minimum 3.0 m  |
|              | Rear yard          | Minimum 5.0 m, except where abutting a LR or MR zone, where the minimum rear yard shall be 10.0 m          | Minimum 5.0 m, except where abutting a LR or MR zone, where the minimum rear yard shall be 15.0 m          |

| PARKING/OPEN SPACE | Landscaped buffer         | Required along any rear lot line and any interior side lotline abutting a LR, MR, HR, I or OS zone   | Required along any rear lot line and any interior side lotline abutting a LR, MR, HR, I or OS zone   |
|--------------------|---------------------------|--|--|
|                    | Outside sales/rental area | The outside display of items for sale or rent shall not be permitted in any required setback and shall not be more than 30.0% of the site area and shall not comprise any of the site area required for parking. | The outside display of items for sale or rent shall not be permitted in any required setback and shall not be more than 20.0% of the site area and shall not comprise any of the site area required for parking. |
|                    | Open storage              | -  | Open storage is only permitted within a rear yard, and shall not be located closer than 20.0 m to a street.<br><br>The height of any open storage element shall not exceed 3.0 m.                                |

|                   |  |  |
|-------------------|--|--|
| Impact mitigation | All permitted uses shall be subject to Provincial setback requirements to mitigate negative impacts, where applicable. | All permitted uses shall be subject to Provincial setback requirements to mitigate negative impacts, where applicable. |
|-------------------|--|--|



## 3.7 Greenlands Zones

The greenlands zones have the following permitted uses:

### ROS Recreational Open Space Zone

Permitted Uses:

- Cemeteries
- Conservation Uses
- Drive-In Theatres
- Forestry Uses
- Golf Courses
- Recreational Camping Establishments

### EP Environmental Protection Zone

Permitted Uses:

- Conservation Uses
- Existing Agricultural Uses
- Existing Residential Uses
- Additional Residential Units (Attached) provided no expansion to the existing dwelling is required
- Single Detached Dwelling, provided that the use, erection and location would have been permitted by this By-law on November 15, 2001, in accordance with Section 2.38, but not including new accessory buildings or structures
- Forestry Uses
- Unmaintained Open Space
- Watershed Management and Flood and Erosion Control Facilities
- Wildlife and Fisheries Management Uses

### ORM EP

### Oak Ridges Moraine Environmental Protection Zone

Permitted Uses:

- Conservation Uses
- Existing Agriculture Uses
- Residential Dwellings which lawfully existed on November 15, 2001 and may continue until the use ceases, provided that the period of any discontinuity complies with Section 2.16.4 of this By-law.



|  | ROS<br>Recreational Open<br>Space | EP<br>Environmental<br>Protection | ORM EP<br>Oak Ridges Moraine<br>Environmental<br>Protection |
|--|-----------------------------------|-----------------------------------|---|
|--|-----------------------------------|-----------------------------------|---|

| LOT SIZE/BUILDING<br>HEIGHT | Minimum lot area              | 2.0 ha  | -   | -              |
|-----------------------------|-------------------------------|---|---|----------------|
|                             | Minimum lot frontage          | 60.0 m  | -   | -              |
|                             | Lot coverage by all buildings | Maximum of 10%                                  | Maximum of 20%                                  | Maximum of 10% |
|                             | Building height               | Maximum 3 storeys, or 11.0 m, whichever is less | Maximum 3 storeys, or 11.0 m, whichever is less | Maximum 11.0 m |

| YARDS/<br>ACCESS | Front yard setback | Minimum 15.0 m | Minimum 10.0 m | Minimum 10.0 m |
|------------------|--------------------|----------------|----------------|----------------|
|                  | Interior side yard | Minimum 15.0 m | Minimum 7.5 m  | Minimum 7.5 m  |
|                  | Exterior side yard | Minimum 15.0 m | Minimum 10.0 m | Minimum 10.0 m |
|                  | Rear yard          | Minimum 15.0 m | Minimum 7.5 m  | Minimum 7.5 m  |

| OPEN SPACE | Landscaped open space | Minimum of 10% of site area | - | - |
|------------|-----------------------|-----------------------------|---|---|
|------------|-----------------------|-----------------------------|---|---|

|   |   |   |   |
|---|---|---|---|
| Expansion and Replacement of Existing Residential/ Agricultural Buildings or Structures | - | <p>Expansions up to a maximum of 50% of the <b>gross floor area</b> of the existing <b>building</b> or structure are permitted. Expansions greater than 50% of the <b>gross floor area</b> shall require the written approval of the Conservation Authority having jurisdiction.</p> <p>The replacement of any existing <b>building</b> or structure involuntarily destroyed by fire or natural event is permitted provided that:</p> <ul style="list-style-type: none"> <li>- The replacement does not increase the <b>height</b>, size or volume of the <b>building</b> or structure; and,</li> <li>- The location of the <b>building</b> or structure either remains the same or is located further away from identified natural heritage features.</li> </ul> | - |
|---|---|---|---|



## 3.8 Rural Zones

The rural zones have the following permitted uses:

### ER Estate Residential Zone

Permitted Uses:

- Additional Residential Units
- Bed and Breakfast Facilities
- Single Detached Dwellings

### HAM Hamlet Residential Zone

Permitted Uses:

- Additional Residential Units
- Bed and Breakfast Facilities
- Single Detached Dwellings

### RHC Rural Highway Commercial Zone

Permitted Uses:

- Animal Shelter
- Antique and Craft Retail Establishment
- Apartment Dwelling, where located above the first floor
- Auction Centre (for agricultural purposes)
- Auto-Oriented Uses
- Building Supply Centre
- Bulk Feed & Agricultural Supply Outlet
- Farmers Market
- Garden and Landscaping Establishment
- Health Services Facilities
- Machinery and Equipment, Sales and Service Establishment
- Merchandise Service Shop
- Public Service Facilities
- Retail Use Accessory to a Permitted Use
- Storage Facilities
- Veterinary Clinic
- Restaurants including Drive-Through Service Facilities

### RI Rural Industrial Zone

Permitted Uses:

- Abattoir
- Accessory Administrative Office
- Accessory Retail Sale of Goods Produced on the Premise
- Airfield (Private)
- Animal Shelter
- Bulk Fuel Depot
- Contractor Facilities
- Fertilizer Plant
- Fleet Services
- Machinery and Equipment Sales and Service Establishment
- Manufacturing, Processing and Warehousing Facilities
- Propane and Natural Gas Conversion Establishment
- Truck Cartage Terminal
- Truck Depot
- Veterinary Clinic

Permitted ancillary uses:

- Open Storage

### EI Extractive Industrial Zone

Permitted Uses:

- Accessory Administrative Office
- Accessory Open Storage
- Aggregate Processing & Storage
- Agricultural Uses (not including a Dwelling Unit)
- Pit & Quarry

### WM Waste Management Zone

Permitted Uses:

- Recycling Depot
- Waste Disposal Sites



| ER<br>Estate<br>Residential | HAM<br>Hamlet<br>Residential | RHC<br>Rural<br>Highway<br>Commercial | RI<br>Rural<br>Industrial | EI<br>Extractive<br>Industrial | WM<br>Waste<br>Management |
|-----------------------------|------------------------------|---------------------------------------|---------------------------|--------------------------------|---------------------------|
|-----------------------------|------------------------------|---------------------------------------|---------------------------|--------------------------------|---------------------------|

| LOT SIZE/BUILDING HEIGHT/<br>GFA | Minimum lot area              | 0.6 ha  | 0.35 ha   | 0.8 ha         | 1.0 ha         | -  | -              |
|----------------------------------|-------------------------------|---|---|----------------|----------------|--|----------------|
|                                  | Minimum lot frontage          | 35.0 m  | 30.0 m  | 45.0 m         | 60.0 m         | -  | 60.0 m         |
|                                  | Lot coverage by all buildings | Maximum of 15%                                    | Maximum of 15%                                    | Maximum of 30% | Maximum of 40% | Maximum of 10%, to a maximum of 2,300.0 m <sup>2</sup> | -              |
|                                  | Building height               | Maximum 3.5 storeys, or 11.0 m, whichever is less | Maximum 3.5 storeys, or 11.0 m, whichever is less | Maximum 11.0 m | Maximum 15.0 m | Maximum 11.0 m   | Maximum 11.0 m |

| YARDS/ACCESS | Front yard setback | Minimum 7.5 m  | Minimum 7.5 m  | Minimum 10.0 m | Minimum 10.0 m   | Minimum 30.0 m   | Minimum 15.0 m |
|--------------|--------------------|----------------|----------------|----------------|--|--|----------------|
|              | Interior side yard | Minimum 3.0 m  | Minimum 3.0 m  | Minimum 6.0 m  | Minimum 7.5 m, except where the property abuts a non-industrial or employment zone, where the minimum interior side yard is 15.0 m | Minimum 30.0 m, except where the property abuts a residential zone, where the minimum interior side yard is 90.0 m | Minimum 15.0 m |
|              | Exterior side yard | Minimum 7.5 m  | Minimum 7.5 m  | Minimum 10.0 m | Minimum 10.0 m   | Minimum 30.0 m   | Minimum 15.0 m |
|              | Rear yard          | Minimum 10.0 m | Minimum 10.0 m | Minimum 7.5 m  | Minimum 7.5 m, except where the property abuts a non-industrial or employment zone, where the minimum rear yard is 15.0 m          | Minimum 30.0 m, except where the property abuts a residential zone, where the minimum rear yard is 90.0 m          | Minimum 15.0 m |

|                           |                       |   |   |                             |                             |                                     |                             |
|---------------------------|-----------------------|---|---|-----------------------------|-----------------------------|-------------------------------------|-----------------------------|
| <b>PARKING/OPEN SPACE</b> | Width of garage       | Maximum of 50% of the width of the lot, measured 6.0 m from the <b>front lot line</b> | Maximum of 50% of the width of the lot, measured 6.0 m from the <b>front lot line</b> | -                           | -                           | -                                   | -                           |
|                           | Garage projection     | No garage shall project beyond the <b>main front wall</b> of the dwelling.            | No garage shall project beyond the <b>main front wall</b> of the dwelling.            | -                           | -                           | -                                   | -                           |
|                           | Landscaped open space | -   | -   | Minimum of 10% of site area | Minimum of 10% of site area | Minimum of 15% of site area         | Minimum of 20% of site area |
|                           | Landscaped buffer     | -   | -   | -                           | -                           | Required along all <b>lot lines</b> | -                           |
|                           |                       |   |   |                             | 15.0 m                      |                                     |                             |



## 3.9 Agricultural Zones

The agricultural zones have the following permitted uses:

### A1 Agricultural One Zone

Permitted Uses:

- Additional Residential Units
- Agricultural Uses
- Airfield (Private)
- Bed and Breakfast Facilities
- Conservation Uses
- Kennel
- Single Detached Dwelling

### A2 Agricultural Two Zone

Permitted Uses:

- Additional Residential Units
- Agricultural Uses
- Bed and Breakfast Facilities
- Conservation Uses
- Single Detached Dwelling

### SSA Special Study Area

Permitted Uses:

- Existing Uses
- Non-intensive Agricultural Uses

### ORM NL

#### Oak Ridges Moraine - Natural Linkage Zone

Permitted Uses:

- Agricultural Uses
- Bed and Breakfast Facilities
- Conservation Uses
- Single Detached Dwelling, provided the use, erection and location would have been permitted by this By-law on November 15, 2001

### ORM CS-RL

#### Oak Ridges Moraine - Countryside - Rural Zone

Permitted Uses:

- Additional Residential Units (Attached)
- Agricultural Uses
- Bed and Breakfast Facilities
- Conservation Uses
- Single Detached Dwelling, provided the use, erection and location would have been permitted by this By-law on November 15, 2001

### ORM CS-AG

#### Oak Ridges Moraine - Countryside - Agricultural Zone

Permitted Uses:

- Additional Residential Units (Attached)
- Agricultural Uses
- Bed and Breakfast Facilities
- Conservation Uses
- Single Detached Dwelling, provided the use, erection and location would have been permitted by this By-law on November 15, 2001



|                                  |                                  |  |  |   |  |
|----------------------------------|----------------------------------|--|--|---|--|
| <b>A1</b><br>Agricultural<br>One | <b>A2</b><br>Agricultural<br>Two | <b>SSA</b><br>Special<br>Study<br>Area | <b>ORM<br/>NL</b><br>Oak Ridges<br>Moraine<br>- Natural<br>Linkage | <b>ORM<br/>CS-RL</b><br>Oak Ridges<br>Moraine -<br>Countryside<br>- Rural | <b>ORM<br/>CS-AG</b><br>Oak Ridges<br>Moraine -<br>Countryside<br>- Agricultural |
|----------------------------------|----------------------------------|--|--|---|--|

|                                     |                               |   |  |   |   |   |                |
|-------------------------------------|-------------------------------|---|--|---|---|---|----------------|
| <b>LOT SIZE/BUILDING HEIGHT/GFA</b> | Minimum lot area              | For <b>Single Detached Dwellings</b> - 1 ha | For <b>Single Detached Dwellings</b> - 1 ha<br>For <b>Agricultural Uses</b> - 2 ha | For <b>Single Detached Dwellings</b> - 1 ha | For <b>Single Detached Dwellings</b> - 1 ha | For <b>Single Detached Dwellings</b> - 1 ha |                |
|                                     | Minimum lot frontage          | 150.0 m                                     | 35.0 m   | -   | 35.0 m                                      | 35.0 m                                      |                |
|                                     | Lot coverage by all buildings | Maximum of 35%                              | Maximum of 15%   | -   | Maximum of 15%                              | Maximum of 15%                              | Maximum of 15% |
|                                     | Building height               | Maximum 15.0 m                              | Maximum 11.0 m   | -   | Maximum 11.0 m                              | Maximum 11.0 m                              | Maximum 15.0 m |

|                     |                    |                |  |   |                |                |                |
|---------------------|--------------------|----------------|--|---|----------------|----------------|----------------|
| <b>YARDS/ACCESS</b> | Front yard setback | Minimum 12.5 m | Minimum 12.5 m   | - | Minimum 12.5 m | Minimum 12.5 m | Minimum 12.5 m |
|                     | Interior side yard | Minimum 8.0 m  | Minimum 3.0 m<br>Minimum 8.0 m for <b>buildings/structures</b> associated with <b>agricultural uses</b>  | - | Minimum 3.0 m  | Minimum 3.0 m  | Minimum 8.0 m  |
|                     | Exterior side yard | Minimum 12.5 m | Minimum 3.0 m<br>Minimum 12.5 m for <b>buildings/structures</b> associated with <b>agricultural uses</b> | - | Minimum 3.0 m  | Minimum 3.0 m  | Minimum 12.5 m |
|                     | Rear yard          | Minimum 8.0 m  | Minimum 8.0 m  | - | Minimum 8.0 m  | Minimum 8.0 m  | Minimum 8.0 m  |

# SECTION IV DEFINITIONS

Town of New Tecumseth - Zoning By-law

# PART IV

## DEFINITIONS

### A

**“Accessory”**

means a use, a building or a structure that is incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

**"Additional Residential Unit (Attached)"**

means a self-contained residential unit with kitchen and bathroom facilities within a single detached, semi-detached or street townhouse dwelling on lots that accommodate those dwelling types.

**"Additional Residential Unit (Detached)"**

means a self-contained residential unit with kitchen and bathroom facilities within an accessory building on a lot that accommodates single detached, semi-detached or street townhouse dwelling types.

**"Adequate"** shall mean the necessary capacity is available for Municipal Services.

**“Adult Entertainment Parlour”**

means any building or structure, or part thereof, in which the business carried on is provided on pursuance of a trade, calling, business or occupation, goods and/or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, which includes services of which a principal feature or characteristic is the nudity or partial nudity of any person.

**“Adverse Effect”**

means one of more of:

- i. Impairment of the quality of the natural environment for any use that can be made of it;
- ii. Injury of damage to property or plant or animal life;
- iii. Harm or material discomfort to any person;
- iv. Impairment of the safety of any person;
- v. Rendering any property or plant or animal life unfit for human use;
- vi. Loss of enjoyment of normal use of property, and,
- vii. Interference with normal conduct of business.

**(By-law 2021-136)**

**"Agricultural uses"**

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

when the size and nature of the operation requires additional employment. This definition shall not include a medical marijuana production facility.

**"Agriculture-related uses"**

means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (PPS, 2020)

**"Agri-Tourism Uses"**

means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation. (PPS, 2020)

**"Amenity Space"**

means an area designed for active and or passive recreation for the exclusive use and benefit of the residents / tenants in a building, such as but not limited to outdoor patios, balconies, communal indoor recreational spaces (such as gyms), communal indoor social spaces (such as entertainment rooms), swimming pools and outdoor rooftop amenity space (such as rooftop decks and terraces).

Amenity space excludes:

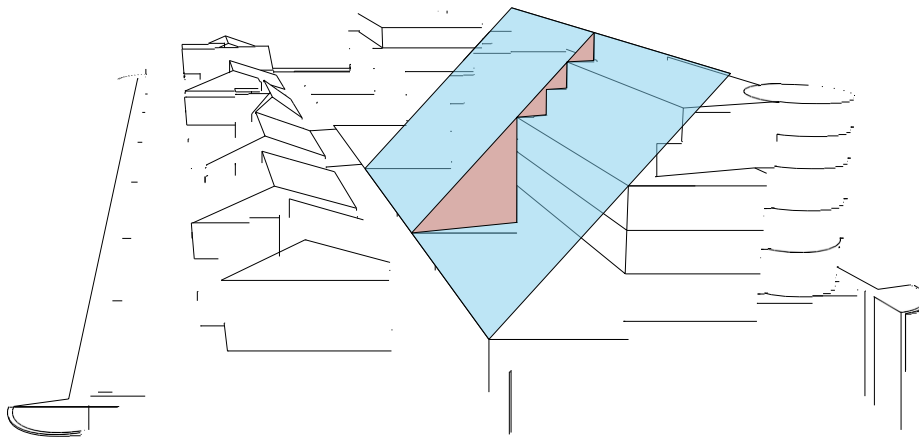
- Lobbies, washrooms, laundries, storage areas, and the like;
- Circulation spaces, such as hallways, elevators, and the like;
- Reception areas, management offices, and the like;
- Parking areas and access driveways;
- Landscaped open space, excluding outdoor patios; and,
- Receiving areas, loading spaces, and the like.

**"Ancillary"**

means a use which is subordinate or secondary and located on the same lot as a permitted use.

**"Angular Plane"**

means a flat surface extending from a lot line and projecting over a lot, at a specified angle measured up from the horizontal, through which no part of a structure on the lot may penetrate.



**"Animal Shelter"**

means the temporary accommodation and care or impounding of animals within an enclosed building, but does not include kennels.

**"Apartment Building"**

means a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area. A building that was originally constructed as a detached house, semi-detached house or townhouse and has one or more additional residential units is not an apartment building.

**"Appropriate"** shall mean Municipal Services are construct for the Street abutting the lot/block for which a building permit is required.

**"Artisan Studio"**

means an establishment used for the study of an art such as dancing, singing, acting or modelling or the workplace and retail shop of an artisan (e.g. painter, sculptor or photographer) or an establishment used for the making and transmission of motion pictures, radio or television programs but does not include a movie theatre. An artisan studio produces little to no vibration, noise, fumes or other nuisances.

**"Auction Centre"**

means a building, structure or lands used for the storage of goods and materials, which are sold on the premise for public auction, and for the sale of the said goods and materials for public action on an occasional basis, but does not include a retail or wholesale establishment.

**"Automotive Service Station"**

means a building or place where automotive fuel may be kept for sale and where running repairs essential to the actual operation of motor vehicles are executed or performed and where parts or products required for such repairs may be stored or kept for sale. This definition shall not be deemed to include a public garage, body shop or wrecking establishment. The washing of vehicles may be conducted within a service station building as a use accessory to the main use.

**"Auto-Oriented Uses"**

means a premises or part thereof used for the sale, rental of motor vehicles as well as for the servicing, maintenance, cleaning and repair of motor vehicles. Auto-oriented uses includes a building or station where motor vehicle fuel and similar motor vehicle accessories are available for sale.

**"Available"** shall mean the necessary provision of Municipal Services to the level of construction, state of completion or period of commissioning as the Town deems to be Appropriate.

## B

**"Basement"** shall mean the portion of a building that is partly or completely below established grade and is not used as functional space directly relating to a permitted commercial use, except for incidental storage.

**"Bed and Breakfast Facilities"**

means a part of a dwelling unit in which not more than three bedrooms are used or maintained for the accommodation of the traveling public, except within a Settlement Area on full municipal services where not more than five bedrooms may be used, in which the owner of the dwelling unit supplies lodgings with or without meals and which is owner occupied but does not include a group home or hotel.

**"Beer, Wine and/or Alcohol Sales + Manufacturing Facilities"**

means the use of land, buildings or structures for the purpose of manufacturing for sale alcoholic beverages of various types, which may include accessory retail and hospitality area.

**"Bicycle Parking Space"**

means a dedicated area designed to facilitate the parking and securing of a bicycle and which may include, but is not limited to, a bicycle locker and a bicycle rack.

**“Boarding House”**

means a building or part thereof used for residential occupancy where a proprietor offers lodging rooms to five (5) or more persons, with or without meals, in return for remuneration or the provision of a service, or for both. This definition excludes hotel, bed & breakfast establishment, and special needs housing.

**"Building"**

means any structure, constructed or placed on, in, over or under land used for the shelter, accommodation, or enclosure of persons, animals, materials or equipment, but does not include a wall, fence, public roadway or a bridge forming part of a public roadway.

**“Build-Within Zone”**

means the area on a lot that is established by both a minimum and maximum building setback, within which the abutting main front wall, or abutting exterior side wall of the building is to be built.

**C****“Cannabis Production Facility”**

means a wholly enclosed facility, licensed by Health Canada for the growing, producing, processing, storing, testing, destroying or distributing cannabis, cannabis products, or cannabis oil in accordance with all applicable federal regulations. A cannabis production facility may include indoor cannabis cultivation within a non-translucent greenhouse. For clarification, no part of this operation whether an accessory use of a principle use, is permitted outdoors.

**(By-law 2021-136)****“Child and Adult Day Care Facilities”**

means:

- A premises, including outdoor areas, where children are provided with temporary care and/or guidance for a continuous period not exceeding 24 hours and are licensed in accordance with the Child Care and Early Years Act; or,
- Indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

**"Commercial Motor Vehicle"**

means a motor vehicle, equipment, or trailer designed to be used for commercial purposes that includes but is not limited to: catering or canteen trucks, a food vehicle, buses, cube vans, tow trucks, tilt and load trucks or trailers, dump trucks, tractor trailers, semitrailers, or construction equipment that is self-propelled or designed to be towed. For greater clarity, this definition does not include a recreational vehicle or recreational trailer, or vehicles that are used for commercial purposes but are otherwise of a physical form that does not meet this definition.

**"Commercial School"**

means a school operated by an individual or company for gain or profit, providing instruction in a specific trade, skill, vocation, service or for general learning such as administration skills, aviation, banking, commercial arts, automobile driving, language, modelling, business, hairdressing, beauty, culture, dancing, and music schools.

**“Community Gardens”**

means a parcel of land cultivated and gardened by members of the community for non-commercial purposes. For the purposes

of this definition, “gardened” means to grow and care for plants and crops. Lands zoned for community gardens may include accessory buildings such as a tool shed, and non-commercial activities related to the community garden such as teaching.

**“Conservation Uses”**

means the use of land and/or water for the purpose of planned management of natural resources.

**"Contractor Facilities"**

means the outdoor yard of a building/landscaping construction company, contractor or other trades professional used as a depot for the storage and maintenance of equipment used by the business, and includes facilities for the administration of the business and the outdoor stockpiling or outdoor storage of supplies used by the business, but does not include the wholesale or retail sale of construction materials or supplies or home improvement supplies.

**"Convenience Retail Stores"**

means a retail store serving the daily or occasional needs of the immediate area with a variety of goods such as, but not limited to, groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines, newspapers, with a maximum gross floor area of 350 square metres.

**"Convention/Conference Facilities"**

means a commercial establishment used for the holding of conventions, conferences, seminars, workshops, meetings or similar activities. A convention centre may be built as part of a permitted hotel use.

**D****"Development"**

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

- Activities that create or maintain infrastructure authorized under an environmental assessment process; and,
- Works subject to the Drainage Act.

**"Drive-Through Service Facilities"**

means the use of land, buildings or structures to provide or dispense products or services through an attendant, window or automated machine to persons remaining in motorized vehicles that are in a designated stacking lane.

**"Driveway"**

means that portion of a lot used for the passage of motor vehicles from a street, lane or common element road to a parking space, parking area, or loading area, or which has a stable surface and is used for parking.

**"Dwelling Unit"**

means living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

**"Apartment Dwellings"** means a self-contained residential dwelling unit in an apartment building, or located in a mixed use building.

**"Fourplex Dwelling"** means a building that has four dwelling units, with at least one dwelling unit entirely or partially above another. A single detached, semi-detached or townhouse dwelling that has one or more additional residential units is not a fourplex.

**"Semi-Detached Dwelling"** means a building that has two dwelling units, and no dwelling unit is entirely or partially above another.

**"Single Detached Dwelling"** means a building that has one dwelling unit.

**"Duplex Dwelling"** means a Building that is contained on a single lot, that has two dwelling units, with one dwelling unit entirely or partially above the other. A single detached house that has an Accessory Residential Unit (Attached), is not a duplex.

**"Townhouse Dwelling (Back-to-Back)"** means a building that has four or more dwelling units divided vertically, including a common rear wall, each with an independent entrance.

**"Townhouse Dwelling (Block)"** means a building that has three or more dwelling units, and no dwelling unit is entirely or partially above another. They share a sidewall with a neighbouring unit and typically have a front yard and a rear yard. The front yard, and main entrance abut a private road or laneway.

**"Townhouse Dwelling (Stacked)"** means a building that has three or more dwelling units, where the units share a sidewall and have units stacked vertically (typically two or three). Each unit has an outside-facing front and back wall. Each unit has its own entrance to the front yard.

**"Townhouse Dwelling (Street)"** means a building that has three or more dwelling units, and no dwelling unit is entirely or partially above another. The dwelling units share a sidewall with a neighbouring unit and typically have a front yard and a rear yard. The front yard, and main entrance abut a public road allowance.

**"Triplex Dwelling"** means a building that has three dwelling units, with at least one dwelling unit entirely or partially above another. A single detached dwelling or semi-detached dwelling that has one or more additional residential units is not a triplex.

## E

### **"Elementary and Secondary Schools"**

means a school under the jurisdiction of a Board as defined in The Education Act, as amended from time to time, a college, a university or any other educational establishment including, but not necessarily restricted to, a nursery school or a boarding school having accessory dormitory facilities. Elementary and Secondary Schools may include either public schools, or private schools, but not a commercial school.

### **"Entertainment Facility"**

means the use of an establishment for the provision of entertainment or amusement without the necessity of active participation by the user and shall include for example, movie theatres, cinemas, venues for live theatre or dance performances, concert or lecture halls, museums, exhibition space or galleries, bingo/gaming and other assembly halls, and shall also include public dance halls, miniature golf and amusement arcades but shall not include an "Adult Entertainment Parlour".

### **"Existing Residential"**

means legally existing as of date of approval of this Zoning By-law.

## F

### **"Farmers Market"**

means a building or premise where opened spaces or stalls or sale areas that are not separated by permanent walls (but may have removable partitions) and have a maximum area of 100 square metres, are leased, rented or otherwise provided to more than 3 individual vendors for the sale of products primarily of fresh fruit, vegetables, meat, poultry, fish, dairy products, as well as trees, shrubs, plants and flowers and a limited range of canned or preserved products or other food products requiring minimal processing such as maple syrup, cheese, butter, refreshments or baked goods to the general public, but shall not include a "supermarket" or a "specialty food store".

### **"Farm Operation"**

means one or more lots utilized by a farm owner or operator for agricultural purposes.

**"Fence"**

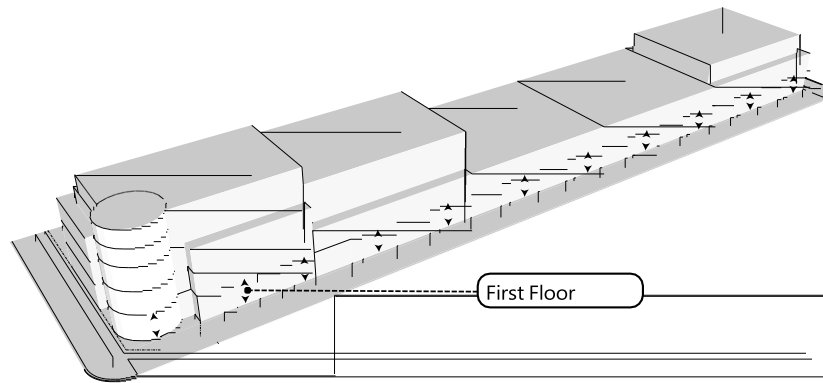
means any fence, freestanding wall or similar structure, used to delineate a property boundary, or erected within any property boundary. Fence regulations will be included in a separate By-law, and all fences will be subject to the regulations contained therein.

**"Financial Institution"**

means an institution where money is deposited, kept, lent and exchanged and shall include Trust Companies, Credit Unions, banks and other like financial institutions

**"First Floor Height"**

means the vertical height from the finished first floor elevation of the interior of the building to the ceiling of the first floor.

**"Forestry Uses"**

means the general raising and harvesting of wood and, without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products.

**"Funeral Homes"**

means a premises used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.

**G****"Garage Projection"**

means the exterior wall that accommodates the garage door, and whether or not it projects closer to the adjacent front or exterior side lot line than the main front wall of the building.

**"Golf Course"**

means land used for the playing of golf, mini-golf, driving range, and which may include a pro-shop, club house, restaurant or lounge.

**"Gross Floor Area (GFA)"**

means the total sum of the horizontal areas of a building or structure measured from the exterior faces of the exterior wall or from the centreline of any common or partition wall, but shall not include any basement, enclosed parking area, enclosed loading space, or any area used for heating equipment, or any unenclosed porch, veranda, balcony or similar structure.

# H

**“Health Services Facility”**

means establishments primarily engaged in providing medical, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, addiction treatment, mental health treatment, out-patient care facilities, physical therapy, blood banks and oxygen and miscellaneous types of medical supplies and services, but does not include a hospital.

**“Height”**

means the greatest vertical distance measured from the average finished grade adjacent to the extension walls of the building grade to:

- In the case of a flat roof, the highest point of the roof surface;
- The deck line of a mansard roof; and,
- In the case of a pitched, hip, gambrel or gabled roof, a point midway between the eaves and the ridge.

In calculating the height of a building, any construction used as ornament or for the mechanical operation of the building, such as a mechanical penthouse or a chimney, tower, cupola, steeple, church spire, belfry, water tank, clock tower, farm building, windmill, flag pole, ventilator, or antenna, is not to be included (diagram to be provided)

**"Help House"**

Means a habitable building or structure accessory to an agricultural use comprised of suites, sanitary facilities and may include communal eating and living areas for the sole purpose of accommodating agricultural workers employed or contracted by a farm operator.

**“Home Child Care”**

means the temporary care of five or less children, unless otherwise permitted under the Child Care & Early Years Act, where such care is provided within a dwelling unit as a home occupation for a continuous period not exceeding twenty-four (24) hours.

**"Home Industry"**

means a small-scale, business activity of an industrial nature accessory to a residential use or agricultural use and conducted entirely within a detached accessory building and compatible with adjacent uses. Where a home industry is accessory to an agricultural use, the use shall be located within the farm cluster of buildings, which shall include a dwelling. For the purpose of this definition, a home industry shall not include the repairing, storage or recycling of motor vehicles, mobile homes, boats, heavy equipment and recreational vehicles, which includes, but is not limited to campers, motor homes, motor cycles, all terrain vehicles, personal watercraft and snowmobiles.

**“Home Occupation”**

means a business conducted within a dwelling unit and/or within an associated accessory building by a permanent resident of the dwelling unit, generally categorized as professional office, personal service, instructional service, home artisan/craft/maker business, home child care and/or small repair service. Home occupations shall be accessory to the principal residential use.

**“Hospital”**

means a ‘hospital’ as defined by The Public Hospitals Act, R.S.O. 1990, as amended from time to time.

**"Hotel"**

means a building or group of buildings used for the purpose of catering to the needs of the public by providing accommodation for transient lodgers, with or without meals, or accommodation with small dinettes for patrons staying an extended period, and includes a motel, but shall not include a Boarding House or Residential Dwelling.

**"Impervious"** means hard surfaces, impenetrable, impermeable, paved surfaces that allow little or no stormwater infiltration into the ground. Other than exposed natural rock croppings, impervious surfaces are completely human-created and are an unnatural part of most ecosystems. Swimming Pools are not considered impervious.

**"Industrial Use (General)"**

means a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, warehousing, distribution, recycling operations and/or the bulk storage of goods and materials and related accessory uses.

Industrial uses include:

**"Manufacturing Facilities"** means the use of land, buildings or structures for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service, but shall not include any handling or recycling of hazardous waste material.

**"Warehousing and Distribution Centres"** means a building or part thereof, which is used primarily for the storage, adapting for sale, packaging or distribution of goods and merchandise to retailers and/or individual consumers.

**"Recycling Operations"** means the use of land, buildings or structures for the purpose of the processing, warehousing and/or storing of waste materials (bottles, cans, newspapers and similar household goods) that are to be reused for another purpose. All recycling operations are to be carried out within an enclosed building. A recycling operation shall not include any handling or recycling of hazardous waste material, nor does it include a salvage yards.

**"Industrial Use (Prestige)"**

means an industry which is conducted and wholly contained within an enclosed building, the operation of which does not produce emissions of odours, fumes, noise, cinder (including smoke, soot, ash), dust, vibrations, heat, glare (lighting), or electrical interference which are detectable beyond the property.

Prestige industrial uses include:

**"Business Incubator"** means an establishment that is dedicated to nurturing the development and commercialization of start-ups, early-stage companies, and established companies (enterprises) by providing incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space.

**"Pharmaceutical Production"** means the production of cosmetics, drugs and other pharmaceutical and medical supplies.

**"Garment/Fashion Industry"** means the production of apparel and finished textile products, other than the production of synthetic fibres, and other uses related to the garment/fashion industry.

**"Communication Production"** means a building or part thereof used as a studio for the production of multi-media including radio, music, television, motion pictures, podcasts and video streaming.

**“Co-Location Hub”** means a shared workshop, studio or prestige industrial space, including equipment and/or tools, shared by complementary businesses and social enterprises that may also include a function for nurturing creativity, collaboration and hands-on learning through the provision of shared do-it-yourself space.

**“Institutional Uses”**

mean the use of land, buildings or other structures for some public or social purpose but not for a commercial use or for commercial business purposes and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar but non-business uses.

## K

**"Kennel"**

means any premises where four (4) or more dogs are kept or boarded or bred in accordance with the Town's Kennel By-law.

## L

**“Landscaped Buffer”**

means an area of a lot located adjacent to a lot line, or part thereof, which shall be used for landscaped open space to achieve buffering between uses and to enhance the appearance of a site, and shall contain one (1) or more of the following:

- A continuous row of trees;
- A continuous hedgerow of evergreens or shrubs;
- A berm;
- A continuous solid fence or wall, together with landscaped open space; or,
- A discontinuous solid fence or wall, together with associated shrubs or tree planting.

**“Landscaped Open Space”**

means open space comprised of lawn, flowers, ornamental shrubs, trees or other natural vegetation. This area may include space occupied by paths, courtyards and patios, but shall not include loading or parking areas, traffic aisles, driveways, ramps, rooftop terraces, balconies, space enclosed within a building or open storage areas.

**“Lot Area”**

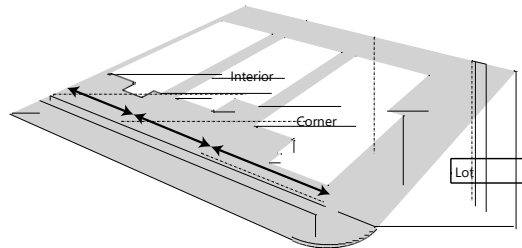
means the total horizontal area within the lot lines of a lot.

**“Lot Coverage”**

mean the percentage of the lot area covered by the first floor of all buildings and structures on the lot including the principal building or structure and all accessory buildings or structures but shall not include a parking area, a swimming pool and decks with a height less than 1.8m above grade, excluding railings and fencing.

**“Lot Frontage”**

means the horizontal distance between the side lot lines, measured at right angles along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line 6.0 metres back from and parallel to the chord of the lot frontage. For the purpose of this By-law, the chord of the lot frontage is a straight line joining the two (2) points where the side lot lines intersect the front lot line.

**"Lot Line"**

means the boundary line of a lot, commonly referred to as the property line. Lot lines include:

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

**"Front Lot Line"** means the lot line that divides a lot from the street. In the case of a corner lot, the shorter street line shall be deemed to be the front lot line, and the longer street line shall be deemed the exterior side lot line. In the case of a through lot, both of the lot lines abutting a street shall be deemed front lot lines.

**"Interior Side Lot Line"** means a lot line that connects the front lot line to the rear lot line and that does not abut a street.

**"Rear Lot Line"** means, in the case of:

- A square or rectangular lot, the lot line opposite the front lot line;
- A triangular lot, the point of the apex of the triangle furthest from the front lot line;
- An irregular shaped lot, the lot line or lot lines furthest from and opposite to the front lot line including any angled contiguous lot line adjoining it.

**M****"Major Development"**

means development consisting of:

- The creation of four or more lots;
- The construction of a building or buildings with a ground floor area of 500 square metres or more; or,
- The establishment of a major recreational use as described in section 38 of the Oak Ridges Moraine Conservation Plan.

**"Maker Space"**

means an establishment used for the purpose of producing or making and selling custom-made goods in limited quantities, using techniques that do not involve mass-production. Maker space is small in scale, occupying 200 square metres of gross floor area, or less, and produces little to no vibration, noise, fumes or other nuisances.

**“Medical Marijuana Production Facility”**

means the use of land, building or structure to possess, produce, sell, provide, ship, deliver, transport, test or destroy medical marijuana or cannabis authorized by a license issued by the federal Minister of Health, in accordance with the Cannabis Act, as amended from time to time.

**"Minimum Distance Separation Formulae (MDS)"**

means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. MDS I setbacks shall be the recommended separation between new or expanding non- agricultural uses and existing livestock or manure storage facilities. MDS II setbacks shall be the recommended separation between new or expanding livestock facilities or manure storage facilities and sensitive land uses.

**“Mixed Use”**

means a building containing residential uses and at least one other non-residential use, where there is a Ontario Building Code separation between the residential and non-residential elements.

**"Municipal Services"** shall mean existing capacity within the Town's sanitary and water systems, as well as sanitary sewers, storm sewers and drains, water mains, and roads.

## N

**"Non-Translucent Greenhouse"**

means a structure used to cultivate or grow floral, vegetable or other horticultural produce in a climatically controlled environment and made of non-translucent building material. A Cannabis Production Facility is permitted in a Non-Translucent Greenhouse.

**(By-law 2021-136)**

## O

**"Office"**

means a building or part thereof, designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration, or, where not conducted on the site, thereof, the administration of an industry, but which does not include a medical office.

**"On-Farm Diversified Uses"**

means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. (PPS, 2020)

**“Open Storage”**

means the storage of goods which are open to the air. Open storage is accessory to a permitted use.

**“Outside Sales/Rental Area”**

means an outdoor or unenclosed area used for the accessory display, rental, or sale of products or the supply of services in association with the primary use of the lot.

## P

**"Parking Area"**

means a lot, building or structure, or part thereof, provided and maintained for the temporary parking of motor vehicles and shall include all parking spaces, driveways, aisles and maneuvering areas.

**“Park Space”**

means a publicly or privately owned open space specifically defined or set aside for both active and passive recreational uses; and includes all landscaping, facilities and apparatus, playing fields, trails, utilities, buildings and other structures that are consistent with the general purposes of parkland, including community gardens.

**“Patio”**

means a platform or surfaced area without a roof, the surface of which is 0.3m or less above finished grade, which is designed and intended to be accessory to a restaurant or a retail use.

**“Place of Worship”**

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

**"Portable Asphalt Plant"**

means a facility

- With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- Which is not of permanent construction, but which is to be dismantled at the completion of the construction project (PPS 2020).

**"Portable Concrete Plant"**

means a building or structure

- With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,
- Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project (PPS 2020).

**"Private Club"**

means a lot, building or structure, or part thereof, used as a meeting place for athletic, social, community or recreational functions carried out by a private organization solely for its members and their guests.

**“Public and Private Utilities”**

means any agency, which under public franchise or ownership, or under certificate of convenience and necessity provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage, collection or other similar service.

**"Public Service Facilities"**

means lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services and cultural services. Public service facilities do not include infrastructure. (PPS, 2020)

**“Public Use”**

means the use of a lot, building or structure by a Municipal, County, Provincial, or Federal Government, or any board or commission thereof, not otherwise identified in this By-law, including, but not limited to administration offices, libraries, post offices, police stations, fire halls, schools and works yards.

**(By-law 2022-086)**

## Definitions

**R****“Recreational Camping Establishment”**

means a lot used for the placement of recreational tents and camping facilities and/or for the temporary use of recreational vehicles and may include administrative offices, a laundromat and a park.

**"Recreational Facility"**

means an establishment whose purpose is to refresh mind and body through physical sporting activities such as a health spa, fitness studio, judo, racquets, bowling, skating, curling, billiards, mini golf, driving range and any other similar sporting activities but shall not include dance halls, gaming halls, pinball and video arcades, golf courses, riding stables, go-cart tracks, amusement parks, or adult entertainment parlours.

**“Recycling Depot”**

means land which is used for the temporary storage of bottles, cans, newspapers and similar household goods for reuse, and where all storage is contained within an enclosed building. This does not include salvage yards or storage operations.

**"Redevelopment"**

means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

**“Research and Development Facilities”**

means an establishment specializing in research, development, testing and/or the creation of advanced technology products (software and or hardware), services, systems, processes, and or prototyping, including a laboratory, mechanical design studio or any other facility used for such activities. A research and development facility may include, but is not limited to sectors such as aerospace and defense, software/ computer engineering, medical or biotechnology, telecommunications, green technology, robotics and agricultural research.

**"Restaurant"**

means a business establishment, the primary function of which is to prepare and serve food and/or drink for consumption on the premises and/or within an enclosed building, or provided to the travelling public.

**“Retail Uses”**

means a building or part thereof in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public. For greater clarity, retail uses shall include those businesses which involve food preparation, provided that there is a retail component, such as a bakery or butcher.

**S****"Sensitive Land Use"**

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**(By-law 2021-136)**

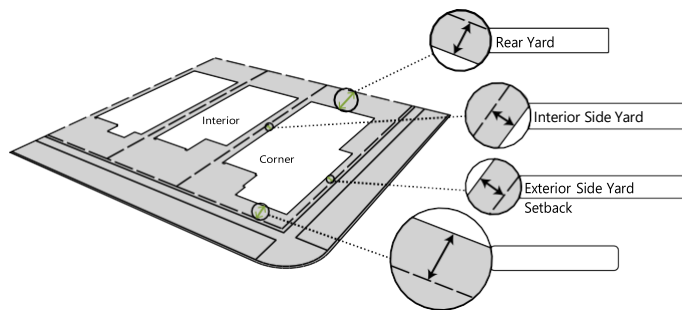
**“Service Commercial Uses”**

means a non-retail commercial use providing services such as those related to personal grooming (e.g. a barber or salon), repair of personal articles, repair of small appliances or electronics, small equipment rentals (e.g. bike rentals) or services related to the maintenance of a residence or business (e.g. private mail box, photocopying, custodial services) and excludes medically related functions and services.

**"Service Industries"** shall mean a lot and a building, or structure, or portion thereof, other than an auto-oriented use and a contractor facility, associated with the provision of a service or trade, including a plumber's shop, roofing company, a painter's shop, a courier service, a carpenter's shop, an electrician's shop, a machine shop, telecommunications services, or other similar or like uses.

**“Setback”**

means the shortest distance from a building/structure to a lot line (refer to diagram below for rear, interior side, exterior side and front yard setbacks).

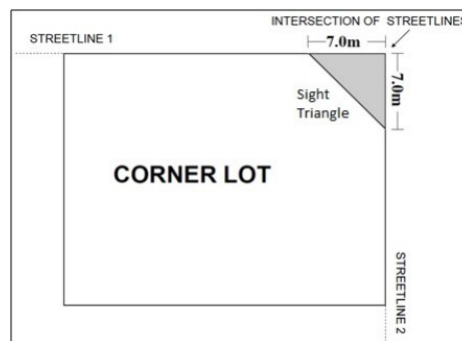


**"Shopping Centre"**

means a group of commercial uses with at least three (3) individual businesses designed and developed as a single comprehensive planned development.

**"Sight Triangle"**

means an area free of buildings or structures higher than 0.6 metres, which is determined by measuring from the point of intersection of streetlines on a corner lot, 7.0 metres distance back along the lot line.



**"Site Alteration"**

means any activity that involves the dumping, grading, removing, movement or excavating of fill or soil.

**"Special Needs Housing"**

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Child and adult day care facilities are not special needs housing. Examples of special needs housing may include, but are not limited to:

**“Emergency Shelter”** means a premises accommodating and providing temporary lodging, board, and personal support services to individuals experiencing homelessness in a 24-hour supervised setting.

**“Group Home”** means a dwelling where a household ranging from three (3) to eight (8) residents (excluding staff and the receiving family) live under supervision, and who by reason of their emotional, mental, social, physical condition, or legal status require a group living arrangement for their well-being. Group homes shall be licensed or approved for funding under an Act of the Parliament of Canada or the Province of Ontario.

**"Long Term Care Facility/Nursing Home"** means premises used to provide living accommodation and regular nursing care for persons of any age and which has personal and medical care facilities, common lounges and dining areas.

**"Residential Care Home"** means supervised living accommodation that may include associated support services, and:

- As licensed or funded under Province of Ontario or Government of Canada legislation;
- Is for persons requiring semi-independent or supervised group living arrangements; and,
- Is for more than ten persons, exclusive of staff.

An apartment building used for the purpose of supportive housing or social housing is not a residential care home.

**"Respite Care Facility"** means premises used for the provision of short-term non-emergency services for the supervised care of people of any age, in order to provide relief to their caregivers. A respite care facility may include the provision of services, such as:

- Preventive medicine;
- Counselling;
- Social, recreational or educational programs; and/or,
- Day or overnight care.

**"Retirement Home"** means premises used for semi-independent living accommodation for senior citizens primarily in bed-sitting rooms, with common dining and lounge areas. A seniors community house is not a retirement home.

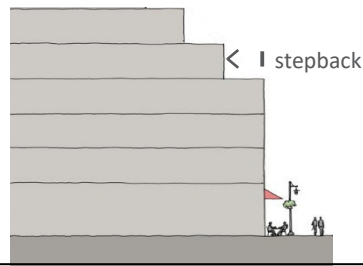
**"Seniors Community House"** means a premises operated by a non-profit organization providing living accommodation for up to ten senior citizens in bed-sitting rooms, if there is:

- A maximum of two persons for each bed-sitting room;
- Accommodation for one staff person;
- A common lounge and dining area; and,
- One or two kitchens shared by all residents.

**"Transitional Housing"** means temporary, supportive accommodation that is meant to bridge the gap from homelessness to permanent housing by offering structure, supervision, supports, life skills, and in some cases, education and training.

**“Stepback”**

means the horizontal distance a building façade above-grade is set back from the building façade immediately below it.

**"Street"**

means a highway as defined by The Municipal Act, R.S.O. 1990, as amended from time to time, and can include both private streets and those which has been assumed for public use.

**"Streetline"**

means the limit of the street right-of-way and shall be the boundary between a lot and a street.

**"Structure"**

means anything constructed or erected which requires location on or in the ground or is attached to something having location on or in the ground but shall not include a fence, a retaining wall less than 0.6m in height, a lawn ornament or a hedge.

**"Swimming Pool"**

means a structure that is filled with water and used for swimming or leisure activities. Accessory equipment for a swimming pool would be considered an accessory use or structure and would therefore be required to comply with the provisions for Accessory Uses and Buildings (2.1.3).

**T****"Taxi Stand/Dispatch Office"**

means a premises where taxis or limousine taxis are dispatched from and where such vehicles may be parked or stored while waiting for calls.

**"Translucent Greenhouse"**

means a structure to cultivate or grow floral, vegetable or other horticultural produce in a climatically controlled environment and made primarily of translucent building material. A Cannabis Production Facility is not permitted in a Translucent Greenhouse.

**(By-law 2021-136)****"Temporary Patio"**

means a patio that is temporary and moveable and that is located on a lot on a seasonal basis

**V****"Veterinary Clinic"**

means a facility where animal care or treatment is provided by one or more veterinarians, including an animal hospital, and may include the temporary indoor housing of animals so cared for or treated.

# W

## “Wall”

includes:

“**Exterior Side Wall**” means the primary exterior wall (facade) of a building, that is not a permitted projection or an attached garage or carport, which is located abutting the exterior side lot line.

“**Main Front Wall**” means the primary exterior wall (facade) of a building, that is not a permitted projection or an attached garage or carport, which is located closest to the front lot line.

## “Waste Disposal Site”

means a “Waste Disposal Site” as defined by The Environmental Protection Act, as amended.

## “Watershed Management and Flood and Erosion Control Facilities”

means works built specifically for the management of water and associated erosion control within a defined watershed or sub-watershed.

## “Wayside Pit or Quarry”

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

## “Wildlife and Fisheries Management Uses”

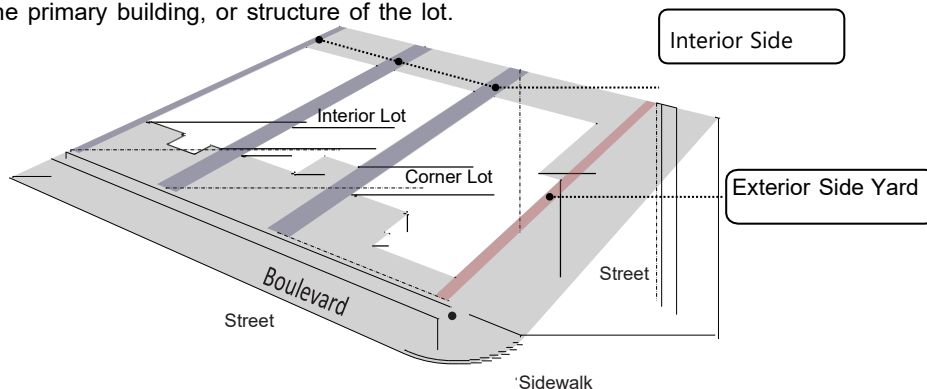
means the management of wildlife and fish habitats and populations for the purpose of sustaining and improving the quality and quantity of wildlife and fish.

# Y

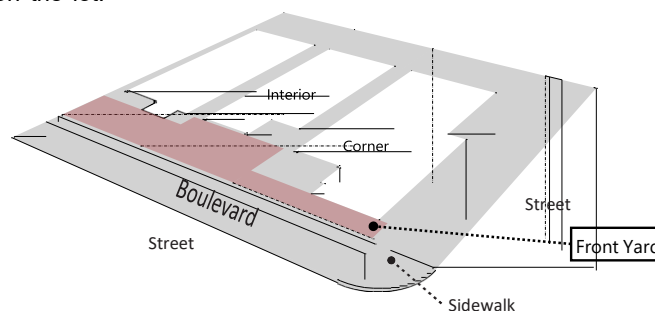
## “Yard”

includes:

“**Exterior Side Yard**” means a yard extending from the front yard to the rear yard and from the exterior side lot line to the nearest part of the primary building, or structure of the lot.

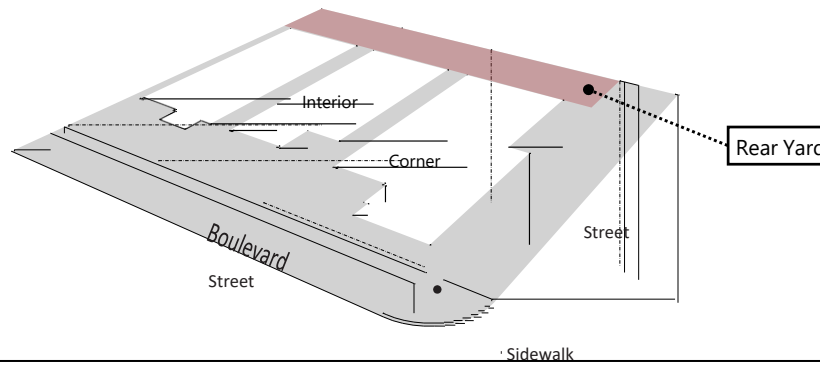


“**Front Yard**” means a yard extending across the full width of a lot between the front lot line and the nearest part of the primary building, or structure on the lot.



**“Interior Side Yard”** means a yard extending from the front yard to the rear yard and from the interior side lot line to the nearest part of the primary building, or structure on the lot.

**“Rear Yard”** means a yard extending across the full width of a lot between the rear lot line and the nearest part of the primary building, or structure on the lot.



# SECTION V EXCEPTIONS

Town of New Tecumseth - Zoning By-law

# PART V EXCEPTIONS

## 5.1 Low-Rise Residential (LR) Exceptions

### 5.1.1 LR-2 (formerly UR4-2)

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-2)” shall be subject to the following special provisions:

|          |   |
|----------|---|
| Lot area | 33.0 m <sup>2</sup> min. per dwelling unit for retirement residence |
| Height   | 20.0 m  |

**(By-law #2007-089)**

### 5.1.2 LR-4 (formerly UR1-4)

Notwithstanding Section 3.1 hereto to the contrary, lands zoned “Low-Rise Residential - Exception (LR-4)” shall be subject to the following Single Detached Dwelling provisions:

|                          |                      |
|--------------------------|----------------------|
| Single detached dwelling |                      |
| Lot area interior        | 290.0 m <sup>2</sup> |
| Lot frontage             |                      |
| Interior                 | 9.75 m*              |
| Exterior                 | 12.5 m               |
| Front yard               |                      |
| Dwelling unit            | 4.5 m **             |
| Garage                   | 6.0 m                |
| Exterior side yard       | 2.5 m                |
| Interior side yard       | 1.2 m***             |

\*For a single detached dwelling

\*\*For irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 metres

\*\*\*One interior side yard for a single detached dwelling may be reduced to 0.6m provided it abuts a side yard of 1.2 metres

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-4)” shall also be subject to the following special provisions:

- a) No greater than 62.9% of the building frontage shall be occupied by a garage
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0m.

**(By-law #2005-044, #2005-071, #2009-148 and #2011-144)**

**5.1.3 LR-5 (formerly UR1-5)**

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-5)” shall be subject to the following special provisions:

- a) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #1998-116 and #2012-156)**

**5.1.4 LR-6 (formerly UR3-6)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-6)” shall be subject to the following special provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 210.0 m <sup>2</sup> |
| Front yard         |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.5 m                |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-6)” shall also be subject to the following special provisions:

- a) A maximum of 50% of the building frontage shall be occupied by a garage.
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2005-004 and By-law #2009-148)**

**5.1.5 LR-7 (formerly UR2-7)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-7)” shall be subject to the following special provisions:

- a) Section 3.1 “Low-Rise Residential (LR)” uses shall be permitted; and,
- b) Section 3.2 “Institutional Zone (I)” uses shall be permitted.

**(By-law #1998-116)**

**5.1.6 LR-8 (formerly UR1-8)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-8)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 270.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Interior           | 9.75 m               |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*1.2 metres on one side and 0.6 metres on the other side provided it abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-8)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located on the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- d) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2011-142)**

**5.1.7 LR-9 (formerly UR2-9)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-9)” shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Basement Apartments (Accessory Dwelling Unit);
- c) Bed and Breakfast Facilities;
- d) Day Nursery;
- e) Home Occupation;
- f) Public Open Space;
- g) Single Detached Dwelling; and,
- h) Special Needs Housing

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-9)” shall be subject to the following provisions:

|                   |        |
|-------------------|--------|
| Lot frontage      | 10.0 m |
| Front yard        |        |
| Dwelling          | 5.0 m  |
| Garage            | 6.0 m  |
| Lot coverage      | 45%    |
| 2 storey Bungalow | 50%    |

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-9)” shall also be subject to the following special provision:

- a) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #1999-125 and #2013-129)**

**5.1.8 LR-10 (formerly UR1-10)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-10)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 360.0 m <sup>2</sup> |
| Exterior           | 450.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Interi             | 12.0 m               |
| or                 | 15.0 m               |
| Exteri             |                      |
| or                 |                      |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*1.2 metres on one side and 0.6 metres on the other side provided it abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-10)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located on the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- d) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2011-142)**

**5.1.9 LR-11 (formerly UR2-11)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-11)” shall also permit the following uses, but shall not permit Bed and Breakfast Facilities:

- a) Accessory Use and Building;
- b) Boarding House;
- c) Detached Single-Family Dwelling;
- d) Duplex Dwelling;
- e) Semi-Detached Dwelling House; and,
- f) Church.

**(By-law #1997-104)****5.1.10 LR-13 (formerly UR2-13)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-13)” shall be subject to the following provisions:

|                    |           |
|--------------------|-----------|
| Interior side yard | 1.2 m*    |
| Height             | 2 storeys |

\*One interior side yard setback for a single detached dwelling may be reduced to 0.6 metres provided it abuts an interior side yard of at least 1.2 metres.

**(By-law #2002-068)****5.1.11 LR-14 (formerly UR2-14)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-14)” shall be subject to the following provisions:

|                    |           |
|--------------------|-----------|
| Interior side yard | 1.2 m*    |
| Height             | 2 storeys |

\*One interior side yard setback for a single detached dwelling may be reduced to 0.6 metres provided it abuts an interior side yard of at least 1.2 metres.

- a) Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-14)” shall not be permitted to have any second storey bedroom window facing toward lands zoned “Employment Area Two (EA2)”.
- b) For the purpose of the above provision, a bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall mean a bedroom window such that any part of the sound barrier along the western boundary of lands zoned “Employment Area Two (EA2)” is visible from any part of the plane of the window.

**(By-law #2002-068)**

**5.1.12 LR-15 (formerly UR2-15)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-15)” shall be subject to the following provisions:

|                    |           |
|--------------------|-----------|
| Interior side yard | 1.2 m*    |
| Height             | 2 storeys |

\*One interior side yard setback for a single detached dwelling may be reduced to 0.6 metres provided it abuts an interior side yard of at least 1.2 metres.

- a) Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-15)” shall not be permitted to have any bedroom window facing toward lands zoned “Employment Area Two (EA2)”.
- b) For the purpose of the above provision, a bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall mean a bedroom window such that any part of the sound barrier along the western boundary of lands zoned “Employment Area Two (EA2)” is visible from any part of the plane of the window.

**(By-law #2002-068)****5.1.13 LR-20 (formerly UR2-20)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-20)” shall be subject to the following provisions:

|           |                  |
|-----------|------------------|
| Rear yard | 7.5 m<br>30.0 m* |
|-----------|------------------|

\*Minimum setback for dwellings or habitable structures on lots adjoining Canadian Pacific Railway right-of-way.

**(By-law #2003-05)****5.1.14 LR-21 (formerly UR1-21)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-21)” shall be subject to the following provisions:

|               |                      |
|---------------|----------------------|
| Lot area      |                      |
| Interior      | 360.0 m <sup>2</sup> |
| Exterior      | 450.0 m <sup>e</sup> |
| Lot           |                      |
| frontage      | 12.0 m               |
| Interior      | 15.0 m               |
| Exterior      |                      |
| Front yard    |                      |
| Dwelling unit | 4.5 m *              |
| Garage        | 6.0 m                |

|                    |         |
|--------------------|---------|
| Exterior side yard | 2.5 m   |
| Interior side yard | 1.2 m** |

\*For irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 metres

\*\*1.2 metres on one side and 0.6 metres on the other side provided 0.6 metres abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-21)” shall also be subject to the following special provisions:

- a) A maximum of 50% of the building frontage shall be occupied by a garage; and,
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2010-032)**

**5.1.15 LR-22 (formerly UR3-22)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-22)” shall be subject to the following townhouse dwelling provisions:

|                    |                                 |
|--------------------|---------------------------------|
| Lot area           | 235.0 m <sup>2</sup>            |
| Lot frontage       |                                 |
| Exterior           | 9.5 m                           |
| Interior           | 5.5 m                           |
| Front yard         |                                 |
| Dwelling unit      | 4.0 m (including front porches) |
| Garage             | 6.0 m                           |
| Exterior side yard | 2.4 m                           |
| Interior side yard | 1.2 m                           |
| Height             | 8.0 m                           |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-22)” shall also be subject to the following special provisions:

- a) No greater than 54% of the building frontage shall be occupied by a garage;
- b) Any second storey bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall not be permitted. A bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall mean a bedroom window such that any part of the sound barrier along the western boundary of the lands zoned “Employment Area Two (EA2)” is visible from any part of the plane of the window;
- c) Dwelling units may be constructed;
- d) The maximum width of the driveway shall be 6.0 metres; and,
- e) A street shall also include a private road right-of-way.

**(By-law #2010-117)**

**5.1.16 LR-23 (formerly UR3-23)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-23)” shall be subject to the following townhouse dwelling provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 180.0 m <sup>2</sup> |
| Exterior           |                      |
| Lot                |                      |
| frontage           | 6.0 m                |
| Interior           | 9.0 m                |
| Exterior           |                      |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.5 m                |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-23)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage door face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- d) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2011-142)****5.1.17 LR-24 (formerly UR2-24)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-24)” shall be subject to the following semi-detached dwelling provisions:

|                    |                               |
|--------------------|-------------------------------|
| Lot area           | 360.0 m <sup>2</sup>          |
| Lot                |                               |
| frontage           | 10.0 m                        |
| Interior           | 15.0 m                        |
| Exterior           |                               |
| Front yard         |                               |
| Dwelling unit      | 4.0 m including front porches |
| Garage             | 6.0 m                         |
| Exterior side yard | 2.4 m                         |
| Height             | 8.0 m                         |
| Lot coverage       | 50%                           |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-24)” shall also be subject to the following special provisions:

- a) No greater than 50% of the building frontage shall be occupied by a garage;
- b) Dwelling units may be constructed upon them;
- c) The minimum distance between a driveway and an intersection of a streetline, including private road intersections, shall be 3.0 metres;
- d) Seven (7) model home units may be constructed pursuant to an agreement with the Town;
- e) Street shall also include a private road right-of-way; and,
- f) The sight triangle shall be determined by measuring 3.0 metres by 3.0 metres from the point of intersection of streetlines including private roads.

**(By-law #2010-117)**

**5.1.18 LR-25 (formerly UR2-25)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-25)” shall be subject to the following semi-detached dwelling provisions:

|                    |                               |
|--------------------|-------------------------------|
| Lot area           | 360.0 m <sup>2</sup>          |
| Lot frontage       | 10.0 m                        |
| Interior           | 15.0 m                        |
| Exterior           |                               |
| Front yard         |                               |
| Dwelling unit      | 4.0 m including front porches |
| Garage             | 6.0 m                         |
| Exterior side yard | 2.4 m                         |
| Height             | 8.0 m                         |
| Lot coverage       | 50%                           |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-25)” shall also be subject to the following special provisions:

- a) No greater than 54% of the building frontage shall be occupied by a garage;
- b) Dwelling units may be constructed upon them; and,
- b) Street shall also include a private road right-of-way.

**(By-law #2010-117)**

**5.1.19 LR-26 (formerly UR2-26)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-26)” shall be subject to the following provisions:

|                   |       |
|-------------------|-------|
| Front yard        |       |
| Daylight triangle | 5.0 m |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-26)” shall also be subject to the following special provisions:

- a) An unenclosed porch, whether covered or not covered, may project into a front yard, rear yard or exterior side yard a maximum distance of 1.5 metres;
- b) An unenclosed porch or deck, whether covered or not covered, with or without footings, shall not be considered as part of the maximum permitted lot coverage; and,
- c) Section 2.31 Environmental Protection Overlay does not apply.

**(OMB Decision #PL1000682 and By-law #2011-031)**

**5.1.20 LR-27 (formerly UR2-27)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-27)” shall be subject to the following provisions:

|                    |                                     |
|--------------------|-------------------------------------|
| Lot area           |                                     |
| Exterior           |                                     |
| Interior           | 225.0 m <sup>2</sup>                |
| Lot                |                                     |
| frontage           | 7.5 m                               |
| Interior           | 10.5 m                              |
| Exterior           |                                     |
| Exterior side yard | 2.4 m                               |
| Interior side yard | 0.0 m common side; 1.2 m other side |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-27)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0m from the parallel to the chord of the lot frontage; and,
- d) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2011-142)**

**5.1.21 LR-28 (formerly UR3-28)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-28)” shall be subject to the following provisions:

|        |        |
|--------|--------|
| Height | 12.0 m |
|--------|--------|

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-28)” shall also be subject to the following special provisions:

- a) Shall have one (1) driveway with a minimum width of 6.0 metres and a maximum width not to exceed 9.0 metres.

**(By-law #2014-133)**

**5.1.22 LR-29 (formerly UR1-29)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-29)” shall be subject to the following provisions:

|          |                      |
|----------|----------------------|
| Lot area | 270.0 m <sup>2</sup> |
| Interior |                      |
| Exterior |                      |
| Lot      | 9.75 m               |
| frontage |                      |
| Interior |                      |
| Exterior | 11.55 m              |

|                    |        |
|--------------------|--------|
| Exterior side yard | 2.4 m  |
| Interior side yard | 1.2 m* |

\*One side yard may be reduced to 0.6 metres provided the distance between abutting dwellings is at least 1.8 metres. Notwithstanding where attached garages are located side by side on adjoining lots, the minimum setback for each garage shall be 0.6 metres.

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-29)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) A minimum of 36% of the front yard shall be landscaped open space for a single detached dwelling having a double car width garage;
- d) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- e) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2014-059 and #2014-125)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-29)” shall be subject to the following special provisions:

- a) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres.

**(By-law #2019-176)**

**5.1.23 LR-30 (formerly UR3-30)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-30)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 190.0 m <sup>2</sup> |
| Front yard         |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.5 m                |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-30)” shall also be subject to the following special provisions:

- a) A maximum of 50% of the building frontage shall be occupied by a garage; and,
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2015-182)**

**5.1.24 LR-31 (formerly UR3-31)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-31)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 210.0 m <sup>2</sup> |
| Front yard         |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.5 m                |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-31)” shall also be subject to the following special provisions:

- a) A maximum of 55% of the building frontage of an end unit townhouse dwelling shall be occupied by a single-car garage; and,
- b) A maximum of 56% of the building frontage of an interior townhouse dwelling shall be occupied by a single-car garage.

**(By-law #2018-095)**

**5.1.25 LR-32 (formerly UR3-32)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-32)” shall be subject to the following provisions:

|                    |  |
|--------------------|--|
| Lot area           | 200.0 m <sup>2</sup>   |
| Lot frontage       |  |
| Exterior           | 8.5 m  |
| Front yard         | 4.5 m (for irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 m) |
| Dwelling unit      |  |
| Garage             | 6.0 m  |
| Exterior side yard | 2.5 m  |
| Interior side yard | 1.2 m (one (1) interior side yard may be reduced to 0.6 m)   |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-32)” shall also be subject to the following special provisions:

- a) A maximum of 55% of the building frontage of an end unit townhouse dwelling shall be occupied by a single-car garage; and,
- b) A maximum of 56% of the building frontage of an interior townhouse dwelling shall be occupied by a single-car garage.

**(By-law #2018-095)**

**5.1.26 LR-33 (formerly UR3-33)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-33)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 190.0 m <sup>2</sup> |
| Front yard         |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.5 m                |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-33)” shall also be subject to the following special provisions:

- a) A maximum of 55% of the building frontage of an end unit townhouse dwelling shall be occupied by a single-car garage; and,
- b) A maximum of 56% of the building frontage of an interior townhouse dwelling shall be occupied by a single-car garage

**(By-law #2018-095)**

**5.1.27 LR-34 (formerly UR3-34)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-34)” shall be subject to the following provisions:

|                    |  |
|--------------------|--|
| Lot area           |  |
| Interior           | 198.0 m <sup>2</sup>   |
| Exterior           | 200.0 m <sup>2</sup>   |
| Lot frontage       |  |
| Exterior           | 8.5 m  |
| Front yard         | 4.5 m (for irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 m) |
| Dwelling unit      |  |
| Garage             | 6.0 m  |
| Exterior side yard | 2.5 m  |
| Interior side yard | 1.2 m (one (1) interior side yard may be reduced to 0.6 m)   |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-34)” shall also be subject to the following special provisions:

- a) A maximum of 72% of the building frontage of an exterior end unit townhouse dwelling shall be occupied by a double-car garage; and,
- b) A maximum of 56% of the building frontage of an interior townhouse dwelling shall be occupied by a single-car garage.

**(By-law #2018-095)****5.1.28 LR-35 (formerly UR3-35)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-35)” shall be subject to the following semi-detached dwelling provisions:

|                    |  |
|--------------------|--|
| Lot area           |  |
| Interior           | 188.0 m <sup>2</sup>   |
| Exterior           | 200.0 m <sup>2</sup>   |
| Lot frontage       |  |
| Exterior           | 8.5 m  |
| Front yard         | 4.5 m (for irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 m) |
| Dwelling unit      |  |
| Garage             | 6.0 m  |
| Exterior side yard | 2.5 m  |
| Interior side yard | 1.2 m (one (1) interior side yard may be reduced to 0.6 m)   |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-35)” shall also be subject to the following special provisions:

- a) A maximum of 55% of the building frontage of an end unit townhouse dwelling shall be occupied by a single-car garage; and,
- b) A maximum of 56% of the building frontage of an interior townhouse dwelling shall be occupied by a single-car garage.

**(By-law #2018-095)**

**5.1.29 LR-36 (formerly UR2-36)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-36)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 350.0 m <sup>2</sup> |
| Lot frontage       | 11.16 m              |
| Interior           | 13.0 m               |
| Exterior           |                      |
| Front yard setback |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.2 m*               |

\*May be reduced to 0.6m on the side that contains the attached garage

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-36)” shall also be subject to the following special provisions:

- a) A minimum of 46.2% of the front yard shall be landscaped open space;
- b) A driveway may occupy a maximum of 53.8% of the lot frontage of the lot to a maximum width of 6.0 metres;
- c) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- d) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-074)**

**5.1.30 LR-37 (formerly UR3-37)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-37)” shall be subject to the following provisions:

|                    |        |
|--------------------|--------|
| Lot frontage       | 27.1 m |
| Front yard         | 6.0 m  |
| Interior side yard | 1.2 m  |
| Height             | 12.0 m |

**(By-law #2014-126)****5.1.31 LR-38 (formerly UR2-38)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-38)” shall be subject to the following semi-detached dwelling provisions:

|               |                      |
|---------------|----------------------|
| Lot area      | 225.0 m <sup>2</sup> |
| Lot frontage  | 7.18 m*              |
| Interior      | 12.0 m               |
| Exterior      |                      |
| Front yard    |                      |
| Dwelling unit | 4.5 m                |
| Garage        | 6.0 m                |

\*For irregular shaped lots as measured on a chord parallel to front lot line at required front yard setback of 4.5 metres

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-38)” shall also be subject to the following special provisions:

- a) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- b) Section 2.31 Environmental Protection Overlay does not apply for semi-detached dwelling lots.

**(By-law #2014-074)**

**5.1.32 LR-39 (formerly UR2-39)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-39)” shall be subject to the following single detached dwelling provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 270.0 m <sup>2</sup> |
| Lot frontage       | 9.5 m                |
| Interior           | 12.5 m               |
| Exterior           |                      |
| Front yard         |                      |
| Dwelling unit      | 4.5 m*               |
| Garage             | 6.0 m                |
| Exterior side yard | 2.5 m                |
| Interior side yard | 1.2 m**              |

\*For irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 metres

\*\*One (1) interior side yard for a single detached dwelling may be reduced to 0.6 metres provided it abuts a side yard of 1.2 metres

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-39)” shall also be subject to the following special provisions:

- a) A maximum of 65% of the building frontage shall be occupied by a garage; and,
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2014-088)**

**5.1.33 LR-40 (formerly UR1-40)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-40)" shall be subject to the following provisions:

|                    |                    |
|--------------------|--------------------|
| Lot area           |                    |
| Interior           | 360 m <sup>2</sup> |
| Exterior           | 420 m <sup>2</sup> |
| Lot frontage       | 12.2 m             |
| Interior           |                    |
| Exterior           | 14.0 m             |
| Exterior side yard | 2.4 m              |
| Interior side yard | 1.2 m*             |

\*One side yard may be reduced to 0.6 metres provided the distance between abutting dwellings is at least 1.8 metres. Notwithstanding, where attached garages are located side by side on adjoining lots, the minimum setback for each garage shall be 0.6 metres.

Notwithstanding anything to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-40)" shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) A minimum of 45% of the front yard shall be landscaped open space;
- d) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- e) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2016-53)**

Notwithstanding anything to the contrary, lands zoned "Low-Rise Residential - Exception (LR-40)" shall be subject to the following special provisions:

- a) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres.

**(By-law #2019-176)**

**5.1.34 LR-41 (formerly UR2-41)**

Notwithstanding anything to the contrary, the lands zoned "Low-Rise Residential - Exception (LR-41)" shall be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey wall, balcony face or dormers located above the garage. Notwithstanding the above, in the case of a bungalow with a loft, there shall be no limit on a garage projection beyond habitable space above;
- c) Enclosed and unenclosed decks, porches, balconies, porte cocheres shall not result in the exceedance to the maximum lot coverage permitted by a floor area of:
  - i) 30.0 square metres for lots having a minimum lot frontage of 11.99 metres or less;
  - ii) 40.0 square metres for lots having a minimum lot frontage of 12.0 metres to 14.99 metres; and,
  - iii) 55.0 square metres for lots having a minimum lot frontage of 15.0 metres or greater.
- d) A minimum of 44% of the front yard shall be landscaped open space;
- e) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- f) Stairs associated with an uncovered or covered front porch and eaves are permitted to encroach 2.5 metres into the required front yard;

- g) The definition of sight triangle shall mean an area free of buildings and structures, higher than 0.6 metres which is determined by measuring from the point of intersection of streetlines on a corner lot, of a 7.0 metre by 7.0 metre distance from the corner; and,
- h) An unenclosed deck, porch balcony, porte cochere, deck or access steps, whether covered or uncovered, with or without footings, shall not be included in the lot coverage calculation regardless of the height

**(By-law #2014-102)**

**5.1.35 LR-42 (formerly UR2-42)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-42)" shall be subject to the following provisions:

|              |       |
|--------------|-------|
| Lot coverage | 47.5% |
|--------------|-------|

Notwithstanding anything to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-42)" shall also be subject to the following special provision:

- a) The minimum distance between a driveway and an intersection of a streetline shall be 6.0 metres.

**(By-law #2015-065)**

**5.1.36 LR-43 (formerly UR1-43)**

Notwithstanding anything to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-43)" shall be subject to the following special provisions:

- a) A minimum of 30% of the front yard shall be landscaped open space; and,
- b) A health services facility shall also be permitted.

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-43)" shall also be subject to the following special provision:

|                    |            |
|--------------------|------------|
| Front Yard Setback | 3.0 metres |
|--------------------|------------|

**(By-law #2020-086)**

**5.1.37 LR-44 (formerly UR2-44)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-44)" shall be subject to the following provisions:

|                    |        |
|--------------------|--------|
| Front yard         |        |
| Dwelling unit      | 5.5 m  |
| Garage             | 6.0 m  |
| Daylight triangle  | 5.0 m  |
| Exterior side yard | 3.7 m  |
| Interior side yard | 1.2 m* |
| Rear yard          | 7.0 m  |

\*May be reduced to 0.6 metres on the side that contains the attached garage

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-44)” shall also be subject to the following special provisions:

- a) Balconies, canopies, awnings, steps, unenclosed porches with or without roofs, or decks shall be allowed to encroach a maximum of 3.5 metres into the required rear yard;
- b) An unenclosed porch or deck, whether covered or not covered, with or without footings, shall not be considered as part of the maximum permitted lot coverage; and,
- c) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2017-173)**

**5.1.38 LR-45 (formerly UR2-45)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-45)” shall be subject to the following special provisions:

- a) Any dwelling on a lot adjacent to a railway right-of-way must be setback a minimum of 15 metres from the property line of the adjacent railway right-of-way; and,
- b) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2019-148)**

**5.1.39 LR-46 (formerly UR3-38)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-46)” shall be subject to the following provision:

|                  |                      |
|------------------|----------------------|
| Minimum lot area | 190.0 m <sup>2</sup> |
|------------------|----------------------|

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-46)” shall also be subject to the following special provisions:

- a) The minimum distance between a driveway and an intersection of a streetline shall be 8.0 metres; and,
- b) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2019-148)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-46)” shall also be subject to the following special provision:

- a) The maximum garage width shall be 60% of the width of the lot.

**5.1.40 LR-47 (formerly UR3-20)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-47)” shall be subject to the following townhouse dwelling provisions:

|                    |                                 |
|--------------------|---------------------------------|
| Lot area           | 235.0 m <sup>2</sup>            |
| Lot frontage       |                                 |
| Exterior           | 9.5 m                           |
| Interior           | 5.5 m                           |
| Front yard setback |                                 |
| Dwelling unit      | 4.0 m (including front porches) |
| Garage             | 6.0 m                           |
| Exterior side yard | 2.4 m                           |
| Interior side yard | 1.2 m                           |
| Height             | 8.0 m                           |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-47)” shall also be subject to the following special provisions:

- a) A maximum of 50% of the building frontage shall be occupied by a garage;
- b) Any second storey bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall not be permitted. A bedroom window facing towards lands zoned “Employment Area Two (EA2)” shall mean a bedroom window such that any part of the sound barrier along the western boundary of the lands zoned “Employment Area Two (EA2)” is visible from any part of the plane of the window;
- c) Dwelling units may be constructed;
- d) The minimum distance between a driveway and an intersection of a streetline, including private road intersections, shall be 3.0 metres;
- e) Seven (7) model home units may be constructed pursuant to an agreement with the Town;
- f) The sight triangle shall be determined by measuring 3.0 metres by 3.0 metres from the point of intersection of streetlines including private roads; and,
- g) A street shall also include a private road right-of-way.

**(By-law #2010-117)**

**5.1.41 LR-48 (formerly UR1-20)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-48)” shall be subject to the following provisions:

|                    |         |
|--------------------|---------|
| Front yard         |         |
| Dwelling unit      | 4.5 m * |
| Garage             | 6.0 m   |
| Exterior side yard | 2.5 m   |
| Interior side yard | 1.2 m** |

\*For irregular shaped interior lots with side lot lines that narrow towards the front lot line, the minimum front yard setback to any part of the dwelling is 6.0 metres

\*\*1.2 metres on one side and 0.6 metres on the other side provided 0.6 metres abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-48)” shall also be subject to the following special provisions:

- a) A maximum of 50% of the building frontage shall be occupied by a garage; and,
- b) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres.

**(By-law #2010-032)**

**5.1.42 LR-49 (formerly UR1-24)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-49)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 450.0 m <sup>2</sup> |
| Exterior           | 540.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Interior           | 15.0 m               |
| Exterior           | 18.0 m               |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*1.2 metres on one side and 0.6 metres on the other side provided it abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-49)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located on the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- d) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2011-142)**

**5.1.43 LR-50 (formerly UR1-30)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-50)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 330.0 m <sup>2</sup> |
| Exterior           | 400.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Interior           | 11.0 m               |
| Exterior           | 12.8 m               |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*One side yard may be reduced to 0.6 metres provided the distance between abutting dwellings is at least 1.8 metres. Notwithstanding where attached garages are located side by side on adjoining lots, the minimum setback for each garage shall be 0.6 metres.

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-50)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) A minimum of 45% of the front yard shall be landscaped open space;
- d) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- e) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2014-059, #2014-125 and #2016-053)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-50)” shall be subject to the following special provisions:

- a) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres.

**(By-law #2019-176)**

**5.1.44 LR-51 (formerly UR1-31)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-51)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 360.0 m <sup>2</sup> |
| Exterior           | 450.0 m <sup>2</sup> |
| Lot                |                      |
| frontage           | 13.7 m               |
| Interior           | 15.5 m               |
| Exterior           |                      |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*One side yard may be reduced to 0.6 metres provided the distance between abutting dwellings is at least 1.8 metres. Notwithstanding where attached garages are located side by side on adjoining lots, the minimum setback for each garage shall be 0.6 metres.

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-51)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) A minimum of 45% of the front yard shall be landscaped open space;
- d) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- e) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2014-059 and #2014-125)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-51)” shall be subject to the following special provisions:

- a) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres.

**(By-law #2019-176)**

**5.1.45 LR-52 (formerly UR2-33)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-52)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 350.0 m <sup>2</sup> |
| Lot frontage       | 11.6 m               |
| Interior Exterior  | 13.6 m               |
| Front yard setback | 4.5 m                |
| Dwelling unit      | 6.0 m                |
| Garage             |                      |
| Interior side yard | 1.2 m*               |

\*May be reduced to 0.6m on the side that contains the attached garage

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-52)” shall also be subject to the following special provisions:

- a) The minimum distance between a driveway and an intersection of a streetline shall be 7.9 metres;
- b) A driveway may occupy a maximum of 51.7% of the lot frontage of the lot to a maximum width of 6.0 metres;
- c) A minimum of 48.3% of the front yard shall be landscaped open space;
- d) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- e) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-074)**

**5.1.46 LR-53 (formerly UR2-34)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-53)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 300.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Exterior           | 12.0 m               |
| Front yard setback | 4.5 m                |
| Dwelling unit      | 6.0 m                |
| Garage             |                      |
| Interior side yard | 1.2 m*               |

\*May be reduced to 0.6m on the side that contains the attached garage

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-53)” shall also be subject to the following special provisions:

- a) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- b) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-074)**

**5.1.47 LR-54 (formerly UR2-35)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-54)” shall be subject to the following semi-detached dwelling provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 225.0 m <sup>2</sup> |
| Lot frontage       | 7.5 m                |
| Interior           | 9.5 m                |
| Exterior           |                      |
| Front yard setback | 4.5 m                |
| Dwelling unit      | 6.0 m                |
| Garage             |                      |

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-54)” shall also be subject to the following special provisions:

- a) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- b) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- c) Section 2.31 Environmental Protection Overlay does not apply for semi-detached dwelling lots.

**(By-law #2014-074)**

**5.1.48 LR-55 (formerly UR1-36)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-55)” shall be subject to the following provisions:

|  |                      |
|--|----------------------|
| Lot area   |                      |
| Interior   | 390.0 m <sup>2</sup> |
| Exterior   | 460.0 m <sup>2</sup> |
| Lot frontage   |                      |
| Interior   | 12.0 m               |
| Exterior   | 15.0 m               |
| Front yard   | 4.5 m                |
| Interior side yard   |                      |
| - On driveway side   | 3.4 m*               |
| - On the other side  | 1.2 m*               |
| Maximum number of accessory dwelling units                 | 1                    |
| Maximum lot coverage for bungalow and bungalow loft models | 48%                  |

\*Minimum interior side yard requirement shall only apply to interior lots having a detached garage and/or coach house in the rear yard

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-55)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey wall, balcony face or dormers located above the garage. Notwithstanding the above, in the case of a bungalow with a loft, there shall be no limit on a garage projection beyond habitable space above;
- c) Enclosed and unenclosed decks, porches, balconies, porte cocheres shall not result in the exceedance to the maximum lot coverage permitted by a floor area of:
  - i) 30.0 square metres for lots having a minimum lot frontage of 11.99 metres or less;
  - ii) 40.0 square metres for lots having a minimum lot frontage of 12.0 metres to 14.99 metres; and,
  - iii) 55.0 square metres for lots having a minimum lot frontage of 15.0 metres or greater.
- d) The minimum exterior side yard relating to an accessory building or structure having a floor area greater than 10.0 square metres shall be 5.5 metres;
- e) The minimum rear yard setback relating to an accessory building or structure that is attached to a dwelling on the lot by a covered or enclosed walkway or breezeway shall be 1.0 metres;
- f) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- g) Stairs associated with an uncovered or covered front porch and eaves are permitted to encroach 2.5 metres into the required front yard;

- h) An unenclosed deck, porch balcony, porte cochere, deck or access steps, whether covered or uncovered, with or without footings, shall not be included in the lot coverage calculation regardless of the height;
- i) The definition of sight triangle shall mean an area free of buildings and structures, higher than 0.6 metres which is determined by measuring from the point of intersection of streetlines on a corner lot, of a 7.0 metres by 7.0 metres distance from the corner; and,
- j) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-102)**

**5.1.49 LR-56 (formerly UR2-37)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-56)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           | 300.0 m <sup>2</sup> |
| Lot frontage       |                      |
| Interior           | 9.8 m*               |
| Exterior           | 13.0 m               |
| Front yard         |                      |
| Dwelling unit      | 4.5 m                |
| Garage             | 6.0 m                |
| Interior side yard | 1.2 m**              |

\*For irregular shaped lots as measured on a chord parallel to front lot line at required front yard setback of 4.5 metres

\*\*May be reduced to 0.6 metres on the side that contains the attached garage

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-56)” shall also be subject to the following special provisions:

- a) Access steps, unenclosed porches with or without roofs, eaves, gutters, decks, balconies, pillars, canopies and awnings shall be allowed to encroach 1.8 metres into the required front yard and exterior side yard; and,
- b) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-074)**

**5.1.50 LR-57 (formerly UR1-37)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-57)” shall be subject to the following provisions:

|  |        |
|--|--------|
| Front yard                                 | 4.5 m  |
| Interior side yard                         |        |
| - On driveway side                         | 3.4 m* |
| - On the other side                        | 1.2 m* |
| Maximum number of accessory dwelling units | 1      |

\*Minimum interior side yard requirement shall only apply to interior lots having a detached garage and/or coach house in the rear yard

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-57)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey wall, balcony face or dormers located above the garage. Notwithstanding the above, in the case of a bungalow with a loft, there shall be no limit on a garage projection beyond habitable space above;
- c) Enclosed and unenclosed decks, porches, balconies, porte cocheres shall not result in the exceedance to the maximum lot coverage permitted by a floor area of:
  - i) 30.0 square metres for lots having a minimum lot frontage of 11.99 metres or less;
  - ii) 40.0 square metres for lots having a minimum lot frontage of 12.0 metres to 14.99 metres; and,
  - iii) 55.0 square metres for lots having a minimum lot frontage of 15.0 metres or greater.
- d) The minimum exterior side yard relating to an accessory building or structure having a floor area greater than 10.0 square metres shall be 5.5 metres;
- e) The minimum rear yard setback relating to an accessory building or structure that is attached to a dwelling on the lot by a covered or enclosed walkway or breezeway shall be 1.0 metres;
- f) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- g) Stairs associated with an uncovered or covered front porch and eaves are permitted to encroach 2.5 metres into the required front yard;
- h) An unenclosed deck, porch balcony, porte cochere, deck or access steps, whether covered or uncovered, with or without footings, shall not be included in the lot coverage calculation regardless of the height;
- i) The definition of sight triangle shall mean an area free of buildings and structures, higher than 0.6 metres which is determined by measuring from the point of intersection of streetlines on a corner lot, of a 7.0 metres by 7.0 metres distance from the corner; and,
- j) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-102)**

**5.1.51 LR-58 (formerly UR1-38)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-58)” shall be subject to the following provisions:

|  |        |
|--|--------|
| Front yard setback                         | 4.5 m  |
| Interior side yard                         |        |
| - On driveway side                         | 3.4 m* |
| - On the other side                        | 1.2 m* |
| Rear yard                                  | 10.0 m |
| Maximum number of accessory dwelling units | 1      |

\*Minimum interior side yard requirement shall only apply to interior lots having a detached garage and/or coach house in the rear yard

Notwithstanding anything to the contrary, the lands zoned "Low-Rise Residential - Exception (LR-58)" shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey wall, balcony face or dormers located above the garage. Notwithstanding the above, in the case of a bungalow with a loft, there shall be no limit on a garage projection beyond habitable space above;
- c) Enclosed and unenclosed decks, porches, balconies, porte cocheres shall not result in the exceedance to the maximum lot coverage permitted by a floor area of:
  - i) 30.0 square metres for lots having a minimum lot frontage of 11.99 metres or less;
  - ii) 40.0 square metres for lots having a minimum lot frontage of 12.0 metres to 14.99 metres; and,
  - iii) 55.0 square metres for lots having a minimum lot frontage of 15.0 metres or greater.
- d) The minimum exterior side yard relating to an accessory building or structure having a floor area greater than 10.0 square metres shall be 5.5 metres;
- e) The minimum rear yard setback relating to an accessory building or structure that is attached to a dwelling on the lot by a covered or enclosed walkway or breezeway shall be 1.0 metres;
- f) Only one (1) accessory building or structure shall be permitted in the rear yard, having a maximum height of 3.0 metres and maximum size of 10.0 square metres;
- g) All other accessory buildings or structures shall maintain a minimum 10.0 metres rear yard setback;
- h) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- i) Stairs associated with an uncovered or covered front porch and eaves are permitted to encroach 2.5 metres into the required front yard;
- j) An unenclosed deck, porch balcony, porte cochere, deck or access steps, whether covered or uncovered, with or without footings, shall not be included in the lot coverage calculation regardless of the height;
- k) The definition of sight triangle shall mean an area free of buildings and structures, higher than 0.6 metres which is determined by measuring from the point of intersection of streetlines on a corner lot, of a 7.0 metres by 7.0 metres distance from the corner; and,
- l) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-102)**

**5.1.52 LR-59 (formerly UR1-39)**

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-59)” may also permit a Coach House in the rear yard subject to the following provisions:

|                                   |                     |
|-----------------------------------|---------------------|
| Maximum height                    | 7.5 m               |
| Maximum gross floor area          | 60.0 m <sup>e</sup> |
| Minimum parking space requirement | 1                   |
| Minimum exterior side yard        | 5.5 m               |

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-59)” shall be subject to the following provisions:

|  |        |
|--|--------|
| Front yard setback                         | 4.5 m  |
| Interior side yard                         |        |
| - On driveway side                         | 3.4 m* |
| - On the other side                        | 1.2 m* |
| Maximum number of accessory dwelling units | 1      |

\*Minimum interior side yard requirement shall only apply to interior lots having a detached garage and/or coach house in the rear yard

Notwithstanding anything to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-59)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey wall, balcony face or dormers located above the garage. Notwithstanding the above, in the case of a bungalow with a loft, there shall be no limit on a garage projection beyond habitable space above;
- c) Enclosed and unenclosed decks, porches, balconies, porte cocheres shall not result in the exceedance to the maximum lot coverage permitted by a floor area of:
  - i) 30.0 square metres for lots having a minimum lot frontage of 11.99 metres or less;
  - ii) 40.0 square metres for lots having a minimum lot frontage of 12.0 metres to 14.99 metres; and,
  - iii) 55.0 square metres for lots having a minimum lot frontage of 15.0 metres or greater.
- d) The minimum exterior side yard relating to an accessory building or structure having a floor area greater than 10.0 square metres shall be 5.5 metres;
- e) The minimum rear yard setback relating to an accessory building or structure that is attached to a dwelling on the lot by a covered or enclosed walkway or breezeway shall be 1.0 metres;
- f) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- g) Stairs associated with an uncovered or covered front porch and eaves are permitted to encroach 2.5 metres into the required front yard;

- h) An unenclosed deck, porch balcony, porte cochere, deck or access steps, whether covered or uncovered, with or without footings, shall not be included in the lot coverage calculation regardless of the height;
- i) The definition of sight triangle shall mean an area free of buildings and structures, higher than 0.6 metres which is determined by measuring from the point of intersection of streetlines on a corner lot, of a 7.0 metres by 7.0 metres distance from the corner; and,
- j) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #2014-102)**

**5.1.53 LR-60 (formerly UR2-40)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential — Exception (LR-60)" shall be subject to the following provisions:

- a) Residential Garage Protrusions: The garage face may only protrude a maximum distance of 2.5 metres beyond one (1) or more of the following:

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- i) The main wall of the dwelling;
- ii) A habitable second floor located above the garage; or,
- iii) A fully-roofed front porch or veranda.

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**(OMB Decision #PL130403)**

**5.1.54 LR-61 (formerly UR2-6)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential - Exception (LR-61)" shall be subject to the following special provision:

- a) Section 2.31 Environmental Protection Overlay does not apply.

**(By-law #1998-116 and #2012-156)**

**5.1.55 LR-62 (formerly UR1-9)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned "Low-Rise Residential - Exception (LR-62)" shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 330.0 m <sup>2</sup> |
| Exterior           | 420.0 m <sup>2</sup> |
| Lot frontage       | 11.0 m               |
| Interior           | 14.0 m               |
| Exterior           |                      |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*1.2 metres on one side and 0.6 metres on the other side provided it abuts an interior side yard of at least 1.2 metres

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-62)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located on the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres; and,
- d) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2011-142)**

**5.1.56 LR-63 (formerly UR2-46)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-63)” shall be subject to the following provisions:

|            |       |
|------------|-------|
| Front Yard | 4.0 m |
| Rear Yard  | 6.0 m |

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-63)” shall also be subject to the following special provisions:

- a) Notwithstanding the definition of lot frontage included in this By-law hereto to the contrary, the lot frontage for these lands shall be Patterson Street North.

**(By-law #2019-166)**

**5.1.57 LR-64 (formerly UR3-39)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-64)” shall be subject to the following provision:

|          |                      |
|----------|----------------------|
| Lot Area | 160.0 m <sup>2</sup> |
|----------|----------------------|

**(By-law #2019-166)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-64)” shall also be subject to the following special provision:

- a) The maximum garage width shall be 60% of the width of the lot.

**5.1.58 LR-65 (formerly UR2-48)**

Notwithstanding Section 3.1 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned “Low-Rise Residential - Exception (LR-65)” except for:

- a) Semi-detached dwellings;
- b) Single detached dwellings;
- c) Additional residential units;
- d) Pedestrian and bicycle trails;
- e) Public uses;
- f) Infrastructure; and,
- g) Accessory uses and buildings.

The zoning requirements set out in this Zoning By-law apply to the permitted uses on the lands zoned “Low-Rise Residential - Exception (LR- 65)”, with the following exceptions:

- a) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by the driveway, is 8.0 metres;
- b) The maximum width of a garage is 60 per cent of the width of the welling to a maximum of 6.0 metres;
- c) The maximum permitted lot coverage is 50 per cent;
- d) The minimum lot frontage for a semi-detached dwelling unit is 7.5 metres;
- e) The minimum lot area for a semi-detached dwelling unit is 220 square metres; and,
- f) A separate entrance may be provided for each individual dwelling unit along the front wall of a dwelling.

**(Ontario Regulation 166-21)****5.1.59 LR-66 (formerly UR3-42)**

Notwithstanding Section 3.1 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned “Low-Rise Residential - Exception (LR-66)” except for:

- a) Retirement homes;
- b) Group townhouse dwellings;
- c) Street townhouse dwellings;
- d) Additional residential units;
- d) Pedestrian and bicycle trails;
- e) Public uses;
- f) Infrastructure; and,
- g) Accessory uses and buildings.

The zoning requirements set out in this Zoning By-law apply to the permitted uses on the lands zoned “Low-Rise Residential - Exception (LR- 66)”, with the following exceptions:

- a) The minimum lot area for street townhouse dwelling units or group townhouse dwelling units is 190 square metres;
- b) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by the driveway, is 8.0 metres;
- c) The minimum required front yard setback is 6.0 metres;
- d) The maximum permitted lot coverage is 55 per cent;
- e) The maximum width of a garage is 60 per cent of the width of the lot frontage to a maximum of 6.0 metres;
- f) The minimum front yard landscaped open space is 40 per cent; and,
- g) A separate entrance may be provided for each individual dwelling unit along the front wall of a dwelling.

**(Ontario Regulation 166-21)**

**5.1.60 LR-68 (formerly UR1-41)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-68)” shall be subject to the following provisions:

|  |                      |
|--|----------------------|
| Lot area<br>Interior<br>or<br>Exterior | 270.0 m <sup>2</sup> |
|--|----------------------|

|                    |         |
|--------------------|---------|
| Lot frontage       | 9.15 m  |
| Interior           | 10.95 m |
| Exterior           |         |
| Front Yard         | 5.0 m   |
| Exterior side yard | 2.4 m   |
| Interior side yard | 1.2 m*  |
| Rear yard          | 7.5 m   |
| Height             | 11.0 m  |
| Lot coverage       | 45%     |

\*One interior side yard may be reduced to 0.6 metres where it abuts a 1.2 metre interior side yard.

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-68)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;

- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located on the garage;
- c) Notwithstanding anything to the contrary, a minimum of 36% of the front yard shall be landscaped open space for double car width garage dwellings;
- d) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres; and,
- e) Notwithstanding the definition of lot frontage included in this By-law hereto to the contrary, for the lands zoned “Low-Rise Residential - Exception (LR-68)”, where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2019-176)**

**5.1.61 LR-69 (formerly UR3-29)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-69)” shall be subject to the following provisions:

|                    |                      |
|--------------------|----------------------|
| Lot area           |                      |
| Interior           | 180.0 m <sup>2</sup> |
| Exterior           |                      |
| Lot frontage       |                      |
| Interior           | 5.6 m                |
| Exterior           | 9.2 m                |
| Exterior side yard | 2.4 m                |
| Interior side yard | 1.2 m*               |

\*A porch and second storey architectural feature shall be allowed to encroach a maximum of 0.6 metres into the required interior side yard.

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-69)” shall also be subject to the following special provisions:

- a) All garages shall be flush with or recessed from the porch or main wall face of the dwelling;
- b) The garage face shall protrude a maximum distance of 2.5 metres beyond the second storey located above the garage;
- c) The minimum distance between a driveway and an intersection of a streetline shall be 7.0 metres;
- d) The lands shall have one (1) driveway to a maximum width of 5.35 metres for double car width garage end units and 3.05 metres for single car width garage interior units;
- e) A minimum of 40% of the front yard shall be landscaped open space for a street townhouse dwelling having a double car width garage. Further, a minimum of 45% of the front yard shall be landscaped open space for a street townhouse dwelling having a single car width garage; and,
- f) Notwithstanding the definition of lot frontage included in this By-law hereto to the contrary, where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be measured by a line measured 6.0 metres from the parallel to the chord of the lot frontage.

**(By-law #2014-059)**

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-69)” shall be subject to the following special provisions:

- a) The minimum distance between a driveway on a local road and an intersection of a minor collector streetline shall be 5.5 metres. In all other cases the minimum distance shall be 6.25 metres.

**(By-law #2019-176)**

**5.1.62 LR-70 (formerly UR2-47)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-70)” shall be subject to the following provisions:

|                                     |       |
|-------------------------------------|-------|
| Minimum lot frontage                | 9.1 m |
| Minimum front yard setback Dwelling | 4.5 m |
| Garage                              | 6.0 m |

**(By-law #2020-048)**

**5.1.63 LR-71 (formerly UR3-40)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-71)” shall be subject to the following provisions:

|  |        |
|--|--------|
| Minimum front yard setback (from internal sidewalk) Dwelling           | 4.0 m  |
| Garage   | 6.0 m  |
| Interior side yard (setback between dwellings)                         | 1.2 m  |
| Rear yard setback (measurement taking from limits of subject property) | 7.0 m  |
| Maximum height   | 12.0 m |

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-71)” shall also be subject to the following special provisions:

- a) Stairs associated with an unenclosed or covered porch and eaves are permitted to project 2.5 metres into a required front yard setback; and,
- b) No portion of the driveway area shall be wider than 3.0 metres.

**(By-law #2020-048)**

**5.1.64 LR-72 (formerly UR3-41)**

Notwithstanding Section 3.1 hereto to the contrary, the lands zoned “Low-Rise Residential - Exception (LR-72)” shall also permit Back-to- Back Townhouse Units, and be subject to the following Back-to-Back Townhouse Dwelling provisions:

|  |        |
|--|--------|
| Minimum front yard setback (taking from limits of internal roadway) Dwelling | 4.0 m  |
| Garage   | 6.0 m  |
| Interior side yard (setback from internal road)                              | 1.2 m  |
| Rear yard setback  | 0.0 m  |
| Maximum height   | 12.0 m |

Notwithstanding anything to the contrary, lands zoned “Low-Rise Residential - Exception (LR-72)” shall also be subject to the following special provisions:

- a) Stairs associated with an unenclosed or covered porch and eaves are permitted to project 2.5 metres into a required front yard setback; and,
- b) No portion of the driveway area shall be wider than 3.0 metres.

**(By-law #2020-048)**

**5.1.65 UR3-44**

Notwithstanding Section 6.9 “Zone Provisions” hereto to the contrary, the lands zoned “Mid-Rise Residential – Exception (MR-2) (H)” on Schedule “A” to this By-law shall be subject to the following provisions:

|          |                                      |
|----------|--------------------------------------|
| Lot Area | 115 m <sup>2</sup> per dwelling unit |
| Height   | 12.0 m                               |

Notwithstanding anything to the contrary, lands zoned “Mid-Rise Residential - Exception (MR-2) (H)” shall also be subject to the following special provisions:

- a) Stairs associated with an unenclosed or covered porch and eaves are permitted to project 2.5 metres into a required front yard setback; and,
- b) No portion of the driveway area shall be wider than 3.0 metres.
- c) Minimum parking space requirement – 36 parking spaces

**(By-law #2022-033)**

**5.2 Mid-Rise Residential (MR) Exceptions**

**5.2.1 MR-67 (formerly UR4-5)**

Notwithstanding Section 3.1 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned “Mid-Rise Residential - Exception (MR-67)” except for:

- a) Apartment buildings;
- b) Long-term care homes;
- c) Retirement homes;
- d) Pedestrian and bicycle trails;
- e) Public uses;
- f) Infrastructure; and,
- g) Accessory uses and buildings.

The zoning requirements set out in this Zoning By-law apply to the permitted uses on the lands zoned “Mid-Rise Residential - Exception (MR-67)”, with the following exceptions:

- a) The minimum number of parking spaces per dwelling unit in an apartment building is 1.5;
- b) There is no minimum requirement for front yard landscaped open space; and,
- c) The maximum building height is 4.0 storeys.

#### **(Ontario Regulation 166-21)**

Notwithstanding anything to the contrary, lands zoned “Mid-Rise Residential - Exception (MR-67)” shall also be subject to the following special provisions:

- a) There is no angular plane requirement;
- b) The minimum front yard shall be 4.5 metres with no build-within zone requirement;
- c) The minimum exterior side yard shall be 3.0 metres with no build-within zone requirement;
- d) There is no minimum landscaped open space requirement;
- e) There is no minimum amenity space requirement; and,
- f) There is no additional visitor parking space requirement.

## **5.3 Neighbourhood Centre (NC) Exceptions**

### **5.3.1 NC-2 (formerly CC-2)**

In addition to Section 3.2, the lands zoned “Neighbourhood Centre - Exception (NC-2)” may include an Eating and Drinking Establishment and a Laundromat.

#### **(By-law #2005-034)**

### **5.3.2 NC-3 (formerly CC-3)**

In addition to Section 3.2, on the lands zoned “Neighbourhood Centre - Exception (NC-3)”, the following uses shall also be permitted:

- a) Retail Establishment;
- b) Laundromat;

- c) Health Services Establishment;
- d) Clinic;
- e) Professional, Financial and Office Support Services;
- f) Financial institution;
- g) Eating and drinking establishment;
- h) Day nursery; and,
- i) Private club.

Notwithstanding anything to the contrary, the following additional provisions shall also apply to the lands zoned "Neighbourhood Centre - Exception (NC-3)":

- a) Total gross floor area for all uses permitted within the "Neighbourhood Centre - Exception (NC-3)" zone shall not exceed 1,850 m<sup>2</sup> for the entire commercial plaza; and,
- b) No single retail establishment shall exceed a gross floor area of 929 m<sup>2</sup>.

**(By-law #2017-123)**

**5.3.3 NC-4 (formerly CC-4)**

In addition to Section 3.2, the lands zoned "Neighbourhood Centre – Exception (NC-4)" shall also permit the following:

- a) Commercial School;
- b) Day Nursery;
- c) Eating & Drinking Establishment;
- d) Health Services Establishment;
- e) Private School;
- f) Professional, Financial and Office Support Services;
- g) Retail Establishments; and,
- h) Veterinary Clinic.

Notwithstanding Section 3.2 hereto to the contrary, the lands zoned "Neighbourhood Centre – Exception (NC-4)" shall be subject to the following special provisions:

|                    |       |
|--------------------|-------|
| Exterior side yard | 3.0 m |
| Rear yard          | 3.0 m |

**(By-law #2018-077)**

**5.3.4 NC-5 (formerly CC-5)**

Notwithstanding Section 3.2 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned "Neighbourhood Centre - Exception (NC-5)" except for:

- a) Convenience retail establishments;
- b) Personal care service establishments;
- c) Health service establishments;
- d) Eating and drinking establishments;
- e) Dwelling units above a permitted non-residential use;
- f) Pedestrian and bicycle trails;
- g) Public uses;
- h) Infrastructure; and,
- i) Accessory uses and buildings.

The zoning requirements set out in this Zoning By-law apply to the permitted uses on the lands zoned "Neighbourhood Centre - Exception (NC-5)", with the following exceptions:

- a) The maximum gross floor area for an eating and drinking establishment is 300 square metres; and,
- b) An eating and drinking establishment shall not include a drive-through facility.

**(Ontario Regulation 166-21)**

Notwithstanding anything to the contrary, lands zoned "Neighbourhood Centre - Exception (NC-5)" shall also be subject to the following special provision:

- a) The requirement for the front entrance to be oriented towards an adjacent public street shall not apply.

**5.3.5 NC-6**

In addition to Section 3.2, on the lands zoned "Neighbourhood Centre - Exception (NC-6)", the following uses shall also be permitted:

- a) Drive-Through Service Facilities.

**5.4 Institutional (I) Exceptions****5.4.1 I-5**

Notwithstanding Section 3.2 hereto to the contrary, the lands zoned "Institutional - Exception (I-5)" may also be used for the following purposes:

- a) Cultural Centre; and,
- b) Radio Broadcasting Station, located on the third floor of the existing building.

Notwithstanding Section 3.2 hereto to the contrary, the lands zoned “Institutional - Exception (I-5)” shall be subject to the following provisions:

|                    |       |
|--------------------|-------|
| Front yard         | 0.0 m |
| Interior side yard | 3.0 m |

Notwithstanding anything to the contrary, the lands zoned “Institutional - Exception (I-5)” shall also be subject to the following special provisions:

- a) Minimum parking space requirement – one hundred seventy (170) parking spaces; and,
- b) Planting Strip width in association with a fence – 0.0 metres.

**(By-law #2001-093 and #2013-147)**

**5.4.2 I-6**

Notwithstanding Section 3.2 hereto to the contrary, the lands zoned “Institutional - Exception (I-6)” shall be used for no other purpose than twenty-one (21) parking spaces for the Institutional use, zoned “Institutional - Exception (I-5)”, located on Part Lot 1, Concession 14 (former) Township of Tecumseth, at 63 Tupper Street West.

**(By-law #2004-061 and #2004-108)**

**5.4.3 I-7**

Notwithstanding Section 3.2 hereto to the contrary, on the lands zoned “Institutional - Exception (I-7)” a place of worship is the only permitted use, provided all openings into buildings or structures are a minimum of 220.68 metres above sea level.

**(By-law #2007-185)**

**5.4.4 I-9**

Notwithstanding Section 3.2 hereto to the contrary, the lands zoned “Institutional - Exception (I-9)” shall be used for no other purpose except the following:

- a) Public School; and,
- b) Day Nursery.

**(By-law #2011-142)**

## 5.5 Open Space (OS) Exceptions

**5.5.1 OS-1 (formerly OS-2)**

Notwithstanding Section 3.2 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned “Open Space - Exception (OS-1)” except for:

- a) Conservation uses;
- b) Parks;
- c) Storm water management ponds;
- d) community gardens;

- e) Pedestrian and bicycle trails;
- f) Public uses;
- g) Infrastructure; and,
- h) Accessory uses and buildings.

**(Ontario Regulation 166-21)**

**5.5.2 OS-2**

Notwithstanding Section 3.2 hereto the contrary, the land zoned "Open Space — Exception (OS-2)" shall be subject to the following provisions:

|                    |       |
|--------------------|-------|
| Set back           | OS-2  |
| Exterior side yard | 6.0 m |
| Lot coverage       | 15%   |

**(By-law #2016-053)**

## 5.6 Downtown Core Commercial (DCC) Exceptions

**5.6.1 DCC-2 (formerly UCC-2)**

Notwithstanding Section 3.4 hereto to the contrary, one (1) apartment dwelling unit may be permitted on the ground floor behind the Retail Establishment on the lands zoned "Downtown Core Commercial - Exception (DCC-2)".

Notwithstanding anything to the contrary, the lands zoned "Downtown Core Commercial - Exception (DCC-2)", shall also be subject to the following special provisions:

- a) The minimum gross floor area for a bachelor dwelling unit on the ground floor shall be 37.0 square metres.

**(By-law #2003-046)**

## 5.7 Downtown Core Transitional (DCT) Exceptions

**5.7.1 DCT-1 (formerly UHC-1)**

Notwithstanding Section 3.4 hereto to the contrary, the lands zoned "Downtown Core Transitional - Exception (DCT-1)" shall be used for no other purpose than a Health Services Establishment.

**5.7.2 DCT-2 (formerly UCC-1)**

Notwithstanding Section 3.4, the lands zoned "Downtown Core Transitional - Exception (DCT-2)" may also be used for a single detached dwelling unit.

**5.7.3 DCT-3 (formerly UCC-3)**

Notwithstanding Section 3.4 hereto to the contrary, the lands zoned "Downtown Core Transitional - Exception (DCT-3)" shall also permit:

- a) Automotive Service Station; and,
- b) Notwithstanding any other provisions of this By-law, drive-through facilities are prohibited on lands zoned "Downtown Core Transitional - Exception (DCT-3)".

Notwithstanding anything to the contrary, the lands zoned “Downtown Core Transitional - Exception (DCT-3)” may be permitted to have a maximum of seven (7) vehicles in the front yard.

Notwithstanding anything to the contrary, lands zoned “Downtown Core Transitional - Exception (DCT-3)” shall also be subject to the following special provisions:

- a) The land shall be permitted to have one (1) driveway access to Main Street with a width of 10.0 metres and one (1) driveway access to Patterson Street with a width of 11.0 metres; and,
- b) The land shall be permitted to have two (2) driveways that exceed 30% of the lot frontage but are no greater than 75% of the lot frontage.

**(By-law #2009-112)**

**5.7.4 DCT-7 (formerly UHC-7)**

Notwithstanding Section 3.4 hereto to the contrary, the lands zoned “Downtown Core Transitional - Exception (DCT-7)” may be used for Professional, Financial and Office Support Services on the ground floor and two (2) Apartment Dwelling Units situated at or above grade beside such use.

**(By-law #1999-162)**

**5.7.5 DCT-8 (formerly UHC-8)**

Notwithstanding Section 3.4 hereto to the contrary, the lands zoned “Downtown Core Transitional - Exception (DCT-8)” shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Animal Hospital and Shelter;
- c) Apartment Dwelling Unit Above a Permitted Use;
- d) Convenience Retail Establishment;
- e) Eating and Drinking Establishment;
- f) Entertainment Establishment;
- g) Farmers Market;
- h) Financial Institution;
- i) Funeral Home;
- j) Garden and Landscaping Establishment;
- k) Health Services Establishment;
- l) Hotel;
- m) Merchandise Service Shop;
- n) Private Club;
- o) Professional, Financial and Office Support Services on the 2nd or 3rd Floors;

- p) Public Use;
- q) Recreation Establishment;
- r) Retail Establishment; and,
- s) Taxi Stand/Dispatch Office.

**(By-law #1999-199)**

**5.7.6 DCT-15 (formerly UHC-15)**

Notwithstanding Section 3.4 hereto to the contrary, the lands zoned "Downtown Core Transitional - Exception (DCT-15)" shall only be used for:

- a) Accessory Use and Building;
- b) Convenience Retail Establishment;
- c) Eating and Drinking Establishment (one only);
- d) Financial Institution;
- e) Health Services Establishment (one practitioner per unit); and,
- f) Retail Establishment.

Notwithstanding Section 3.4 hereto to the contrary, lands zoned "Downtown Core Transitional - Exception (DCT-15)" shall be subject to the following provision:

|                    |       |
|--------------------|-------|
| Exterior side yard | 3.7 m |
|--------------------|-------|

Notwithstanding anything to the contrary, the lands zoned "Downtown Core Transitional - Exception (DCT-15)" shall also be subject to the following special provisions:

- a) No commercial loading space shall be required; and,
- b) The minimum setback from any part of the building to the sight triangle is 1.3 metres.

**(By-law #2008-165)**

**5.7.7 DCT-17 (formerly UHC-17)**

In addition to Section 3.4, the lands zoned "Downtown Core Transitional - Exception (DCT-17)" may also be used for:

- a) Commercial School;
- b) Personal Service Establishment; and,
- c) Retail Establishment.

Notwithstanding anything to the contrary, the lands zoned “Downtown Core Transitional – Exception (DCT-17)” shall also be subject to the following special provision:

- a) A minimum of fifty (50) parking spaces shall be provided, of which a minimum of two (2) shall be accessible parking spaces.

**(By-law #2015-063)**

## 5.8 Corridor Commercial (CC) Exceptions

### 5.8.1 CC-1 (formerly SCC-4)

Notwithstanding Section 3.5 hereto to the contrary, the lands zoned “Corridor Commercial – Exception (CC-1)” shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Clinic;
- c) Commercial School;
- d) Drive-Through Facility associated with an Eating and Drinking Establishment and/or Financial Institution;
- e) Eating and Drinking Establishment;
- f) Entertainment Establishment;
- g) Farmer’s Market;
- h) Financial Institution;
- i) Fitness Centre;
- j) Garden Centre as an Accessory Use;
- k) Health Services Establishment;
- l) Personal Service Establishment;
- m) Professional, Financial and Office Support Services;
- n) Retail Establishment; and;
- o) Supermarket.

Notwithstanding Section 3.5 hereto the contrary, the lands zoned “Corridor Commercial – Exception (CC-1)”, shall also be subject to the following special provisions:

- a) A minimum setback of 3.0 metres from any Lot Line shall be required;
- b) The provisions of the “Corridor Commercial (CC)” zone and the “Corridor Commercial – Exception (CC-1)” zone shall apply to all lands zoned CC-1 as if it were one (1) lot;
- c) The maximum gross floor area of all buildings shall not exceed an aggregate total of 5,600 square metres;
- d) The maximum aggregate total gross floor area devoted to a Supermarket shall be 2,100 square metres;

- e) Minimum Parking Space Requirements – 1 parking space / 22 square metres of gross floor area; and,
- f) The definition of gross floor area in Section 4.0 shall apply except that gross floor area shall not include the area of any mezzanine or any accessory outdoor garden centre with respect to a Supermarket.

**(By-law #2016-126)**

**5.8.2 CC-4 (formerly UHC-4)**

Notwithstanding Section 3.5 hereto to the contrary, the lands zoned “Corridor Commercial - Exception (CC-4)” shall be used for no other purpose than the following:

- a) A Banquet Facility;
- b) A Commercial Health and Athletic Establishment;
- c) A Commercial/Recreational Establishment;
- d) A Day Nursery;
- e) An Eating and Drinking Establishment Accessory to a Permitted Use;
- f) A Private Park; and,
- g) Retail or Personal Service Uses Accessory to a Permitted Use.

**5.8.3 CC-6 (formerly RHC-6)**

In addition to Section 3.5, the lands zoned “Corridor Commercial - Exception (CC-6)” shall also permit an Automotive Sales Establishment.

**5.8.4 CC-12 (formerly UHC-12)**

Notwithstanding anything to the contrary, the lands zoned “Corridor Commercial - Exception (CC-12)” shall be subject to the following special provisions:

- a) The maximum design capacity of the buildings and structures for an eating and drinking establishment shall be seventy-six (76) persons; and,
- b) The total minimum parking spaces required shall be ten (10) parking spaces for an eating and drinking establishment and three (3) for residential apartment units.

**(By-law #2003-156)**

**5.8.5 CC-13 (formerly UHC-13)**

In addition to Section 3.5, the lands zoned “Corridor Commercial - Exception (CC-13)” may include a Retail Establishment.

**(By-law #2006-036)**

**5.8.6 CC-16 (formerly UHC-16)**

Notwithstanding Section 3.5 hereto to the contrary, the lands zoned “Corridor Commercial - Exception (CC-16)” shall only be used for:

- a) Accessory Use and Building;
- b) Apartment Dwelling Unit above a Permitted Use;
- c) Automobile Service Station;
- d) Car Wash; and,
- e) Convenience Retail Establishment.

**(By-law #2011-142)**

## 5.9 Major Commercial (MC) Exceptions

**5.9.1 MC-2/MC-2 (formerly SCC-2)**

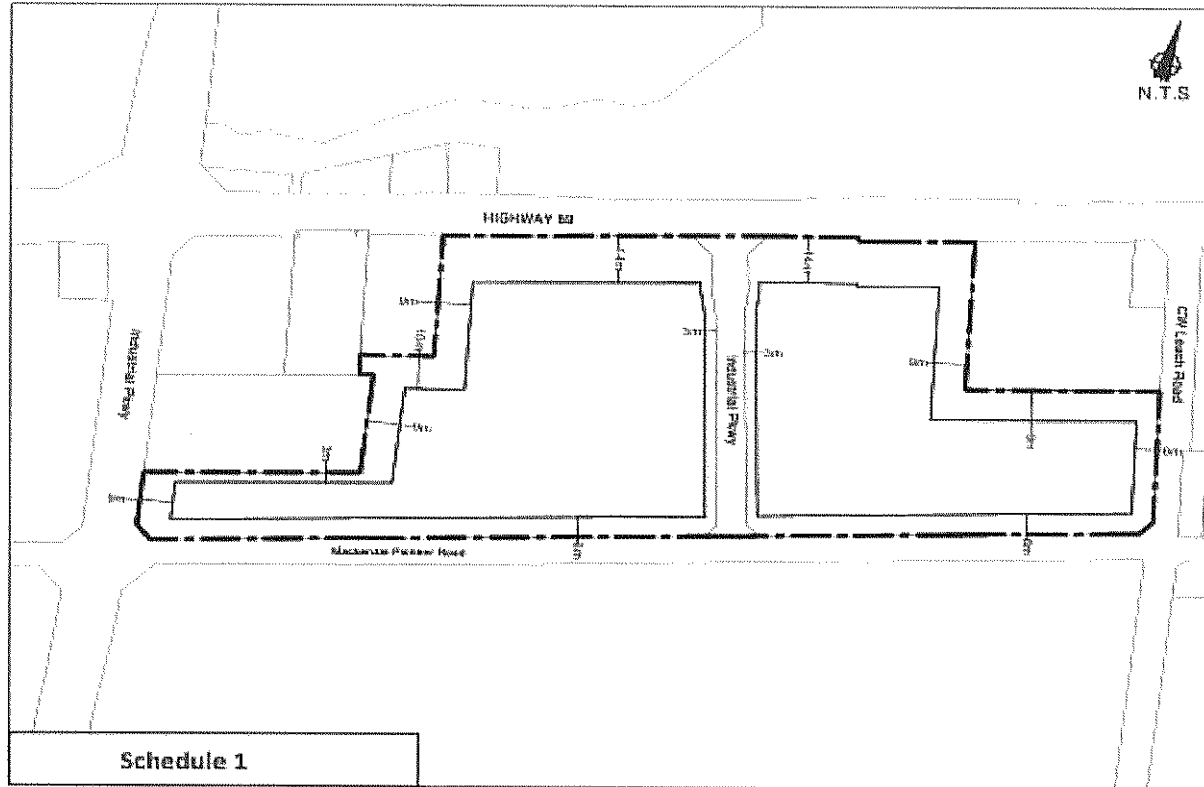
Notwithstanding Section 3.5 hereto to the contrary, the lands zoned “Major Commercial - Exception (MC-2)” shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Building Supply Centre;
- c) Convenience Retail Establishment;
- d) Department Store;
- e) Dry Cleaning Establishment;
- f) Eating and Drinking Establishment;
- g) Entertainment Establishment;
- h) Financial Institution;
- i) Garden and Landscaping Establishment;
- j) Health Services Establishment;
- k) Merchandise Service Shop;
- l) Personal Service Establishment;
- m) Professional, Financial and Office Support Services;
- n) Public Use;
- o) Retail Establishment;
- p) Service Shop;
- q) Apartment Building; and,

## r) Hotel.

Notwithstanding anything to the contrary, the lands zoned “Major Commercial - Exception (MC-2)” shall be subject to the building setbacks shown on the schedule below.

- a) The provisions of the “Major Commercial - Exception (MC-2)” zone shall apply to all lands subject to this zone as if it were one (1) lot, regardless of any future land division; and,
- b) The building setbacks of buildings existing as of the date of passing of this By-law shall be deemed to comply with the building setback shown on the schedule below.



Notwithstanding anything to the contrary, on lands zoned “Major Commercial - Exception (MC-2)”, the following regulations shall apply:

- a) The maximum gross floor area for all non-residential uses combined shall be 37,160.0 square metres;
- b) The maximum gross floor area of the department store space shall be 16,035.0 square metres, of which the maximum gross floor area used for the display, storage and preparation of food shall be 3,716.0 square metres, and the maximum gross floor area devoted to the sale of non-food products shall be 12,542.0 square metres;
- c) The maximum gross floor area of all retail establishments, other than a department store, shall be 9,012.0 square metres.
- d) Of the gross floor area permitted in iii) above, a maximum of 1,394.0 square metres may be comprised of retail establishments smaller than 280.0 square metres each;
- e) The maximum number of financial institutions shall be two (2);
- f) Apartment buildings shall be subject to the following provisions:

|              |                                      |
|--------------|--------------------------------------|
| Lot area     | 135 m <sup>2</sup> per dwelling unit |
| Lot frontage | 30.0 m                               |
| Height       | 13.0 m                               |
| Lot coverage | 50%                                  |

g) The maximum driveway width shall be 14.0 metres.

**(OMB Decision #1771; By-law #2007-222 and 2020-136)**

Notwithstanding anything to the contrary, the lands zoned “Major Commercial - Exception (MC-2)”, shall be subject to the following provisions:

- a) The maximum driveway width shall be 14.0 metres;
- b) All driveways shall be from Dunham Drive, C.W. Leach Road, and Mackenzie Pioneer Road; and,
- c) The maximum number of driveways shall be nine (9).

**(By-law #2020-136)**

**5.9.2 A2-2**

In addition to Section 3.9 “Permitted Uses Within the Agricultural Zone (A2)”, the lands zoned “Agricultural – Exception (A2-2” on Schedule “F3” to this By-law may also be used for:

- i) Contractor’s Shop or Yard

**(By-law #2022-075)**

**5.9.2 MC-3(H6) (formerly SCC-3)**

Notwithstanding Section 3.5 hereto to the contrary, on the lands zoned “Major Commercial - Exception (MC-3)”, only the following uses shall be permitted:

- a) Accessory Use and Building;
- b) One only Automobile Service Station;
- c) One only Car Wash;
- d) Eating and Drinking establishments;
- e) Entertainment Establishment;
- f) Building Supply Centre;
- g) Only one (1) Convenience Retail Store;
- h) Garden and Landscaping Establishment;
- i) Public Use;
- j) Recreation Establishment excluding an Arena; and,
- k) Supermarket.

**OLT Appeal**  
OLT-21-001535

Notwithstanding anything to the contrary, the lands zoned "Major Commercial - Exception (MC-3)" shall also be subject to the following special provisions:

a) The maximum total gross floor area of all buildings shall not exceed a total of 15,000.0 square metres;

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Exceptions

b) The maximum total gross floor area devoted to supermarket use shall be 4,275.0 square metres prior to the year 2014 and 5,205.0 square metres on or after the year 2014; and,

c) The maximum total gross floor area devoted to Convenience Retail Establishment Use shall be 275.0 square metres.

**(OMB Decision #1771 and By-law #2007-221)**

**5.9.3 MC-4 (formerly SCC-5)**

Notwithstanding anything to the contrary, the lands zoned "Major Commercial - Exception (MC-4)" shall be subject to the following special provisions:

- a) A minimum of one hundred seventy-eight (178) parking spaces shall be provide, of which a minimum of five (5) shall be accessible parking spaces;
- b) The following uses shall also be permitted: Child Care Centre, Private School, Recreational Establishment and Supermarket; and,
- c) Child Care Centre shall mean a "child care centre" as defined by the Child Care and Early Years Act, 2014, S.O. 2014, as amended from time to time.

**(By-law #2019-134)**

**5.9.4 MC-5 (formerly UHC-2)**

Notwithstanding Section 3.5 hereto to the contrary, the lands zoned "Major Commercial - Exception (MC-5)" shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Automotive Sales & Service Establishment;
- c) Automotive Service Station;
- d) Automotive Maintenance Garage;
- e) Building Supply Centre;
- f) Car Wash;
- g) Eating & Drinking Establishment;
- h) Entertainment Establishment;
- i) Farmers Market;
- j) Funeral Home;
- k) Health Services Establishment;

- l) Hotel;
- m) Merchandise Service Shop;
- n) Garden and Landscaping Establishment;
- o) Private Club;
- p) Professional, Financial and Office Support Services on the 2nd or 3rd Floors;
- q) Public Use;
- r) Recreation Establishment; and,
- s) Retail Establishment Accessory to a Permitted Use.

Notwithstanding anything to the contrary, lands zoned "Major Commercial - Exception (MC-5)" shall be subject to the following provisions:

- a) The lands shall be permitted to have one (1) driveway access to C.W. Leach Road with a maximum width of 13.0 metres; and,
- b) The lands shall be permitted to have one (1) driveway that exceeds 30% of the lot frontage but is no greater than 46% of the lot frontage.

**(By-law #2010-104)**

**5.9.5 MC-10 (formerly UHC-10)**

In addition to Section 3.5, the lands zoned "Major Commercial - Exception (MC-10)" may also be used for a Retail Establishment.

Notwithstanding any other provision of this By-law, the retail sale, display and storage of food products shall only be permitted on the lands zoned "Major Commercial - Exception (MC-10)" as an accessory use to an otherwise permitted retail establishment, and shall not exceed 1,858.0 square metres of gross floor area over the entire zone. Further, in no instance shall any Retail Establishment have more than 929.0 square metres of gross floor area devoted to the accessory sale, display and storage of food products. In addition, the maximum gross floor area of 1,858.0 square metres shall not be permitted to be added to any building or structure located in any abutting zones.

**(By-law #2002-067)**

**5.9.6 MC-11 (formerly UHC-11)**

In addition to Section 3.5 and MC-10 above, the lands zoned "Major Commercial - Exception (MC-11)" may include a Personal Service Establishment.

**(By-law #2002-133)**

**5.9.7 MC-12 (formerly SCC-5)**

In addition to Section 3.5 and Section 5.8.2 "MC-2" above, the lands zoned "Major Commercial - Exception (MC-12)" may also be used for a Public Storage Building.

**(By-law #2020-136)**

## 5.10 Employment Area One (EA1) Exceptions

### 5.10.1 EA1-1 (formerly ULM-1)

In addition to Section 3.6, the lands zoned “Employment Area One - Exception (EA1-1)” shall also include the following:

- a) Pharmacy; and,
- b) Health Services Establishment.

**(By-law #2001-165 and #2013-148)**

### 5.10.2 EA1-2 (formerly ULM-2)

Notwithstanding Section 3.6 hereto to the contrary, lands zoned “Employment Area One - Exception (EA1-2)” shall be used for no other purpose than for one (1) or more of the following:

- i) Accessory Retail Sale of Goods Produced on the Premises;
- ii) Accessory Use and Building;
- iii) Animal Hospital and Shelters;
- iv) Banquet Facility;
- v) Business Office;
- vi) Catering and Canteen Service;
- vii) Commercial School;
- viii) Contractor’s Shop (no outside storage);
- ix) Custom Workshop;
- x) Dry Cleaning Establishment;
- xi) Entertainment Establishment;
- xii) Exhibition Conference Hall;
- xiii) Health Services Establishment;
- xiv) Industrial Research and Development Establishment;
- xv) Merchandise Service Establishment;
- xvi) Museum;
- xvii) Park;
- xviii) Personal Service Establishment;
- xix) Personal Storage Units;
- xx) Printing or Publishing Establishment;

- xxi) Private Club;
- xxii) Professional, Financial and Office Support Services; and
- xxiii) Public Use Excluding any Public Residential Use;
- xxiv) Recreational Establishment; and,
- xxv) Rental Shop.

Notwithstanding anything to the contrary, the lands zoned “Employment Area One - Exception (EA1-2)” shall also be subject to the following specific provisions:

- i) All proposed uses shall be required to demonstrate that they conform to all applicable standards of the regulatory agencies regarding emissions and noise, including, but not limited to, the Ministry of Environment’s “Separation Distance Between Industrial Facilities and Sensitive Land Uses” Guideline, or its successor; and,
- ii) No outside storage is permitted.

**(By-law #2002-068)**

**5.10.3 EA1-3 (formerly UM-1)**

In addition to Section 3.6 the lands zoned “Employment Area One - Exception (EA1-3)” may also be used for a truck depot.

**5.10.4 EA1-4 (formerly UM-2)**

Notwithstanding Section 3.6 hereto to the contrary, the lands zoned “Employment Area One - Exception (EA1-4)” may also be used for professional, financial and office support services, and shall be subject to the following provisions:

|                    |        |
|--------------------|--------|
| Front yard         | 8.0 m  |
| Interior side yard | 6.0 m* |

\*North Side of property only

Notwithstanding anything to the contrary, lands zoned “Employment Area One - Exception (EA1-4)” shall also be subject to the following special provisions:

- a) These lands shall be exempt from 2.10.2 Commercial and Industrial Loading Space Requirements.

**(By-law #2000-122)**

**5.10.5 EA1-5 (formerly UM-5)**

Notwithstanding Section 3.6 hereto to the contrary, for lands zoned “Employment Area One - Exception (EA1-5)” the following additional use shall be permitted:

- a) An accessory retail outlet for a warehouse having a minimum of 1,800.0 square metres gross floor area, to a maximum accessory retail gross floor area of 25% of the total gross floor area to a maximum of 1,000.0 square metres, and a minimum accessory retail parking space requirement of one (1) parking space per 19.0 square metres gross floor area.

**(By-law #2008-049)**

## 5.11 Employment Area Two (EA2) Exceptions

### 5.11.1 EA2-1 (formerly UHC-18)

Notwithstanding Section 3.6 hereto to the contrary, the lands zoned "Employment Area Two - Exception (EA2-1)" shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Automotive Service Station;
- c) Automotive Maintenance Garage;
- d) Car Wash;
- e) Convenience Retail Establishment;
- f) Eating and Drinking Establishment;
- g) Financial Institution;
- h) Funeral Home;
- i) Health Services Establishment;
- j) Hotel;
- k) Institutional Use;
- l) Merchandise Service Establishment;
- m) Personal Service Establishment;
- n) Private Club;
- o) Professional, Financial and Office Support Services;
- p) Recreation Establishment;
- q) Retail Establishment Accessory to a Permitted Use;
- r) Taxi Stand/Dispatch Office;
- s) Truck Service Depot; and,
- t) Veterinary Clinic.

**(By-law #2015-122)**

### 5.11.2 EA2-3 (formerly ULM-3)

In addition to Section 3.6 the lands zoned "Employment Area Two - Exception (EA2-3)" shall also permit the following:

- a) Automotive Car Wash Facility;
- b) Automotive Sales and Service; and,
- c) Automotive Retail Supply Store.

Notwithstanding anything to the contrary, the lands zoned "Employment Area Two - Exception (EA2-3)" shall not permit the following:

- a) Open Storage; and;
- b) Open Storage Accessory to a Permitted Use.

**(By-law #2005-033 and #2013-146 and OMB Order 1588)**

**5.11.3 EA2-4 (formerly UM-4)**

In addition to Section 3.6, the lands zoned "Employment Area Two - Exception (EA2-4)" shall include an automotive sales and service establishment, subject to the following provision:

- a) That the display of automobiles on the site shall be limited to six (6) automobiles at any one time.

**(By-law #2007-067)**

**5.11.4 EA2-6 (formerly UM-6)**

In addition to Section 3.6, the lands zoned "Employment Area Two - Exception (EA2-6)" shall also permit the following:

- a) Animal Hospital Shelters;
- b) Automotive Sales and Service;
- c) Business Office;
- d) Car Wash;
- e) Catering and Canteen Service;
- f) Commercial School;
- g) Exhibition Conference Hall;
- h) Industrial Research and Development Establishment;
- i) Merchandise Service Establishment;
- j) Recreational Establishment; and,
- k) Rental Shop

**(By-law #2013-146)**

**5.11.5 EA2-7 (formerly RM-8)**

Notwithstanding Section 3.6 hereto to the contrary, the lands zoned "Employment Area Two - Exception (EA2-7)" shall be used for no other purpose than an abattoir.

**5.11.6 EA2-8, EA2-9 and EA2-10 (formerly UM-8, UM-9 and UM-10)**

Notwithstanding Section 3.6 hereto to the contrary, the lands zoned "Employment Area Two - Exception (EA2-8), (EA2-9) and (EA2-10)" shall be used for no other purpose than the following:

- a) Accessory Use and Building;
- b) Accessory Retail Sale of Good Produced on the Premise;
- c) Accessory Administrative Offices;
- d) Assembling and Fabricating;
- e) Automotive Body Shop;
- f) Automotive Maintenance Garage;
- g) Bulk Fuel Depot;
- h) Catering and Canteen Services;
- i) Commercial School;
- j) Computer, Electronics, Communication and Data Processing;
- k) Contractor's Shop or Yard;
- l) Dry Cleaning Establishment;
- m) Fleet Services;
- n) Industrial Research & Development Establishment;
- o) Medical Marijuana Production Facility;
- p) Medical and other health laboratories;
- q) Merchandise Service Establishment;
- r) Manufacturing, Processing, and Warehousing;
- s) Open Storage;
- t) Printing or Publishing Establishment;
- u) Propane & Natural Gas Conversion Establishment;
- v) Research and Development Facilities;
- w) Rental Shop; and,
- x) Wholesaling Establishment.

Notwithstanding anything to the contrary, the lands zoned “Employment Area Two - Exception (EA2-9)” shall also be subject to the following special open storage provisions:

- a) Outdoor storage shall be completely enclosed by screen fence no less than 2.0m in height;
- b) Outdoor storage shall only be permitted in a rear yard;
- c) Outdoor storage is only permitted as an accessory use to a permitted industrial use located on the same property;
- d) Outdoor storage shall not exceed 15% of the lot area;
- e) Outdoor storage shall not be located closer than 10.0 metres to a street; and,
- f) Open storage shall not exceed 3.0 metres in height.

**(By-law #2015-122)**

**5.11.7 EA2-13 (formerly UM-13)**

In addition to Section 3.6, the lands zoned “Employment Area Two – Exception (EA2-13)” shall also permit the following:

- a) Accessory Administrative Offices;
- b) Assembling and Fabricating;
- c) Business and professional offices associated with permitted use;
- d) Computer, Electronics and Data Processing Facilities;
- e) Fleet Services;
- f) Industrial Research & Development Establishment;
- g) Public Storage Building;
- h) Research and Development Facilities;
- i) Rental Shop; and,
- j) Wholesaling Establishment.

Notwithstanding Section 3.6 hereto to the contrary, for the lands zoned “Employment Area Two – Exception (EA2-13)” the minimum required rear yard setback shall be 4.0 metres.

## 5.12 Recreational Open Space (ROS) Exceptions

### 5.12.1 ROS-1

Notwithstanding Section 3.7 hereto to the contrary, the lands zoned “Recreational Open Space - Exception (ROS-1)” shall be used for no other purpose than a golf course, accessory dwelling for maintenance or security, accessory uses and structures, and one residential dwelling unrelated to the operation of the golf course.

**(By-law #2001-063 and #2003-120)**

## 5.13 Environmental Protection (EP) Exceptions

### 5.13.1 EP-1 (formerly EP-5)

Notwithstanding Section 3.7 hereto to the contrary, every use of land and every erection, location or use of any building or structure is prohibited on the lands zoned “Environmental Protection - Exception (EP-1)” except for:

- a) Conservation uses;
- b) Buildings or structures associated with conservation uses;
- c) Parks;
- d) Pedestrian and bicycle trails;
- e) Public uses;
- f) Infrastructure; and,
- g) Accessory uses and buildings.

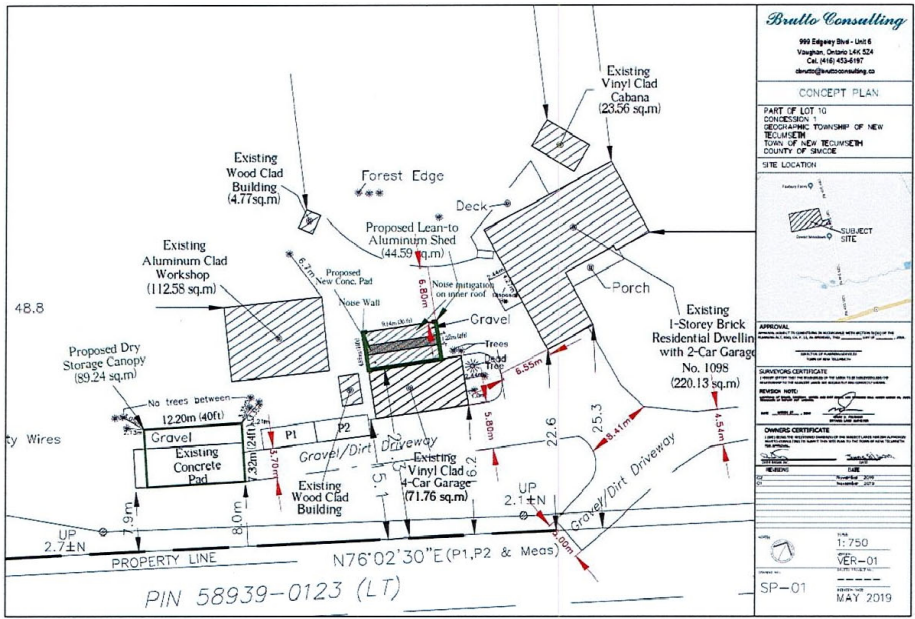
**(Ontario Regulation 166-21)**

## 5.14 Oak Ridges Moraine Environmental Protection (ORM EP) Exceptions

### 5.14.1 ORM EP-1

Notwithstanding Section 3.7 hereto to the contrary, the lands zoned “Oak Ridges Moraine Environmental Protection - Exception (ORM EP-1)” may also be used for a home industry - sawmill operation and shall be subject to the following special provisions:

- a) The establishment or expansion of uses, buildings, or structures, and development and site alteration shall be permitted within the locations as depicted on the following schedule for the purposes of a home industry - sawmill operation;
- b) Any permitted open storage associated with the home industry - sawmill operation shall be screened from view and located within a fenced compound; and,
- c) The home industry - sawmill operation shall be subject to the following:
  - i) The maximum ground floor area allowable for the home industry is limited to the buildings and structures as shown on the following schedule;
  - ii) All machinery and equipment, with the exception of motor vehicles required for the use, is located within enclosed buildings;
  - iii) The operator of the home industry permanently resides on the subject property; and,
  - iv) The home industry shall be conducted only by members of the household residing on the
  - v) premises and one (1) additional person not residing on the premise.



(By-law #2020-009)

## 5.15 Rural Highway Commercial (RHC) Exceptions

### 5.15.1 RHC-1

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial - Exception (RHC-1)” shall be used for no other purpose than the following:

- a) A lumber yard for the storage of lumber products and ancillary building supplies, and accessory buildings associated with the lumber yard; and,
- b) An accessory retail and/or wholesale commercial outlet for the sale of lumber products and ancillary building supplies provided such outlet is part of the main building used for the storage of lumber products and ancillary building supplies and occupies not more than the percent of the gross floor area of the main building or 120.0 square metres, whichever is the lesser.

Notwithstanding anything to the contrary, the gross floor area of the main building containing the uses permitted on the lands zoned “Rural Highway Commercial – Exception (RHC-1)” shall not exceed 1,120.0 square metres.

### 5.15.2 RHC-2

In addition to Section 3.8, the lands zoned “Rural Highway Commercial - Exception (RHC-2)” may also be used for a fibre optics assembly and wholesale outlet.

### 5.15.3 RHC-3

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial - Exception (RHC-3)” shall be used for no other purpose than a specialty automotive car dealership and repair shop.

### 5.15.4 RHC-4

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial - Exception (RHC-4)” shall be used for no other purpose than a Contractor’s Shop or Yard.

**5.15.5 RHC-8**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial - Exception (RHC-8)” shall only be used for the following purposes:

- a) Single Detached Dwelling;
- b) Accessory Recreational Facilities;
- c) Accessory Use and Building; and,
- d) Stormwater Management Facility.

**(By-law #2006-081)**

**5.16.5 RHC-9**

a) Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial – Exception (RHC-9)” on Schedule “F3” to this By-law shall permit only the following uses:

- b) Health Services Facility;
- c) Offices
- d) Retail Accessory to a Permitted Use; and
- e) Apartment Dwelling Unit Above a Permitted Use.

(b) Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Highway Commercial – Exception (RHC-9)” on Schedule “F3” to this By-law shall be subject to the following provisions:

|                    |               |
|--------------------|---------------|
| Lot Area           | 0.25 hectares |
| Lot Frontage       | 25 metres     |
| Interior Side Yard | 1.7 metres    |

**(By-law #2022-074)**

**5.16 Rural Industrial (RI) Exceptions**

**5.16.1 RI-3 (formerly RM-3)**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Industrial - Exception (RI-3)” shall permit only the following uses:

- a) Automotive Maintenance Garage;
- b) Automotive Body Shop Conducted within an Enclosed Building;
- c) Machinery Equipment Sales and Service Establishment;
- d) Accessory Use and Building;
- e) Accessory Administrative Office;
- f) Agricultural Processing Establishment;

- g) Accessory Open Storage to a Permitted Use; and,
- h) Animal Hospital and Shelter.

Notwithstanding Section 3.8 hereto to the contrary, lands zoned “Rural Industrial - Exception (RI-3)” shall be subject to the following provisions:

|                    |        |
|--------------------|--------|
| Interior side yard | 1.7 m* |
|--------------------|--------|

Notwithstanding anything to the contrary, the lands zoned “Rural Industrial - Exception (RI-3)” shall be subject to the following definition:

"Accessory Open Storage to a Permitted Use" shall mean a property, building, structure or part thereof used for the storage of vehicles or mechanized implements and equipment for which sales, servicing or adjustment is conducted or required, but shall not include parts, materials, portable containers, equipment, goods, liquids, compounds or products used to perform a related service or sales and refuse or by-products unless they are kept in an enclosed structure.

**(By-law #2005-152)**

**5.16.2 RI-4 (formerly RM-4)**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Industrial - Exception (RI-4)” shall be used for no other purpose than an internal compartmentalized rental storage building, a single detached dwelling and accessory uses.

**5.16.3 RI-7 (formerly RM-7)**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Industrial - Exception (RI-7)” shall be used for no other purpose than two (2) dwelling units, an Automotive Body Shop, and a machine shop.

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Industrial - Exception (RI-7)” shall be subject to the following provisions:

|              |        |
|--------------|--------|
| Lot frontage | 35.0 m |
| Rear yard    | 7.0 m  |

**(By-law #1999-011)**

**5.16.4 RI-9 (formerly RM-9)**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Rural Industrial - Exception (RI-9)” shall be used for no other purpose than the following:

- a) Accessory Administrative Office;
- b) Accessory Retail Sale of Goods Produced, Processed or Warehoused on the Premises;
- c) Accessory Use and Building;
- d) Contractor’s Shop or Yard;
- e) Machinery and Equipment Sales and Service Establishment;
- f) Open Storage; and,

## g) Light Manufacturing, Processing and Warehousing Facilities.

All of the above uses are to be “Dry” in nature. For the purposes of this Section “Dry” shall be defined as uses which do not rely on water and/or discharge for processing, cooling, or washing as part of the manufacturing, processing, assembly, fabricating, repairing, packaging, warehousing and do not generate water other than domestic type waste.

For the purposes of this Section “Light” shall mean uses which have the minimum influence area or range in which an adverse effect would be or is experienced, in accordance with the standards from time to time set by the Ministry of Environment for industrial uses.

Notwithstanding Section 3.8 hereto to the contrary, lands zoned “Rural Industrial - Exception (RI-9)” shall be subject to the following provisions:

|              |        |
|--------------|--------|
| Lot area     | 2.5 ha |
| Lot coverage | 35%    |

Notwithstanding anything to the contrary, the lands zoned “Rural Industrial - Exception (RI-9)” shall also be subject to the following special provision:

- a) Lot coverage shall not exceed a maximum of 35%, and shall apply only to that portion of the subject lands which is zoned “Rural Industrial - Exception (RI-9)”, being approximately 2.5ha in size;
- b) All open storage areas shall be screened from view from any street or urban residential or communally serviced residential zone and/or use with a planting strip of solid wood fence or wall, or combination thereof;
- c) The total area used for the purposes of open storage shall be limited to a maximum of 900.0 square metres; and,
- d) At such time as new or further development is proposed, a planting strip in accordance with the provisions of Section 2.8 Landscaped Buffer shall be provided on the lands zoned “Rural Industrial - Exception (RI-9)” beginning at a point on the northern lot line 185.0 metres west of the front lot line and extending westerly from said point.

**(By-law #1998-042)****5.17 Extractive Industrial (EI) Exceptions****5.17.1 EI-1**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Extractive Industrial - Exception (EI-1)” shall not be permitted to be used for “concrete manufacturing”.

Notwithstanding Section 3.8 hereto to the contrary, lands zoned “Extractive Industrial - Exception (EI-1)” shall be subject to the following provisions:

|              |                        |
|--------------|------------------------|
| Height       | 12.0 m                 |
| Lot coverage | 4,645.0 m <sup>2</sup> |

Notwithstanding anything to the contrary, lands zoned “Extractive Industrial - Exception (EI-1)” shall also be subject to the following special provision:

- a) A 15.0m planting strip shall be located along all property lines.

**(By-law #2004-042)**

**5.17.2 EI-2**

Notwithstanding Section 3.8 hereto to the contrary, the lands zoned “Extractive Industrial - Exception (EI-2)” shall be used for no other purpose than for one or more of the following:

- a) Accessory Administrative Offices;
- b) Accessory Open Storage;
- c) Accessory Use and Building;
- d) Aggregate Processing and Storage;
- e) Agriculture (not including a dwelling unit);
- f) Concrete Manufacturing; and,
- g) All uses Included in Table 1.

The following additional uses are permitted as

defined in Table 1: Table 1

| Permitted Uses  | Definitions   |
|---|---|
| Contractor’s Shop or Yard   | The use of land for the provision of building, lumber, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving (but excluding an asphalt plant), road, sewer or other construction services which require on-site storage space for materials, construction equipment or vehicles including, office or technical support service areas in conjunction with these uses. The general maintenance and servicing of machinery and equipment shall occur within the building. The minimum required floor area per contractors shop shall be 1,393.0m <sup>2</sup> . |
| Fleet Services  | A service providing a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or lease. This includes tour services, rental of trucks larger than 1,000.0kg, bus lines, messenger and courier services but shall not include a taxi stand/dispatch. Maintenance, servicing and storage are permitted as accessory uses within the building. Office or technical support service areas in conjunction with these uses shall also be permitted.   |
| Machinery and Equipment Sales and Service                                       | The use of any lot, building or structure where new and/or used commercial, agricultural or construction equipment and vehicles are stored for the purpose of rental, sale or repair. Office or technical support service areas in conjunction with these uses shall also be permitted.   |
| Manufacture or Assembly of Recreational Vehicles, Mobile Homes or Modular Homes | The use of a lot, building or structure for the combining of components brought to the site including but not limited to lumber, windows, doors, cabinets, fixtures, flooring, exterior cladding, wiring and plumbing to construct a recreational vehicle, mobile or modular home. The construction of the recreational vehicles, mobile or modular homes shall occur inside the building.  |
| Recreational Vehicle  | A vehicle designed to be used as temporary accommodation for travel, vacation or recreational use, including, travel trailers, and slide-in truck campers but not including motor homes.  |

|   |   |
|---|---|
| Light Manufacture & Assembly #1           | The use of a building, structure or lot for the processing, assembly or disassembly of items within an enclosed building, and includes but is not limited to: apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewellery, instruments, computers, appliances, printing and electronic devices, doors and windows, but shall not include food processing or any use which may be deemed to be “noxious”. Office or technical support service areas in conjunction with these uses shall also be permitted.   |
| Light Manufacture & Assembly #2           | The use of a building, structure or lot for the processing, assembly or disassembly of items within an enclosed building and includes uses such as vinyl, plastic extrusions or mouldings, metal products, light automobile components, pre-engineered flooring and hardwood flooring but shall not include the processing of raw materials (for the purpose of creating metals, plastics, vinyl, chemical and synthetic materials) and shall not include heavy ironworks, smelting, refining, rolling, forging, foundry or stamping plants, and similar noxious uses. Office or technical support service areas in conjunction with these uses shall also be permitted |
| Building Material Manufacture and Storage | The use of a building, structure or lot for the manufacture of lumber products, wood trusses, joists and storage of materials used in that process. Storage of other building material such as insulation, roofing materials, doors, windows, ceramic tile shall be permitted but shall not include a showroom or accessory sales. Office or technical support service areas in conjunction with these uses shall also be permitted.  |
| Wholesale Establishment                   | A building used for the purpose of selling goods, wares or merchandise to retailers or other business users, including other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or businesses. Office or technical support service areas in conjunction with these uses shall also be permitted. Direct wholesale or retail sales to the public, membership warehouse/club and retail warehouse uses are prohibited.   |
| Warehouse Facilities                      | The use of a building for the storage of merchandise or commodities which may include auto parts warehousing and distribution but shall not include food storage, a retail warehouse or a mini-storage. Office or technical support service areas in conjunction with these uses shall also be permitted.   |
| Research and Development Establishment    | The use of a building, structure or lot for scientific research and product development and technology development which may include: automotive, aeronautical, aerospace, data and design. It shall not include food processing or any use which may be deemed to be “noxious”. Office or technical support service areas in conjunction with these uses shall also be permitted.  |

Notwithstanding Section 3.8 hereto to the contrary, lands zoned “Extractive Industrial - Exception (EI-2)” shall be subject to the following provisions:

|              |                                 |
|--------------|---------------------------------|
| Height       | 12.0 m                          |
| Lot coverage | 11.0 %<br>5.0% for Table 1 uses |

Notwithstanding anything to the contrary, lands zoned “Extractive Industrial - Exception (EI-2)” shall be subject to the following provision:

- a) A 15.0m planting strip shall be located along all property lines.

**(By-law #2004-042 and #2009-083)**

## 5.18 Agricultural One Zone (A1) Exceptions

### 5.18.1 A1-4

Notwithstanding Section 3.9, the lands zoned “Agricultural One - Exception (A1-4)” may also be used for the storage shop of a well drilling operation.

**(By-law #1998-065)**

### 5.18.2 A1-5

Notwithstanding Section 3.9 hereto to the contrary, the lands zoned “Agricultural - Exception (A1-5)” may also be used for the following:

- a) Automotive Maintenance Garage; and,
- b) Art Gallery/Handicraft Workshop Establishment.

Notwithstanding anything to the contrary, the lands zoned “Agricultural - Exception (A1-5)” shall be subject to the following special provisions:

- a) A maximum expansion of 25% to the original gross floor area of the existing automotive maintenance garage and art gallery/ handicraft workshop buildings may be permitted for those purposes; and,
- b) Expansion of any existing buildings for one (1) or more permitted Agricultural uses shall conform to the applicable zone provisions.

**(By-law #1998-161)**

### 5.18.3 A1-7

Notwithstanding Section 3.9 hereto to the contrary, the lands zoned “Agricultural - Exception (A1-7)” may also be used for a veterinary/ equine clinic and a dwelling unit within the veterinary/equine clinic, as an accessory use.

**(By-law #1999-013)**

### 5.18.4 A1-9

Notwithstanding Section 3.9 hereto to the contrary, the lands zoned “Agricultural - Exception (A1-9)” shall not permit livestock and/or related livestock farming activities within the barn existing on April 13, 2004.

**(By-law #2004-055)**

### 5.18.5 A1-10

Notwithstanding anything to the contrary, the lands zoned “Agricultural - Exception (A1-10)” shall include the following:

- a) That the single detached dwelling may also be used for a Heritage Tourist Inn, and that the dwelling shall not be required to be the permanent residence of the host(s), and further that live entertainment shall not be permitted.

**(By-law #2005-172)**

**5.18.6 A1-11**

Notwithstanding Section 3.9 hereto the contrary, the lands zoned "Agricultural - Exception (A1-11)" shall not be developed or used for any residential purpose.

**(By-law #2008-076 and #2012-143)**

**5.18.7 A1-13**

In addition to Section 3.9, the lands zoned "Agricultural - Exception (A1-13)" may also be used for a help house with a maximum floor area of 255.0 m<sup>2</sup>, constructed in advance of a single detached dwelling occupied by a farm operator, and subject to the following provisions:

- a) The two (2) dwelling units occupied only by the farm operator and the full time farm help, together with their respective families;
- b) Both the farm operator and the full time farm help work on the farm and derive their main source incomes from the farm operation and it is essential that the farm helper reside on the farm;
- c) The help house shall be provided in accordance with the zone provisions as set out for the Agricultural Zone;
- d) A help house shall not be permitted in the required **front** or **exterior side yards**;
- e) Prior to the construction of the help house, the owner shall obtain from the Town a Building Permit specifying that the use of the house is for Agricultural purposes;
- f) A single detached dwelling shall have a minimum floor area of 65.0 m<sup>2</sup> and a maximum floor area of 116.0 m<sup>2</sup> and a maximum height of 8.8 m or two (2) storeys;
- g) A mobile home shall have a minimum floor area of 28.0 m<sup>2</sup>;
- h) A bunkhouse shall have a minimum floor area of 65.0 m<sup>2</sup> or 8.0 m<sup>2</sup> per resident, whichever is greater, and shall have a maximum height of 8.8 m or two (2) storeys;
- i) Notwithstanding the above, temporary trailers for the housing of seasonal farm help shall be permitted in accordance with the Town's Trailer By-law; and,
- j) Notwithstanding the above, a help house within the Oak Ridges Moraine Area shall be a temporary, mobile or portable unit and shall not include a single detached dwelling.

**(By-law #2010-079 and #2003-120 as adopted and approved by MMAH July 6, 2009)**

**5.18.8 A1-14**

Notwithstanding Section 3.9 hereto the contrary, the lands zoned “Agricultural - Exception (A1-14)” shall be permitted to be used for two (2) existing single detached dwellings, one (1) as an accessory permanent dwelling, in the locations depicted on the schedule below.

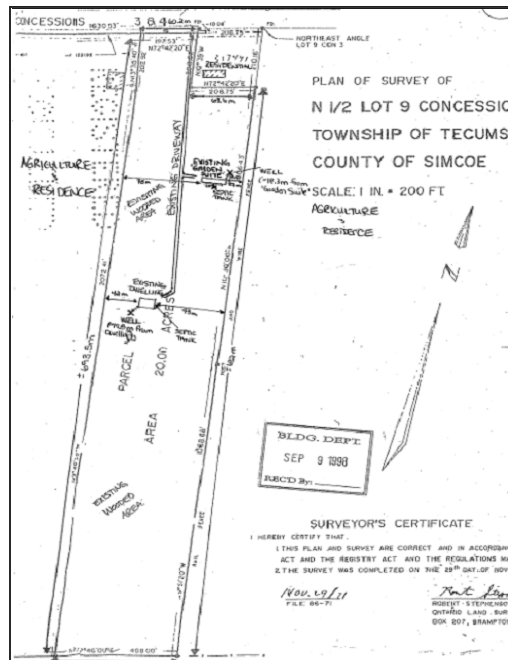
**(By-law #1998-130 and By-law #2011-028)**

**5.18.9 A1-15**

Notwithstanding Section 3.9 hereto the contrary, the lands zoned “Agricultural - Exception (A1-15)” shall be subject to the following special provisions:

|                    |                                   |
|--------------------|-----------------------------------|
| Lot area           | 1,858.06 m <sup>2</sup>           |
| Lot frontage       | 30.48 m                           |
| Interior side yard | 1.95 m (east)*<br>0.67 m (west) * |
| Rear yard          | 0.79 m -                          |
| Lot coverage       | 22%                               |

\*The setbacks as noted in By-law #2011-093 shall only apply to the structures as illustrated on the schedule included below. Any other new structures or additions to existing structures shall conform to the general Agricultural Zone provisions as set out in Section 3.9 of this By-law.

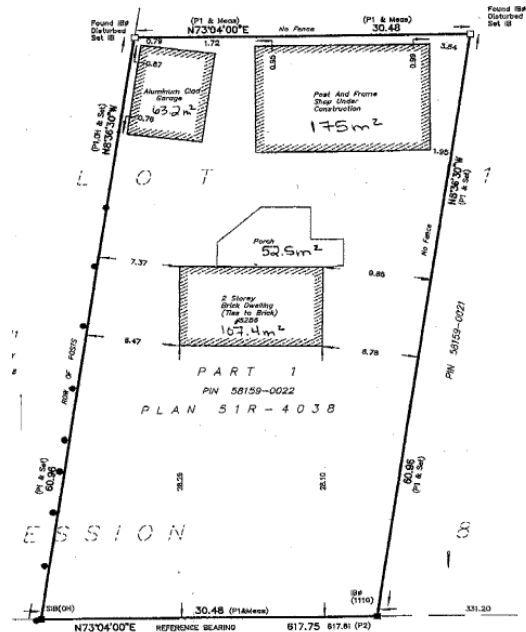


**(By-law #2011-093)**

**5.18.10 A1-17**

Notwithstanding anything to the contrary, the lands zoned "Agricultural - Exception (A1-17)" may also be used for a home industry - carpentry shop, and shall be subject to the following special provisions:

- a) A maximum square footage allowable for the home industry is 6,400 ft<sup>2</sup>;
- b) A maximum number of employees permitted for the home industry is eight (8), not including the property owner;
- c) That the owner of the home industry permanently resides on the subject property;
- d) That no outside storage be permitted for the purposes of the home industry;
- e) A maximum 9.2 m driveway width be permitted for the purposes of the home industry; and,
- f) That no external equipment or machinery, including items such as dust collection systems which may produce excessive noise, be permitted for the purposes of the home industry without an amendment to this By-law.



**(By-law #2019-110)**

**5.18.11 A1-18 (formerly A1-17)**

Notwithstanding anything to the contrary, the lands zoned "Agricultural - Exception (A1-18)" may also be used for an automotive maintenance garage, and shall be subject to the following special provisions:

- a) Buildings and structures associated with the automotive maintenance garage shall not exceed 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>); and,
- b) An "Automotive Maintenance Garage" shall mean a lot, building or structure used for the repair or replacement of parts in a motor vehicle and without limiting the generality of the foregoing, includes the repair or replacement of muffler, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical or electrical parts of systems, the installation of undercoating, engine tuning, lubrication and engine conversion or replacement but shall not include an automotive body shop, a gas bar, a car wash, a salvage yard or a tow truck business/impound yard.

**(By-law #2019-175)**

**5.18.12 A1-19**

Notwithstanding anything to the contrary, the lands zoned “Agricultural - Exception (A1-19)” may also be used for a single permanent help house with a maximum gross floor area of 212 m<sup>2</sup>, constructed in advance of a single detached dwelling occupied by a farm operator.

(By-law #2021-018)

## 5.19 Agricultural Two Zone (A2) Exceptions

**5.19.1 A2-1**

In addition to Section 3.9, the lands zoned “Agricultural - Exception (A2-1)” may also be used for a kennel.

Notwithstanding Section 3.9 hereto to the contrary, the lands zoned “Agricultural - Exception (A2-1)” shall be subject to the following special provision:

a) Buildings and structures associated with kennels shall conform to the “Agricultural Zone (A1)” setback requirements.

## 5.20 Oak Ridges Moraine - Natural Linkage Zone (ORM NL) Exceptions

**5.20.1 ORM NL-1**

Notwithstanding anything the contrary, the lands zoned “Oak Ridges Moraine - Natural Linkage - Exception (ORM NL-1)” may also be used for a home industry - sawmill operation and shall be subject to the following special provisions:

- a) The establishment or expansion of uses, buildings, or structures, and development and site alteration shall be permitted within the locations as depicted on the following schedule for the purposes of a home industry - sawmill operation;
- b) Any permitted open storage associated with the home industry - sawmill operation shall be screened from view and located within a fenced compound; and,
- c) The home industry - sawmill operation shall be subject to the following:
  - i) The maximum ground floor area allowable for the home industry is limited to the buildings and structures as shown on the following schedule;
  - ii) All machinery and equipment, with the exception of motor vehicles required for the use, is located within enclosed buildings;
  - iii) The operator of the home industry permanently resides on the subject property; and,
  - iv) The home industry shall be conducted only by members of the household residing on the premises and one (1) additional person not residing on the premise.



# SECTION VI HOLDING ZONES

Town of New Tecumseth - Zoning By-law

# SECTION VI HOLDING ZONES

- a) Where any zone symbol includes the suffix (H), no lot shall be used nor building or structure erected, located or used thereon until the suffix (H) has been removed from the zone symbol by a By-law passed pursuant to Section 36 of The Planning Act, R.S.O. 1990, as amended from time to time. Notwithstanding the above, uses existing on the date that the Holding Zone is approved are permitted to continue and shall be subject to the applicable provisions of this By-law.

## 6.1 Applied Holding Zones

- a) Where a Holding Symbol (H) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol (H) upon the Town being satisfied that adequate sanitary, water, stormwater management, and transportation services and facilities are, or can be made available to service those lots.

**(By-law #2003-005, #2005-126, #2006-012 and #2006-013)**

- b) Where a Holding Symbol (H2) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol (H2), upon the Town being satisfied that adequate sanitary, water, storm water management, and transportation services and facilities are or can be made available to serve the proposed development. Nothing in the Oak Ridges Moraine Conservation Plan shall prevent the removal of the Holding Symbol (H2).

**(By-law #1998-116 and #2003-120 as adopted and approved by MMAH July 6, 2009)**

- c) Where a Holding Symbol (H3) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol (H3), upon the Town being satisfied that adequate sanitary, water, stormwater management, and transportation services and facilities are, or can be made available to service those lots, and upon the Town being satisfied with the location and configuration of residential lotting.

**(By-law #2005-126)**

- d) Where a Holding Symbol (H4) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol (H4), upon the Town being satisfied that:
- i) Adequate sanitary, water and storm water services and facilities are available or can be made available to service the lots; and,
  - ii) The lands comply or have been remediated to comply with the applicable Ministry of the Environment criteria for residential use at contaminated sites in Ontario.

**(By-law #2005-153)**

- e) Where a Holding Symbol (H5) appears on Schedules to this By-law, it shall only be used for Agricultural purposes prior to the removal of the holding symbol. Removal of the Holding Symbol (H5) may occur once uncommitted servicing capacity has been allocated to the subject lands.

- f) Where a Holding Symbol (H6) symbol appears on Schedules to this By-law, it shall only be used for uses legally existing at the time of passing of this By-law. Council shall only consider the removal of the Holding Symbol (H6) until such time the following has been completed:
- i) The Approval of an Urban Design guideline by Town Council;
  - ii) The execution of a site plan agreement and/or development agreement by the Town; and,
  - iii) The provision of an archaeological assessment satisfactory to Council and the Ministry of Culture.

**(OMB Decision #1771, By-law #2007-222 and #2007-221)**

- g) Where a Holding Symbol (H8) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H8) provision which shall be considered for removal by Council once the following have been completed and implemented for Light Manufacture and Assembly #2:
- i) It has been demonstrated that the existing water supply is adequate and that such use shall not have a negative impact on existing wells within 500.0m of the proposed water supply;
  - ii) A Traffic Impact Study has been completed and implemented;
  - iii) It has been demonstrated that the existing septic service is adequate for the proposed use; and,
  - iv) It has been demonstrated that the proposed use can be accommodated on the site in accordance with Provincial Guidelines for compatibility with sensitive land uses.

**(By-law #2009-083)**

- g) Where a Holding Symbol (H9) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H9) provision which shall be considered for removal by Council once the following have been completed:

A Council Approved Urban Design Addendum that includes:

- i) A phasing map;
- ii) Residential model elevations (in colour) proposed for the phase;
- iii) A sample streetscape of street frontage within the phase;
- iv) A priority lot plan for the phase, and;
- v) Zoning standard chart outlining revisions that may be required for the buildings proposed in that phase.

**(By-law #2011-142 & #2014-074)**

- i) When a Holding Symbol (H11) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H11) provision which shall be considered for removal by Council once the following has been completed:

- i) Confirmation that the lands can be developed for residential purposes, to the satisfaction of Town Council.

**(By-law #2011-142)**

- j) When a Holding Symbol (H12) appears on Schedules to this By-law, Council shall only consider the removal of Holding Symbol (H12) symbol upon the Town being satisfied that adequate sanitary, water, stormwater management, transportation services, and facilities are or can be made available to service those lots and the following has been completed:

A Council Approved Urban Design Addendum that includes:

- i) A phasing map;
- ii) Residential model elevations (in colour) proposed for the phase;
- iii) A sample streetscape of street frontage within the phase;
- iv) Colour/material schedules for the phase;
- v) A priority lot plan for the phase; and,
- vi) Zoning standard chart outlining revisions that may be required for the buildings proposed in that phase.

**(By-law #2013-173 & #2014-102)**

- j) Where a Holding Symbol (H13) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol upon the decommissioning of the temporary connection of Street “D” to Sideroad 10, establishment of a permanent connection to Street “A” to Sideroad 10 and the extension of Street “C” through to Street “A” to the satisfaction of Council. Upon the removal of the Holding Symbol, the lands, including the portion of the road allowance that forms temporary connection of Street “D” to Sideroad 10, which is to be conveyed to the Owner when Street “A” is extended and connected to Sideroad 10, may be developed for residential uses in accordance with lands zoned “Low-Rise Residential - Exception (LR-55)” (formerly UR1-36).

**(By-law #2014-102)**

- k) Where a Holding Symbol (H14) appears on Schedules to this By-law, Council shall only consider the removal of the Holding Symbol upon the extension of Street “B” southerly beyond Street “P” to the satisfaction of Council. Upon the removal of the Holding Symbol (H14), the land may be developed for residential uses in accordance with the “Low-Rise Residential – Exception (LR-59)” (formerly UR1-39) zone provisions.

**(By-law #2014-102)**

- l) Where a Holding Symbol (H15) appears on Schedules to this By-law, the lands are intended to provide for a potential future southerly extension of Street “B” to the adjacent lands to the south. However, should the Town determine at some future time that an extension of Street “B” is deemed unnecessary, Council shall remove the Holding Symbol (H15). Upon the removal of the Holding Symbol (H15), the lands may be developed for residential uses in accordance with the “Low-Rise Residential – Exception (LR-59)” (formerly UR1-39) zone.

**(By-law #2014-102)**

- m) Where a Holding Symbol (H16) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H16) which shall be considered for removal by Council once the following has been completed:

i) That final design of the stormwater management pond has been completed to the satisfaction of the Town Council.

**(By-law #2014-102)**

o) Where a Holding Symbol (H17) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H17) which shall be considered for removal by Council once the following has been completed:

i) Confirmation that the lands can be developed for residential purposes, to the satisfaction of Town Council.

**(By-law #2014-102)**

p) Where a Holding Symbol (H18) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H18) which shall be considered for removal by Council once the following has been completed:

i) Confirmation that the applicant completed an updated Functional Servicing Report, to the satisfaction of the Town's Engineering Department; and,

ii) Confirmation that the applicant has entered into a development agreement, to the satisfaction of the Town's Engineering Department.

**(By-law #2015-064)**

q) Where a Holding Symbol (H19) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H19) which shall be considered for removal by Council once the following has been completed:

i) Confirmation that the applicant has entered into a Site Plan Agreement to address, inter alia, that adequate domestic and fire water services, sanitary services, and stormwater management, have been addressed to the satisfaction of the Town's Engineering Department; and,

ii) Confirmation that lands legally described as Parts 1-3, Plan 51R-203339 have been dedicated to the Town for recreational trail purposes, to the satisfaction of the Town's Planning and Development Department.

**(By-law #2016-067)**

r) Where a Holding Symbol (H20) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H20) which shall be considered for removal by Council once the following has been completed:

i) Confirmation that the applicant demonstrates that the development satisfies requirements of the Ministry of Environment Guidelines for land use compatibility, or any applicable successive guideline;

ii) Consolidation of plan with abutting lands, including the opening of future right of ways, and the closure of temporary entrances;

iii) Registration with the Ministry of Natural Resources and Forestry relating for Species at Risk as set out in the Scoped Environmental Impact Study;

iv) Confirmation of the removal of the mitigation berm; and,

v) Confirmation that lands are not to be used for a temporary access or temporary cul-de-sac for an appropriate phase. (By-law #2019-166)

s) Where a Holding Symbol (H21) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H21) provision to restrict residential development which shall be considered for removal by Council once the following has been completed:

- i) The Town has determined water supply is available to support the proposed residential development.

**(By-law #2020-136)**

t) Where a Holding Symbol (H22) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H22) provision to restrict residential development which shall be considered for removal by Council once the following has been completed:

- i) A Land Use Compatibility Assessment demonstrating the proposed residential development satisfies requirements of the Ontario Ministry of Environment, Conservation and Parks Guidelines for land use compatibility, or any applicable successive guidelines, to the satisfaction of the Town.

**(By-law #2020-136)**

u) Where a Holding Symbol (H23) appears on Schedule F to this By-law, the property shall be subject to a Holding Symbol (H23) provision to restrict a Contractor's Shop or Yard which shall be considered for removal by Council once the following has been completed:

The execution of a Site Plan Agreement by the Town

**(By-law #2022-075)**

v) Where a Holding Symbol (H24) appears on Schedules to this By-law, the property shall be subject to a Holding Symbol (H24) provision which shall be considered for removal by Council once the following has been completed:

- i) The execution of a site plan agreement by the Town.

**(By-law #2022-074)**

