

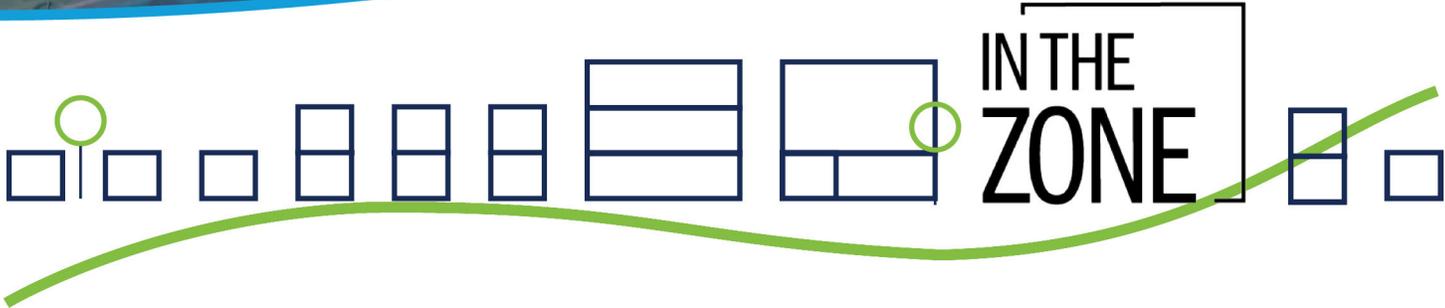
Prepared By:



# Structure Report

Whitby Zoning By-law Review Study

May 2020



Prepared For:



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# 1 Introduction



This report forms part of the Whitby Zoning By-law Review Study, a comprehensive phased undertaking that sets out to update Whitby's existing zoning by-laws into a new single Comprehensive Zoning By-law for the Town. The overall intent of the Zoning By-law Review Study is to create a new zoning by-law that will implement the Official Plan, that is clear, concise and easy to read and which provides necessary land use and built form direction while being flexible in implementation where appropriate.

The objective of this report is to review and evaluate potential new structural elements for Whitby's new Comprehensive Zoning By-law.

The undertaking includes a review of the structure of existing Zoning By-Law #1784 ("1784"), Zoning By-Law #2585 ("2585") and Oak Ridges Moraine Zoning By-Law #5581-05 ("5581-05") to understand how each is laid out. The undertaking also includes a review of other Ontario Municipal zoning by-laws, to gain insight on how some other zoning by-laws are organized.

This information is intended to assist in determining how to structure Whitby's new Comprehensive Zoning By-law.

Section 2 summarises the structure of Whitby's existing zoning by-laws.

Section 3 summarises overall structure approaches, using select examples from other municipalities throughout Ontario.

Section 4 summarises detailed layout and organization considerations, also as informed by other zoning by-laws in Ontario.

Section 5 includes a summary of this report.

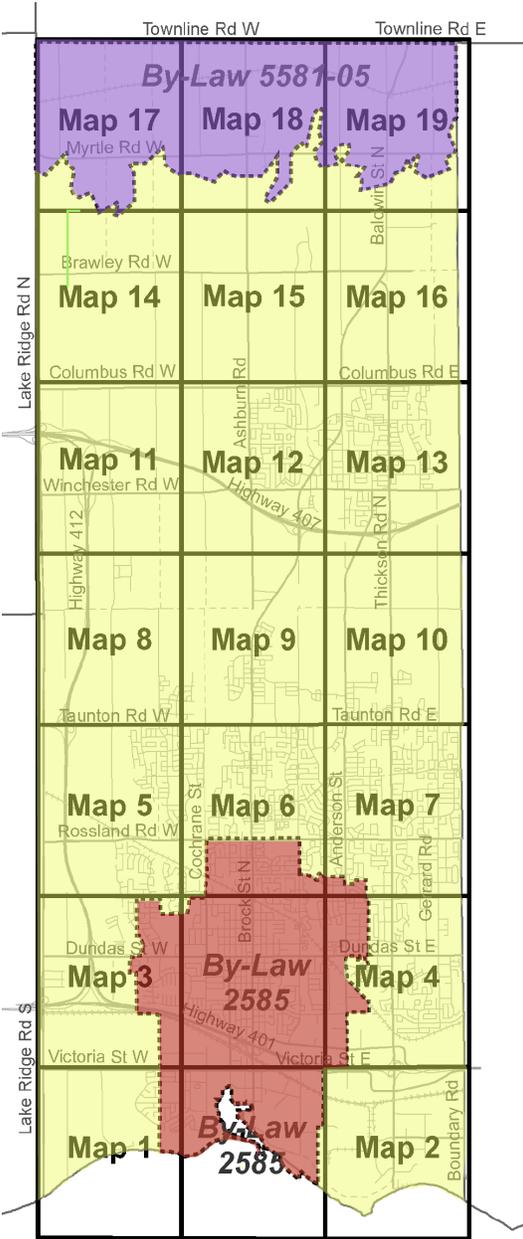
# 2 Existing Zoning By-Laws

## 2.1 Overall Structure and Organization of 1784

The Whitby Zoning By-law 1784 covers an extensive area of the Town. This zoning by-law applies from Lake Ontario north to the boundary of the Oak Ridges Moraine Conservation Plan, generally along Myrtle Road West. The only exception to this is within the central part of developed Whitby, where Zoning By-law 2585 applies. The area of Whitby that Zoning By-law 1784 applies to is shown in yellow in **Figure 1**.

As Zoning By-law 1784 covers the majority of the Town, it is the longest and includes the largest number of zones. Zoning By-law 1784 is organized into the following numbered sections with either lettered or numbered sub-sections.

- Title
- Definitions
- General provisions
- Parking and Loading
- Zone provisions for 56 zones
- Exceptions
- Village of Brooklin Central Area
- West Whitby Secondary Plan Area
- Administration
- Violations and Penalties
- Approval
- Zone Requirements Table
- Amendments to Zoning Maps
- And Zoning Maps



**Figure 1: Area of By-laws in Whitby**  
Source: By-law 1784, Sch. B (excerpt)

Zoning By-law 1784 is typical in starting with the definitions, general provisions and parking and loading information, which are necessary to understanding the remainder of the zoning by-law. It then addresses the provisions specific to each of the zones.

Each zone typically lists the permitted use(s), followed by provisions specific to that zone and finally site-specific exceptions that apply to that zone. The provisions addressed in each of the zones are fairly standard relating to lot, yard, landscaping and building height requirements.

The zones are structured largely by use and density, which means that for different housing types and lot frontages/built forms, a different zone applies. For instance, Zoning By-law 1784 contains 25 different residential zones, many of which permit only one housing type reflecting a different density, or lot size requirement. For example R2B\* permits only single detached dwellings and R3B\* permits only semi-detached dwellings.

Zoning By-law 1784 is also structured around different specific use permissions. For instance, it contains zones specific to car wash, gas bar and automobile service stations, in different combinations (e.g. GB Zone (Gasoline Bar), GB-CW Zone (Gasoline Bar-Car Wash), CW Zone (Car Wash) etc.).

Despite there being a number of site specific exceptions listed at the end of most of the zones, there is also an entire site specific exception section in Section 12. Likely owing to the age of the zoning by-law, there are a large number of exceptions; the exception section of the zoning by-law is almost 500 pages long, in addition to the exceptions that are embedded in each zone. It is not clear why some zone exceptions are listed by zone and others in Section 12. Some of the site specific exceptions also include definitions.

Zoning By-law 1784 is also unique in containing separate sections for specific geographic areas such as the Village of Brooklin Central Core Area and West Whitby. These sections have separate definition, general provisions and parking and loading subsections as well as additional zones and almost act as independent zoning by-laws.

In some cases, Zoning By-law 1784 uses tables to describe zone requirements, but not in all cases. Schedule A provides requirements in a table format for 8 of the zones, but not the other zones. The section that applies to West Whitby also uses tables to describe the requirements for the zones, although this is a reflection of the fact that the zoning for the West Whitby Secondary Plan area was more recently consolidated into the zoning by-law.

The West Whitby section of the zoning by-law has a different approach to the zone structure than the remainder of the zoning by-law. Rather than zones differentiated by density and use, as described above, the structure of the West Whitby Zones is reflective of the West Whitby Secondary Plan designations. Thus the zones, Low

Density, Medium Density, Mixed Use etc., are reflective of the Secondary Plan designations, with separate provisions set out for each different permitted housing type.

The Village of Brooklin Central Core Area only has only a few zones, with two Residential, and one Mixed Use, Institutional, Open Space and Commercial Zone respectively. Of the two Residential Zones, one permits primarily single detached dwellings on 15 metre wide lots, and the other permits singles, semis and duplex dwellings on narrower lots.

Schedule B includes the zone maps of which there are 17. While some of the maps identify site-specific exceptions, it does not appear that all of the exceptions are mapped.

## 2.2 Overall Structure and Organization of 2585

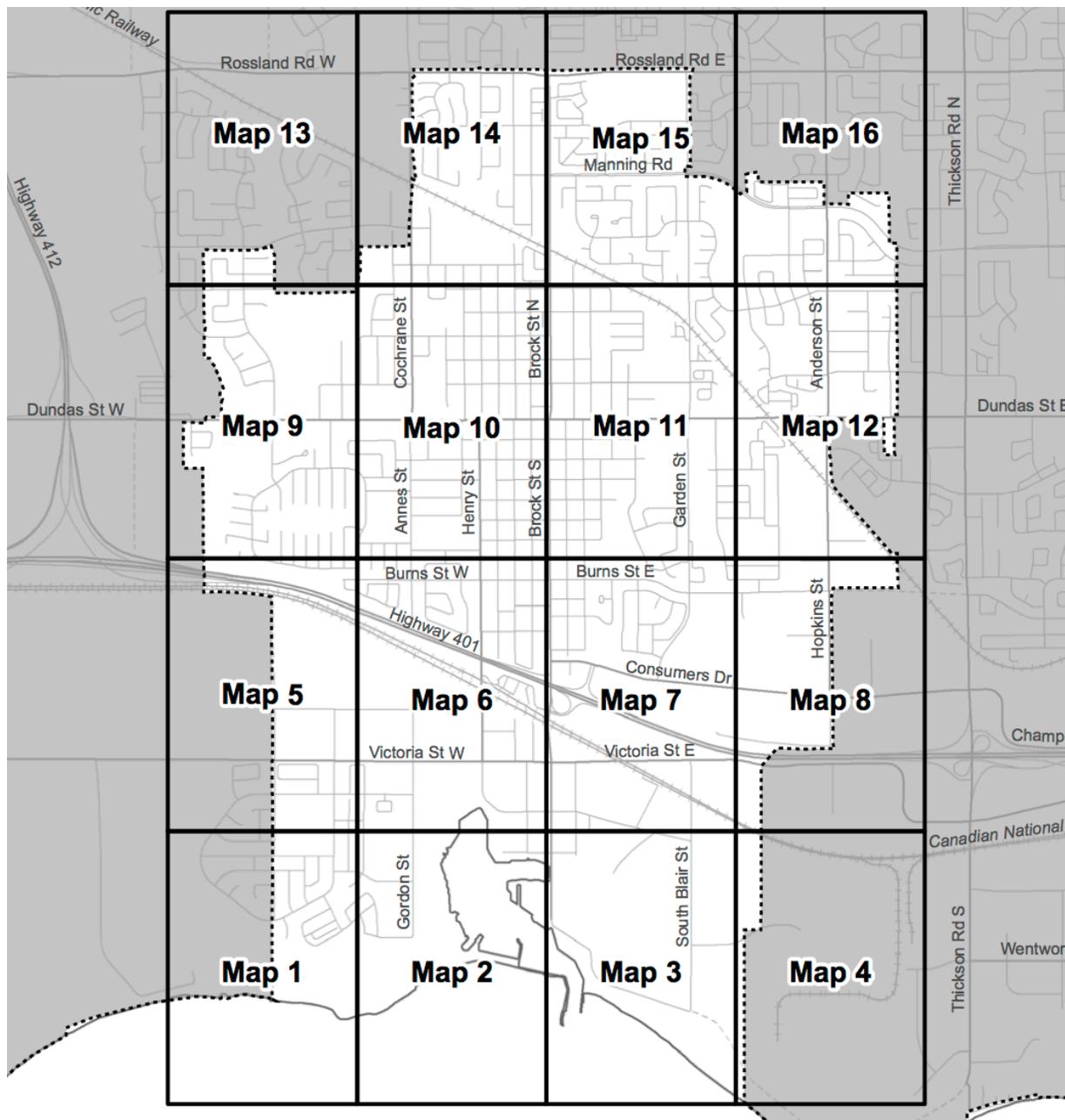
The boundaries of the Whitby Zoning By-law 2585 do not follow major roads, but the By-law generally applies to an area that is south of Rossland Road, east of the West Whitby area and west of Thickson Road N, extending south to the Lake Ontario shoreline, and includes Downtown Whitby. The area of Whitby that Zoning By-law 2585 applies in is shown red in **Figure 1** and in more detail below in **Figure 2**.

The organization of Zoning By-law 2585 is similar to the previously described Zoning By-law 1784. It uses the numbered sections below, along with numbered and lettered sub sections.

- Title
- Definitions
- Schedule to the By-law
- Interpretations
- Zones
- General Provisions
- Parking and Loading Requirements
- General Provisions for
  - Residential Uses
  - Automobile Service Station, Gasoline Bar and Car Wash Zones
  - Industrial Zones
- Zones Provisions for 24 different zones
- Exceptions
- Downtown Secondary Plan
- Administration, Enforcement and Penalties
- Approval
- Zone Maps

Zoning By-law 2585 begins by addressing Definitions, Interpretation and General Provisions that provide clarification that is needed for the rest of the by-law. Then,

similar to the Town’s other zoning by-laws, the zoning requirements for each zone are outlined and the zoning by-law is concluded by an Administration section as well as schedules including zone maps.



**Figure 2: Area covered by Zoning By-law 2585**  
 Source: Zoning By-law 2585, Schedule A (excerpt)

Each zone section begins by listing the permitted uses, followed by zone provisions and then special uses or exceptions, if there are any.

Certain groups of zones have their own general provisions sections such as Residential Uses, Industrial Zones as well as Automobile Service Station, Gasoline Bar and Car Wash Zones, which provide additional information that apply to these group of zones.

Unlike Zoning By-law 1784, Zoning By-law 2585 includes only 7 residential zones, the majority of which allow for multiple uses; only three zones allow for a single use. Rather than repeating the built form standard for each use in each of the zones, such as the lot and yard requirements, the by-law points the reader to the General Provisions for Residential Use section, which lays out the standards for the different residential uses by dwelling unit type. Thus, each zone is shorter and typically only addresses which uses are permitted, and any standards for any permitted non-residential uses, such as a church. Unlike Zoning By-law 1784, Zoning By-law 2585 does not use a table to show the applicable zone requirements.

Similar to Zoning By-law 1784, Zoning By-law 2585 has a unique section for the Downtown Secondary Plan area which is included in this zoning by-law and has its own separate definitions, general provisions and zone requirements sections.

Again similar to Zoning By-law 1784, site specific exceptions are located either at the end of the zone, in Section 17E or in Section 25. While the exceptions in Section 17E appear to relate to the Gas Bar zones, it is not clear why some exceptions are located in the zone section and others in Section 25. Some of the exceptions include definitions and maps.

The zone maps are shown in Schedule A. While some of the maps appear to identify site-specific exceptions, it does not appear that all of the exceptions are mapped.

### **2.3 Overall Structure and Organization of 5581-05**

The Oak Ridges Moraine Zoning By-law #5581-05 is the shortest of Whitby's Zoning By-laws and covers the smallest area. It applies in the area covered by the Oak Ridges Moraine Conservation Plan and Oak Ridges Moraine Secondary Plan, generally in the area around and to the north of Myrtle Road East. Zoning By-law 5581-05 applies to the area shown in purple on **Figure 1**.

Zoning By-law 5581-05 contains fewer sections, however they are organized in the same format as the previously discussed zoning by-laws. The numbered sections used in this By-law are as listed below.

- Interpretation and Administration
- Establishment of zones
- Definitions
- General Provisions
- Zone Provisions
- Authorization
- Effective Date; and

- Schedules

The Oak Ridges Moraine Zoning By-law covers 11 zones, each with fairly restricted use permissions in line with the permissions laid out in the Oak Ridges Moraine Plan Conservation Plan and Oak Ridges Moraine Secondary Plan. Zones include agricultural, agricultural service, natural linkage areas, environmental protection and open space, as well three residential, two commercial and one institutional zone. The residential zones permit primarily single detached dwellings, on lots with different lot size requirements. Zone regulations are listed following the permitted uses within each zone category. Exceptions are listed at the end of each zone category in chronological order. There is no zone requirements table included as part of this zoning by-law.

Unlike the two other zoning by-laws in place in the Whitby, the Administration section is located at the beginning of the zoning by-law. Additionally, the Establishment of Zones section is found before the definitions which is different than the other two zoning by-laws.

There are two sets of key maps included at the end of the document. Under Schedule A-1 the zones are outlined for the entire area covered by this zoning by-law. A second set of maps are also included to show aquifer vulnerability areas in Schedule A-2, an overlay where specific uses are not permitted, as described in the general provisions section.

## 2.4 Comparison

**Table 1** below describes the sections of the 1784, 2585 and the 5581-05 Zoning By-laws:

**Table 1: Comparison of the zoning by-law sections**

Zoning By-Law		
1784	2585	5581-05
Title	Title	
Definitions	Definitions	Definitions
	Schedule to the by-law	Schedules
	Interpretations	Interpretation and Administration
		Establishment of zones
General Provisions	General Provisions	General Provisions
	Schedule to the by-law	
Parking and Loading	Parking and Loading Requirements	
	General Provisions for: <ul style="list-style-type: none"> <li>Residential Uses</li> <li>Automobile Service Station, Gasoline Bar and Car Wash Zones</li> <li>Industrial Zones</li> </ul>	
Zone provisions for 56 zones	Zone Provisions for 24 different zones	Zone Provisions for 11 different Zone
		Authorization
Exceptions	Exceptions	
	Downtown Secondary Plan	
Village of Brooklin Central Area		
West Whitby Secondary Plan Area		
Administration	Administration, Enforcement and Penalties	Interpretation and Administration
Violations and Penalties		
Approval	Approval	Effective Date
Zone Requirements Table		
Amendments to Zoning Maps		
Zoning Maps	Zone Maps	

### 3 Structural Options



The overall goal of this Study is to take three older zoning by-laws that apply in Whitby and consolidate these into one new Comprehensive Zoning By-law which conforms to the Official Plan. However, there are a number of ways in which a zoning by-law can be organized. The purpose of this section is to explain the different structural approaches that could be considered for the new Comprehensive Zoning By-law.

While later sections of this report dive into some of the details of layout and organization of zoning by-laws, this section considers the overall zone structure i.e., the breakdown of zone categories and how the information in these zones is expressed. A primary goal in structuring the New Comprehensive Zoning By-law is that it be very clear, easy to follow and well organized. Key components of this goal include:

- Are the differences between the zone categories clear?
- Is the purpose of the zone category easily understood?, and
- It is easy for the reader to find the provisions for each zone category?

The approaches described in the following sections each relate to how zone permissions and provisions can be organized. It should be noted that these approaches are not necessarily mutually exclusive and some zoning by-laws may apply multiple approaches.

This report relies on examples from other zoning by-law examples in Ontario. The zoning by-laws used as examples in general in this Study were chosen based on the following factors:

- locale - to review by-laws within southern Ontario;
- approval date - to review more recent by-laws, such as in the case of East Gwillimbury and Vaughan, neither of which are in effect yet;
- clarity - to consider by-laws that had been noted in other planning work as being clear, concise and well organized, such as Milton and Ajax; and
- uniqueness - to review by-laws that brought a unique or interesting element, such as the use of colour in the by-law in St. Catharines or illustrations in Oakville.

In addition, some other by-laws are referenced in this report if they brought something unique related to structure.

### 3.1 Approach 1: Traditional By-law

Traditional zoning by-laws often group their zones into major use categories, Residential, Commercial, Industrial etc., with different zones for different groups of uses and different densities.

In many older zoning by-laws, the residential zones are often organized by lot and frontage area and by housing type. This approach largely zones for different densities. The end result is a zoning by-law that has a large number of residential zones, often with very similar standards across them, except with regards to housing type, lot width and lot size. The drawbacks of this approach is not only the large number of zones, but also the duplication of information across similar zones and the difficulty to encourage and create a mix of housing on a block in new greenfield areas.

### 3.2 Approach 2: Official Plan Categories

One of the new approaches to zone organization is to align the zones with the Official Plan designations. This is a simplified approach that matches zoning categories to Official Plan and/or Secondary Plan designations, ensuring the zoning by-law clearly aligns with, and relates to the planning intent of the Official Plan.

As an example, in the West Whitby zoning by-law, the Mixed Use One North (MX1N), Mixed Use One South (MX1S), Mixed Use Two (MX2) and Mixed Use Two Special (MX2S) were unique zones created to appropriately implement the Mixed Use One and Mixed Use Two designations of the West Whitby Secondary Plan.

In this zone structure, a residential zone will include multiple different housing types that are permitted by the Official Plan with different zone provisions for the different housing types. For mixed use zones, this structure also leads to permissions for both residential and commercial uses in the same zones with accompanying zone provisions.

By breaking down the zones per the designations, it is easier to follow how the Official Plan policies are being implemented.

While the Official Plan designations often have a broad application across the Town, many of the Secondary Plans have designations specific to the Secondary Plan area. Creating a different zone category for each Secondary Plan designation could lead to duplication and some confusion. As a result, there may need to be consideration of whether each Secondary Plan designation warrants a unique zone, or where a single zone may be suitable to address multiple different Secondary Plan designations, perhaps in tandem with area-specific exceptions.

Benefits to the Official Plan Category approach include:

- Transparency of how zoning categories are derived; and

- Clear relationship established between Official Plan vision and zoning implementation;
- Flexibility in provision of housing types and permitted uses in each zone .

Drawbacks to this approach include:

- The approach may lead to numerous zones, given the number of unique Secondary Plan designations that exist in Whitby and depending on how these are treated.

Another element that would have to be considered as part of implementing this approach is how much to pre-zone for all permitted uses and densities in the Official Plan / Secondary Plans. The Official Plan may permit a number of uses, densities etc., but the Town may not wish to transfer all of these permissions to the zoning by-law such that they are as-of-right. Some uses, for example, may warrant further consideration on a site by site basis through a site-specific zoning by-law amendment application. Thus, the level of pre-zoning appropriate would have to be examined further if this approach is chosen.

### 3.3 Approach 3: Form Based Code

Form based code is a zoning application that emphasizes the design and built form character of an area. It works by applying detailed controls on the form, shape, and features of a building while providing more flexibility in the permitted uses. By focusing on the vision of what the ultimate place should look and feel like, this type of implementation tool can be effective in reinforcing the unique attributes of special character areas.

The use of form base code in Ontario is not widespread. We are not aware of any municipalities that comprehensively use this approach across their municipality, though some municipalities apply it selectively to targeted areas.

Attached in **Appendix A** is an example of form base code applied in the Bouffard & Howard Secondary Plan area in LaSalle, Ontario, a municipality located southwest of Windsor. It is also illustrated in **Figure 3**.

The organization of the zone is unique in that is graphically based, with figures illustrating the zone requirements. Many of the zone requirements are typical zoning provisions, including permitted uses, lot size, frontage and yard requirements. However, the form based code can also illustrate other zone requirements such as porch encroachment, garage width; build within zones, building massing, step backs and angular planes.

One of the benefits of form based code is that it essentially pre-zones an area for the desired built form and provides very detailed and clear requirements that can help ensure the as-built condition measures up against the desired vision.

One of the major drawbacks of form based code is that it is fairly inflexible and could result in minor variances or zoning by-law amendments being sought for relatively minor changes. The inflexibility may also result in trepidation from the development community, hindering the achievement of the vision. The other drawback is that the desired built form must be thoroughly thought out which can be an onerous task across an entire municipality.

Town of LaSalle - Schedule "A"

Single Detached/Semi-detached Zone **TND-R1**  
Residential

### Section 28 : Single Detached Front/Side Attached Garage

**28.1.3 Zone Provisions for a Single Detached Dwelling with an Attached Garage**

- a) **Lot Size & Building Height**  
The minimum lot frontage shall be 15m and the minimum lot depth shall be 32m. The maximum building height shall be 11m.
- b) **Minimum Front Yard Depth**  
The main front wall of the house shall be built a minimum of 6 metres from the front lot line. A minimum of 33 percent of the main front wall of the house (excluding the garage) must be located equal to or in front of the attached garage, as measured from the front lot line
- c) **Side Yards**  
The minimum interior side yard shall be 1.2 metres. For a corner lot, the exterior side yard shall be a minimum of 3 metres.
- d) **Rear Yard**  
The minimum rear yard shall be 9m.
- e) **Porches and Steps**  
Steps and porches may encroach to within 2.5 metres of the front lot line and the exterior side lot line. A no encroachment zone from the front and exterior lot lines of 2.5 metres is established.
- f) **Garages**  
The width of the garage shall comprise a maximum of 40% of the lot frontage. Garage doors shall be set back a minimum of 7.5m from the front or exterior side lot line, depending on which lot line the garage door faces.
- g) **Landscape**  
A minimum of 50m<sup>2</sup> of usable, landscaped open space shall be supplied in the rear yard.
- h) **Parking**  
A minimum of 2 parking spaces are required per dwelling unit.

Burlford & Howard Planning Districts

200

**Figure 3: Excerpt from Form Based Code example from LaSalle**  
Source: Lasalle Zoning By-law 50-50, Schedule A (excerpt)

### 3.4 Approach 4: Land Use Categories

Another way to organize zones is through land use categories. For example, a low rise residential zone. Rather than have a number of residential zones which permit a different housing form, i.e. single detached, semi-detached, and townhouses and separate provisions for each use, a range of low rise housing forms are permitted with specific provisions to guide the development of each housing type. To a certain extent, the Seaton zoning by-law has been prepared in this manner. This approach is also similar to the Official Plan categories.

The benefit of this approach is that it avoids duplication; the requirements for single detached dwellings are described only once in the zoning by-law, and it provides flexibility to accommodate a range of housing in a zone.

The drawback of this approach is that there may be instances where only a certain type of housing or density is appropriate; for instance in an older large lot, stable residential neighbourhood where the Town wants to protect the large lot character.

Zoning By-law 2585 employs this approach in part, with specific standards for each housing type under the General Provisions for Residential Uses section, but then the individual zones provide a set of zone provisions for non-residential uses.

### 3.5 Approach 5: Overlay Zones

Employing overlay zones is another tool used to assist in organizing zones. Overlay zoning consists of the layering of zoning regulations in specific geographic areas and can be used to regulate specific issues in addition to base zoning.

The simplest example of this approach is a height overlay, where the base zoning information applies, but there is an additional height requirement that applies to a broader geographic area. Overlay zones can also be applied to address specific issues in targeted areas such as, for example, to apply restrictions in flood plains and hazard lands, to apply parking relief in particular areas, or to prohibit specific uses in particular areas.

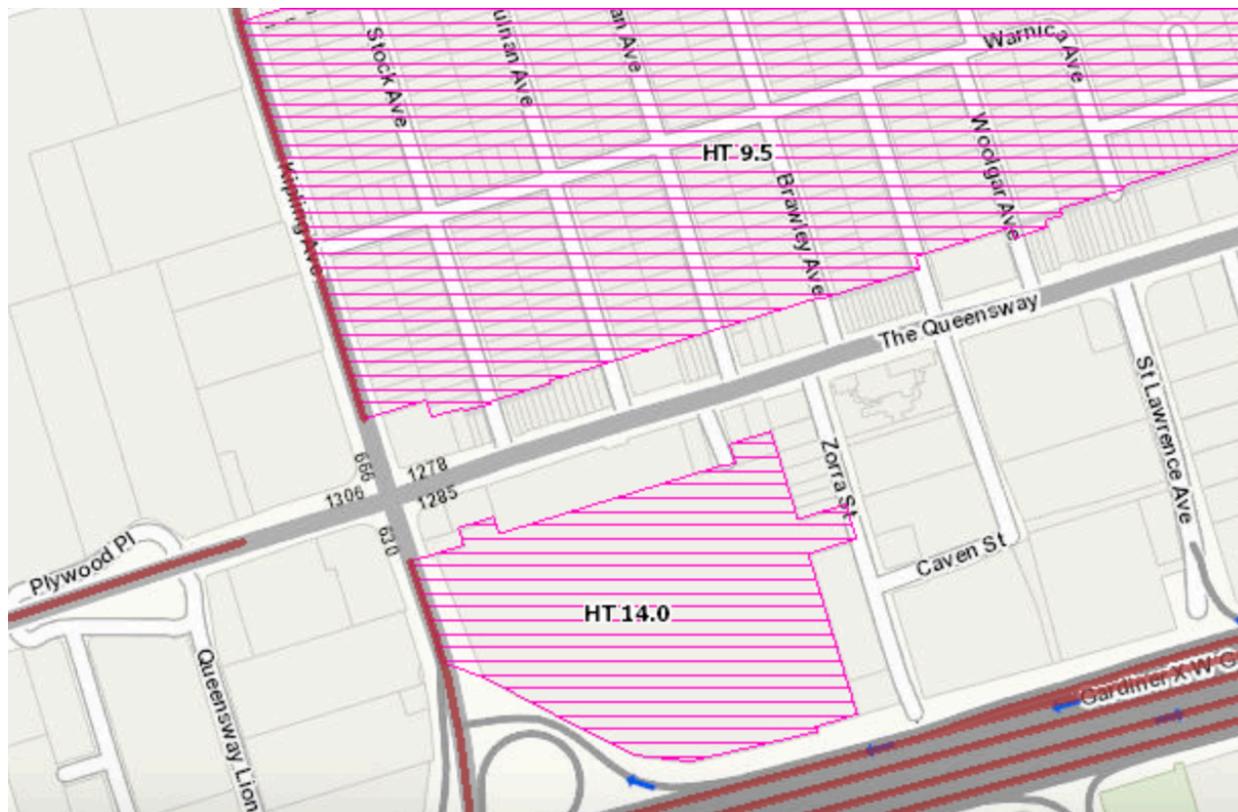
Toronto currently employs this method to regulate height in their zoning by-laws. This is illustrated in **Figure 4**. The benefit of overlay zones is that it allows for a reduction in zone categories and allows for a consistent application of a limitation that applies geographically across multiple zones. Instead of having, for example, five zones with the same standards except for the maximum height, one zone can exist, with different height overlays identifying the different height requirements.

### 3.6 Approach 6: Standard Sub-categories

Similar to overlay zones, if there are a number of areas where the same provision applies across a number of zones, it may be useful to employ standard sub-categories that can be applied to multiple zones. Or alternatively the sub-categories are used to identify different provisions that apply to different areas of a similar zone.

For example, Grimsby wanted to differentiate different permitted lot coverages based on the existing built form across the same zone in order to protect neighbourhood character. Rather than create new zones, or an overlay, they used coverage subcategories to delineate different coverages. As shown in **Figure 5**, a coverage sub-category indicating a maximum 25% lot coverage (which would be detailed and explained in the zoning by-law) is illustrated on the Zoning map with the symbol.

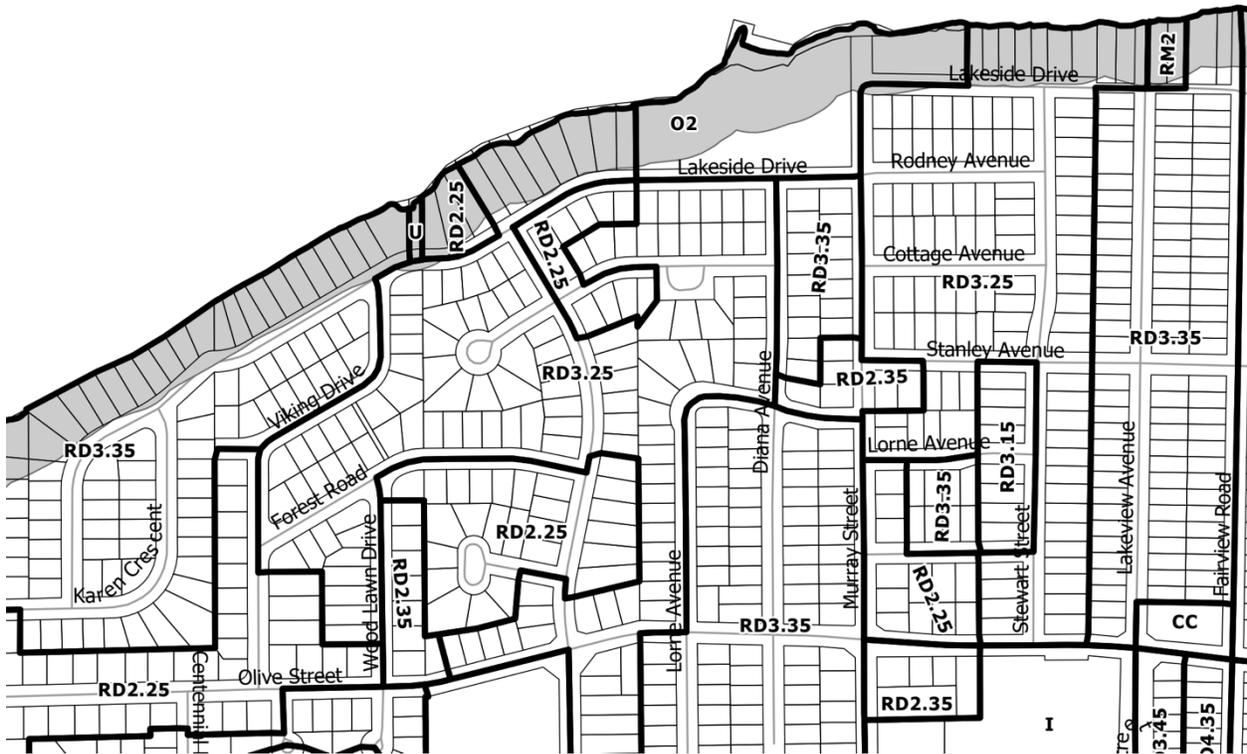
“RD2.25”. This tells the reader, that the R2 zone requirements apply, along with a 25% maximum lot coverage.



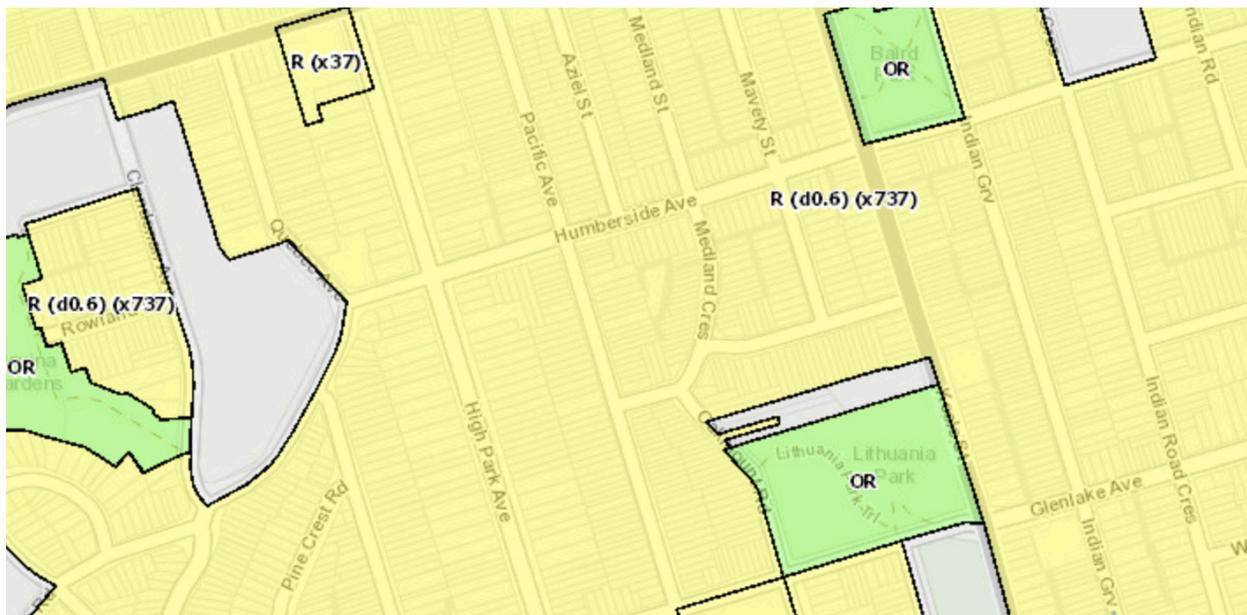
**Figure 4: Example of Overlay Zone in the Toronto Zoning By-law**

Source: Toronto Zoning By-law Interactive Map

A similar approach is used in Toronto, where symbols on the zoning map address specific standards. The zone symbol R (d0.6)(x737), indicates a Residential Zone with a permission for a density of 0.6 times the lot coverage and a subcategory that sets out additional zoning provisions that apply to that area (See **Figure 6**).



**Figure 5: Excerpt from Grimsby Zoning By-law schedule 5-A**  
Source: Grimsby Zoning By-law 14-45, Schedule 5-A (excerpt)



**Figure 6: Example of Zone Sub-category in the Toronto Zoning By-law**  
Source: Toronto Zoning By-law Interactive Map (excerpt)

The principle and benefit of this approach is the same as the overlay approach, it allows for a reduction in the number of zones and the application of a similar zone provision across multiple zones. The only significant difference between this approach and an overlay zone approach is how it is depicted on a schedule. .

One of the drawbacks to this that a reader must search through different parts of a zoning by-law to find the applicable subcategories that apply. This can be particularly burdensome if multiple subcategories apply to a site or area.

### **3.7 Consideration of the Above Approaches**

The purpose of this section of the report was to explain different approaches to the structure of the zones and the benefits and drawbacks of these approaches. Which approach is the most appropriate will be determined in Phase 2 of this Study. The review of the existing zone sections, which will be addressed in subsequent reports later in Phase 1, will assist in determining the preferred approach.

## 4 Layout and Organization



### 4.1 Introduction

The purpose of this section is to describe options for the overall layout and organization of the new Comprehensive Zoning By-law. Examples from other municipalities are used in order to illustrate possible options.

### 4.2 User Guide Section

User guide sections, typically located at the front of a zoning by-law, provide clarification on how a zoning by-law should be read and used. It guides the reader through the process of finding the zoning information that is relevant to their property. This guidance includes explaining how to read the zoning maps and their symbols in order to identify the zone in which a property is located, then finding the applicable provisions for that zone throughout the zoning by-law text. While user guides are not a legal part of a zoning by-law, they can provide important help for those who are unfamiliar with zoning by-laws.

Some local municipalities that include a user guide within their zoning by-law are Ajax, East Gwillimbury, Milton, Newmarket and Oakville. The example user guides are found in **Appendix B**.

Ajax breaks their user guide down into steps that should be followed in order to read the zoning by-law. The steps are as follows:

1. Locate the property on a map;
2. Check if property is subject to zoning by-law amendment in Section 7;
3. Check the permitted uses for that zone;
4. Check the zone standards for that zone;
5. Check the general provisions that apply to all zones;
6. Check the parking and loading section which applies to the permitted uses; and
7. Review explanatory notes that illustrations do not form part of the zoning by-law.

Each of these steps includes assistance in understanding the terminology, symbols, formatting and abbreviations. Following these steps, this user guide briefly describes the purpose for each section of the zoning by-law.

Oakville has a more detailed user guide than other municipalities. The steps are generally the same, though the wording is more direct and references to sections are very specific. Oakville's user guide is also unique, because it uses diagrams and maps to further assist the user in understanding how to read the zoning by-law. These

diagrams are also helpful in providing descriptions of terms that may be unfamiliar to most people.

Innisfil's user guide has a unique table that describes the purpose of each zone. For example, the table describes that the Mixed Use 4 (MU4) zone "Provides for a mix of residential, commercial and institutional uses in the core area of Lefroy."

If, through the process, it is determined that the a user guide section would be beneficial for the new Comprehensive Zoning By-law for Whitby, then based on the above, the general structure of a user guide should be first that the reader look at the zoning maps and any site-specific provisions, followed by the permitted use and standards for the zone, then at the general provisions that may be applicable and finally parking and loading requirements. It should also be stated that the user Guide is not legally a part of the zoning by-law and should only be used for the purpose of clarification and understanding.

### **4.3 Definitions Sections**

Definitions are most commonly found at the beginning of a zoning by-law, as in the existing zoning by-laws for Whitby. They are most often found right before a general provisions section. St. Catharines however places their definitions at the end of their zoning by-law, following the zone provisions.

Within zoning by-laws, terms that are defined in the definitions section are sometimes identified throughout the zoning by-law by being bolded, underlined or italicized. Bolding is recommended as italics and underlines do not meet accessibility standards.

### **4.4 Parking and Loading Sections**

In older zoning by-laws, parking and loading requirements were often located within a general provisions section. However, the modern standard for these sections, as seen in the example zoning by-laws reviewed, is to address these requirements separately in their own section.

In the existing Whitby zoning by-laws, except for in Zoning By-law 5581-05, the parking and loading provisions are separate from the General Provisions sections.

As parking and loading provisions have become more detailed, the breadth of these sections has increased. This is particularly true for Whitby. Stemming from the extensive parking study the Town undertook, the parking and loading sections of the Whitby zoning by-laws are quite extensive. The benefit of having parking and loading information in a separate section is it is easier for a reader to find the information that they need.

**4.5 Use of Tables**

Tables are used within some zoning by-laws to show the zone provisions in a manner that is clear and easy to understand for the reader. They can be used to show permitted uses, zone standards or other requirements. Some of these tables are used to describe standards for multiple zones and uses in one comprehensive table, as Whitby does in Schedule A of Zoning By-law 1784, but most have different tables for each zone category.

St. Catharines is unique in that it has a comprehensive table that lays out the permitted uses for all of the zones in one table, as well as breaking them down and having a smaller table by zone category in the respective sections.

Many of the modern zoning by-laws use tables to describe both the permitted uses for a zone or group of zones; some examples are shown in **Figure 7** and **Figure 8**.

Many zoning by-laws also use tables to describe the zone standards. Some examples are provided in **Figure 9** and **Figure 10**.

	LMU	MMU	HMU	GMU	CMU
<b>Commercial Uses</b>					
<u>Art studio</u>		● (3)	● (3)	●	● (3)
<u>Automobile body repair</u>				E	
<u>Automobile rental</u>				E	
<u>Automobile repair</u>				E	
<u>Automobile sales</u>				E	
<u>Business service</u>	● (2)	● (3)	● (3)	●	● (2)

**Figure 7: Permitted Use Table 8-1**  
 Source: Vaughan draft Zoning By-law (excerpt)

USE	RPS	R1	R2	R3	R4	R5	R6	ER	HR
Accessory apartment	X	X	X	X	X(1)	X(1)	X(1)	X	X
Bed and breakfast establishment	X	X							X
Building, apartment					X	X	X		
Coach house					X	X	X		
Dwelling, back-to-back townhouse					X	X	X		
Dwelling, duplex					X				
Dwelling, multiple					X				
Dwelling,									

Figure : Permitted Use Table 7A

Source: East Gwillimbury Zoning By-law 2018 -043 (excerpt)

Regulations	ZONES		
	RLD		
	Residential Low Density		
	Dwelling Type		
	Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling	
	Corner Lot	Interior Lot	
<b>Lot Frontage</b> (Minimum)	15.0m	11.4m / unit	10.0m / unit
<b>Lot Depth</b> (Minimum)	30m	30m	30m
<b>Lot Area</b> (Minimum)	N/A	N/A	N/A
<b>Lot Coverage</b> (Maximum)	See Footnote (*1)	See Footnote (*1)	See Footnote (*1)
<b>Front Yard Setback</b> (Minimum)	4.0m	4.0m	4.0m

Figure 9: Zone Standard Table 6B

Source: Milton Zoning By-law 016-2014 (excerpt)

Typical Built Form	<i>Link Dwelling</i>	<i>Semi-Detached Dwelling</i>	
Regulatory Set:	<b>G</b>	<b>H</b>	<b>J</b>
Min. Lot Area	n/a	400 m <sup>2</sup>	n/a
Min. Lot Area Per Dwelling Unit	334 m <sup>2</sup>	n/a	n/a
Min. Lot Frontage	18.0 m	13.6 m	17.4 m
Min. Yard Setbacks			
From Front Lot Line	7.5/6.0 m (*1)	4.5 m	4.5 m
From Rear Lot Line	7.5 m	7.5 m	7.0 m
From Side Lot Line	(*4)	-	-
From Exterior Side Lot Line	3.0	3.0 m	3.0 m

**Figure 10: Zone Standard Section 6.2.2**

Source: Milton Zoning By-law 2010-40 (excerpt)

In addition to permitted uses and zone standards, some municipalities' zoning by-laws employ tables to describe other information, such as permitted yard encroachments (e.g. East Gwillimbury's), parking requirements (e.g. Newmarket) and accessory building requirements (e.g. Milton), as well as site specific exceptions and holding provisions, both of which are discussed in further sections of this report.

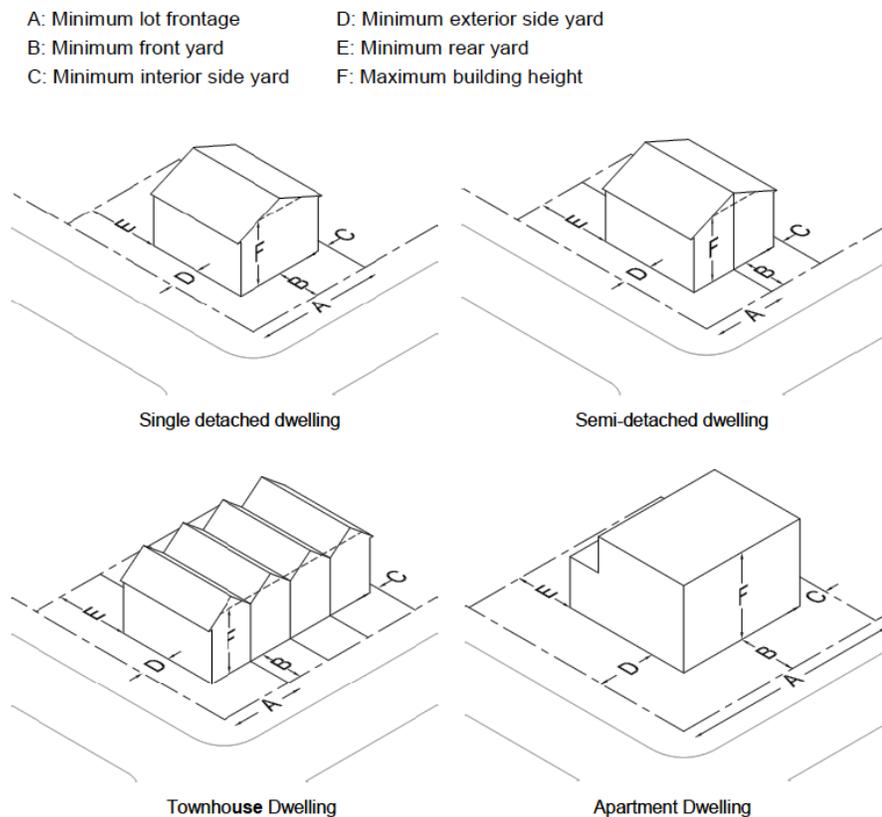
While these tables can be useful in showing a large number of provisions clearly and quickly, they can be more difficult to connect to web based applications. Additionally, [It can be challenging to design some tables to meet accessibility standards.](#)

Examples of the use of tables in Zoning By-laws are found in **Appendix C**.

#### 4.6 Use of Illustrations

Zoning By-laws use illustrations to assist in explaining key concepts. Most often illustrations are provided to help with the interpretation of definitions. Some municipalities, in their zoning by-laws, such as Oakville, Innisfil or Welland, have a series of illustrations on the same page as the definition they serve. Others, such as Newmarket or St. Catharine's, have an illustration section which provides a number of figures that assist with interpretation. Common elements that are illustrated include:

- Calculation of lot frontage;
- Determination of building height;
- Minimum parking space size;
- How yards are measured (see **Figure 11**);
- Coverage or floor space index;
- Types of dwellings ( singles vs. semis vs. duplex etc.); and
- Types of lots.

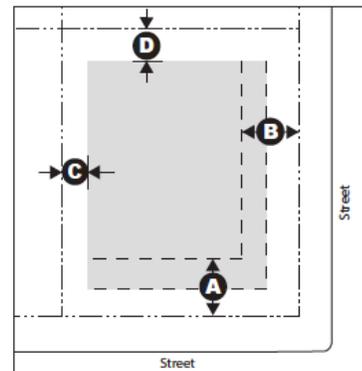
**Figure 11: Example of Illustration**

Source: Innisfil Zoning By-law 080-13 (excerpt)

Some zoning by-laws, such as Oakville have illustrations adjacent to the Zone provisions, indicating with a graphic, how to interpret the zone requirements. This is shown in **Figure 12**.

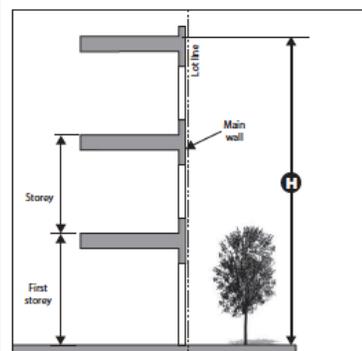
Examples of zoning by-law illustrations are found in **Appendix D**.

3. Shall only apply to the first 12.0 metres of *building height*, measured along the *main wall* oriented toward the *front* or *flankage lot line*.
4. The *minimum yard* shall be increased to 7.5 metres for that portion of a *building* greater than 13.5 metres in *height*.
5. The *minimum yard* shall be increased to 10.0 metres for that portion of a *building* greater than 13.5 metres in *height*.
6.
  - a) The maximum number of *storeys* shall be 3 and the maximum *height* shall be 12.0 metres where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
  - b) Notwithstanding Section 4.6.4(a), a *mechanical penthouse* shall not exceed 3.0 metres in *height*, measured from the top of the roof on which the *mechanical penthouse* is directly situated, where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
7. Any *building* legally existing on the effective date of this By-law not complying with this provision shall be permitted.



The black circles are letters corresponding to the applicable yard in the regulations table. The shaded area represents the potential building envelope remaining once minimum yards are removed.

	<i>Detached dwellings</i>	<i>Semi-detached dwellings</i>	<i>Townhouse dwellings</i>
<i>Minimum lot area</i>	As legally existing on the effective date of this By-law		
<i>Minimum lot frontage</i>	As legally existing on the effective date of this By-law less 1.0 metre (1)		
<i>Minimum front yard</i> <b>A</b>	As legally existing on the effective date of this By-law less 1.0 metre (1)		
<i>Minimum flankage yard</i> <b>B</b>	3.0 m	3.0 m	3.0 m
<i>Minimum interior side yard</i> <b>C</b>	1.2 m	1.2 m (2)	1.2 m (2)
<i>Minimum rear yard</i> <b>D</b>	7.5 m	7.5 m	7.5 m
<i>Maximum number of storeys</i> <b>H</b>	3	3	3
<i>Maximum height</i> <b>H</b>	12.0 m	12.0 m	12.0 m
<i>Maximum lot coverage for the dwelling</i>	35%	n/a	n/a
<i>Regulations for accessory buildings and structures</i>	Section 6.5 shall apply		



Height is measured to the tallest point of the building.

**Figure 12: Example illustration for yard provisions.**

Source: Oakville 2012-014 (excerpt)

## 4.7 Organization of Exceptions

Exceptions are organized in two main ways within the example zoning by-laws. The first of which is by addressing them within each of the zone category section and the second is to present them in their own section, separate from the main zone provisions. As discussed in earlier sections of this report, Whitby’s existing zoning by-laws employ both these methods within the same documents which is confusing.

In Grimsby’s zoning by-law, exceptions are listed at the end of each zone category whereas Newmarket and St. Catharines have them all at the back of the zoning by-law in one comprehensive section.

How the exceptions are numbered has implications on how they are mapped. By setting out the site-specific exceptions by zone, each zone's exception can start at #1. This means more of them can stay in the single and double digits but the exception must be labeled with the zone, for example, RD-12, which would indicate exception number 12 of the RD zone.

Examples of tables used to organize Site-Specific Exceptions in zoning by-laws are found in **Appendix E**.

#### **4.8 Organization of Holding Provisions**

Holding zones are generally identified by adding the letter “H” after the zone symbol. The holding zones have specific requirements that need to be met before they can be removed.

In the zoning by-laws reviewed, holding zones are generally addressed in their own section or together with site-specific exceptions. The former is the case in the Milton, Grimsby and East Gwillimbury. In Milton, the holding zones are listed chronologically whereas in Grimsby and East Gwillimbury, they are listed in a table.

Barrie addresses their Holding provisions within their site specific exceptions section; not listed in their own section but instead mixed with the other special provisions. The same appears to be the case within the existing Whitby zoning by-laws, the holding provisions appear to be mixed into the site specific exceptions.

In other comprehensive zoning by-laws, holding provisions are set out in an independent section so that it is easy to find the requirements of lifting the hold. **Figure 13** provides an example of a holding provision table in Grimsby's zoning by-law.

Examples of tables used to organize holding provisions in zoning by-laws are found in **Appendix F**.

<b>Zone</b>	<b>By-Law #</b>	<b>Address</b>	<b>Requirement to lift the hold provision:</b>
A/SC		421 Park Road South (former Landfill) plus adjacent 500 m. buffer	The requirements of Section 4.6 of the Official Plan policies pertaining to waste disposal assessment areas have been met to the satisfaction of the Town.
GE	02-1	Southwest corner of Kelson Avenue Road and South Service Road	Owner entering into a site plan agreement with Town in accordance with the provisions of the Grimsby Official Plan.
GE		Southwest corner of Oakes Road North and Tops Drive	

**Figure 13: Example Holding Table from Grimsby’s zoning by-law**

Source: Grimsby Zoning By-law 14-45, Table 29 (excerpt)

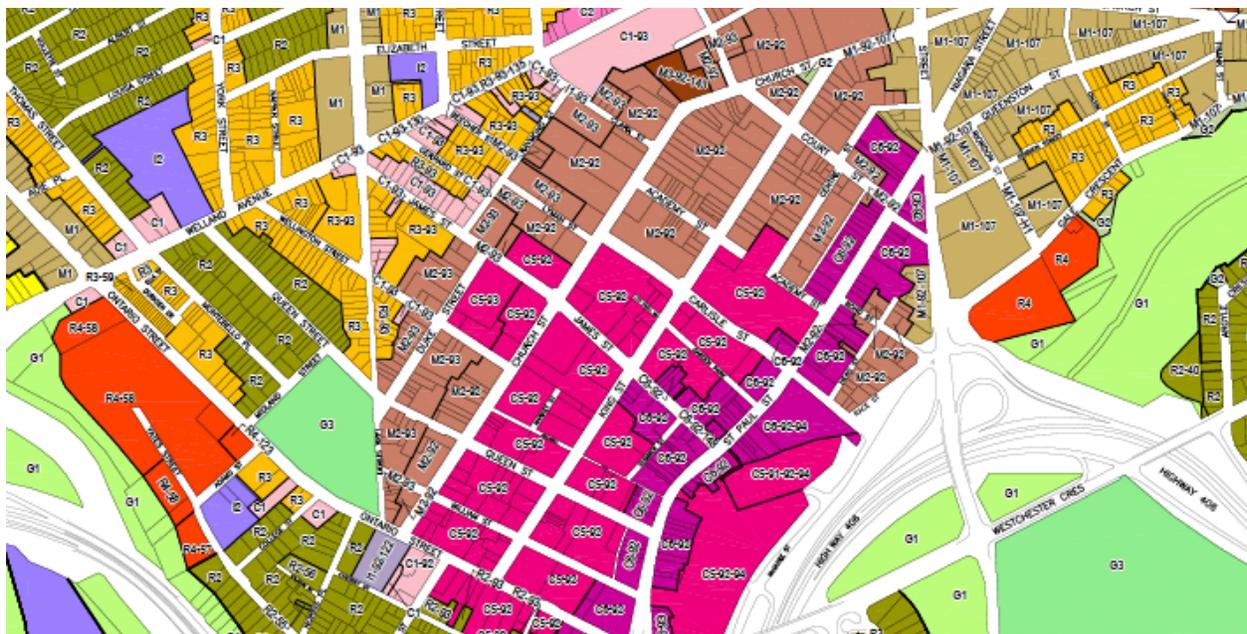
#### 4.9 Coloured Zoning Schedules

While traditional zoning schedules are black and white with a thick boundary outline and a symbol identifying the zone, as is the case in the existing Whitby zoning by-laws, some zoning schedules use colour to identify the different zones. For example, St. Catharines has allocated a colour to each zone shown in their mapping. **Figure 14** shows an example of one of St. Catharine’s’ zoning schedules. Not only is the colouring used within the zone schedule, the same colouring is actually integrated within the zoning by-law text in the permitted use table, as illustrated in **Figure 15**.

St. Catharines also uses colour in mapping the natural areas with the City in their zoning by-law. This is illustrated in **Figure 16**.

Other municipalities that use coloured map schedules include Barrie, Milton, Welland and Newmarket. Guelph’s online mapping is coloured, though no schedules suitable for printing could be located online.

Toronto also uses colour in their interactive zoning map to identify zones and uses patterned overlays to identify other important information such as height. This is illustrated in **Figures 4** and **6** of this report.

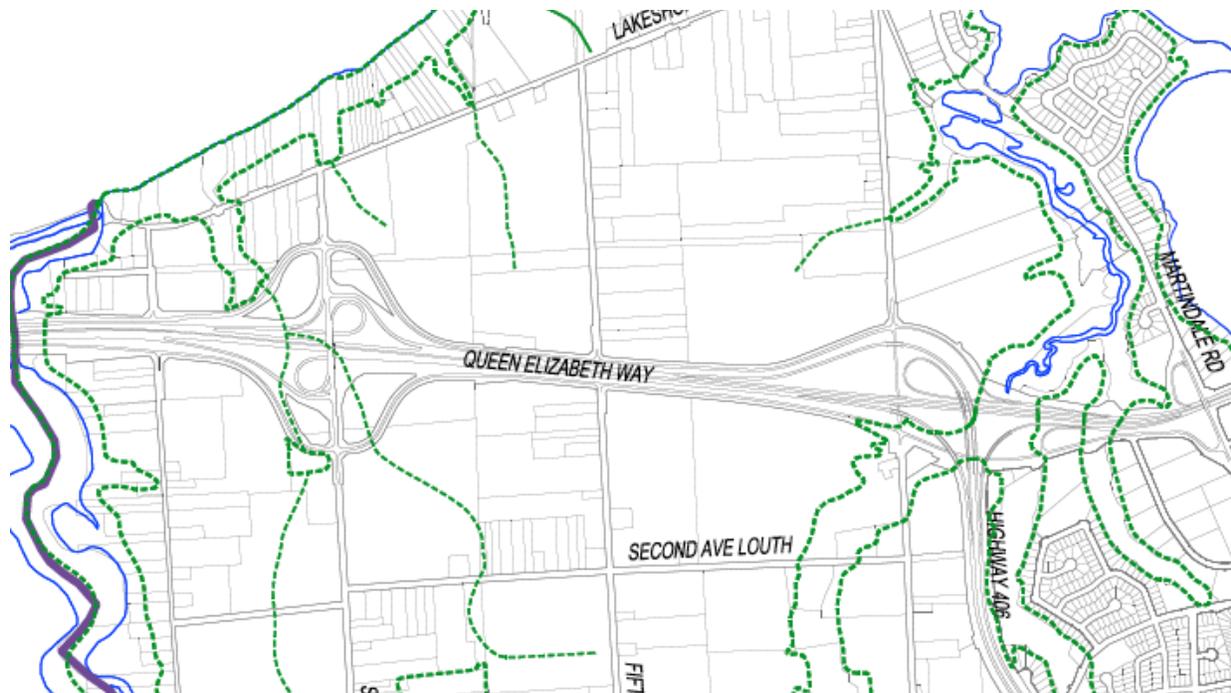


**Figure 14: Coloured Zoning Mapping from the St. Catharines’ zoning by-law**  
 Source: St. Catharine Zoning By-law 2013-283

**6.2 Permitted Uses**

USES	Zones					
	C1	C2	C3	C4	C5	C6
Animal Care Establishment	C1	C2	C3	C4	C5	C6
Apartment Building		C2 (b)		C4 (b)	C5	C6 (g)
Car Wash		C2	C3	C4		
Commercial Parking Structure		C2 (h)	C3	C4 (h)	C5 (a)	C6 (a)
Cultural Facility	C1	C2 (h)	C3	C4 (h)	C5	C6
Day Care	C1	C2	C3	C4	C5	C6

**Figure 15: Example of zone colour integration in St. Catharines’ zoning by-law text**  
 Source: St. Catharine Zoning By-law 2013-283



**Figure 16: Coloured Natural Area Extents in St. Catharines' zoning by-law.**

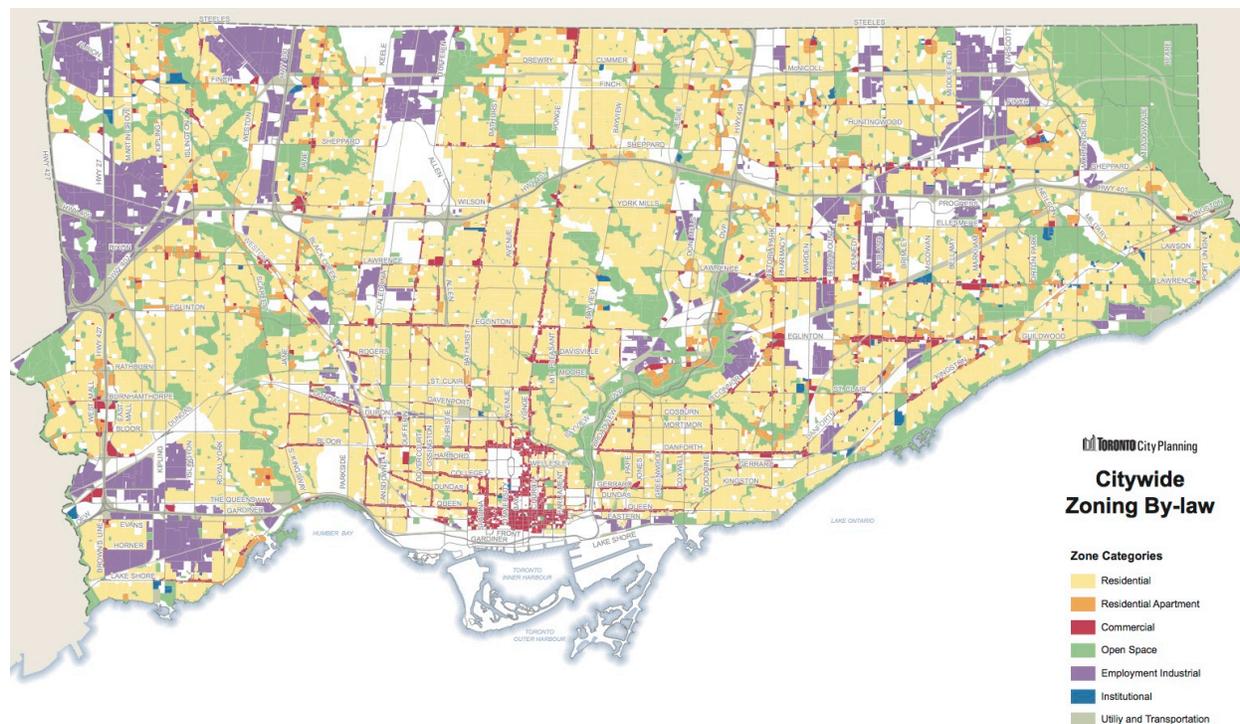
Source: St. Catharine Zoning By-law 2013-283

Toronto also uses colours on its master Zoning Map which shows the parent zones, (Figure 17) .

East Gwillimbury does not use colour to differentiate between zones in their schedules, but does use colour in other schedules of the zoning by-law, to identify Aquifer Vulnerability Areas, Landform Conservation Areas, Wellhead Protection Areas and LSRCA Regulation Limits.

There are both benefits and drawbacks to coloured zoning maps. While the use of colours improves the readability of a map, it may not meet accessibility standards. Another issue is where many different zones are used, the colours begin to resemble each other causing confusion between zones. Readability can be further impaired if zoning schedules are being photocopied, which can lessen the distinction between different colours. This particular issue can be alleviated however by also labelling zones, as well as relying on colours to identify them, as is done in St. Catharines' zoning schedules.

Examples of zoning schedules are found in **Appendix G**.



**Figure 17: Coloured Zoning Mapping from Toronto's zoning by-law**

Source: Toronto's Zoning By-law 569-2013

#### 4.10 By-law Numbering

There are many approaches that can be taken for the numbering of a zoning by-law. Whitby currently uses different numbering structures across their three existing zoning by-laws. The simpler the numbering system, the easier it is for a reader to reference and cross reference a provision. Long section numbers such as 5Eiii)ix)2k)iii), which is an existing section in Zoning By-Law 1784, should be avoided where possible.

Using letters, such as a), b), c) for subsections, is helpful to break up a string of numbers, but it is only appropriate where the number of subsections is less than 26.

Using roman numerals, such as i), ii), iii), for subsection numbering is not recommended, as after ten, these become more cumbersome to read and too long to write.

Whatever numbering system is employed, care should be taken to reduce the number of levels of subsections imbedded in any section.

## 5 Next Steps



The purpose of this report is to identify and consider matters related to the structure of a zoning by-law and how application of the elements reviewed can improve the readability of the new Whitby Comprehensive Zoning By-law.

The different approaches to zone structures will be further informed by the detailed review of the existing zone categories in the next steps of the Study process. In Phase 2 of the Study, the information prepared here and in these other reports will be used to provide recommended courses of action in terms of the organization of zones.

Phase 2 will also make recommendations on the other more detailed layout and organizational elements discussed in Section 4 of this report.

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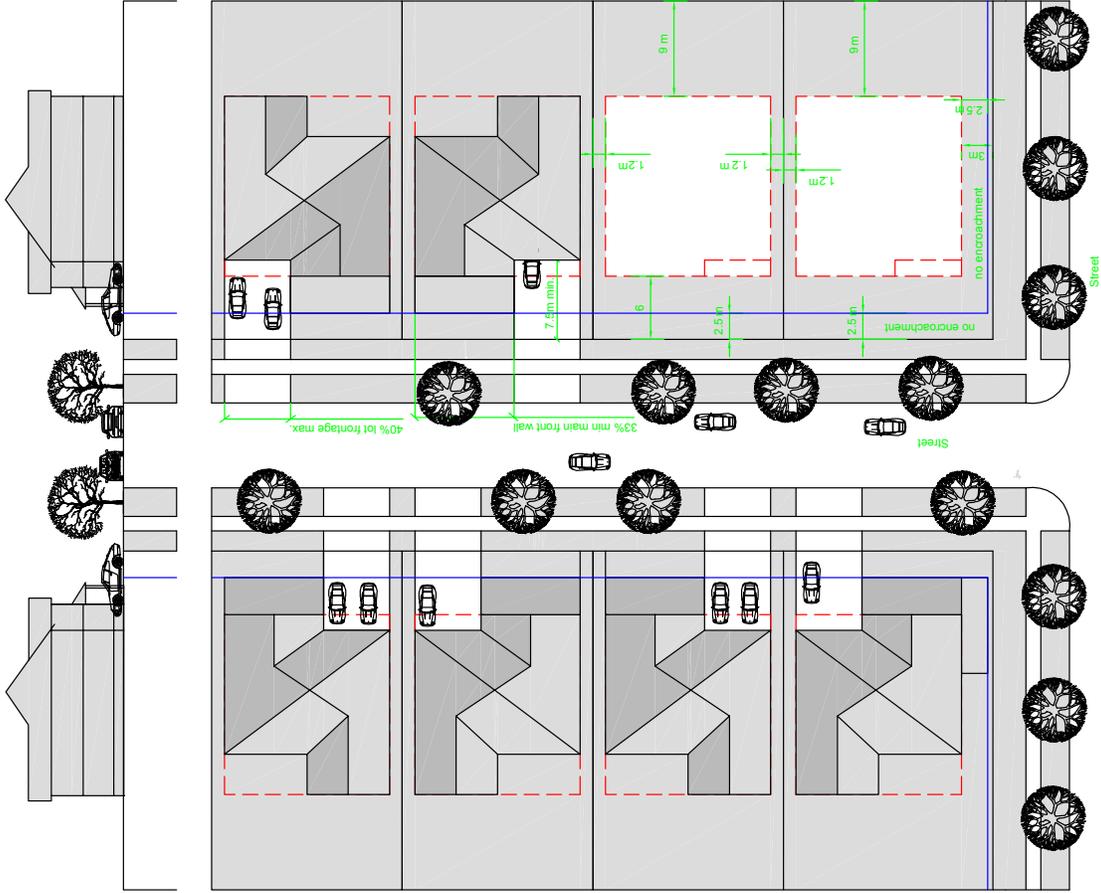
# Appendix A: Form Based Code Examples



**Section 28 : Single Detached Front/Side Attached Garage**

28.1.3 Zone Provisions for a Single Detached Dwelling with an Attached Garage

- a) **Lot Size & Building Height**  
The minimum lot frontage shall be 15m and the minimum lot depth shall be 32m. The maximum building height shall be 11m.
- b) **Minimum Front Yard Depth**  
The main front wall of the house shall be built a minimum of 6 metres from the front lot line. A minimum of 33 percent of the main front wall of the house (excluding the garage) must be located equal to or in front of the attached garage, as measured from the front lot line
- c) **Side Yards**  
The minimum interior side yard shall be 1.2 metres. For a corner lot, the exterior side yard shall be a minimum of 3 metres.
- d) **Rear Yard**  
The minimum rear yard shall be 9m.
- e) **Porches and Steps**  
Steps and porches may encroach to within 2.5 metres of the front lot line and the exterior side lot line. A no encroachment zone from the front and exterior lot lines of 2.5 metres is established.
- f) **Garages**  
The width of the garage shall comprise a maximum of 40% of the lot frontage. Garage doors shall be set back a minimum of 7.5m from the front or exterior side lot line, depending on which lot line the garage door faces.
- g) **Landscape**  
A minimum of 50m<sup>2</sup> of usable, landscaped open space shall be supplied in the rear yard.
- h) **Parking**  
A minimum of 2 parking spaces are required per dwelling unit.



**Section 28 : Single Detached Rear Detached Garage Accessed via Front or Side**

28.1.4

**Zone Provisions for a Single Detached Dwelling with a Detached Garage Accessed via the Front or Exterior Side Yard**

**a) Lot Size & Building Height**

The minimum lot frontage shall be 15m and the minimum lot depth shall be 32m. The maximum building height shall be 11m.

**b) Front Yard Build Within Zone**

The main front wall of the house shall be built within 4.5m and 7.5m of the front lot line.

**c) Side Yards**

The minimum interior side yard on one side shall be 1.2m. The other interior side yard shall be a minimum of 3.5m to accommodate a driveway. For a corner lot, the exterior side yard shall be a minimum of 4.5m.

**d) Rear Yard**

The minimum rear yard shall be 12m.

**e) Porches / Steps**

Steps and porches may encroach to within 2.5m of the front lot line and/or the exterior side lot line. A 2m minimum depth of porch is required. A no encroachment zone from the front and exterior lot lines of 2.5m is established.

**f) Garages**

The width of the garage shall comprise a maximum of 50% of the lot frontage, and shall be set back a minimum of 1.2m from the rear lot line and/or interior side lot line, and shall be set back a minimum of 7.5m from the front line and from the exterior side lot line to garage door when accessed over the exterior side lot line.

The maximum detached garage height shall be 3m (measured to ceiling) for single storey garages, and 6m (measured to ceiling) for two storey garage/coach houses.

**g) Landscape**

A minimum of 50m<sup>2</sup> of usable, landscaped open space shall be supplied in the rear yard.

**h) Parking**

A minimum of 2 parking spaces are required per unit. There is no additional parking requirement for coach house units.

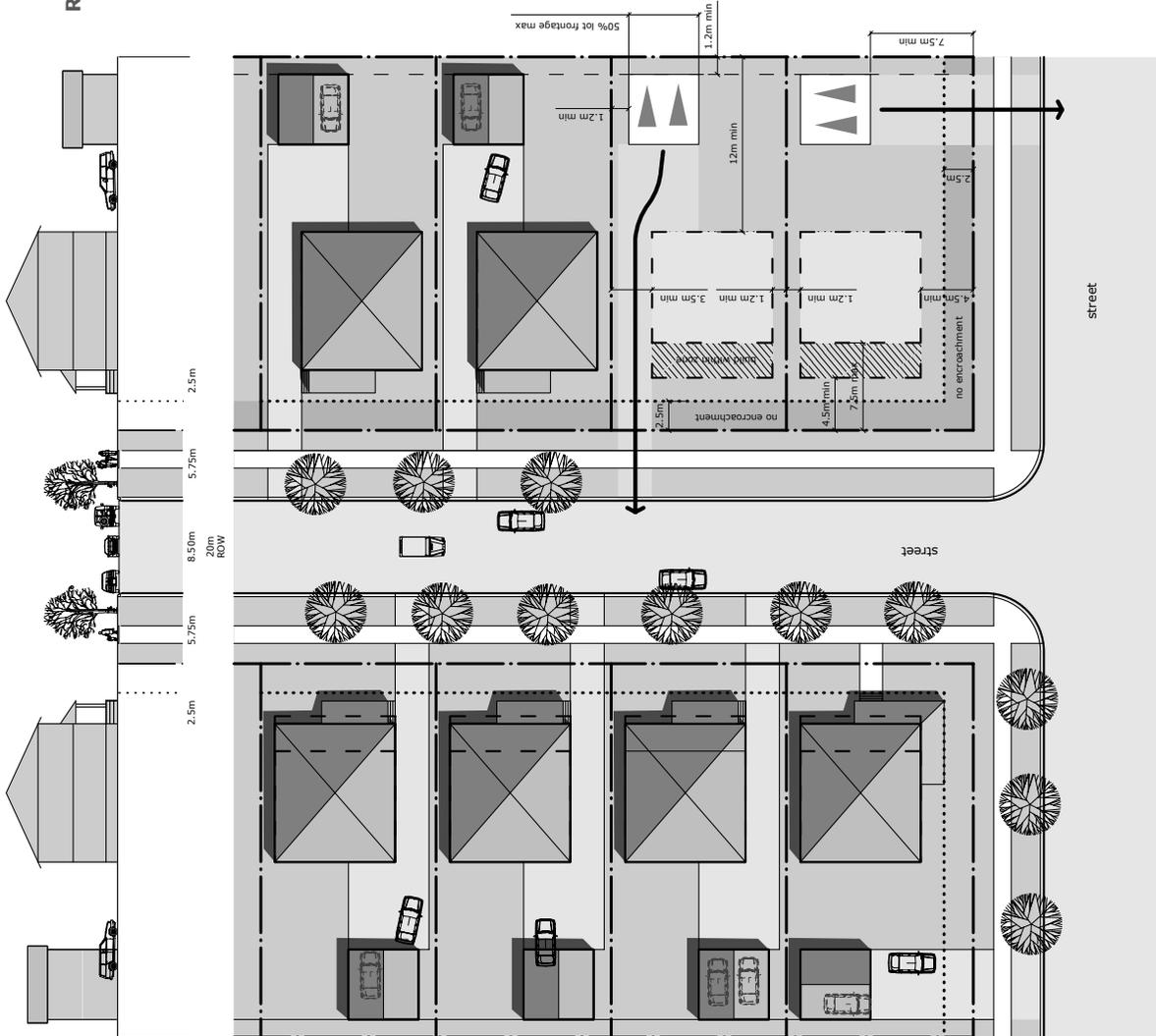


Figure 28.1.4.1: Single Detached House with Detached Garage Accessed via Side Yard

Figure 28.1.4.2: Row of Single Detached Houses with Detached Garages

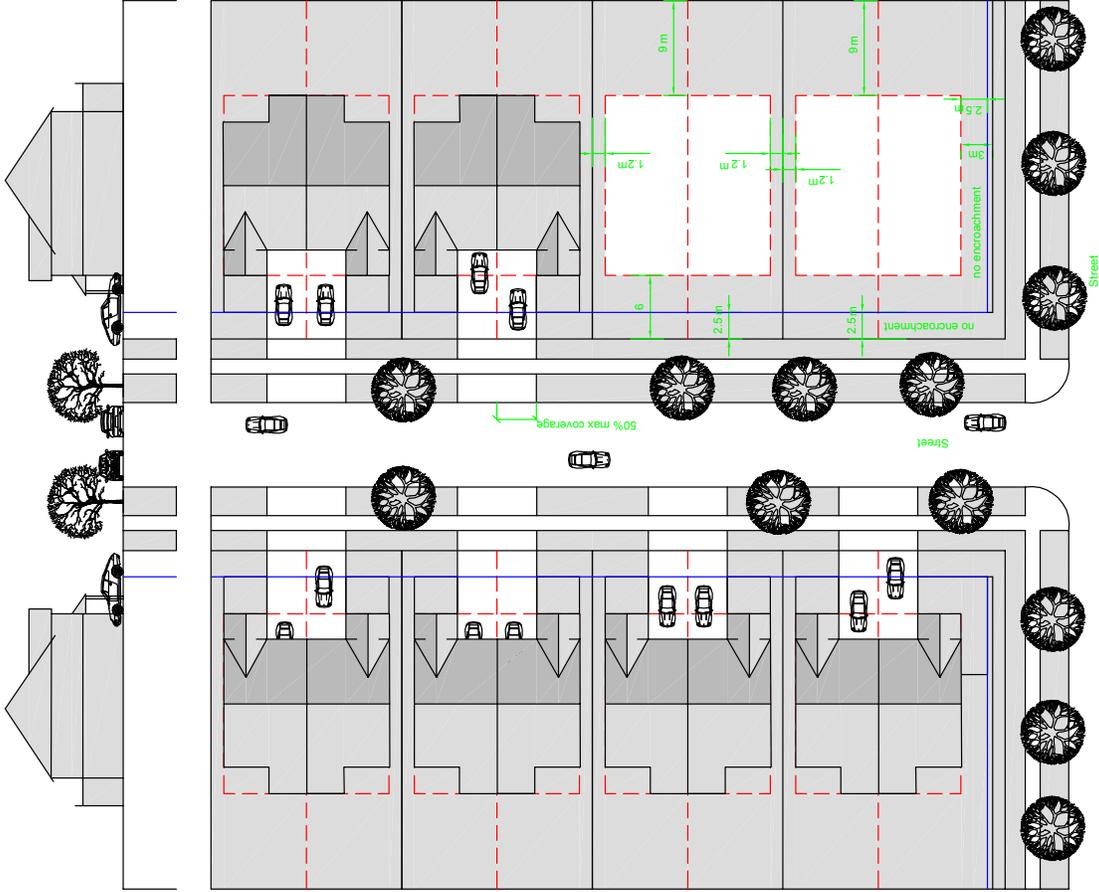
Figure 28.1.4.3: Single Detached House with Detached Garage Accessed via Front Yard



Single Detached/Semi-Detached Zone  
**Section 28 : Semi-Detached Front Attached Garage**  
**TND-R1**  
 Residential

28.1.6 Zone Provisions for a Semi-Detached Dwelling with an Attached Garage

- a) **Lot Size & Building Height**  
The minimum lot frontage shall be 9m and the minimum lot depth shall be 32m. The maximum building height shall be 11m.
- b) **Minimum Front Yard Depth**  
The main front wall of the house shall be built a minimum of 6 metres from the front lot line. One habitable room must be located equal to or in front of the attached garage, as measured from the front lot line.
- c) **Side Yards**  
The minimum interior side yard shall be 1.2 metres. For a corner lot, the exterior side yard shall be a minimum of 3.0 metres.
- d) **Rear Yard**  
The minimum rear yard shall be 9m.
- e) **Porches and Steps**  
Steps and porches may encroach to within 2.5 metres of the front lot line and the exterior side lot line. A no encroachment zone from the front and exterior lot lines of 2.5 metres is established.
- f) **Garages**  
The width of the garage shall comprise a maximum of 40% of the lot frontage. Garage doors shall be set back a minimum of 7.5m from the front or exterior side lot line, depending on which lot line the garage door faces.
- g) **Landscape**  
A minimum of 50m<sup>2</sup> of usable, landscaped open space shall be supplied in the rear yard.
- h) **Parking**  
A minimum of 2 parking spaces are required per unit.



# Appendix B: User Guide Examples



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## PREAMBLE

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### **Introduction**

This preamble explains the purpose of this Zoning By-law and how it should be used. The preamble does not form part of the Zoning By-law. It is intended to make the Zoning By-law more understandable and easier to reference.

### **Purpose of This Zoning By-law**

This Zoning By-law implements the policies of the Town of Ajax Official Plan. The Official Plan contains policies that affect the *use* of land throughout the Town. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private *lot*. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by *Council* must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of *buildings* or *structures* on those lands.

The statutory authority to zone land is granted by the Ontario Planning Act. The Planning Act specifies what a By-law can regulate. A Zoning By-law can:

- prohibit the *use* of land or *buildings* for any *use* that is not specifically permitted by the By-law;
- prohibit the erection or siting of *buildings* and *structures* on a *lot* except in locations permitted by the By-law;
- regulate the type of construction and the *height*, bulk, location, size, floor area, spacing, and *use* of *buildings* or *structures*;
- regulate the minimum frontage and depth of a parcel of land;
- regulate the proportion of a *lot* that any *building* or *structure* may occupy;
- regulate the minimum elevation of doors, windows or other openings in *buildings* or *structures*;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,

- prohibit the *use* of lands and the erection of *buildings* or *structures* on land that is:
  - subject to flooding;
  - the site of steep slopes;
  - rocky, low-lying, marshy or unstable;
  - contaminated;
  - a sensitive groundwater recharge area or head water area;
  - the location of a sensitive aquifer;
  - a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
  - a significant natural corridor or shoreline of a lake, river or stream; or,
  - the site of a significant archaeological resource.

### **How to Use This By-law**

To reference this By-law each of the steps listed below should be followed to determine what permissions apply to a particular property.

#### **1. Locate the Property on a Map**

Maps in a Zoning By-law are referred to as 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained at the back of the By-law to determine in which zone category the subject property is located. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, a symbol such as "R1-A" beside a property would indicate that the property is within the 'Residential Type 1 Zone'. The zone symbols or abbreviations used in this By-law are explained on the first page of Section 2 of the By-law or contact Ajax Planning and Development Services for assistance.

Section 2 also provides assistance to help identify the zone boundaries on the Schedules. For example, if a property appears close to a zone boundary refer to Section 2.4 of the By-law.

#### **2. By-law Amendments**

A Zoning By-law is not a static document; it is amended over time as development proceeds and policies governing land *use* change. Before proceeding any further, verify that the property is not the subject of an earlier Zoning By-law amendment or a minor variance. Zoning By-law amendments are listed in Section 7 of this By-law. More recent amendments may not be included in this version of the By-law.

A minor variance does not amend the Zoning By-law. It simply excuses a property from a specific requirement of the Zoning By-law (such as a minimum *side yard* setback) if the *use* and *structures* on the property conforms to all other aspects of the By-law. A minor variance is achieved by submitting an application to the Committee of Adjustment and allows the property owner to obtain a *building* permit. Minor variances granted by the Committee of Adjustment are not included in this By-law.

Staff in the Town's Planning and Development Services department will be able to confirm if the property has been subject to a more recent Zoning By-law amendment or a minor variance.

### 3. Permitted *Uses*

Section 6 of the By-law identifies the permitted *uses* permitted in each zone category within the Town. Definitions for these *uses* are provided in Section 3. Words that are defined in Section 3 are *italicized* throughout the By-law. *Uses* which are not identified as permitted *uses* within a particular zone are not permitted in that zone.

### 4. Zone Standards

Section 6 of the By-law also identifies the zone standards that apply to the *uses* on a property for each zone in the Town. Standards that typically apply to permitted *uses* include minimum *lot area*, minimum frontage requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*; maximum permitted *height* of *buildings* and in some cases, the minimum required landscaped open space on the *lot*. In some cases, there may be additional standards beyond those identified in this Preamble.

### 5. General Provisions

Section 4 of this By-law provides a more generic set of standards known as 'General Provisions' that apply to all properties in all zones throughout the Town unless otherwise specifically governed by zone standards or exceptions referred to elsewhere in the By-law. For example, the General Provisions include standards to regulate the construction and location of accessory *buildings*. These standards apply to all properties regardless of where in the Municipality the property is located.

### 6. Parking and Loading

There is one final section of the By-law that should be consulted when determining what permissions apply to a specific property. Section 5 provides the parking and loading requirements for all permitted *uses* in the Town.

### 7. Explanatory Notes

A series of drawings are provided in the back of this document to assist the reader in interpreting certain Zoning By-law provisions. These drawings are for illustration purposes only and do not form part of the actual By-law.

## **Description of By-law Components**

This By-law contains nine sections which together, provide the zoning standards applicable to all lands within the Town of Ajax. These sections are as follows:

- Section 1 – Interpretation and Administration
- Section 2 – Establishment of Zones
- Section 3 – Definitions
- Section 4 – General Provisions
- Section 5 – Parking, Loading and Queuing Requirements
- Section 6 – Zone Provisions
- Section 7 – Exceptions
- Section 8 – Holding Provisions, Temporary *Use* Zones, and Interim Control Zones
- Section 9 - Enactment

The purpose of each of these sections is described below.

#### Section 1 – Interpretation and Administration

This Section specifies:

- the lands that are subject to this By-law;
- that every parcel of land governed by this By-law is to conform and comply with the By-law; and,
- the penalties to be levied against a *person* or a corporation for contravention of any provision in the By-law.

#### Section 2 - Establishment Of Zones

This Section establishes the zones that apply to the lands governed by this By-law. This Section also describes how to determine the location of the Zone boundaries on the schedules.

#### Section 3 - Definitions

It is necessary to define words in a Zoning By-law because it is a legal document which if necessary, can be enforced in a court of law. These definitions are intended to clarify the intent of the By-law and ensure that the By-law is interpreted consistently.

#### Section 4 - General Provisions

This Section contains regulations that apply to certain types of *uses, buildings or structures* regardless of where in the municipality or in what zone they are located. For example, this Section contains provisions dealing with the construction of *accessory buildings* in any zone or provisions to regulate the operation of *home based businesses*.

#### Section 5 – Parking, Loading, and Queuing Requirements

Parking and loading facilities are required for almost all permitted *uses*. This Section establishes requirements for parking and loading facilities including such regulations as the number of spaces required for permitted *uses*, minimum *driveway* width, minimum *parking space* size and the location of parking facilities on a *lot*.

#### Section 6 – Zone Provisions

This Section lists the *uses* permitted within each Zone. The effect is to only permit certain *uses* in specified locations within the Town. The only *uses* permitted in a zone are those that are specified in the By-law. If a *use* is not specifically identified as a permitted *use* then it is not permitted. Similarly, if a *use* is defined in Section 6 of the By-law but does not appear as a permitted *use* in any zone, then it is not a *use* permitted within any Zone.

This Section also contains regulations that control the placement, bulk and *height* of a *building* on a *lot*. This includes regulations such as minimum *lot* size, minimum frontage, maximum *building height* or the maximum coverage of a *building* on a *lot*.

#### Section 7 – Exceptions

This Section contains regulations applicable to one property or a specific group of properties in the Town. Exceptions are denoted on the Exceptions Schedules by a bold outline and a numeric reference which guides the reader to the applicable Section of the By-law.

#### Section 8 – Holding Provisions, Temporary *Use* Zones, and Interim Control Zones

This Section provides a consolidated list of properties that are subject to Holding (H) Provisions, Temporary *Use* By-laws and Interim Control By-laws.

#### Section 9 - Enactment

This Section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by *Council* in accordance with Section 34 of the Planning Act, R.S.O. 1990.

# How to Use This By-law

In order to use this Zoning By-law, one should follow each of the steps listed below to determine the Zone(s) and permissions that apply to a particular property.

## STEP 1 - Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step is to refer to the Schedules that are contained at the back of the By-law to determine the Zone(s) that apply to your property. The Zone will be indicated on the Schedules by a symbol or abbreviation. For example, you may see a symbol such as "C1" that applies to your property. This would indicate that your property is within the 'Village Core Commercial (C1) Zone'. The Zone symbols or abbreviations are identified on the first page of Part 2.0 (Classification of Zones) of the By-law.

Part 2.0 (Classification of Zones) also provides assistance to help you identify the Zone boundaries on the Schedules. For example, if your property appears close to a Zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 (Determining Zone Boundaries) of the By-law.

## STEP 2 - By-law Amendments, Minor Variances and Exceptions

A Zoning By-law is amended over time as demands and policies governing land use change. By-laws are commonly amended to change the zoning of a property to permit or prohibit a use or uses. In some cases, special provisions are applied to a property to change the Zone provisions for that property. This type of variance is called an exception and exceptions to the By-law are contained within Part 16.0 (Exceptions). You should also verify if your property is the subject of a Holding By-law or Temporary Use By-law. Part 14.0 (Holding Provisions) contains specific requirements that describe what conditions need to be met in order to develop/establish permitted uses on a property. Part 15.0 (Temporary Uses) identifies those properties that are subject to use permissions that only last for a specified period of time.

Also note that more recent amendments may not be included in the version of the By-law you are using. Staff in the Town's Development Services Department will be able to assist you to confirm if your property has been subject to a more recent By-law Amendment or Minor Variance.



### **STEP 3 - Permitted Uses and Zone Standards**

The next step is to determine what uses are permitted on your property. Parts 6.0 through 13.0 of the By-law identify the permitted uses for each Zone. The definitions in Part 3.0 (Definitions) can assist you if you are not sure of the nature of a use or how it has been defined for the purposes of this By-law. Words that are defined in Part 3.0 are **bolded** throughout the By-law. If a word is not **bolded**, it is not specifically defined. Uses that are not identified as permitted uses within a particular Zone are not permitted in that specific Zone.

Next, you can determine what standards apply to the uses on your property. Parts 6.0 through 13.0 of the By-law also identify the standards for each Zone including minimum lot area, minimum frontage, minimum yards, maximum lot coverage for buildings, and the maximum permitted height of buildings.

### **STEP 4 - General Provisions**

After determining what uses are permitted and the specific standards that apply to those uses, you should refer to Part 4.0 (General Provisions) of this By-law. Part 4.0 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all Zones throughout the Town.

### **STEP 5 - Parking and Loading**

There is one final section of the By-law that you should review when determining what permissions apply. Part 5.0 (Parking and Loading) provides the parking and loading requirements for all permitted uses in the Town.



## **PREAMBLE**

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### **Introduction**

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

### **Purpose of This Zoning By-law**

The purpose of this Zoning By-law is to implement the policies of the Town of Milton Official Plan. The Official Plan contains general policies that affect the *use* of land throughout the municipality. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private *lot*. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by *Council* must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of *buildings* or *structures* on those lands.

The statutory authority to *zone* land is granted by the Ontario Planning Act. The Planning Act specifies what a By-law can regulate. A Zoning By-law can:

- prohibit the *use* of land or *buildings* for any *use* that is not specifically permitted by the By-law;
- prohibit the erection or siting of *buildings* and *structures* on a *lot* except in locations permitted by the By-law;
- regulate the type of construction and the *height*, bulk, location, size, floor area, spacing, and *use* of *buildings* or *structures*;
- regulate the minimum *frontage* and *depth* of a parcel of land;
- regulate the proportion of a *lot* that any *building* or *structure* may occupy;
- regulate the minimum elevation of doors, windows or other openings in *buildings* or *structures*;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,

- prohibit the *use* of lands and the erection of *buildings* or *structures* on land that is:
  - subject to flooding;
  - the site of steep slopes;
  - rocky, low-lying, marshy or unstable;
  - contaminated;
  - a sensitive groundwater recharge area or head water area;
  - the location of a sensitive aquifer;
  - a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
  - a significant corridor or shoreline of a lake, river or stream; or,
  - the site of a significant archaeological resource.

### **How to Use This By-law**

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

#### **1. Table of Contents**

The provisions of this By-law have been numbered using a decimal system of numbering and are referred to as "sections" regardless of the number of digits, for example section 2, section 2.17, section 2.17.1. Some sections are divided into clauses, for example 4.14 (i) is referred to as clause i) of section 4.14. Some are further divided into sub-clauses, for example 4.14 (i) (a) is referred to as sub-clause a) of clause i) of section 4.14.

Wherever reference is made in this By-law to "section 1", "section 2", "section 3", "section 4", "section 5", or "section 6", etc., it shall be deemed to be a reference to all sections having, respectively, 1, 2, 3, 4, 5 or 6, etc. as the first digit.

#### **2. Locate the Property on a Map**

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the *zone* schedules that are contained at the back of the By-law to determine in which *zone* category your property is located. The *zone* category will be indicated on the schedules by a colour and in some cases a symbol or abbreviation. For example, you may see a light shade of yellow colour with a symbol such as "RLD" beside your property. This would indicate that your property is within the 'Residential Low Density' *Zone*. The *zone* symbols or abbreviations are explained on the first page of Section 2 of the By-law.

Section 2 also provides assistance to help you identify the *zone* boundaries on the Schedules. For example, if your property appears close to a *zone* boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.5 of the By-law.

#### **3. By-law Amendments**

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

listed in the Special Provisions Section of this By-law. More recent amendments may not be included in the version of the By-law you are using. Staff in the Town's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

#### **4. Zone Provisions**

The next step to using this By-law is to determine what *uses* are permitted on your property. Sections 6 to 12 of the By-law identify the permitted *uses* and *zone* standards for each *zone* in the municipality.

The definitions in Section 3 can assist you if you are not sure of the nature of a permitted *use* or how it has been defined for the purposes of this By-law. Words that are defined in Section 3 are *italicized* throughout the By-law.

If a word is not italicized, it is not specifically defined. *Uses* which are not identified as permitted *uses* within a particular *zone* are not permitted in that *zone*. Where a definition is not defined in this By-law, the Merriam - Webster dictionary definition will apply.

You have now identified the *zone* in which your property is located and have identified what *uses* are permitted on your property. The next step is to determine what standards may apply to the *uses* on your property. Sections 6 to 12 of the By-law also identify the *zone* standards for each of the *zone* categories in the municipality including standards for minimum *lot area*, minimum *frontage* requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*, maximum permitted *height of buildings* and in some cases, the minimum required *landscaped open space* on the *lot*.

#### **5. General Provisions**

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

#### **6. Parking and Loading**

There is one final section of the By-law that should be consulted when determining what permissions apply to your specific property. Section 5 provides the parking and loading requirements for all *uses* permitted in the municipality. If you are considering changing the *use* of your property or adding a new *use* to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed *use*.

## **7. Explanatory Notes**

A series of drawings are provided in the back of this document to assist the reader in interpreting the Zoning By-law provisions. These drawings are for illustration purposes only and do not form part of the actual By-law.

## Preamble

### Introduction

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

### Purpose of This Zoning By-Law

The purpose of this zoning By-Law is to implement the policies of the Town of Newmarket Official Plan. The Official Plan contains general policies that affect the *use* of land throughout the municipality. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private *lot*. In the Province of Ontario, this is the role of the zoning By-Law. Once an Official Plan is in effect, any Zoning By-Law passed by Council must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the zoning By-Law would prohibit the erection of *buildings* or *structures* on those lands.

The statutory authority to zone land is granted by the Ontario Planning Act. The Planning Act specifies what a By-Law can regulate. A zoning By-Law can:

- prohibit the *use* of land or *buildings* for any *use* that is not specifically permitted by the By-Law;
- prohibit the erection or siting of *buildings* and *structures* on a *lot* except in locations permitted by the By-Law;
- regulate the type of construction and the *height*, bulk, location, size, floor area, spacing, and *use* of *buildings* or *structures*;
- regulate the minimum frontage and depth of a parcel of land;
- regulate the proportion of a *lot* that any *building* or *structure* may occupy;
- regulate the minimum elevation of doors, windows or other openings in *buildings* or *structures*;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-Law; and,
- prohibit the *use* of lands and the erection of *buildings* or *structures* on land that is:

- subject to flooding;
- the site of steep slopes;
- rocky, low-lying, marshy or unstable;
- contaminated;
- a sensitive groundwater recharge area or head water area;
- the location of a sensitive aquifer;
- a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
- a significant corridor or shoreline of a lake, river or stream; or,
- the site of a significant archaeological resource.

### How to Use This By-Law

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

#### 1. Locate the Property on a Map

Maps in a zoning By-Law are called 'Schedules'. The first step to using this By-Law is to refer to the *zone* schedules that are contained at the back of the By-Law to determine in which *zone* category your property is located. The *zone* category will be indicated on the schedules by a symbol or abbreviation. For example, you may see a symbol such as "R1" beside your property. This would indicate that your property is within the 'Residential Type 1 Zone'. The *zone* symbols or abbreviations are explained on the first page of Section 2 of the By-Law.

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

#### 2. By-Law Amendments

A zoning By-Law is not a static document; it is amended over time as demands and policies governing land *use* change. Before proceeding any further, you should verify that your property is not the subject of an earlier zoning By-Law amendment. These amendments are listed in Section 8 of this By-Law. More recent amendments may not be included in the version of the By-Law you are using. Staff in the Town's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-Law amendment.

#### 3. Permitted Uses

The next step to using this By-Law is to determine what *uses* are permitted on your property. Section 6 of the By-Law identifies the permitted *uses* for each *zone* in the municipality. The definitions in Section 3 can assist you if you are not sure of the nature of a *use* or how it has been defined for the purposes of this By-Law. *Uses* which are not identified as permitted *uses* within a particular *zone* are not permitted in that *zone*.

#### 4. Zone Standards

Steps 1 and 2 have now identified the *zone* in which your property is located and have identified what *uses* are permitted on your property. The next step is to determine what standards may apply to the *uses* on your property. Section 6 of the By-Law also identifies the *zone* standards for each *zone* in the municipality including standards for minimum *lot area*, minimum frontage requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*, maximum permitted *height of buildings* and in some cases, the minimum required landscaped open space on the *lot*.

The primary *zone* structure of this By-Law includes a list of permitted *uses* and *zone* standards for each *zone* category. In some cases, an additional set of regulations are identified through the *use* of an Overlay Zone. An Overlay Zone is a second layer of *zone* regulations that take precedence over the *zone* category requirements. Where an Overlay Zone has been applied, the permitted *uses* of the underlying *zone* continue to apply however, more restrictive provisions of the Overlay Zone replace the specified regulation of the underlying *zone*. An Overlay Zone is a second level of standards that allow the Town of Newmarket to address unique or special circumstances through the zoning process.

#### 5. General Provisions

Now that you are aware of the *uses* permitted on your property and the specific *zone* standards that apply to those *uses*, reference should be made to Section 4 of this By-Law. Section 4 contains a more generic set of standards known as 'General Provisions' that apply to all properties in all *zones* throughout the municipality. For example, the general provisions contain standards that regulate the construction and location of *accessory buildings* and platforms that apply to all properties regardless of where in the municipality a property is located.

#### 6. Parking and Loading

There is one final section of the By-Law that should be consulted when determining what permissions apply to your specific property. Section 5 provides the parking and loading requirements for all permitted *uses* in the municipality. If you are considering changing the *use* of your property or adding a new *use* to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed *use*.

#### 7. Explanatory Notes

A series of drawings are provided in the back of this document to assist the reader in interpreting the Zoning By-Law provisions. These drawings are for illustration purposes only and do not form part of the actual By-Law.

## Description of By-Law Components

This By-Law contains 9 sections which together, provide the standards applicable to all lands within the municipality. These sections are as follows:

Section 1 - Interpretation and Administration

Section 2 - Establishment of Zones

Section 3 - Definitions

Section 4 - General Provisions

Section 5 - Parking and Loading

Section 6 - Zone Provisions

Section 7 - Overlay Zones

Section 8 - Special Provisions, Holding Provisions, Temporary Uses and Interim Control By-Laws

Section 9 - Enactment

The purpose of each of these sections is described below.

### **Section 1 - Interpretation and Administration**

This section of the By-Law specifies:

- what lands are covered by the By-Law;
- that every parcel of land in the area covered by the By-Law is to conform and comply with the By-Law; and,
- what penalties can be levied against a person or a corporation if they contravene any provision in the By-Law.

### **Section 2 - Establishment of Zones**

This section establishes the *Zones* that apply to the lands covered by the By-Law. This section also describes how to determine the location of the *Zone* boundaries on the schedules.

### **Section 3 - Definitions**

It is necessary to define words in a zoning By-Law because it is a legal document. A By-Law must be drafted so that it can be enforced in a court of law. These definitions will help provide clarity in the By-Law and ensure that the By-Law and its intent is applied consistently.

### **Section 4 - General Provisions**

This section contains a number of regulations that apply to certain types of *uses*, *buildings* or *structures* regardless of where in the municipality or in what *zone* they are located. For example, this section contains provisions dealing with the construction of *accessory buildings* in any *zone* or provisions to regulate the operation of *home occupations*.

## Section 5 - Parking and Loading

Parking and loading facilities are required for almost all *uses* within the municipality. This section provides the requirements for these facilities including such regulations as the number of spaces required for residential and *commercial uses*, minimum *driveway width*, minimum *parking space* size and the location of parking facilities on a *lot*.

## Section 6 - Zone Provisions

This section lists the *uses* that are permitted in each *Zone*. The effect of these *Zones* is to only permit certain *uses* in various parts of the municipality. The only *uses* permitted in a *zone* are those that are specified in the By-Law. If a *use* is not specifically mentioned as a permitted *use* in a *Zone* then it is not permitted. Similarly, if a *use* is defined in Section 3 of the By-Law but does not appear as a permitted *use* in any *zone*, then it is not a *use* permitted by the By-Law.

This section also contains a number of regulations that control the placement, bulk and *height* of a *building* on a *lot*. This includes regulations such as minimum *lot* size, minimum frontage, maximum *building height* or the maximum coverage of a *building* on a *lot*. In the case of the residential *zone* regulatory sets, such *zone* standards are indicated within the parentheses on the zoning maps indicating applicable regulatory set for the corresponding *use zone*.

## Section 7 - Overlay Zones

This section identifies the primary Overlay Zone that will be applied within the Town. The Floodplain and Other Natural Hazards (FP-NH) Overlay Zone provide individual regulations that can be applied to specific properties in conjunction with specified *use zones* and/or established regulatory sets.

## Section 8 - Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control By-Laws

This section provides a consolidated list of properties that are subject to Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control By-Laws. Regulations which are specific to one property or a group of properties in the Town are known as 'Special Provisions' and are shown on the Zone Schedules with a suffix at the end of the *zone* code consisting of a dash followed by a number (for example, '-123') to denote exceptions to the standard regulations; a dash followed by the letter 'T' (for example '-T') to denote temporary *uses*; and, a dash followed by the letters 'IC' (for example '-IC') to denote an interim control *zone*.

## Section 9 - Enactment

This section contains the signatures of the Mayor and the Clerk who signed the By-Law when it was passed by Council in accordance with Section 34 of the Planning Act, R.S.O. 1990.

# A User's Guide to the Zoning By-law

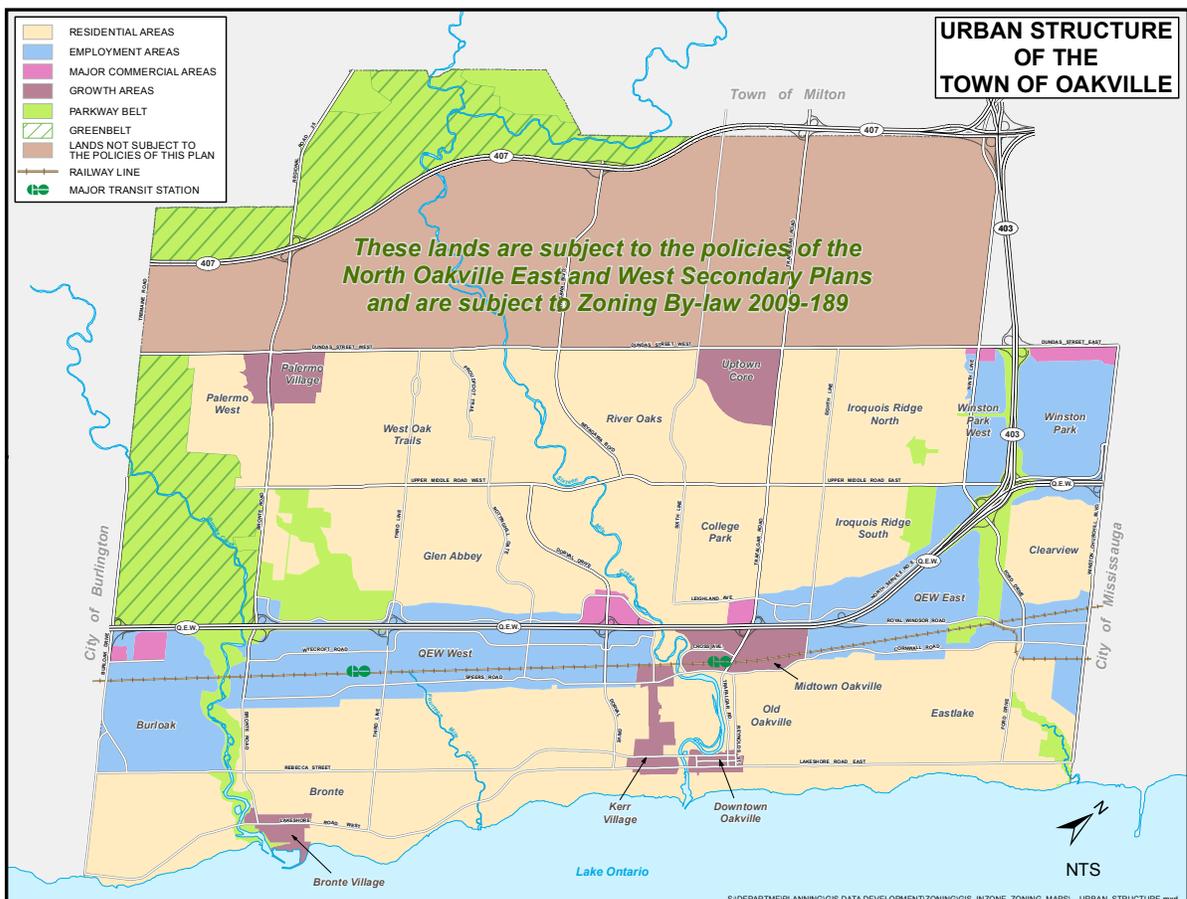
Zoning By-law 2014-014 applies to the lands south of Dundas Street and North of Highway 407. This user guide is intended only to make the By-law easier to understand and reference, and to outline how to use the By-law to find basic zoning information.

If you have any questions about the content of or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact a member of the zoning section of Oakville's Building Services department or a planner in the Planning Services department.

## Purpose of the Zoning By-law

A zoning by-law is a “rule book” that controls building and development. Zoning by-laws regulate how land and buildings are used, the location of buildings, minimum lot sizes and dimensions, building heights, and other provisions necessary to ensure proper development.

The zoning by-law implements the community vision and policies for future growth and development expressed in the *Town's* official plan, the Livable Oakville Plan. The zoning by-law puts the Livable Oakville Plan vision and policies into terms, permissions, and numbers that can be measured. The Livable Oakville Plan was unanimously adopted by Council on June 22, 2009, approved with modifications by Halton Region on November 30, 2009, and ultimately approved by the Ontario Municipal Board on May 10, 2011. The Livable Oakville Plan applies to all lands in the *Town of Oakville* south of Dundas Street and north of Highway 407, as shown on the map below.



*The overall “urban structure” of Oakville. Lands north of Dundas Street and south of Highway 407 are not subject to the policies of the Livable Oakville Plan. There, the North Oakville Secondary Plans and Zoning By-law 2009-189, both as amended, apply.*

# A User's Guide to the Zoning By-law

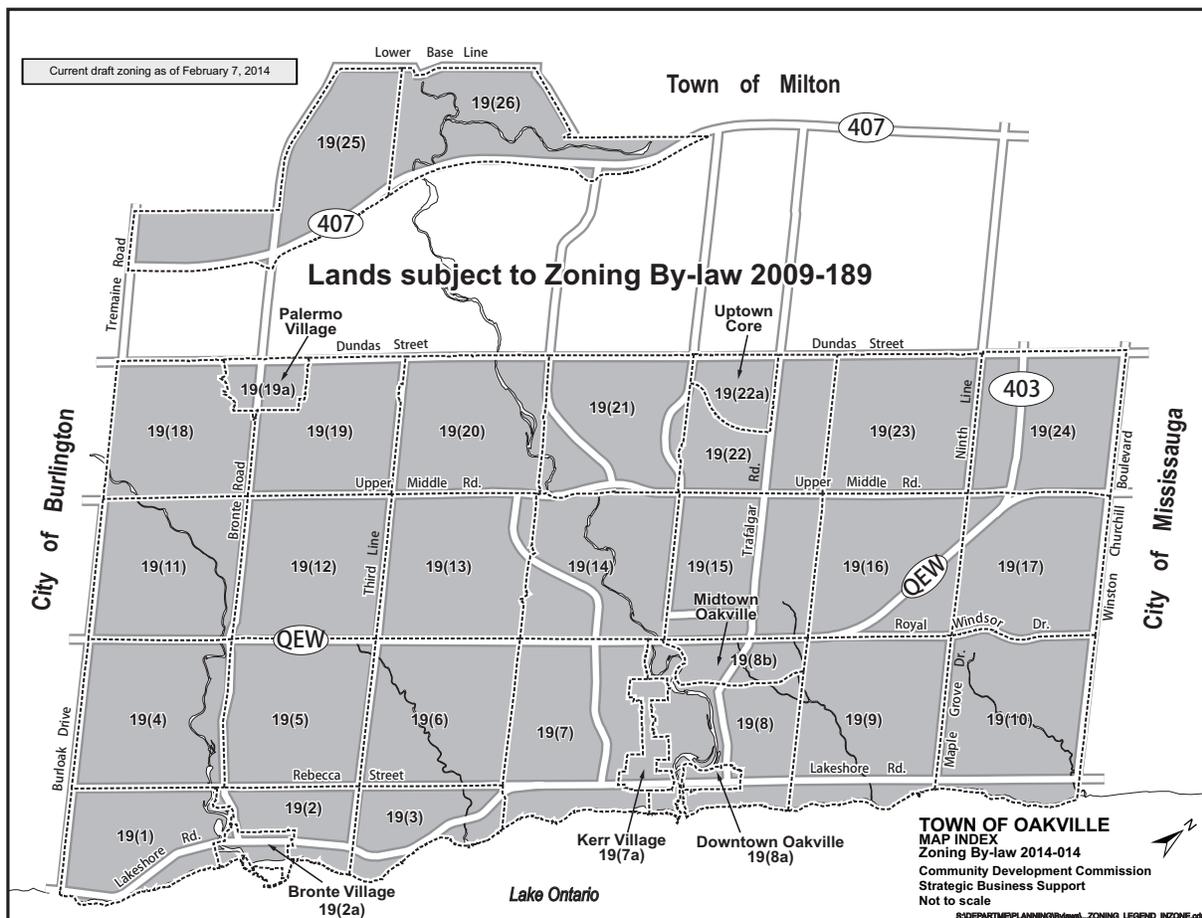
## How to Use this By-law

The following six steps describe how to identify what uses can be undertaken and the size of buildings that can be erected on a specific property. Staff in the zoning section of the Building Services department and Planning Services staff are always available to answer your questions and confirm the zoning regulations and planning policies applying to your property:

### 1. Start with the maps in Part 19 of the By-law to determine your zone

1. Find the map in Part 19 of the Zoning By-law that shows the applicable property. The By-law is divided into 32 maps based upon the grid shown on the following page;
2. Locate the property on the map; and,
3. Determine what *Zone* the property is in.

The *Zones* are identified by a short-form symbol, a series of letters and numbers. For instance, if a property is in the "Community Commercial" *Zone* it will be identified as "C2" on the maps.



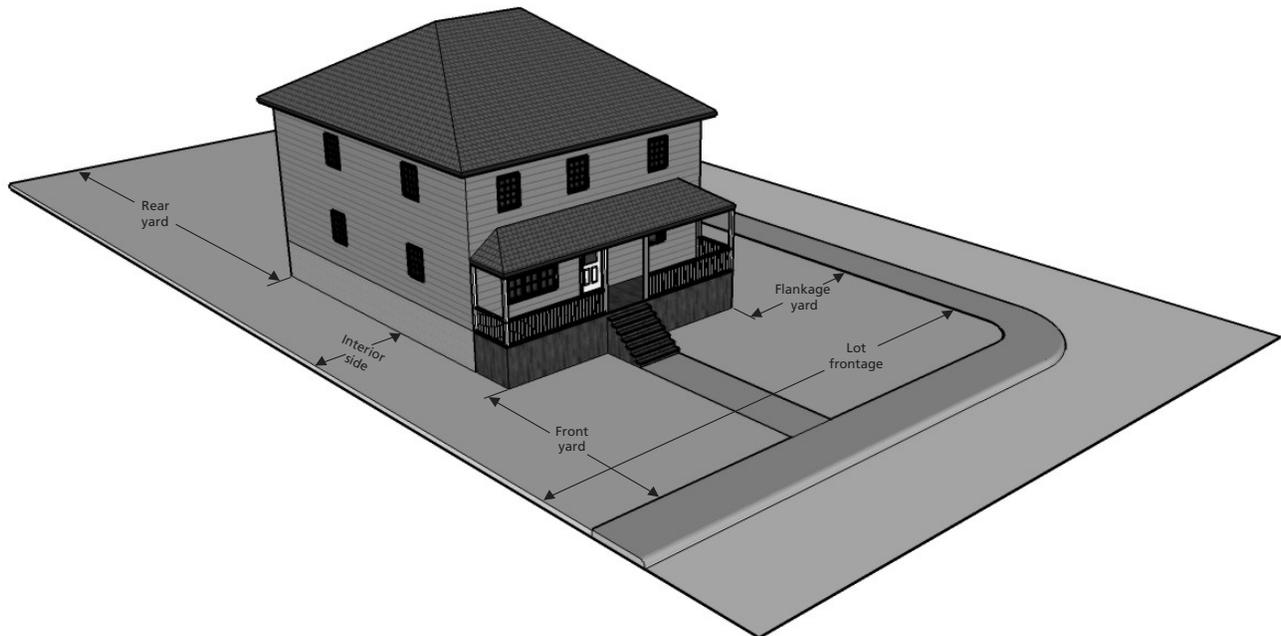
# A User's Guide to the Zoning By-law

## 2. Turn to the appropriate Part of the By-law (Parts 6 through 14) for the use permissions and building regulations applying in your zone.

Parts 6 through 14 of this By-law contain a series of tables. The first tables contain a list of permitted *uses*. The *use* is shown in the left-hand column, and the *zones* in which each *use* is permitted are marked with a “+” symbol in the appropriate column.

Once the permitted *uses* are known, turn to the next section of the By-law, where the *zone* regulations can be found in a separate table. There are multiple tables in the Residential *Zones* because of the wide range of housing forms and styles in Oakville. Other Parts of the By-law have fewer tables. These regulation tables state what standards apply to any *buildings* and *structures* associated with the permitted *use*. Each *zone* has its own column (in the Residential *Zones*, many *zones* have their own table). Using the Community Commercial C2 *Zone* example above, the *lot* size, *yard*, and *height* requirements are shown in the third column of Table 9.2.

These regulations establish the “*building envelope*” for development on a *lot*. The amount of developable area and the types and sizes of *buildings* allowed are further regulated by other Parts of the By-law.



Additional regulations may follow the *use* permission and *building* regulation tables and should also be reviewed to ensure your building plans comply.

## 3. Turn to the appropriate Part of the By-law (Parts 15 through 18) for any site- or area-specific provisions applying to your property.

Referring back to step one above, if a property has some additional site- or area-specific provisions, a number will be added to the *zone* symbol on the zoning maps contained in Part 19; for example, “C2<sup>54</sup>”. These site- or area-specific provisions modify the regulations for lands covered by that provision. These provisions are listed in the appropriate table in Part 15 of the By-law.

# A User's Guide to the Zoning By-law

If the property is subject to a Holding Provision, the symbol will be preceded by the letter “H” and a number (i.e. “H1-C2”). A Holding Provision restricts the *uses* on a property only to those permitted under the Hold (typically, only existing *uses*), until a series of conditions are cleared. These conditions, and any modified provisions that apply while the Hold is in place, are listed in Part 16 of the By-law.

If the property is subject to an Interim Control By-law, a hatched line overlay will be shown on the property along with a number and letter “i” (i.e. “3i”). These properties are subject to a temporary removal of permitted *uses* or modified *building* or *structure* regulations, pending the completion of a study and potential amendment to the Zoning By-law. These provisions are listed in Part 17 of the By-law.

If the property is subject to a Temporary *Use* By-law, the symbol will be preceded by the letter “T” and a number (i.e. “T1-E2”). The intent of a temporary *use* by-law is to allow a *use* of land temporarily until the ultimate development vision for the area can be achieved through development, or when non-permanent uses are required for a short period of time. These permissions and associated provisions are listed in Part 18 of the By-law.

## 4. Turn to Part 4 to identify general regulations that apply in all zones.

After determining what standards may apply to a permitted *use* on the property, refer to the General Regulations section of the By-law to determine what provisions in that section may apply to the property. A review of this list will allow identification of regulations which may be applicable and which should then be reviewed.

## 5. Turn to Part 5 of the By-law for the parking, loading and stacking space requirements for your use.

Part 5 of this By-law contains the requirements associated with *motor vehicle parking spaces*, *bicycle parking spaces*, *loading spaces*, and *stacking spaces* with *motor vehicle* queuing (i.e. a *drive-through facility*) or pick-up and drop-off (i.e. school lay-by). Parking and loading regulations include parking and *loading space* dimensions, minimum required and maximum permitted number of spaces, and design-oriented regulations that apply to all *uses* in all *zones*.

## 6. Turn to Part 3 to find definitions.

Throughout the By-law, you will find certain words are *italicized*. These are terms which have a definition in the By-law. The definitions are found in Part 3 of the By-law. Reference to the definitions section should be made to ensure a clear understanding of the implications of any italicized term used in the By-law.

## Any Further Questions?

If you have any questions about the content of or how to interpret this By-law, or to obtain any content of this By-law in an alternate format, please do not hesitate to contact the *Town* for more information. Zoning staff in the Building Services department and planning staff in the Planning Services departments are available Monday through Friday, 8:30 a.m. to 4:30 p.m., to assist with interpreting the *Town's* policies and regulations.

# Appendix C: Table Examples



**6.2.1 Permitted Uses (Amended by By-law 114-2013)**

The following table establishes the uses permitted in the Residential Zones.

	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6
<i>Detached Dwelling</i>	•	•	•	•	•	•	•	•					
<i>Semi-Detached Dwelling</i>									•				
<i>Duplex Dwelling</i>										•			
<i>Triplex Dwelling</i>											•		
<i>Double Duplex Dwelling</i>												•	
<i>Linked Villa Dwelling</i>													•
<i>Townhouse Dwelling (Street)</i>									•				
<i>Maisonette Dwelling</i>													•
<i>Multiple Attached Dwelling</i>											•		•
<i>Apartment Dwelling</i>											•		•
<i>Senior Citizens' Apartment</i>												•	
<i>Accessory Apartment</i>	•	•	•	•	•	•	•	•	•	•			
<i>Bed and Breakfast Establishment (1)</i>	•	•	•	•	•	•	•	•	•				
<i>Day Care Facility (2)</i>	•	•	•	•	•	•	•	•	•	•	•	•	•
<i>Crisis Care Facility</i>		•	•	•									
<i>Group Home 'A'</i>		•	•	•									
<i>Home Based Business</i>	•	•	•	•	•	•	•	•	•	•	•	•	•
<i>Lodging House (3)</i>	•	•	•	•	•	•	•						

- (1) Permitted in a detached dwelling only.
- (2) Only a day care facility that existed on the date of passage of this By-law is permitted.
- (3) Subject to meeting all applicable parking requirements of Section 5 of this Zoning By-law and the requirements of the Lodging House Licensing By-law.

### 6.2.2 Zone Standards

The following table establishes the zone standards applicable to the Residential Zones.

	Standards Per Dwelling Unit											Standards Per Lot		
	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6	
Minimum Lot Frontage	50.0 m	20.0 m	15.0 m	14.6 m	11.9 m	10.4 m	9.0 m	9.0 m	6.0 m	6.0 m	37.0 m	30.0 m	30.0 m	
Minimum Lot Depth	130.0 m	33.5 m	33.5 m	33.5 m	25.0 m	25.0 m	25.0 m	33.5 m	25.0 m	33.5 m				
Min. Setback from Front Lot Line	15.0 m	7.5 m	6.0 m	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	7.5 m	7.5 m	7.5 m	
Max. Setback from Front Lot Line				(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)				
Min. Setback from Exterior Side Lot Line	7.5 m	6.0 m	6.0 m	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	2.0 m	6.0 m	6.0 m	6.0 m	
Min Setback from Interior Side Lot Line	7.5 m	1.8 m	1.2 m	(*2)	(*2)	(*2)	(*2)	(*2)	(*3)	(*3)	3.6 m	3.6 m	3.6 m	
Min. Setback from Rear Lot Line	15.0 m	9.0 m	7.5 m	7.5 m	7.5 m	7.5	7.5	7.5 m	7.5 m	7.5 m	9.0 m	7.5 m	9.0 m	
Maximum Lot Coverage	20 %	30%	33%	45%	45%	45%	45%	45%	50%	50%	30%	35%	30%	
Maximum Height		11.0 m	45.0 m	30.0 m	11.0 m									
Maximum Driveway Width	7.5 m	7.5 m	6.1 m	5.6 m	5.6 m	5.0 m	5.0 m	5.0 m	3.0 m	3.0 m				

	Standards Per Dwelling Unit											Standards Per Lot			
	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6		
Maximum Garage Width		7.5 m	6.1 m	5.6 m	5.6 m	3.3 m (4)									
Maximum Curb Cut		7.5 m	6.1 m	5.6 m	5.0 m	5.0 m	4.0 m	4.0 m	3.0 m	3.0 m					

(\*1) See requirements of Section 6.2.4

(\*2) **(As amended by By-law 83-2004)** 0.3 metres on one side and 1.2 metres on the other for *detached dwellings* with a minimum aggregate setback between *dwellings* of 1.2 metres. A 1.2 metre minimum *side yard* setback shall be required adjacent to any Open Space zone.

(\*3) For all horizontally attached *dwellings*, 0.0 metres between units and 1.2 metres for end units.

(\*4) This shall not apply to residential plans of subdivision that are draft approved prior to October 31, 2006 and residential site plans with site plan agreements executed prior to October 31, 2006.

5.0 RESIDENTIAL

5.1 GENERAL

5.1.1 No person shall hereafter *use* any lands, nor *erect, alter,* enlarge or *use* any *buildings or structures* in any Residential Zone except in accordance with the provisions of this section and Section 4.0 of this By-law.

5.2 PERMITTED USES

5.2.1 The permitted *uses* in the Residential Zone are listed in Table 5.2.

Table 5.2											
Uses	Zones										
	Single Detached					Multiple				Apartment	
	RH	R1	R2	R3	R4	RM1	RM1-SS	RM2	RM2-TH	RA1	RA2
<b>Residential Uses</b>											
<i>Apartment Dwelling</i>										X	X
<i>Block/Cluster/Street/Stacked Townhouse</i> <sup>(7)</sup>								X	X <sup>(6)</sup>		
<i>Boarding, Lodging, Rooming House (Large)</i> <sup>(11)</sup>								X		X	X
<i>Boarding, Lodging, Rooming House (Small)</i> <sup>(10)</sup>	X	X	X	X	X	X	X	X	X	X	X
<i>Converted Dwelling</i> <sup>(9)</sup>	X	X	X	X	X	X		X	X	X	X
<i>Second Suite</i> <sup>(15)</sup>		X	X	X	X	X	X	X <sup>(2)(3)</sup>	X <sup>(2)(3)</sup>	X <sup>(2)(4)</sup>	X <sup>(2)(4)</sup>
<i>Semi-Detached, Duplex Dwelling</i> <sup>(14)</sup>						X	X	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(4)</sup>	X <sup>(4)</sup>
<i>Single Detached Dwelling</i>	X	X <sup>(1)</sup>	X	X	X	X <sup>(2)</sup>	X	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>
<i>Three or More Unit Dwelling</i>								X	X	X <sup>(5)</sup>	X <sup>(5)</sup>
<i>Walk-up Apartment</i> <sup>(7)</sup>								X		X	X
<b>Accessory Uses</b>											
<i>Bed and Breakfast Establishment</i> <sup>(16)(2018-113)</sup>	X	X	X	X	X	X	X	X	X	X	X
<i>Child Care</i> <sup>(12)</sup>	X	X	X	X	X	X	X	X	X	X	X
<i>Home Occupation</i> <sup>(12)</sup>	X	X	X	X	X	X	X	X	X	X	X
<b>Institutional Uses</b> <sup>(13)</sup>											
<i>Assisted Living Facility</i>								X		X	X
<i>Child Care</i>						X		X		X	X
<i>Dormitory</i>								X		X	X
<i>Group Home</i>	X	X	X	X	X	X		X	X	X	X
<i>Library</i>								X		X	X
<i>Place of Worship</i>	X	X	X	X	X	X	X	X	X	X	X
<i>Social Services Facility</i>								X		X	X

(1) See 5.2.2.1(a)

(6) See 5.2.5.2(a)

(11) See 5.2.8.2

(16) See 4.2.1.6

(2) See 5.2.2.1(b)

(7) See 5.2.5

(12) See 5.2.10

## 5.3 RESIDENTIAL STANDARDS

5.3.1 The uses permitted in the Residential Zone are subject to the development standards referenced in Table 5.3.

Table 5.3

	Zones										
	Single Detached					Multiple				Apartment	
	RH	R1	R2	R3	R4	RM1	RM1-SS	RM2	RM2-TH	RA1	RA2
<b>Lot Area (min.)</b>	4ha	900m <sup>2</sup>	500m <sup>2</sup>	400m <sup>2</sup>	335m <sup>2</sup>	600m <sup>2</sup> (4)(6)	400m <sup>2</sup>	720m <sup>2</sup> (5)	720m <sup>2</sup> (5)	1100m <sup>2</sup>	1300m <sup>2</sup>
<b>Lot Frontage (min.)</b>	150m	22m	15m	12m	10m	18m (4,6)	12m	21m (5)	21m (5)	24m	30m
<b>Front Yard to Dwelling Unit (min.)</b>	12m	4.5m	4.5m	4.5m	4.5m	4.5m	4.5m	7m (5)	7m (5)	7m	7m
<b>Front Yard to Attached Garage(min.)</b> (By-law 2018-113)	7m	7m	7m	7m	7m	7m	7m	7m	7m	7m	7m
<b>Side Yards (min.)</b> (1)(3)(7)(By-law 2015-129)	7m	1.2m <sup>(2)</sup>	1.2m <sup>(2)</sup>	1.2m <sup>(2)</sup>	1.2m <sup>(2)</sup>	1.2m <sup>(2)(8)</sup>	1.2m <sup>(2)</sup>	1.8m (2)(8)(9)	1.8m (2)(8)	5m <sup>(8)</sup>	5m <sup>(8)</sup>
<b>Interior Side Yard to Attached Garage(min.)</b> (By-law 2018-113)	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m	0.6m
<b>Rear Yard (min.)</b>	12m	7m	7m	7m	7m	7m	7m	7m	7m	7m	7m
<b>Landscaped open space (min. % of lot area)</b>	--	--	--	--	--	--	--	35	35	35	35
<b>Dwelling unit floor area (min.)</b>	100m <sup>2</sup>	110m <sup>2</sup> (*)	90m <sup>2</sup> (*)	70m <sup>2</sup> (*)	70m <sup>2</sup> (*)	70m <sup>2</sup> (6)	70m <sup>2</sup> (6)	35m <sup>2</sup> /dwelling unit + 10m <sup>2</sup> / bedroom			
<b>Lot Coverage<sup>(10)</sup> (max. % of lot area)</b>	35	45	45	45	45	45	45	35 (5)	35 (5)	35	35
<b>Gross floor area (max. % of lot area)</b>								60%	60%	100%	200%
<b>Height of Main Bldg. (max.)</b>	10m	10m	10m	10m	10m	10m	10m	10m (9)	10m	(9)	(9)

## 7.1 Permitted Uses

**Uses** permitted in a Residential **Zone** are denoted by the symbol ‘**X**’ in the column applicable to that **Zone** and corresponding with the row for a specific permitted **use** in Table 7A. Note that the R2 **Zone** consists of R1-1, R1-2, R1-3 and R1-4 Sub-**Zones** for the purposes of **Zone** standards set out in Section 7.2.

A number or numbers following the symbol ‘**X**’, or following the **Zone** heading, or following the name of a permitted **use**, indicates that one or more special provisions apply to the noted **use** or **Zone**. Special provisions are listed at the end of each table. If a **use** is not listed on the table, it is not permitted.

**Table 7A – Permitted Uses in Residential Zones**

<b>USE</b>	<b>RPS</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6</b>	<b>ER</b>	<b>HR</b>
<b>Accessory apartment</b>	X	X	X	X	X(1)	X(1)	X(1)	X	X
<b>Bed and breakfast establishment</b>	X	X							X
<b>Building, apartment</b>					X	X	X		
<b>Coach house</b>					X	X	X		
<b>Dwelling, back-to-back townhouse</b>					X	X	X		
<b>Dwelling, duplex</b>					X				
<b>Dwelling, multiple</b>					X				
<b>Dwelling, semi-detached</b>				X					
<b>Dwelling, single-detached</b>	X	X	X					X	X
<b>Dwelling, townhouse</b>					X	X			
<b>Dwelling, townhouse with rear lane access</b>					X	X	X		
<b>Group home(2)</b>	X(2)	X(2)	X(2)					X(2)	X(2)
<b>Home business</b>	X	X	X	X	X	X	X	X	X
<b>Home child care</b>	X	X	X	X	X	X	X	X	X
<b>Long term care facility</b>					X	X	X		

USE	RPS	R1	R2	R3	R4	R5	R6	ER	HR
Retirement home					X	X	X		

Special Provisions:

- (1) Permitted in **townhouse dwellings** only.
- (2) Subject to Section 4.12.

## 7.2 Zone Standards

Regulations for uses permitted in Section 7.1 are set out in Tables 7B, 7C and 7D. A number(s) following the **Zone** standard, **Zone** heading or description of the standard, indicates that one or more special provisions apply. These special provisions are listed below Tables 7B, 7C and 7D (as applicable).

**Table 7B – Standards for RPS Zone**

Minimum <b>lot frontage</b>	(with municipal water) (with no municipal water or sewer)	18.0 m 30.0 m
Minimum <b>lot area</b>	(with municipal water) (with no municipal water or sewer)	695 m <sup>2</sup> 1,300 m <sup>2</sup>
Minimum <b>front yard</b>		7.0 m
Minimum <b>rear yard</b>		7.0 m
Minimum <b>interior side yard</b>		1.2 m
Minimum <b>exterior side yard</b>		6.0 m
Maximum <b>height</b>		10.0 m
Maximum <b>lot coverage</b> (for all <b>buildings</b> and <b>structures</b> )		40%

**Table 7C – Standards for R1, ER and HR Zones**

STANDARD	R1	ER	HR
Minimum <b>lot frontage</b>	15.0 m	45.0 m	30.0 m
Minimum <b>lot area</b>	450.0 m <sup>2</sup>	0.6 ha	1,858 m <sup>2</sup>
Minimum <b>front yard</b>	6.0 m (1)	15.0 m	11.0 m
Minimum <b>rear yard</b>	7.0 m	23.0 m	12.0 m
Minimum <b>interior side yard</b>	1.2 m	9.0 m	1.5 m
Minimum <b>exterior side yard</b>	6.0 m		7.0 m
Maximum <b>height</b>	10.0 m		
Maximum <b>lot coverage</b> (for all <b>buildings</b> and <b>structures</b> )	40%	15%	30%
Maximum <b>ground floor area</b> of all <b>buildings</b> per <b>lot</b>			500 m <sup>2</sup>

Special Provisions:

- (1) If the **main face** of the **dwelling unit** is greater than 6.0 metres from the **front lot line**, a **private garage** is permitted to project a maximum of 1.0 metres closer to the **front lot line** than the **main face** of the **dwelling unit** or **porch** facing the **front lot line**, but no closer than the minimum required **setback** for a **private garage**.

**Table 7D – Standards for R2 Sub-Zones**

STANDARD	R2-1	R2-2	R2-3	R2-4
Minimum <b>lot frontage</b>	13.7 m	12.0 m	10.7 m	9.0 m
Minimum <b>front yard</b>	4.0 m			
Minimum <b>rear yard</b>	7.0 m			
Minimum <b>interior side yard</b>	1.2 m on one side and 0.6 m on the other side			
Minimum <b>exterior side yard</b>	3.0 m			
Maximum <b>height</b>	12.0 m			
Minimum <b>setback</b> for a <b>private garage</b> from <b>front lot line</b>	6.0 m (1)			

Special Provisions:

- (1) If the **main face** of the **dwelling unit** is greater than 6.0 metres from the **front lot line**, a **private garage** is permitted to project a maximum of 1.0 metres closer to the **front lot line** than the **main face** of the **dwelling unit** or **porch** facing the **front lot line**, but no closer than the minimum required **setback** for a **private garage**.

## 7.0 RESIDENTIAL ZONES

### 7.1 Permitted Uses

**7.1.1** The uses permitted in the Residential Detached 1 (RD1), Residential Detached 2 (RD2), Residential Detached 3 (RD3), Residential Detached 4 (RD4), Residential Detached 5 (RD5), Main Street (MS), Multiple Residential 1 (RM1), Multiple Residential 2 (RM2), Multiple Residential 3 (RM3), Transitional Residential Multiple (TRM), Hamlet Residential (HR), Grimsby Beach (GB), Neighbourhood Development (ND), Mixed Use High Density Residential (MHD) Zones are identified in Table 10 through symbols under the column related to each zone. Where a “Q” is shown in the column under a zone, a qualification applies to a permitted use as described following Table 10.

**Table 10: Permitted Uses in Residential Zones**

Use	RD1	RD2	RD3	RD4	RD5	MS	RM1	RM2	RM3	TRM	HR	GB	ND	MHD
Apartment building								✓	✓					✓
Back to back townhouse dwelling							✓							Q4
Bed and breakfast	✓	✓	✓	✓	✓	✓				✓	✓	✓	Q1	
Block townhouse dwelling							✓							Q4
Boarding house							✓	✓	✓					
Converted dwelling						✓				✓				
Duplex dwelling							✓			✓				
Fourplex dwelling							✓							
Group home	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	Q1	
Home occupation	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Secondary suite	*	*	*	*	*	*	Q6			*		*	*	*
Semi-detached dwelling							✓			✓				
Single detached dwelling	✓	✓	✓	✓	✓	✓				✓	✓	✓	Q3	
Stacked townhouse dwelling							✓							Q4



Table 11: Regulations applying to Residential Zones

Zones / Uses	Min. Lot Area (sq. m.)	Max. Lot Coverage	Min. Lot Frontage	Min. Front Yard	Min. Exterior Side yard	Min. Interior Side yard	Min. Rear Yard	Max. Building Depth	Max. Height
RD1	1050	Q1	30 m.	Q2	6 m.	3 m.	Q3	20 m.	9 m. <sup>(1)</sup>
RD2	750	Q1	21 m.	Q2	6 m.	1.8 m.	Q3	20 m.	9 m. <sup>(1)</sup>
RD3	550	Q1	15 m.	Q2	6 m.	1.8 m.	Q3	20 m.	9 m. <sup>(1)</sup>
RD4	400	Q1	12 m.	Q2	4.5 m.	1.2 m.	Q3	20 m.	9 m. <sup>(1)</sup>
RD5 <sup>(5)</sup>	300	Q1	9 m.	Q2	2.6 m.	1.2 m. & 0.6 m. <sup>(8)</sup>	Q3	20 m.	9 m. <sup>(1)</sup>
MS	650	Q1	18 m.	Q4	6 m.	1.8 m.	Q3	20 m.	9 m. <sup>(1)</sup>
RM1									
Semi-detached dwelling <sup>(9)</sup>	225	40%	7.5 m.	4.5 m.	4.5 m.	0.9 m. <sup>(2)</sup>	7.5 m.	20 m.	9 m.
Duplex	400	40%	12 m.	4.5 m.	4.5 m.	1.2 m.	7.5 m.	NR	11 m.
Triplex	600	40%	18 m.	4.5 m.	4.5 m.	3 m.	10.5 m.	NR	12.5 m.
Fourplex	700	40%	21 m.	4.5 m.	4.5 m.	3 m.	10.5 m.	NR	12.5 m.
Back to back townhouse dwelling <sup>(9)</sup>	80	80%	6 m.	4.5 m.	4.5 m.	0.9 m. <sup>(2)</sup>	0 m.	14 m. <sup>(3)</sup>	12.5 m.
Street townhouse dwelling with garage facing the front lot line <sup>(9)</sup>	165	50%	6 m. <sup>(7)</sup>	4.5 m.	4.5 m.	0.9 m. <sup>(2)</sup>	7.5 m.	NR	12.5 m.
Street townhouse dwelling with garage access from a lane <sup>(9)</sup>	150	50%	5 m.	3 m.	3 m.	0.9 m. <sup>(2)</sup>	30 m <sup>2</sup>	NR	12.5 m.
Stacked townhouse dwelling	500	50%	24 m.	4.5 m.	4.5 m.	3 m.	7.5 m.	NR	12.5 m.
Block townhouse dwelling	NR	25%	50 m.	4.5 m.	4.5 m.	3 m.	7.5 m.	NR	12.5 m.
RM2	929	40%	30 m.	2 m. & max 5 m.	2 m. & max 5 m.	4.5 m.	7.5 m.	NR	15 m. (4 storeys)
RM3	1858	40%	45 m.	2 m. & max 5 m.	2 m. & max 5 m.	4.5 m.	7.5 m.	NR	26 m. (8 storeys)

Zones / Uses	Min. Lot Area (sq. m.)	Max. Lot Coverage	Min. Lot Frontage	Min. Front Yard	Min. Exterior Side yard	Min. Interior Side yard	Min. Rear Yard	Max. Building Depth	Max. Height
MHD	1858	60%	45 m.	2 m. & max 5 m	2 m. & max 5 m.	4.5 m.	7.5 m.	NR	38 m. (12 storeys)
TRM <sup>(4)</sup> Converted dwelling	400	40 %	15 m.	4.5 m.	4.5 m.	1.5 m.	9 m.	NR	9 m.
HR	1 ha. <sup>(6)</sup>	10 %	30 m.	12 m.	8 m.	3 m.	10.5 m.	NR	9 m.
ND	As existing								
GB	See Section 7.2.2.4							NR	9 m.

Notes:

- (1) Flat and mansard roofs are prohibited except for development as part of a plan of subdivision draft approved after the date of the passing of this by-law. This prohibition applies to the overall roof structure of the *dwelling* and does not apply to additions, *porches* or similar portions of the *dwelling*.
- (2) No *interior side yards* are required where the *lot line* is the dividing line between attached units.
- (3) This provision shall be a minimum depth.
- (4) Permitted *single detached dwellings* shall be subject to the provisions for *converted dwellings* in the TRM zone and permitted *semi-detached dwellings* and *duplex dwellings* shall be subject to the provisions of the RM1 zone.
- (5) For new development as part of a draft plan of subdivision, the maximum *lot coverage* shall be 40%, the min. *front yard* shall be 4.5 metres and the minimum *rear yard* shall be 7.5 metres.
- (6) The minimum *lot size* shall be 1 hectare unless a hydrogeological study undertaken by an applicant demonstrates that on-site *sustainable private services* can be achieved on a smaller *lot* with no negative impacts on surface and/or ground water features, in which case the minimum *lot size* shall be 4,000 m<sup>2</sup>.
- (7) For three storey *street townhouse dwellings*, the minimum *lot frontage* shall be 5.5 m.
- (8) In no case shall the adjacent *buildings* be closer than 1.8 metres.
- (9) Per unit.

NR = No Requirement

Q1 The maximum *lot coverage* is shown on the schedules in Section 15 as a percentage of the *lot area*, and is denoted by the number following the Zone Symbol, where the number denotes the maximum *lot coverage*.

**SECTION 5  
COMMERCIAL AND MIXED USE ZONES**

The Commercial and Mixed **Use Zones** consist of the following **zones**:

<b>Commercial Zones</b>	
<b>ZONE</b>	<b>SYMBOL</b>
Commercial Neighbourhood <b>Zone</b>	CN
Commercial Village <b>Zone</b>	CV
Commercial Highway <b>Zone</b>	CH
Commercial Tourist <b>Zone</b>	CT
Commercial Business Park	CBP
<b>Mixed Use Zones</b>	
<b>ZONE</b>	<b>SYMBOL</b>
Mixed <b>Use 1 (Alcona) Zone</b>	MU1
Mixed <b>Use 2 (Alcona) Zone</b>	MU2
Mixed <b>Use 4 (Lefroy) Zone</b>	MU4
Mixed <b>Use 5 (Cookstown) Zone</b>	MU5

**5.1 Permitted Uses**

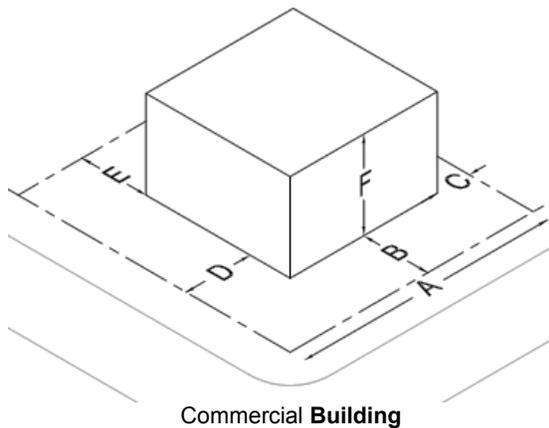
**Uses** permitted in the Commercial and Mixed **Use Zones** are identified with a “•” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 5.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 5.2 and the General Provisions provided in Section 3.0, where applicable.

**Table 5.1 – Permitted Uses**

	<b>CN</b>	<b>CV</b>	<b>CH</b>	<b>CT</b>	<b>CBP</b>	<b>MU1</b>	<b>MU2</b>	<b>MU4</b>	<b>MU5</b>
<b>Principal Use</b>									
<b>Residential Uses</b>									
<b>Apartment dwelling</b>						•	• (2)	• (2)	• (2)
<b>Duplex dwelling</b>						•			
<b>Group home (1)</b>						•			
<b>Single detached dwelling</b>						•			

## 5.2 Zone Regulations

The following **zone** regulations identified in Table 5.2a, Table 5.2b, and Table 5.2c shall apply to the respective Commercial and Mixed **Use Zones**.



- A: Minimum lot frontage
- B: Minimum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Maximum building height

Commercial Building

**Table 5.2a – Commercial Zone Regulations**

<b>Principal Use</b>	<b>CN</b>	<b>CV</b>	<b>CH</b>	<b>CT</b>	<b>CBP</b>
Minimum <b>Lot area</b>	1,000 m <sup>2</sup>	1,000 m <sup>2</sup>	2,000 m <sup>2</sup>	10,000 m <sup>2</sup>	2,000 m <sup>2</sup>
A: Minimum <b>Lot Frontage</b>	15 m	15 m	45 m	30 m	Interior <b>lot:</b> 45 m Exterior <b>lot:</b> 50 m
B: Minimum <b>Front Yard</b>	6 m	6 m	6 m	6 m	8 m
C: Minimum <b>Interior side Yard</b>	1 m, except where the <b>interior side</b> yard abuts a residential <b>zone</b> , in which case 5 m	1 m, except where the <b>interior side</b> yard abuts a residential <b>zone</b> , in which case 5 m	1 m, except where the <b>interior side</b> yard abuts a residential <b>zone</b> , in which case 5 m	3 m	3 m
D: Minimum <b>Exterior side Yard</b>	8 m	8 m	8 m	6 m	8 m or 1.4 times the <b>height</b> of the <b>building</b> , whichever is greater
E: Minimum <b>Rear</b>	6 m, except	6 m, except	6 m, except	8 m	8 m

## 6.2 Residential Zones

No person shall use any land or erect, alter or use any *building* or *structure* in any Residential Zone except in accordance with Sections [6.2.1](#) and [6.2.2](#) of this By-Law.

### 6.2.1 Permitted Uses

The following table establishes the *uses* permitted in the Residential Zones:

Permitted Use	R1	R2	R3	R4	R5
<i>Dwelling Unit, Accessory</i> (*1)(*2)	•	•			
<i>Dwelling, Back to Back Townhouse</i> <i>By-law 2014-51</i>				•	
<i>Dwelling, Detached</i>	•				
<i>Dwelling, Link</i>		•			
<i>Dwelling, Semi-Detached</i>		•			
<i>Dwelling, Duplex</i>			•		
<i>Dwelling, Triplex</i>			•		
<i>Dwelling, Fourplex</i>			•		
<i>Dwelling, Quadruplex</i>				•	
<i>Dwelling, Maisonette</i>				•	
<i>Dwelling, Townhouse</i>				•	
<i>Dwelling, Stacked Townhouse</i>				•	
<i>Apartment Building</i>					•
<i>Bed and Breakfast Establishment</i> (*3)	•				
<i>Home Occupation</i> (*4)	•	•	•	•	•
<i>Private Home Daycare</i> (*5)	•	•	•	•	•
<i>Group Home</i> (*6)(*7)	•	•			
<i>Accessory Residential Structures</i>	•	•	•	•	•
<i>Accessory Uses</i> as per Section 4.1.1	•	•	•	•	•

(\*1) *Accessory Dwelling Units* are permitted in accordance with Section [4.5](#).

(\*2) *Deleted by By-law 2011-25*

(\*3) *A bed and breakfast establishment* shall only be permitted in a *detached dwelling*. Such an establishment is not permitted in an *accessory dwelling unit*.

(\*4) *A Home Occupation* is permitted in accordance with Section [4.6](#).

(\*5) *A Private Home Daycare* must adhere to the requirements of the Child Care and Early Years Act or its successor legislation. For greater clarity,

6.2.2

Zone Standards

The following table and notations provided in Section 6.2.3 establish the zone standards applicable to the Residential Zones:

Typical Built Form	Detached dwelling						
Regulatory Set:	A	B	C	D	Ex. 119	E	F
Min. Lot area	0.8 ha	1860 m <sup>2</sup>	743 m <sup>2</sup>	511 m <sup>2</sup>		330 m <sup>2</sup>	265 m <sup>2</sup>
Min. Lot Frontage	60.0 m	30.0 m	18.0 m	15.0 m		12.0 m	9.7 m
Min. Yard Setbacks							
From Front Lot Line	30.0 m	9.0 m	7.5 m	7.5 m	(*14)	4.5 m	4.5 m
From Rear Lot Line	15.0 m	9.0 m	7.5 m	7.5 m	7.5m	7.5 m	7.0 m
From Exterior Side Lot Line	-	6.0 m	6.0 m	6.0 m	6.0m	3.0 m	3.0 m
From Interior Side Lot Line							
One Side	7.5 m	1.8 m	-	-	-	0.6 m	0.6 m
Other Side	7.5 m	4.2 m	-	-	-	1.2 m	1.2 m
Each Side 1 Storey	-	-	1.2 m	1.2 m	1.2m	-	-
Each Side 1.5 Storeys	-	-	1.5 m	1.5 m	1.5m	-	-
Each Side 2 Storeys	-	-	1.8 m	1.8 m	1.8m	-	-
Min. Building Separation	-	-	-	-	-	1.8 m	1.8 m
Max. Lot Coverage	15%	20%	35%	35%	35% if one storey 25% if two storeys	45%	47%
Max. Height	10.7 m (2 storeys)	10.7 m (2 storeys)	10.7 m (2 storeys)	10.7 m (2 storeys)	10.0m (2 storeys)	11.0 m (2 storeys)	11.0 m (2 storeys)
Min. Driveway Width (*7)	-	-	-	-	-	3.0 m	3.0 m
Max. Driveway Width (*7) By-law 2011-25	9m	9m	6m	6m	6m	6.0 m	5.5 m
Min. Driveway Length (*11)	-	-	-	-	-	10 m (*12)	10 m (*12)
Garage Door Segmented	-	-	-	-	-	11.2 m	11.2 m
Non-Segmented Garage Door	-	-	-	-	-	-	-

See Section 6.2.3 for additional zone requirements where indicated.

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Residential Zones

## 6.1 List of Applicable Zones

Residential Low	RL1, RL2, RL3, RL4, RL5, RL6 RL7, RL8, RL9, RL10, RL11
Residential Uptown Core	RUC
Residential Medium	RM1, RM2, RM3, RM4
Residential High	RH

## 6.2 Permitted Uses

Uses permitted in the Residential Zones are denoted by the symbol "+" in the column applicable to that Zone and corresponding with the row for a specific permitted use in Tables 6.2.1 and 6.2.2, below.

		RL1, RL2, RL3, RL4, RL5, RL6	RL7, RL8, RL9	RL10	RL11	RUC
<i>Accessory dwelling</i>	(1)	✓	✓	✓	✓	✓
<i>Bed and breakfast establishment</i>	(1)	✓	✓	✓	✓	✓
<i>Conservation use</i>		✓	✓	✓	✓	✓
<i>Day care</i>	(1)	✓	✓	✓	✓	✓
<i>Detached dwelling</i>		✓	✓	✓		✓
<i>Duplex dwelling</i>				✓		
<i>Emergency service facility</i>		✓	✓	✓	✓	✓
<i>Emergency shelter</i>						
<i>Home occupation</i>		✓	✓	✓	✓	✓
<i>Linked dwelling</i>					✓	
<i>Lodging house</i>	(1)(2)	✓			✓	✓
<i>Park, public</i>		✓	✓	✓	✓	✓
<i>Place of worship</i>						
<i>Private home day care</i>	(1)	✓	✓	✓	✓	✓
<i>Private school</i>						
<i>Semi-detached dwelling</i>			✓			✓
<i>Short-term accommodation</i>	(4)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>		✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>						✓

### Additional Regulations for Permitted Uses Table 6.2.1

1. A maximum of one of the *uses* subject to this footnote shall be permitted in a *dwelling*.
2. The maximum number of *lodging units* shall be 3.
3. Permitted only on a *corner lot*.
4. Shall be subject to footnote 1 but shall exclude *accessory dwellings*.

# Residential Zones

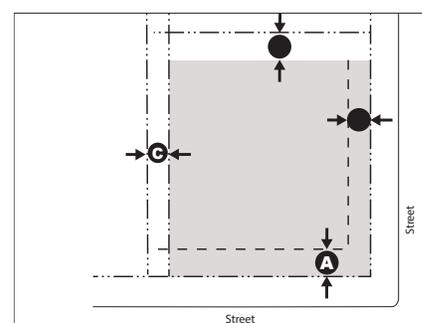
## 6.3 Regulations

The regulations for *lots* in a Residential Zone are set out in Tables 6.3.1, 6.3.2, 6.3.3, 6.3.4, 6.3.5, 6.3.6, 6.3.7, 6.3.8, and 6.3.9, below.

Minimum lot area	1,393.5 m <sup>2</sup> (2)	836.0 m <sup>2</sup> (2)	557.5 m <sup>2</sup> (2)	511.0 m <sup>2</sup> (2)	464.5 m <sup>2</sup> (2)	250.0 m <sup>2</sup> (3)
Minimum lot frontage	30.5 m (2)	22.5 m (2)	18.0 m (2)	16.5 m (2)	15.0 m (2)	11.0 m (3)
Minimum front yard	● 10.5 m (-0)	9.0 m (-0)	7.5 m (-0)	7.5 m (-0)	7.5 m (-0)	3.0 m
Minimum flankage yard (2016-013)	● 4.2 m	3.5 m	3.5 m	3.5 m	3.5 m	3.0 m (8)
Minimum interior side yard	● 4.2 m	2.4 m (4)	2.4 m and 1.2 m (5)	2.4 m and 1.2 m (5)	2.4 m and 1.2 m (5)	1.2 m and 0.6 m
Minimum rear yard	● 10.5 m	7.5 m (6)	7.5 m (6)	7.5 m (6)	7.5 m (6)	7.0 m (6)
Maximum number of storeys	n/a (-0)	n/a (-0)	n/a (-0)	n/a (-0)	n/a (-0)	2
Maximum height	10.5 m (-0)	12.0 m (-0)	12.0 m (-0)	12.0 m (-0)	12.0 m (-0)	10.5 m
Maximum dwelling depth	20.0 m (1)	n/a	n/a	n/a	n/a	n/a
Maximum residential floor area ratio (2017-025)	n/a (-0)	n/a (-0)	n/a (-0)	n/a (-0)	n/a (-0)	75% (7)
Maximum lot coverage for the dwelling (2017-025)	30% (-0)	30% (-0)	35% (-0)	35% (-0)	35% (-0)	n/a

### Additional Regulations for Zone Regulations Table 6.3.1

- 0. Where lands are shown on the Part 19 Maps of this By-law to be in the -0 Suffix Zone, the regulations of Section 6.4 shall apply.
- 1. A single storey extension that is less than or equal to 7.5 metres in height is permitted to extend an additional 3.0 metres into a rear yard provided that minimum interior side yards and minimum flankage yards of 9.0 metres are established on both sides of the single storey extension.
- 2. Within Plans of Subdivision registered after November 1, 1965, the minimum lot frontage may be reduced by 4.5 metres and minimum lot area proportionately reduced on a lot provided the average lot frontage and lot area throughout the entire Plan of Subdivision are not less than the minimum shown in the regulations tables for these zones.
- 3. For a corner lot, the minimum lot area shall be 285.0 square metres and the minimum lot frontage shall be 12.5 metres.
- 4. The minimum interior side yard shall be reduced to 1.2 metres on one side only where an attached private garage meeting the minimum dimension requirements of Section 5.2.3(b) of this By-law is provided.
- 5. The minimum interior side yard shall be reduced to 1.2 metres on both sides where an attached private garage meeting the minimum dimension requirements of Section 5.2.3(b) of this By-law is provided.
- 6. The minimum rear yard shall be reduced to 3.5 metres on a corner lot where an interior side yard of 3.0 metres is provided.
- 7. The maximum residential floor area shall be the lesser of 355.0 square metres or the potential maximum residential floor area available at 75% residential floor area ratio. (2017-025)
- 8. The minimum setback from a daylight triangle shall be 0.7 metres. (2016-013)



The black circles are letters corresponding to the applicable yard in the regulations table. The shaded area represents the potential building envelope remaining once minimum yards are removed. This area is further reduced by maximum lot coverage and maximum floor area standards where those standards apply.

## 4.2 Uses and Zones

The following sets out the uses permitted within the zones contained in this By-law. The placement of the zone symbol opposite the permitted use indicates the zone(s) in which the use is permitted. The table must be read in conjunction with the regulations for each zone as established in Sections 5 to 11. Other uses may be permitted by special provisions as set out in Section 13 of this By-law.

PERMITTED USES	ZONES																								
	R1	R2	R3	R4	C1	C2	C3	C4	C5	C6	E1	E2	M1	M2	M3	G1	G2	G3	I1	I2	I3	A1	A2	A3	
Adult Oriented Entertainment Establishment											E1	E2													
Agricultural Farm Related Commercial or Industrial																						A1	A2	A3	
Agriculture Farm																						A1 <sup>(e)</sup>			
Agri-tourism / Value Added											E1	E2													
Ancillary Retail Sales / Display of Products																									
Animal Care Establishment					C1	C2	C3	C4	C5	C6	E1 <sup>(e)</sup>	E2 <sup>(e)</sup>	M1	M2	M3										
Apartment Building			R3	R4		C2	C4	C5	C6				M1	M2	M3					I2					
Boat Ramp																	G1	G2	G3						
Bulk Fuel Depot												E2													
Car Wash						C2	C3	C4			E1	E2	M1												
Cemetery																		G2	G3						
Commercial Parking Structure						C2	C3	C4	C5	C6															
Community Garden	R1	R2	R3	R4	C1	C2	C3	C4	C5	C6	E1	E2	M1	M2	M3		G2	G3	I1	I2	I3	A1	A2	A3	







PERMITTED USES	ZONES																							
	R1	R2	R3	R4	C1	C2	C3	C4	C5	C6	E1(a)	E2(a)	M1	M2	M3	G2(a)	G3(a)	I1	I2	I3	A1(a)	A2	A3	
School, Elementary													M1	M2	M3			I1	I2					
School, Secondary													M1	M2	M3			I1	I2	I3				
Service Commercial					C1	C2	C3	C4	C5	C6	E1(a)	E2(a)	M1	M2	M3									
Social Service Facility					C1	C2	C3	C4	C5	C6	E1		M1	M2	M3			I1	I2	I3				
Spectator Seating																G2(a)	G3(a)							
Theatre						C2	C3	C4	C5	C6			M1	M2	M3									
Townhouse	R1	R2	R3	R4									M1	M2	M3			I1	I2					
Trail	R1	R2	R3	R4	C1	C2	C3	C4	C5	C6	E1	E2	M1	M2	M3	G1	G2	G3	I1	I2	I3	A1	A2	A3
Transportation Depot												E2												
University / College						C2	C3	C4	C5	C6			M1	M2	M3					I3				
Washroom Facility / Change Room																G2(a)	G3(a)							
Winery																						A1(a)	A2(a)	

**4.2.1 Footnote to Section 4.2 Uses and Zones**

a) Only permitted as an accessory use.

### 5.3 Provisions for Residential (R1) ZONE

Permitted Uses	Lot Area per Dwelling Unit <sup>(d)</sup>		Min. Lot Frontage <sup>(d)</sup>	Minimum Yards				Max. Building Height	Max. No. of Attached Dwelling Units <sup>(d)</sup>	Density Per Hectare <sup>(d)</sup>	Min. Landscaped Open Space	Total Lot Coverage
	Min.	Max.		Front Yard <sup>(e)(h)</sup>	Rear Yard	Interior Side Yard	Exterior Side Yard <sup>(e)(h)</sup>					
Dwelling, Detached	400 m <sup>2</sup>	538 -m <sup>2</sup>	16.5 m	6 m to dwelling / 7 m to garage	7.5 m	1.2 m / 2 m <sup>(f)</sup>	4 m to dwelling/6 m to garage	10 m	-	35%	45% <sup>(i)</sup>	
Dwelling, Semi-detached	370 m <sup>2</sup>	465 m <sup>2</sup>	12 m <sup>(a)</sup>	6 m to dwelling / 7 m to garage <sup>(g)</sup>	7.5 m	1.2 m / 2 m <sup>(e)(f)</sup>	4 m to dwelling/6 m to garage <sup>(g)</sup>	10 m	-	35%	45% <sup>(i)</sup>	
Dwelling, Quadruplex	350 m <sup>2</sup>	465 m <sup>2</sup>	12 m <sup>(a)</sup>	6 m to dwelling / 7 m to garage	7.5 m <sup>(c)</sup>	1.2 m / 2 m <sup>(c)(f)</sup>	4 m to dwelling/6 m to garage	10 m	-	35%	45% <sup>(i)</sup>	
Townhouse	315 m <sup>2</sup>	-	10 m <sup>(a)</sup>	6 m to dwelling / 7 m to garage <sup>(g)</sup>	7.5 m	1.2 m / 2 m <sup>(c)(f)</sup>	4 m to dwelling/6 m to Garage <sup>(g)</sup>	10 m	4	35%	-	
Private Road Development <sup>(b)</sup>	315 m <sup>2</sup>	-	12 m	6 m to dwelling / 7 m to garage	See Section 5.7	See Section 5.7	4 m to dwelling/6 m to garage	10 m	4	35%	-	

#### 5.3.1 Footnotes for Section 5.3 Provisions for Residential (R1) Zone

(a) Minimum lot frontage shall be per dwelling unit

(b) Private Road Development shall permit all dwelling types that are permitted in the Low Density Residential – Suburban Residential (R1) Zone.

	RT1	RT2	RM1	RM2	RM3	RE
<b>Community Uses</b>						
<u>Community garden</u> <sup>(1)</sup>	•	•	•	•	•	•
<u>Group home</u>	•	•	•	•	•	•
<b>Specified Accessory Uses</b>						
<u>Home occupation</u> <sup>(1)</sup>	•	•	•	•	•	•
<u>Home based day care</u> <sup>(1)</sup>	•	•	•	•	•	•
<u>Secondary suite</u> <sup>(1)</sup>	•					•
<b>Other</b>						
<u>Model homes</u> <sup>(1)</sup>						•
<u>Temporary sales office</u> <sup>(1)</sup>	•	•	•	•	•	•

1. This use is subject to specific use provisions under Part 5 of this By-law.

## 7.3 Lot and Building Requirements for the Residential Zones

### 7.3.1 Lot and Building Requirements for the First Residential Zones

Table 7-7: Lot and Building Requirements for the First Residential Zones

	R1	R1A	R1B	R1C	R1D	R1E
<b>Lot and Building Requirements</b>						
Minimum <u>lot frontage</u> (m)	18 <sup>(3)</sup>	18	18	24	24	30
Minimum <u>lot area</u> (m <sup>2</sup> )	420	540	600	950	1,400	845
Minimum <u>front yard</u> (m)	4.5 <sup>(4)</sup>	7.5 <sup>(4)</sup>	9 <sup>(4)</sup>	10 <sup>(4)</sup>	10 <sup>(4)</sup>	9 <sup>(1)</sup>
Minimum <u>rear yard</u> (m)	7.5 <sup>(3)</sup>	7.5	12	9	12	7.5
Minimum <u>interior side yard</u> (m)	1.2 <sup>(5)</sup>	1.5 <sup>(5)</sup>	1.5 <sup>(5)</sup>	1.5	1.5	1.5

## SECTION 7 RESIDENTIAL ZONES

The Residential Zones apply to lands designated RESIDENTIAL in the Official Plan.

### 7.1 Applicable Zones

The Residential Zones established in Section 3 of this By-law apply to lands Zoned:

- RL1 Residential Low Density 1
- RL2 Residential Low Density 2
- RM Residential Medium Density
- RH Residential High Density

### 7.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol "+" in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 7.2.1. A number(s) following the symbol "+", Zone heading or identified permitted use, indicates that one or more special regulations apply to the use noted or, in some cases, to the entire Zone.

No person shall within any Residential Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 7.2.1. Special regulations are listed in the footnotes at the end of the permitted uses in Table 7.2.1.

**Table 7.2.1: Permitted Uses in Residential Zones**

Column 1	Column 2	Column 3	Column 4	Column 5
Permitted Uses	RL1	RL2	RM	RH
Accessory Dwelling Unit	+(1)	+(1)	+(1)	
Accessory Uses, Buildings and Structures	+(1)	+(2)	+(2)	+(2)
Apartment Dwelling			+	+
Bed and Breakfast	+(3)	+(3)		
Boarding and Lodging House			+	+

### 7.3 Regulations for Residential Zones

The regulations for lots in Residential Zones are set out in Table 7.3.1. No person shall within any Residential Zone use any lot or erect, alter or use any building or structure, except in accordance with the following Zone regulations.

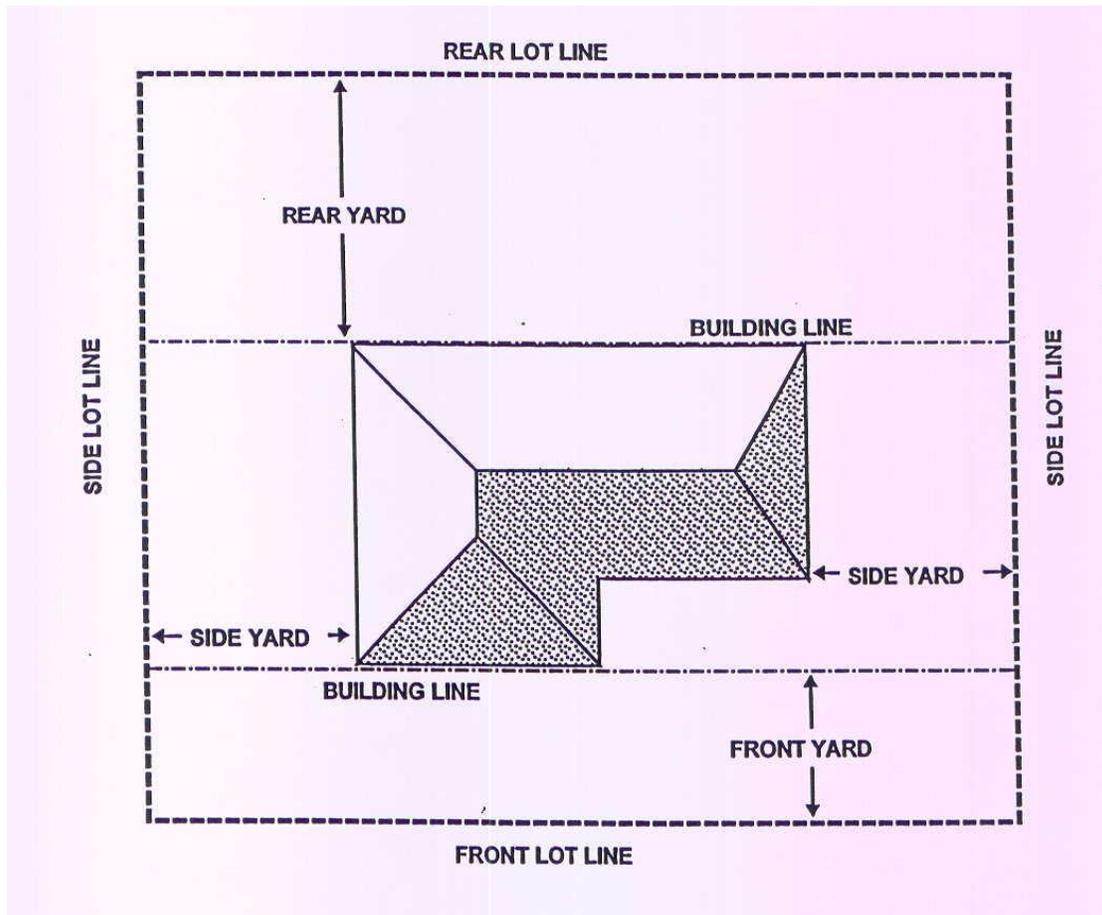
**Table 7.3.1: Regulations for Residential Zones**

Column 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 11
Zone/Uses	Lot Area (min)	Lot Frontage (min)	Front Yard (min)	Side Yard Interior (min)	Side Yard Exterior (min)	Rear Yard (min)	Building Height (max)	Lot Coverage (max)	Landscaped Area (min)
<b>RL1</b>									
Single-Detached	400.0 m <sup>2</sup>	12.0 m	4.5 m and 6.0 m (1)	1.2 m	3.0 m	7.5 m	11.0 m (3)	45%	20%
Two-Unit Dwelling	400.0 m <sup>2</sup>	12.0 m	4.5 m and 6.0 m (1)	1.2 m	3.0 m	7.5 m	11.0 m (3)	45%	20%
Semi-Detached Dwelling	600.0 m <sup>2</sup> for each dwelling and 300.0 m <sup>2</sup> for each unit	15.0 m for each dwelling and 7.5 m for each unit	4.5 m and 6.0 m (1)	1.2 m (2)	3.0 m	7.5 m	11.0 m (3)	45%	20%
<b>RL2</b>									
Single-Detached	270.0 m <sup>2</sup>	9.0 m	4.5 m and 6.0 m (1)	1.0 m	1.0 m	6.0 m	11.0 m (3)	50%	20%

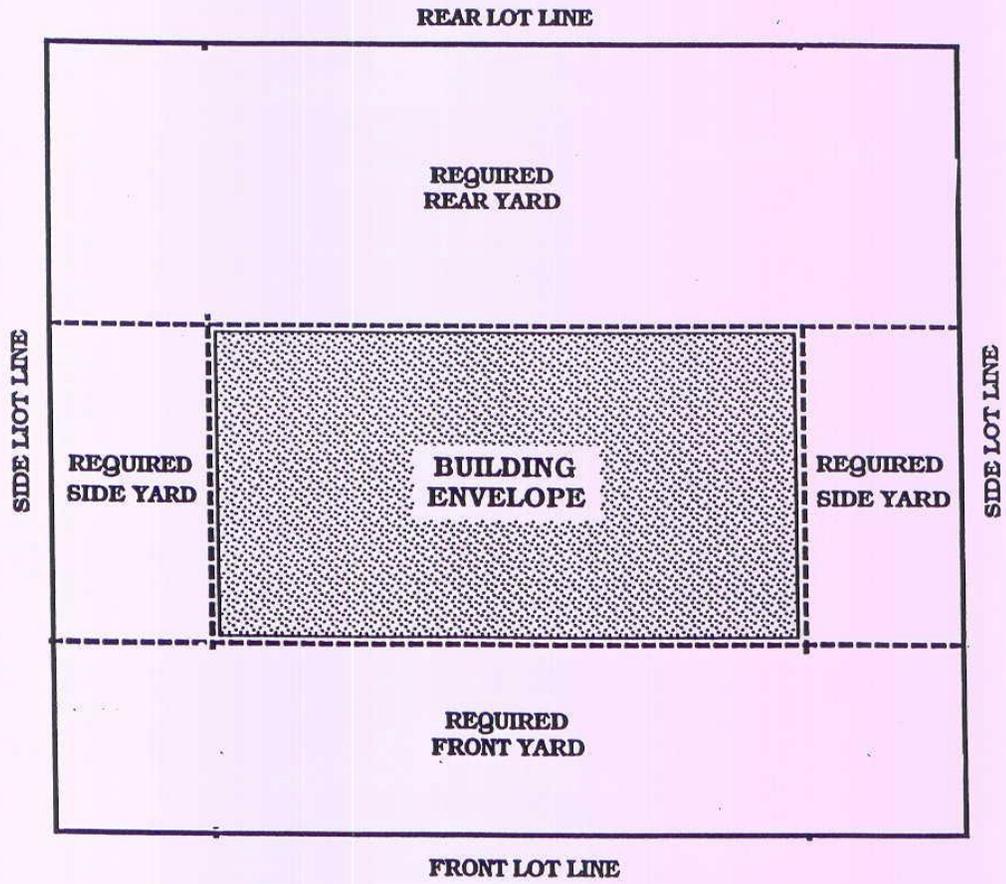
# Appendix D: Illustration Examples



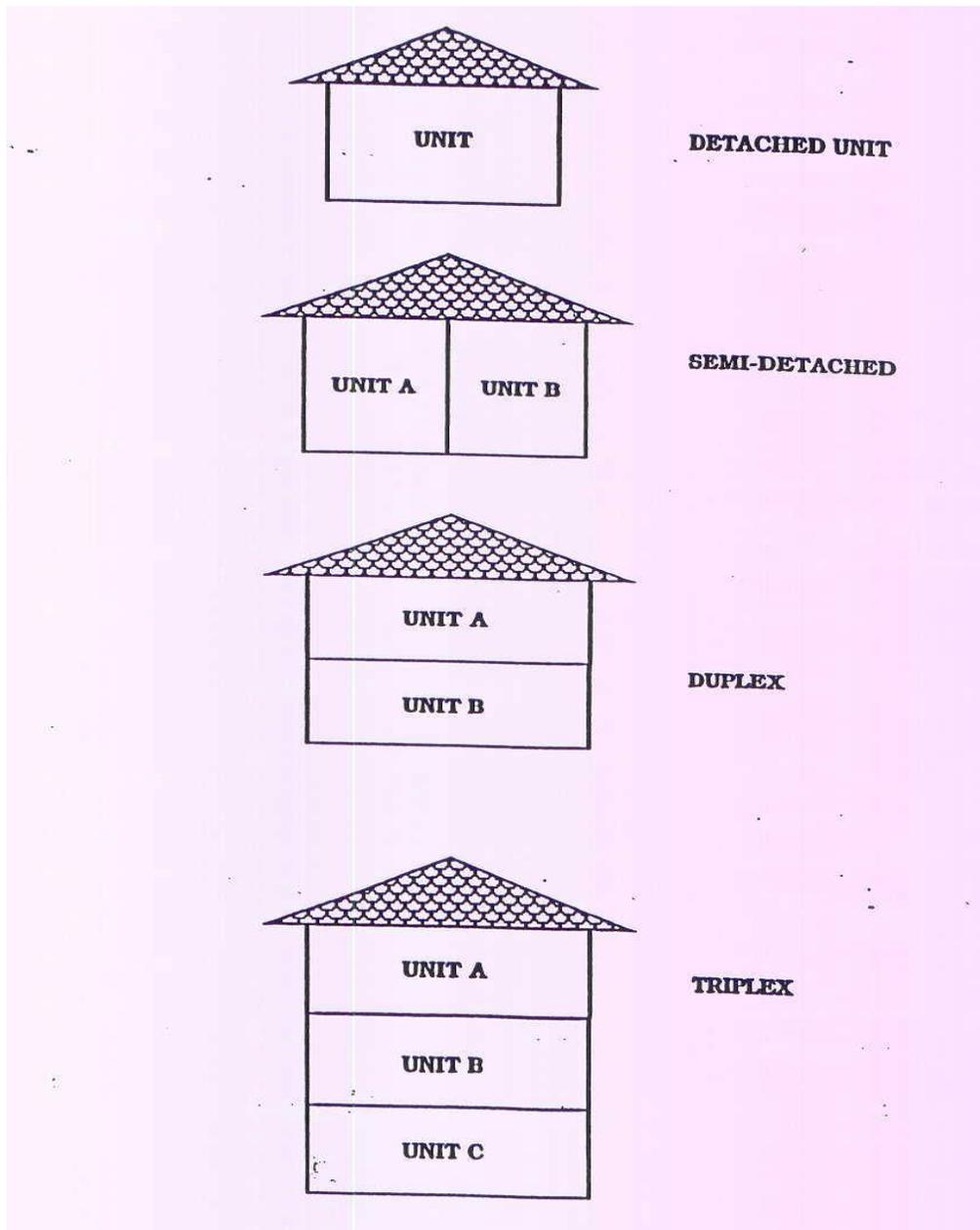
# DEFINITION OF YARD



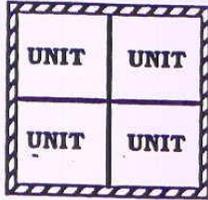
# BUILDING ENVELOPE



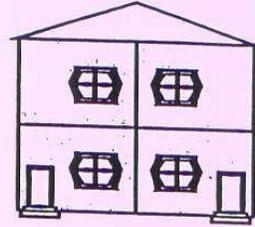
## ILLUSTRATIONS OF DWELLING TYPES



# ILLUSTRATIONS OF TYPES OF DWELLINGS

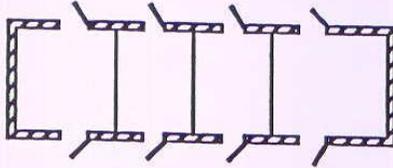


TOP VIEW



FRONT VIEW

FOURPLEX DWELLINGS

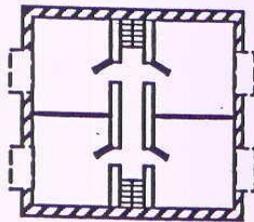


TOP VIEW

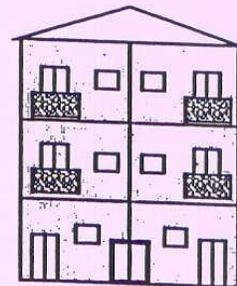


FRONT VIEW

ROW DWELLINGS



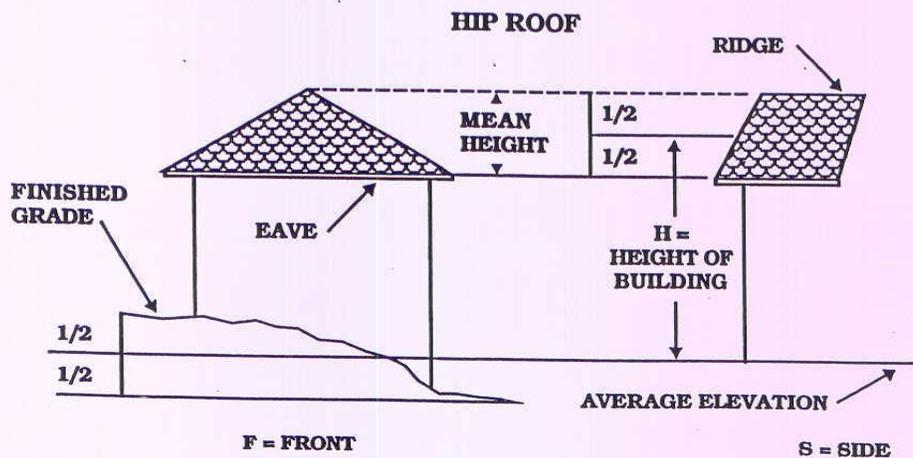
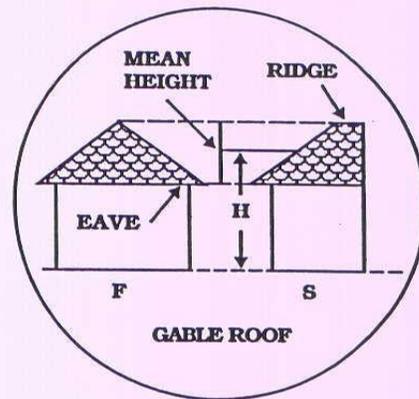
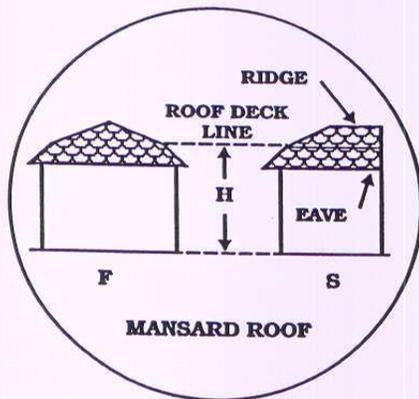
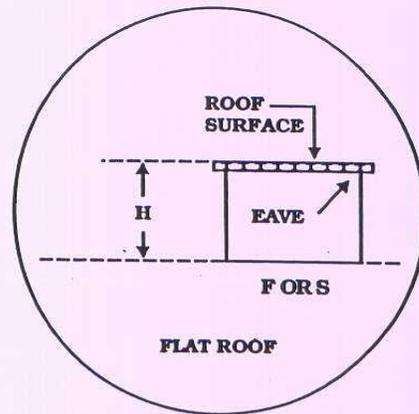
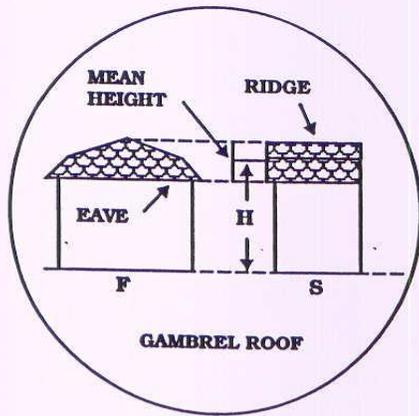
TOP VIEW



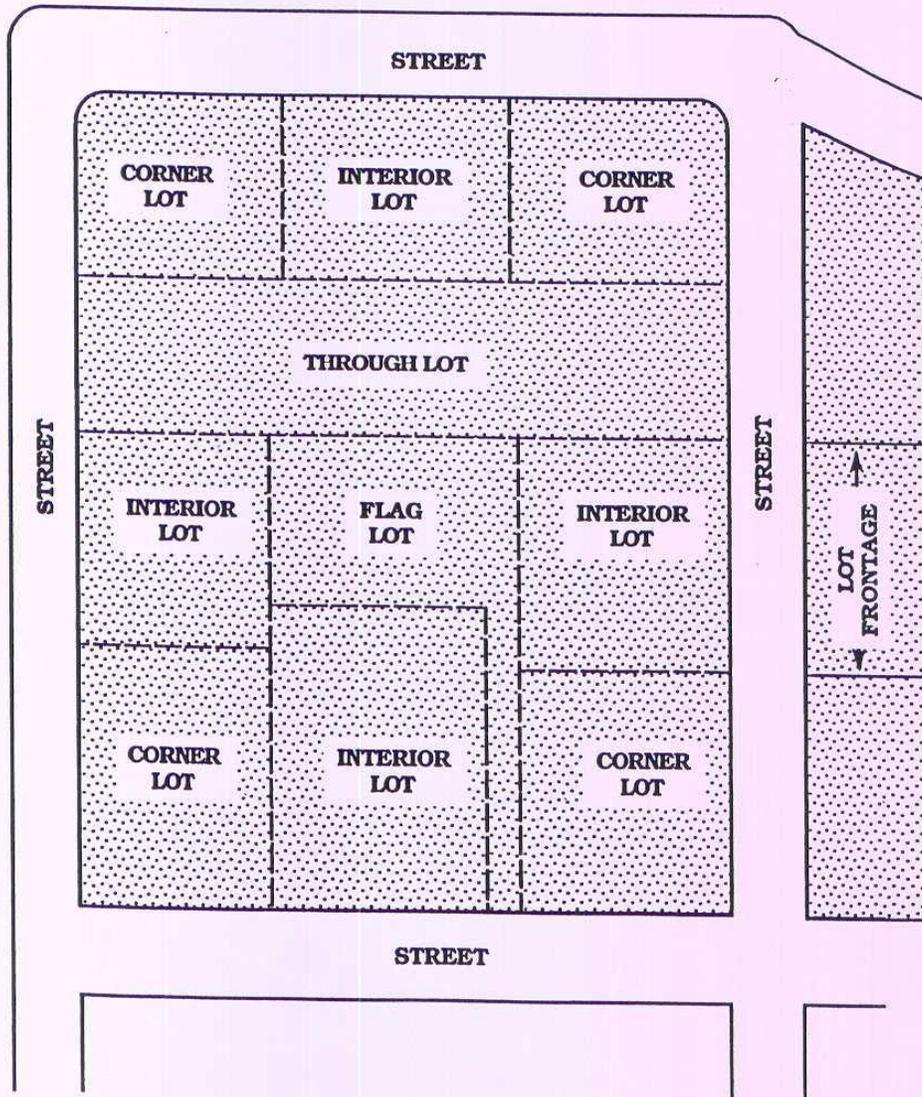
FRONT VIEW

APARTMENT DWELLINGS

# ILLUSTRATIONS OF BUILDING HEIGHT

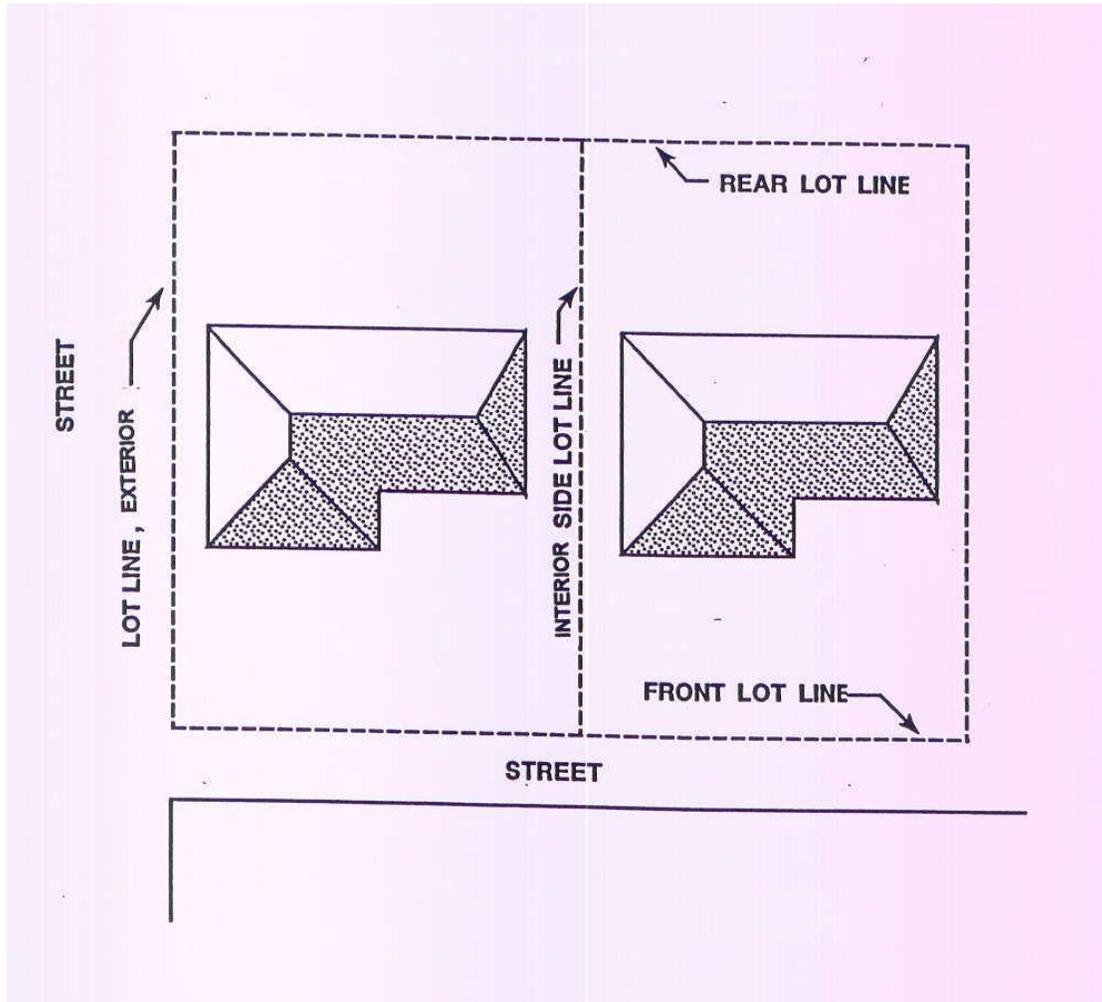


# DEFINITION OF TYPES OF LOTS

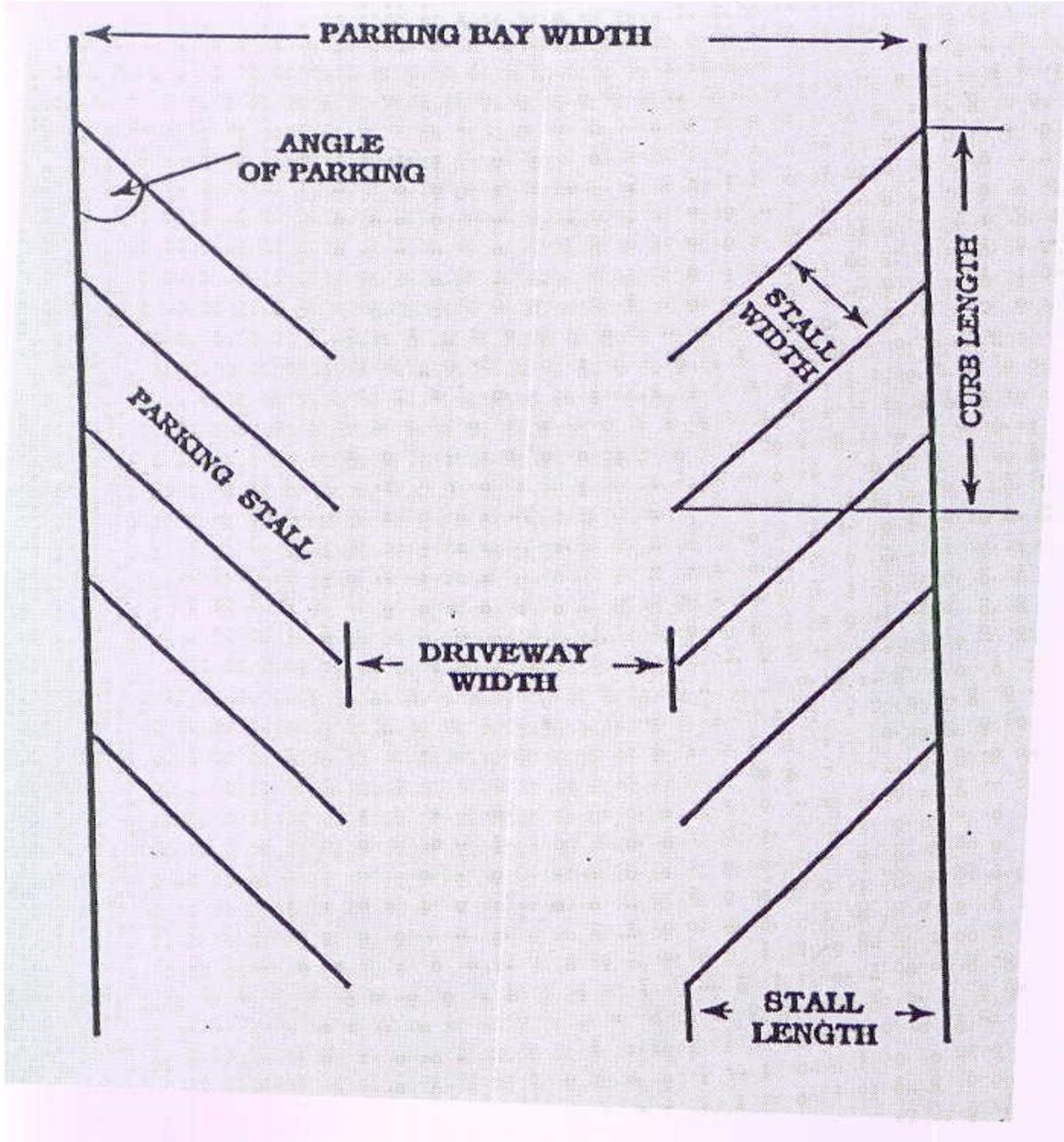




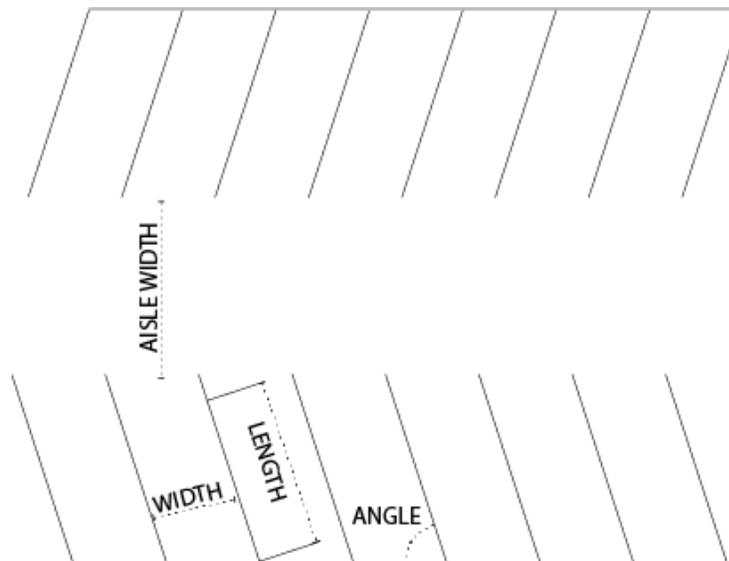
# LOT LINE DESCRIPTIONS



# PARKING AREA ILLUSTRATION



Note: This diagram illustrates each of the terms used in Table 4.



### 5.7 Location of Parking Spaces

Required *parking spaces* shall be located on the same *lot* as the *use* they provide parking for, except for *commercial uses* in the Downtown Zones, where required parking may be provided on another *lot* provided such *lot* is located not more than 122 metres from the subject *lot* and the *commercial use*.

### 5.8 Parking within Yards

- a) *Parking lots* shall be located as follows:
  - i) In the Downtown Zones,
    - A) parking shall not be permitted in the *front yard* or between a *building* and the *street line* or between a *building* and the edge of a *private street*;
    - B) in the Downtown Main-Street zone, *parking lots* shall only be permitted in the *rear yard* for *buildings* fronting on to Main Street; and
    - C) No *parking space* or part thereof shall be located and no land shall be *used* for the temporary parking or storage of any *motor vehicle* within 1.5 metres of any *street line*.
  - ii) in Employment Zones,

but shall not include any other retail or **commercial use** as defined herein.

**2.233 Waste Processing or Transfer Facility** means lands, **buildings** or **structures** within which waste is collected and temporarily stored for shipment to a recycling centre or waste disposal site, or where waste is shredded, baled, pulverized, composted, separated or otherwise treated or altered to facilitate its further transfer, processing, utilization or disposal, and in accordance with a Certificate of Approval issued by the Ontario Ministry of the Environment where such a certificate is required.

**2.234 Watercourse** means any surface stream or river including an intermittent stream, drainage ditch, municipal drain or flowing stream or river but this does not include a ditch constructed within a road allowance for the specific purpose of draining a **street**.

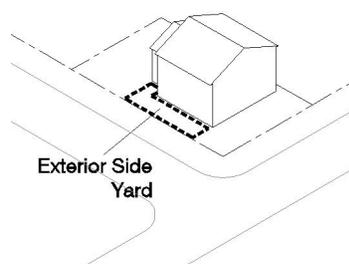
**2.235 Waterfront Yard – see Yard, Waterfront.**

**2.236 Water Frontage** means the distance between the **side lot lines** measured 7.5 metres back from the **shoreline** and parallel to the chord of the **shoreline** and, for the purpose of this definition, the chord of the **shoreline** is a straight line joining the two points where the **side lot lines** intersect the **shoreline**.

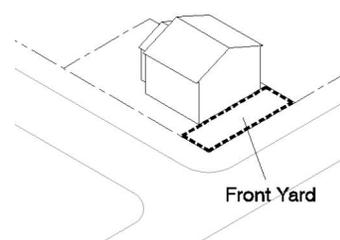
**2.237 Wayside Pit or Quarry** means a temporary pit or quarry opened and used by a public authority for road or infrastructure construction purposes and which is not located within the right-of-way of a **street**.

**2.238 Yard** means the space appurtenance to a **building** or **structure** on the same **lot** which is open, uncovered and unoccupied except for such **accessory buildings, structures** or **uses** which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective **lot lines** is to be used.

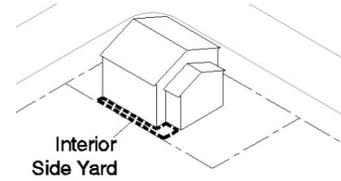
**2.239 Yard, Exterior Side** means the **side yard** of a **corner lot** which **side yard** extends from the **front yard** to the **rear yard** between the side **street** line and the nearest wall of any **building** or **structure** on the **corner lot**. The minimum exterior side yard means the minimum required distance as specified in this By-law between the **exterior side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.



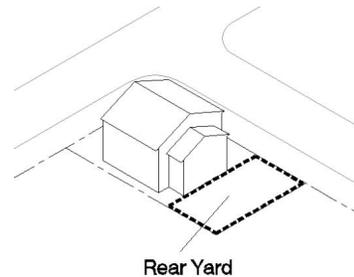
**2.240 Yard, Front** means the **yard** extending across the full width of the **lot** between the **front lot line** of the **lot** and the nearest wall of the **principal building** on the **lot**. The minimum **front yard** means the required distance as specified in this By-law between the **front lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.



**2.241 Yard, Interior Side** means the **side yard** extending from the **front yard** to the **rear yard** between the **side lot line** and the nearest wall of any **building** or **structure** on any **lot** and excluding any **exterior side yard**. The minimum interior side yard means the minimum required distance as specified in this By-law between an interior **side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.

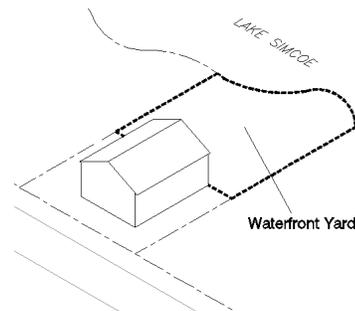


**2.242 Yard, Rear** means the **yard** extending across the full width of the **lot** between the **rear lot line** of the **lot** and the nearest wall of any **principal building** or **structure** on the **lot**. Where a rear yard is required for an **accessory building** in this By-law then this definition applies except the words **accessory building** are to be substituted for **principal building**. The minimum rear yard means the minimum required distance as specified in this By-law between the **rear lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.



**2.243 Yard, Side** means the **yard** extending from the **front yard** to the **rear yard** between the **side lot line** and the nearest wall of any **building** or **structure** on the **lot**. The minimum side yard means the minimum required distance as specified in this By-law between the **side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.

**2.244 Yard, Waterfront** means any **yard** which abuts the water's edge of Lake Simcoe. For the purposes of this definition, the water's edge shall mean the annual average high water mark.

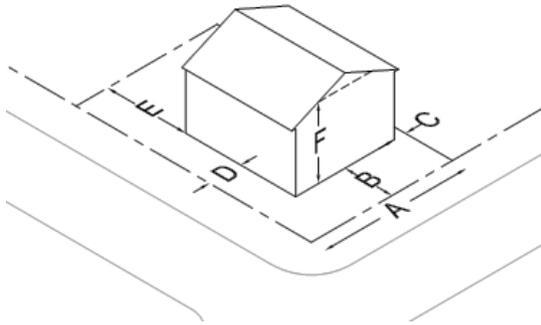


**2.245 Zone** means a designated area of land **use** shown on Schedule "A" of this By-law and established and designated by this By-law for a specific **use** or group of **uses**.

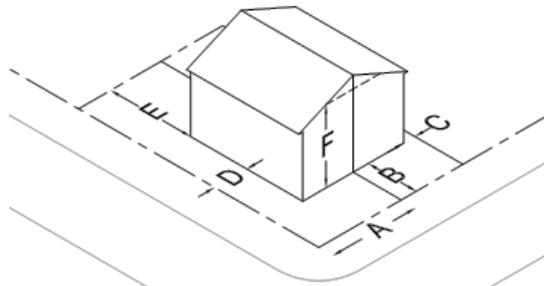
**2.246 Zoning Administrator** means an officer or employee of the Corporation of the Town of Innisfil charged with the duty of administering this By-law.

A: Minimum lot frontage  
 B: Minimum front yard  
 C: Minimum interior side yard

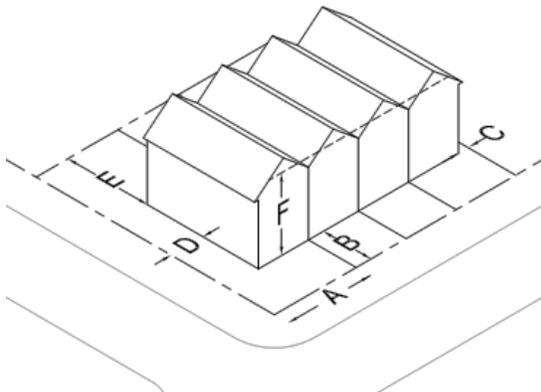
D: Minimum exterior side yard  
 E: Minimum rear yard  
 F: Maximum building height



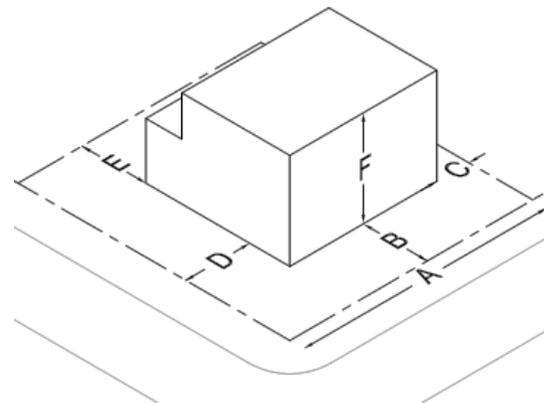
Single detached dwelling



Semi-detached dwelling



Townhouse Dwelling



Apartment Dwelling

**Table 4.2b – Zone Regulations**

	R2	R3	RS	RT	RA	RSC
Minimum Lot Area (Interior Lot)	360 m <sup>2</sup>	270 m <sup>2</sup>	240 m <sup>2</sup> (semi-detached); 360 m <sup>2</sup> (duplex dwelling)	180 m <sup>2</sup> or 210 m <sup>2</sup> at the end of a block	165 m <sup>2</sup> per unit	20 ha
Minimum Lot Area (Exterior Lot)	450 m <sup>2</sup>	360 m <sup>2</sup>	330 m <sup>2</sup> (semi-detached); 450 m <sup>2</sup> (duplex dwelling)	270 m <sup>2</sup>	165 m <sup>2</sup> per unit	20 ha
Minimum Lot Frontage (Interior Lot)	12 m	9 m	8 m (semi-detached); 12 m (duplex)	6 m	30 m	150 m

### Illustrations

Note: The illustrations in this section are for clarification and convenience only and do not form part of this By-Law.

Illustration 1 - Basement; Basement, Walkout; and, Cellar

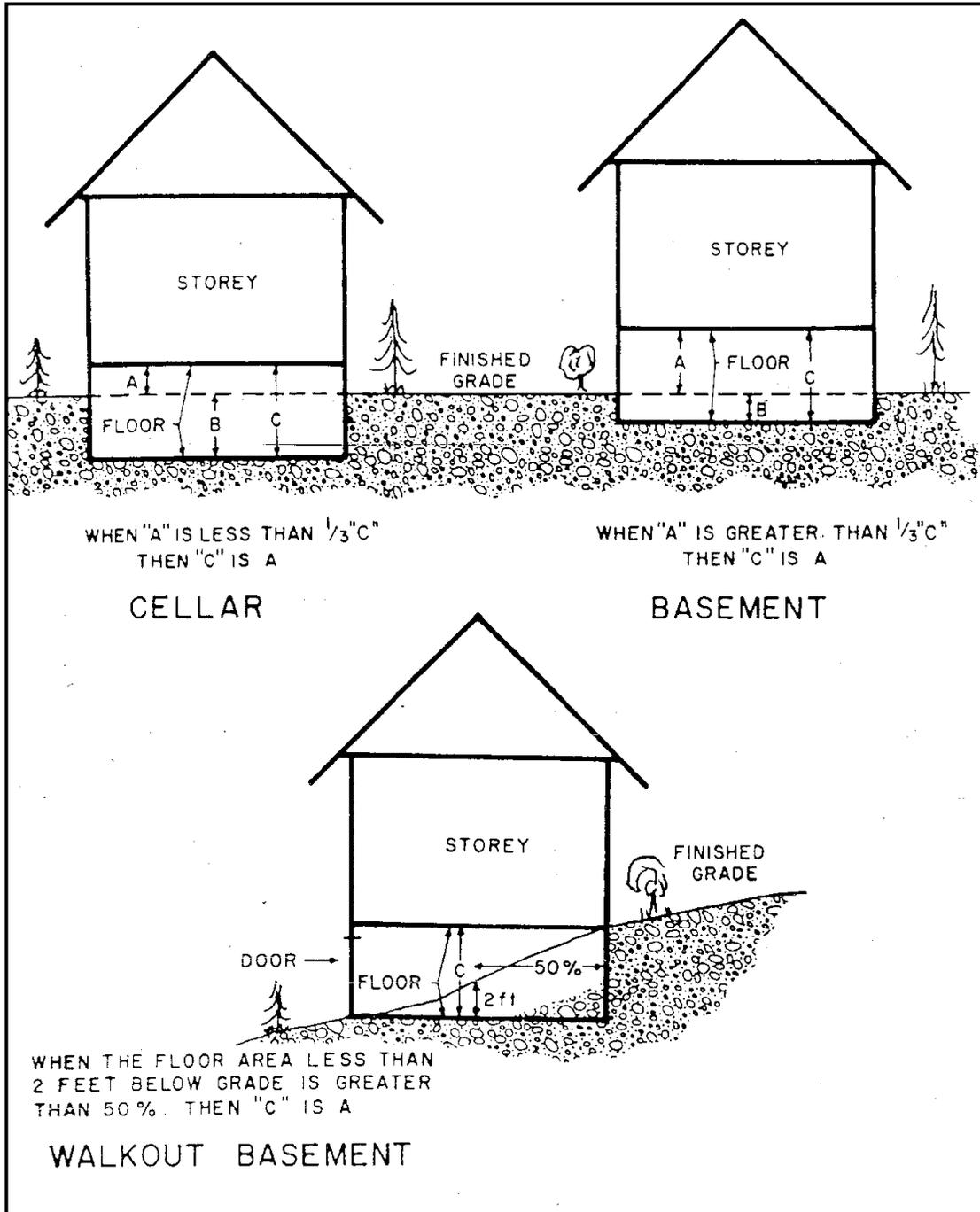
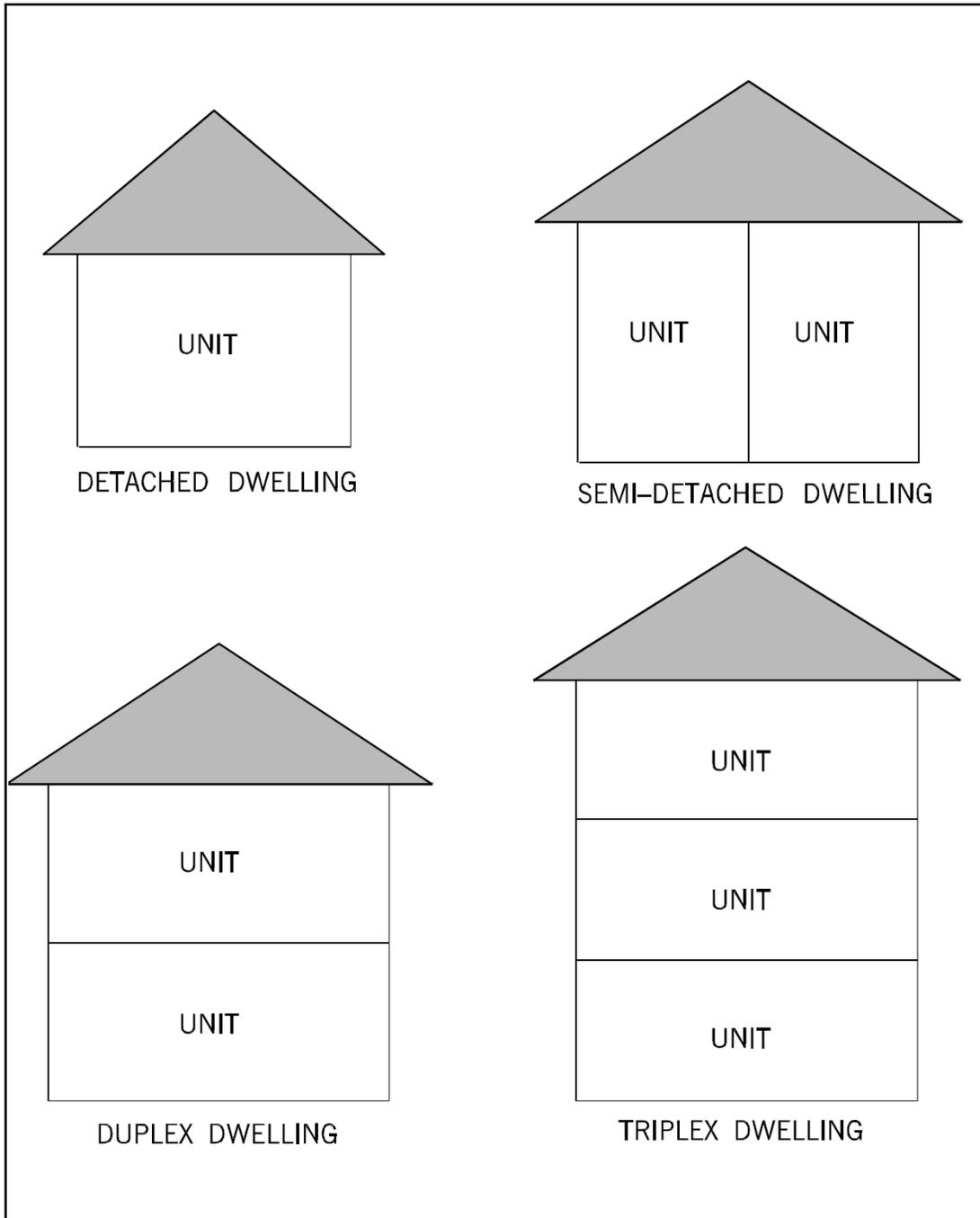
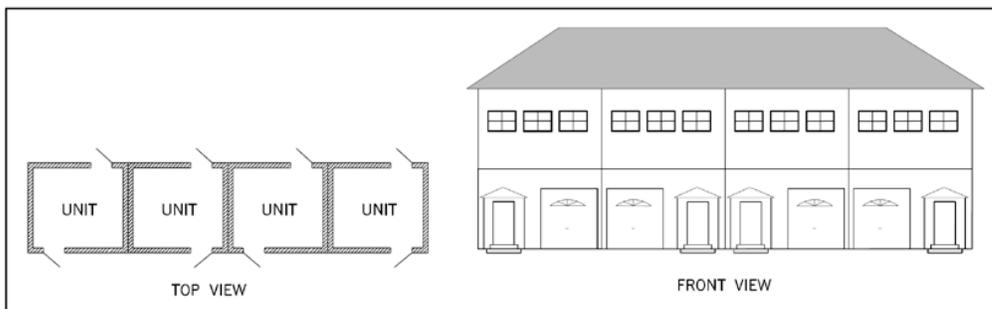
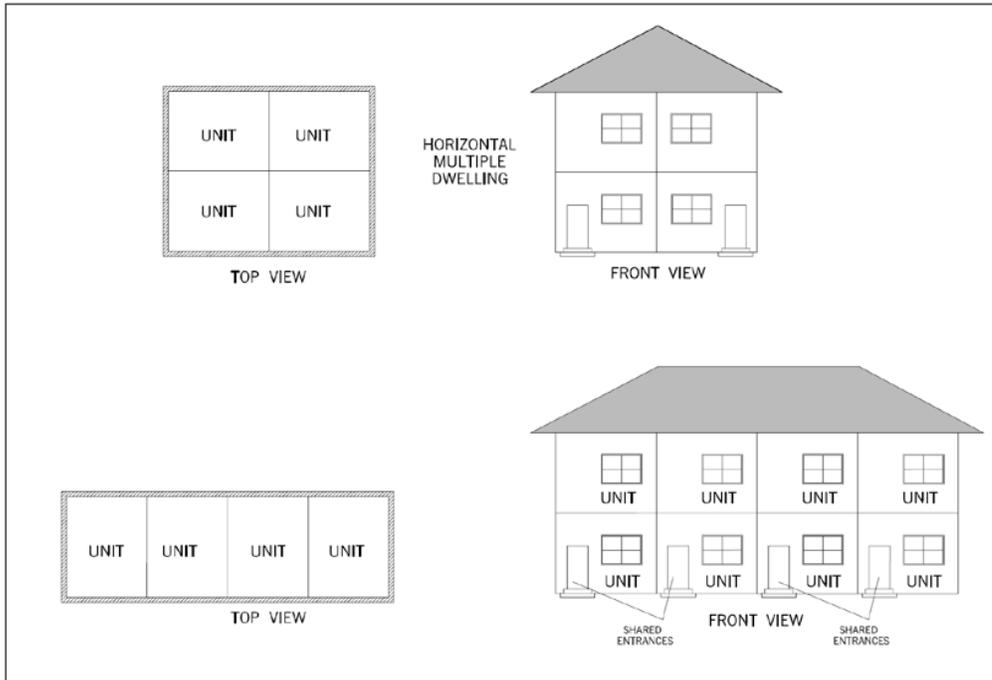


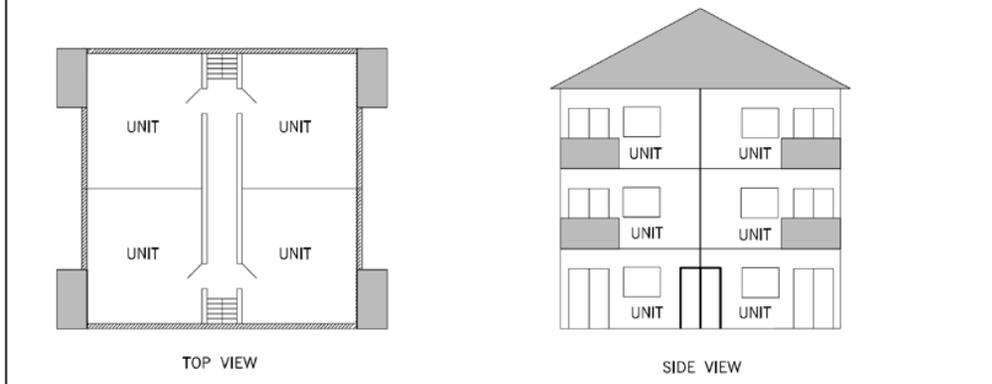
Illustration 2 - Dwelling Types



### Illustration 3 - Dwelling Types



TOWNHOUSE DWELLINGS



APARTMENT DWELLINGS

#### Illustration 4 - Floor Space Index

Examples of Buildings and Lots with a Floor Space Index (FSI) of 1.0

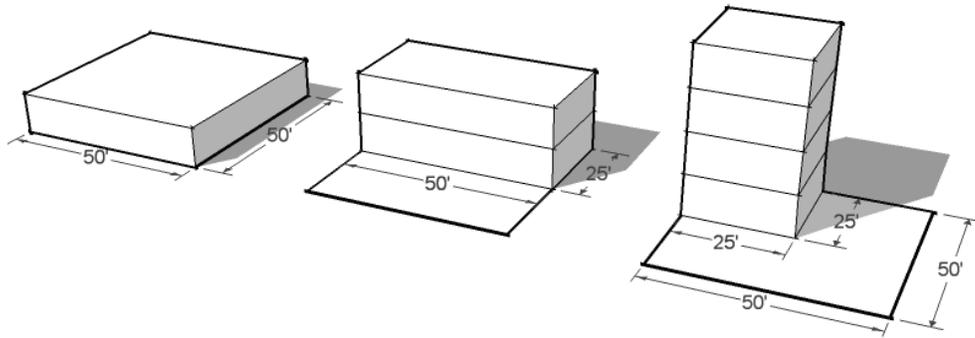
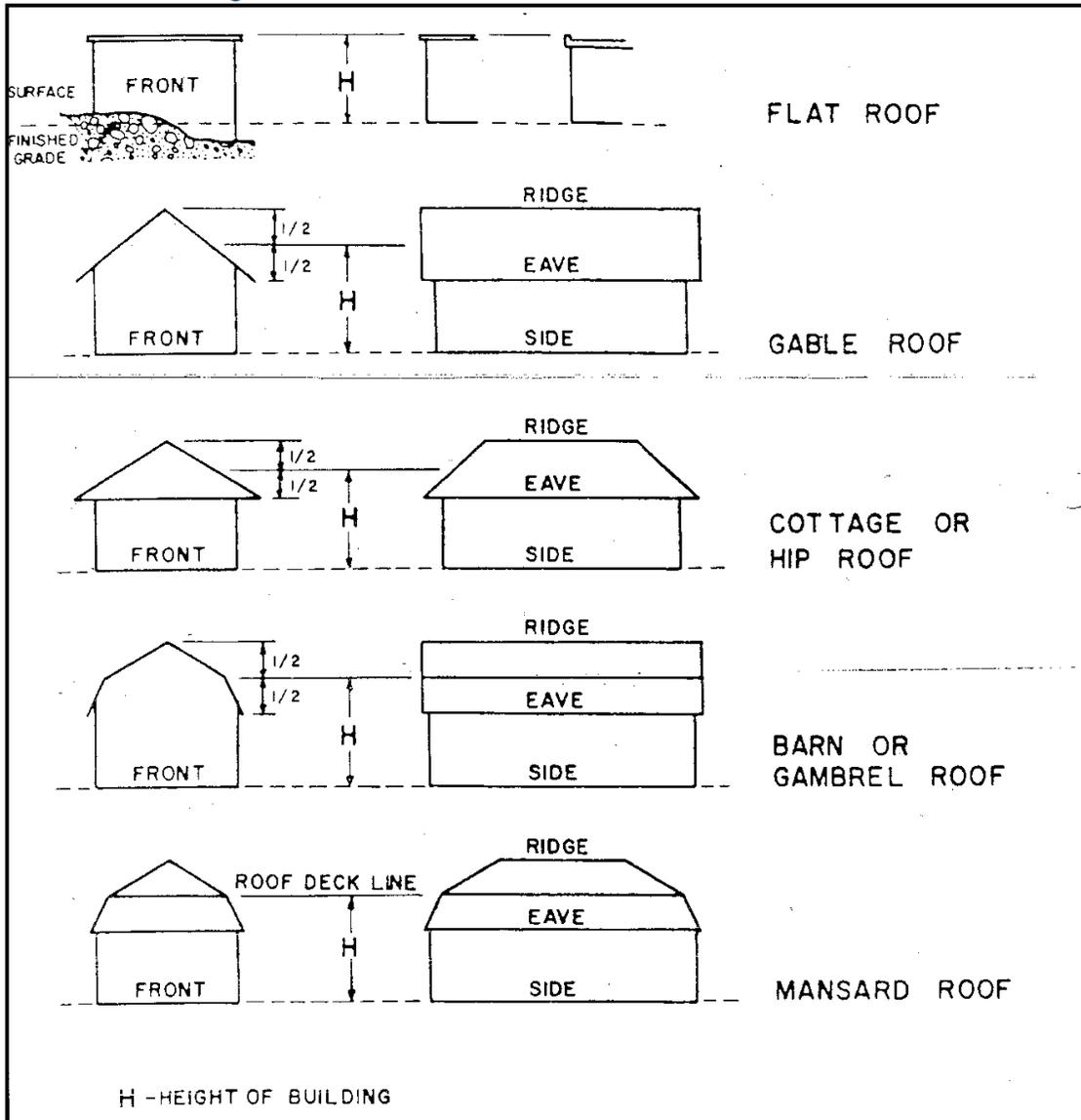


Illustration 5 - Height



# Illustration 6 - Lot Types

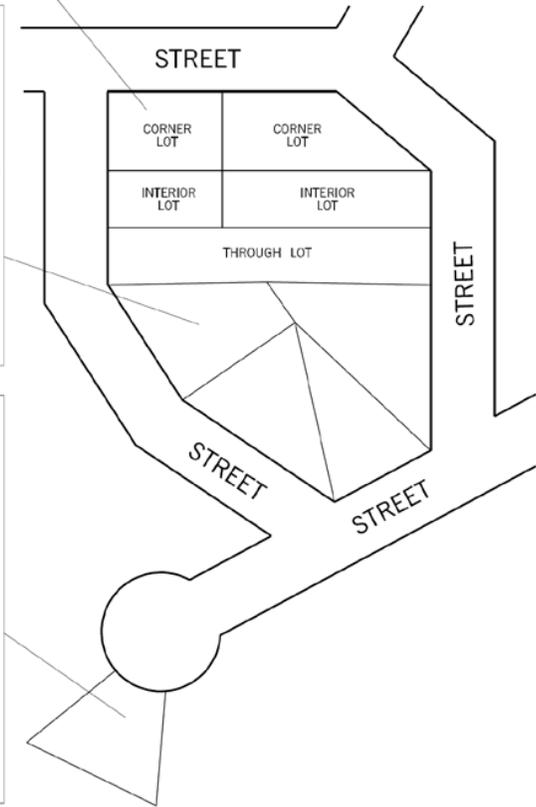
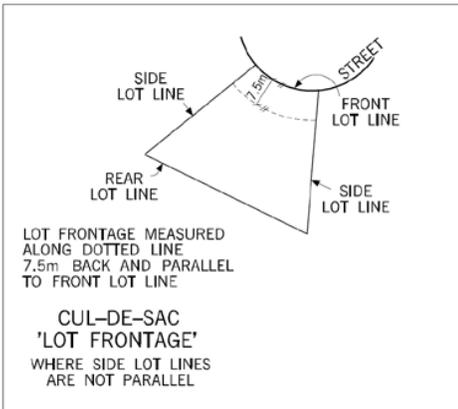
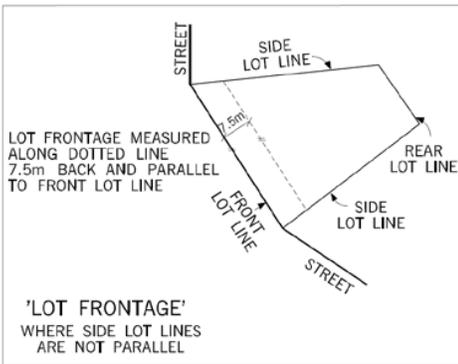
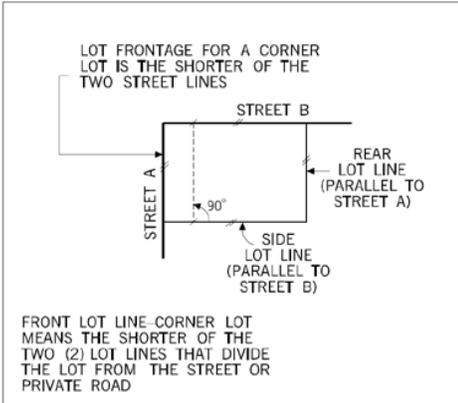
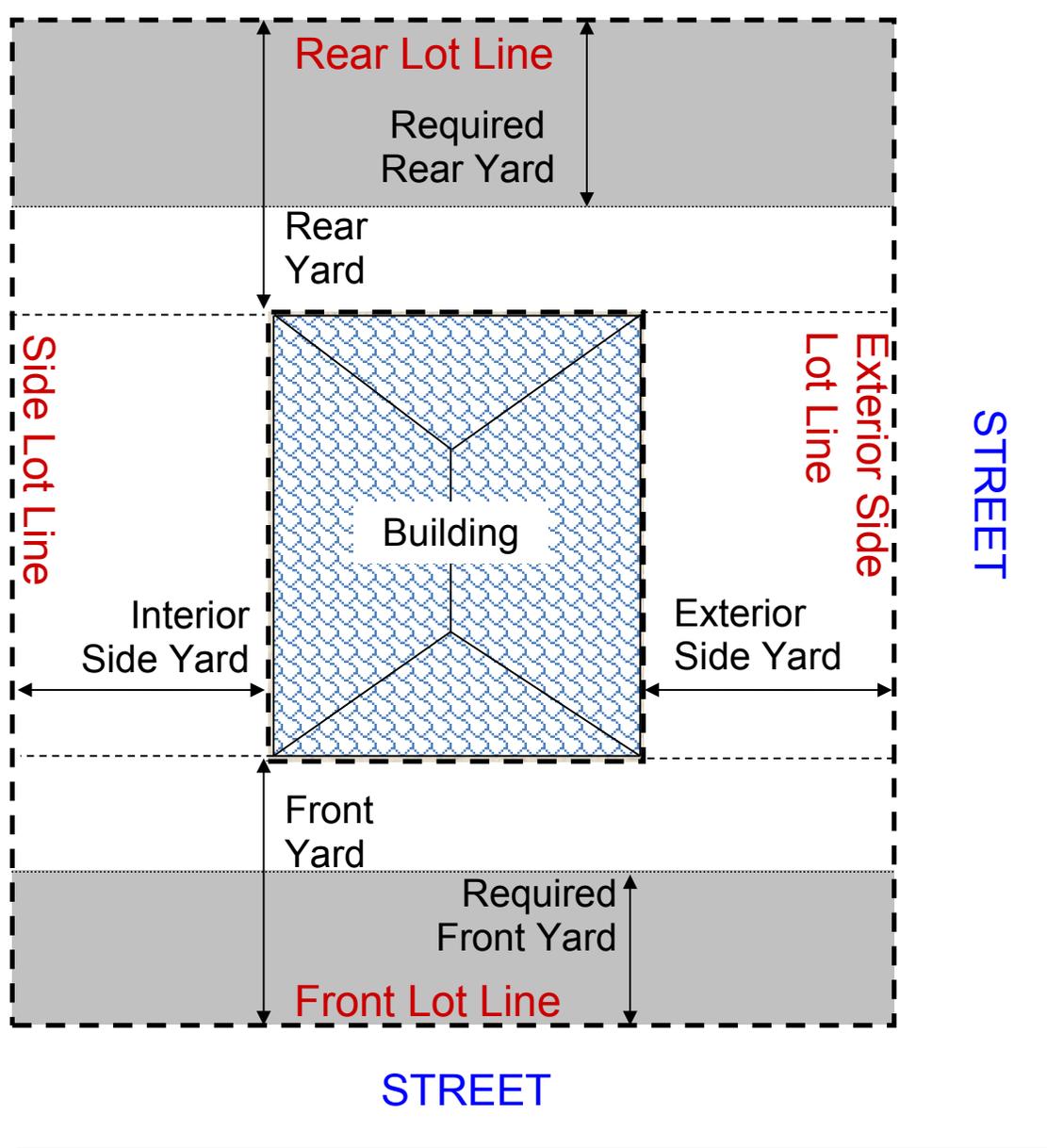
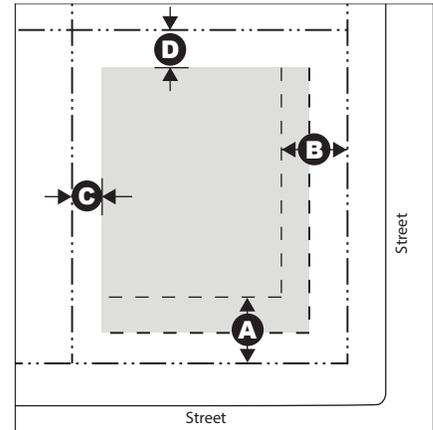


Illustration 7 - Yards and Yard Setbacks



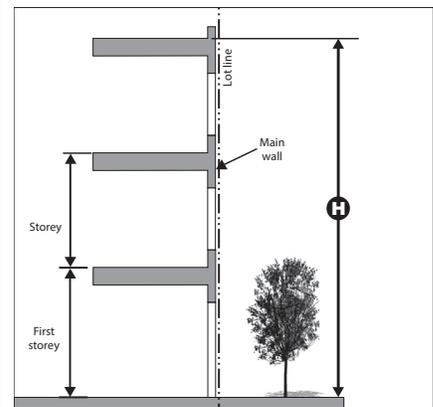
# Mixed Use Zones

2. The *maximum* front and flankage yard shall be 5.0 metres where a *dwelling* occupies the entire *first storey* on a *lot* having *lot frontage* onto any *public road* other than Lakeshore Road West, Lakeshore Road East, or Kerr Street. (2015-079)
3. Shall only apply to the first 12.0 metres of *building height*, measured along the *main wall* oriented toward the *front* or *flankage lot line*.
4. The *minimum yard* shall be increased to 7.5 metres for that portion of a *building* greater than 13.5 metres in *height*.
5. The *minimum yard* shall be increased to 10.0 metres for that portion of a *building* greater than 13.5 metres in *height*.
6.
  - a) The maximum number of *storeys* shall be 3 and the maximum *height* shall be 12.0 metres where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
  - b) Notwithstanding Section 4.6.4(a), a *mechanical penthouse* shall not exceed 3.0 metres in height, measured from the top of the roof on which the *mechanical penthouse* is directly situated, where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
7. Any *building* legally existing on the effective date of this By-law not complying with this provision shall be permitted.



The black circles are letters corresponding to the applicable yard in the regulations table. The shaded area represents the potential building envelope remaining once minimum yards are removed.

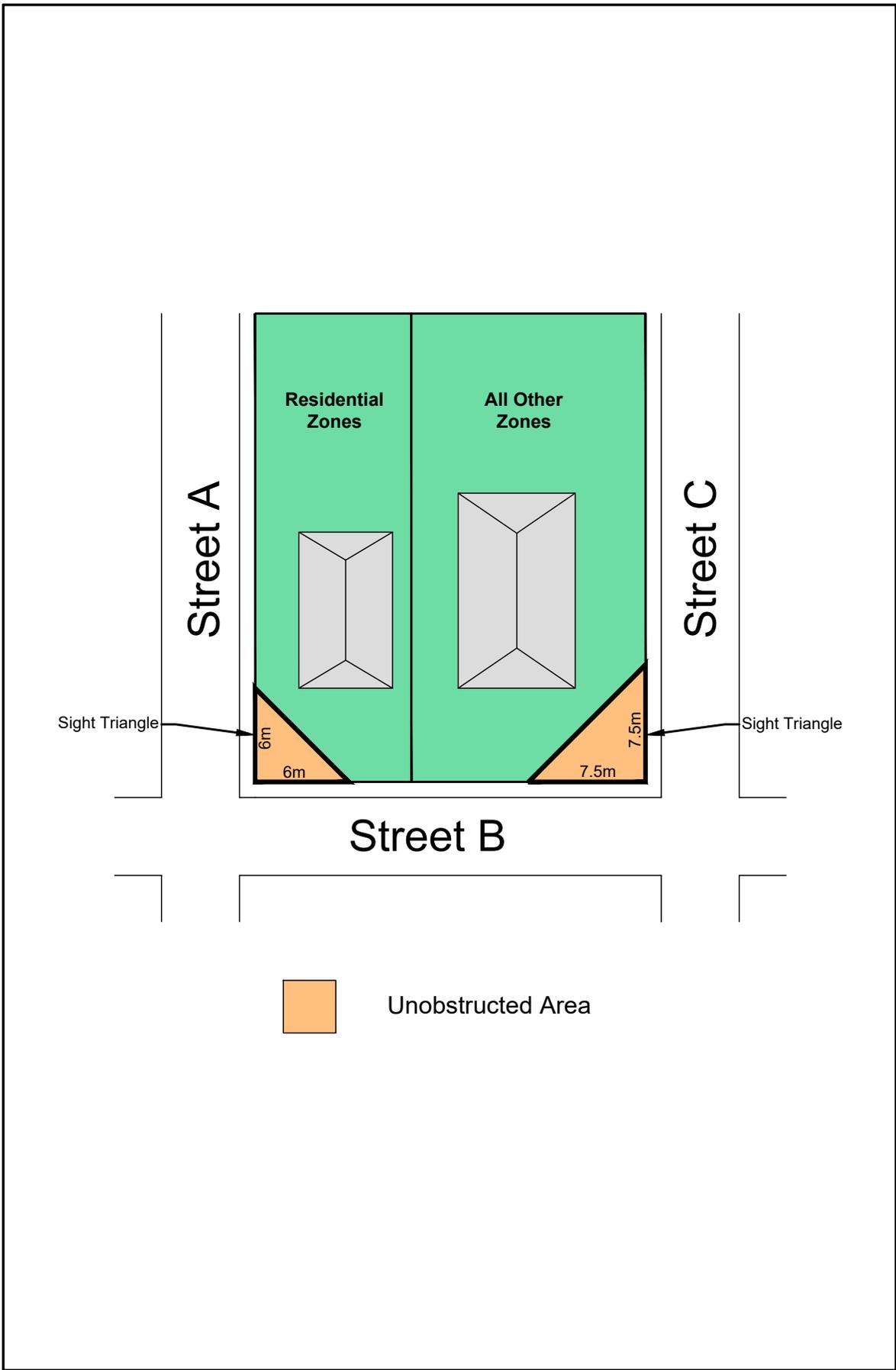
Table 8.3.2: Regulations for Permitted Detached, Semi-detached, and Townhouse Dwellings				
		Detached dwellings	Semi-detached dwellings	Townhouse dwellings
Minimum lot area		As legally existing on the effective date of this By-law		
Minimum lot frontage				
Minimum front yard	A	As legally existing on the effective date of this By-law less 1.0 metre (1)		
Minimum flankage yard	B	3.0 m	3.0 m	3.0 m
Minimum interior side yard	C	1.2 m	1.2 m (2)	1.2 m (2)
Minimum rear yard	D	7.5 m	7.5 m	7.5 m
Maximum number of storeys	H	3	3	3
Maximum height	H	12.0 m	12.0 m	12.0 m
Maximum lot coverage for the dwelling		35%	n/a	n/a
Regulations for accessory buildings and structures		Section 6.5 shall apply		



Height is measured to the tallest point of the building.

### Additional Regulations for Zone Regulations Table 8.3.2

1. Notwithstanding this, Section 6.6 additionally applies for any *dwelling* erected between *dwellings* that legally existed on the effective date of this By-law. (2015-018)
2. Section 6.10 of this By-law shall apply for determining *yard* compliance.



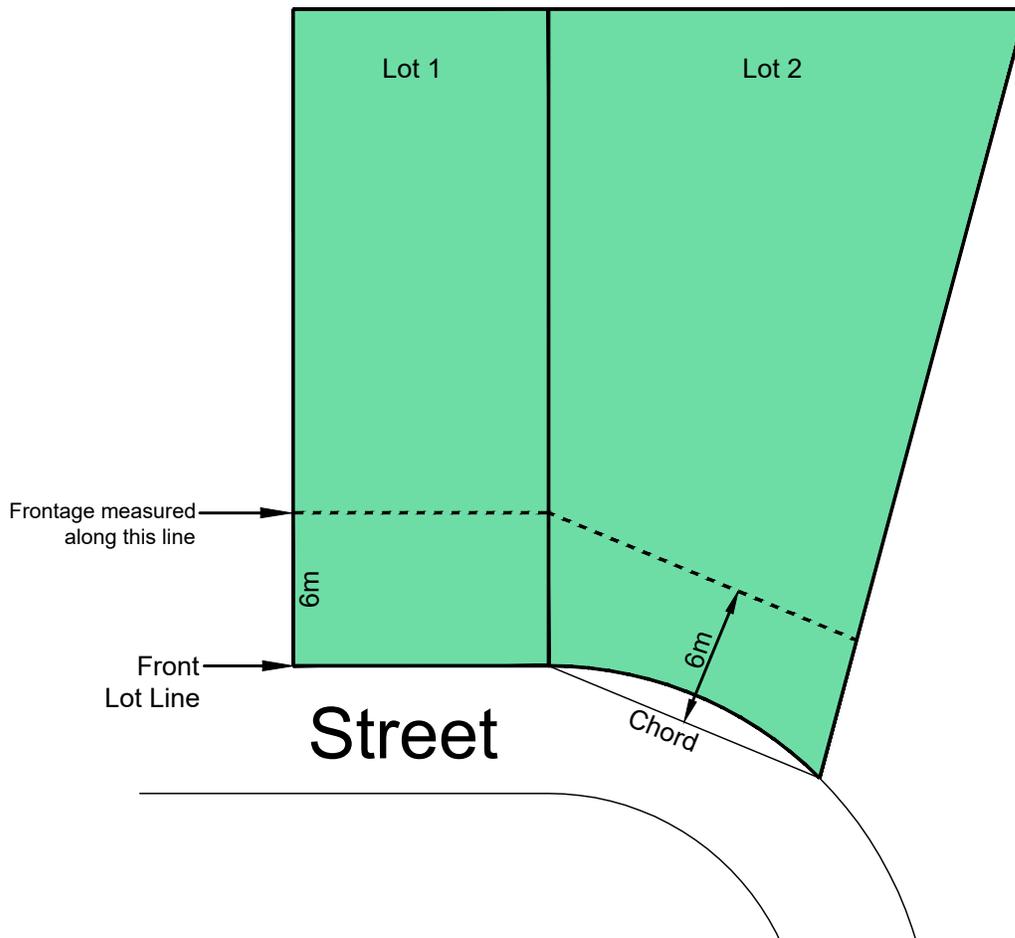
## Sight Triangle (Section 2.5)

City of St. Catharines  
Planning and Building  
Services

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Illustrations must be interpreted in conjunction with the text of the City of St. Catharines Zoning By-Law.

APPENDIX 16.2.1

December 16, 2013



Lot 1 Frontage is measured 6m back from front lot line and parallel to front lot line.

Lot 2 Frontage is measured 6m back from the chord and parallel to the chord of the front lot line.

The chord is the straight line that connects the points of intersection of the front and side lot lines on either side of the land parcel.

## Lot Frontage on Public Roads (Section 2.6)

City of St. Catharines  
Planning and Building  
Services

APPENDIX 16.2.2

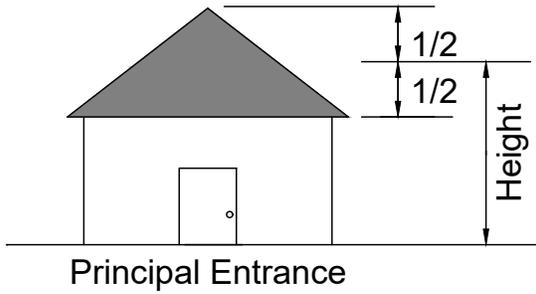
This illustration does not form part of this By-Law. It is provided for convenience only.  
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December 16, 2013

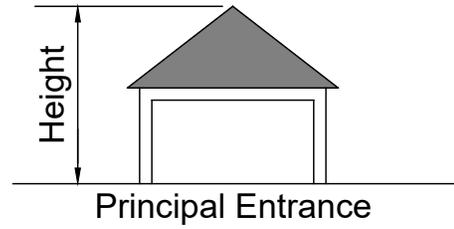
## Principal Buildings

## Accessory Buildings and Structures

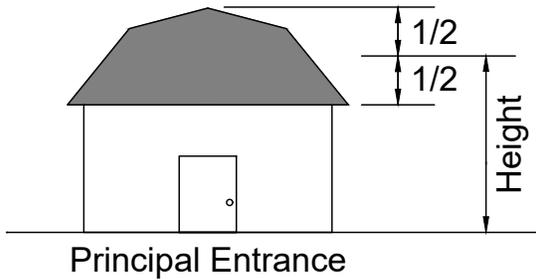
### Pitched Roof



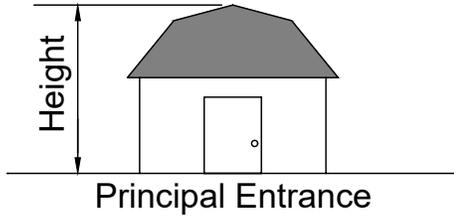
Grade



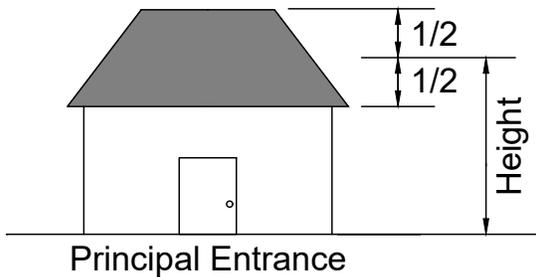
### Pitched Roof



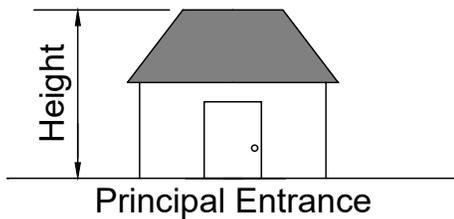
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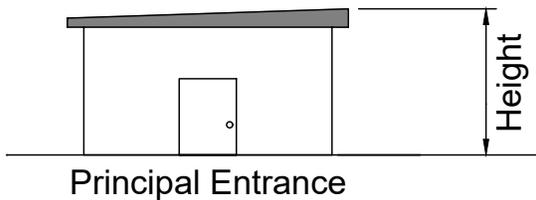
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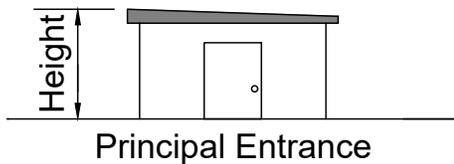
Grade



### Flat Roof



Grade



## Height (Section 2.7) Residential Zones

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Planning and Building  
Services

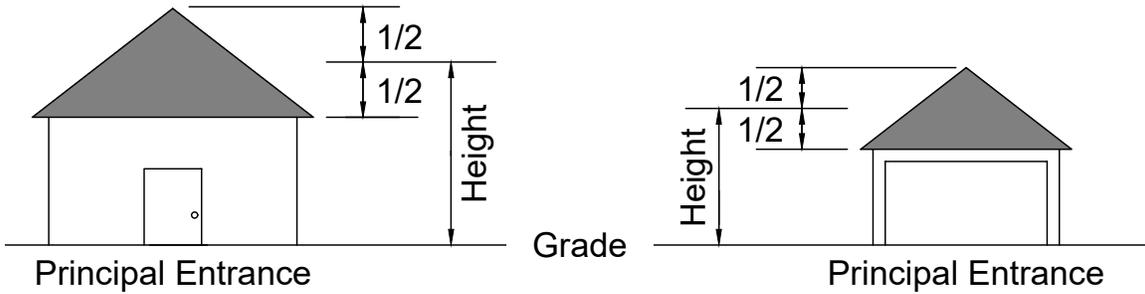
APPENDIX 16.2.3

December 16, 2013

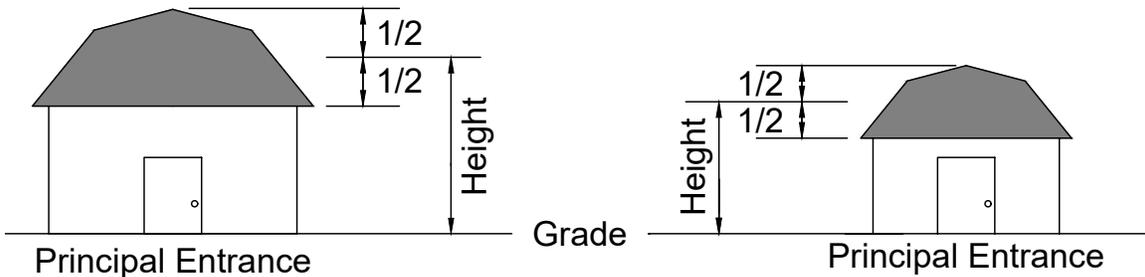
# Principal Buildings

# Accessory Buildings and Structures

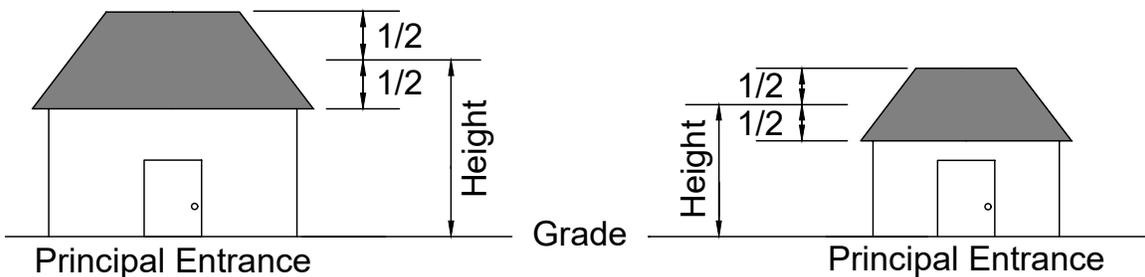
## Pitched Roof



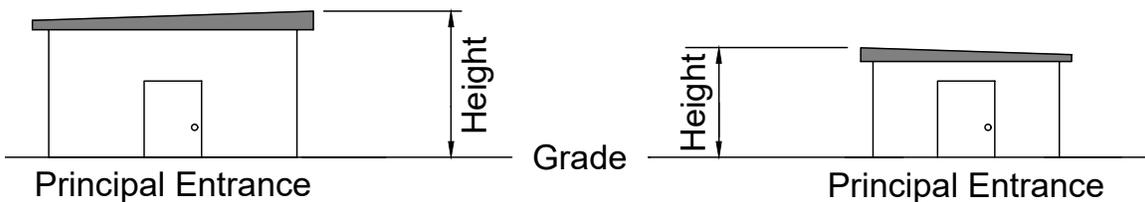
## Pitched Roof



## Pitched Roof



## Flat Roof



### Height (Section 2.7)

### All Zones Other Than Residential Zones

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City of St. Catharines  
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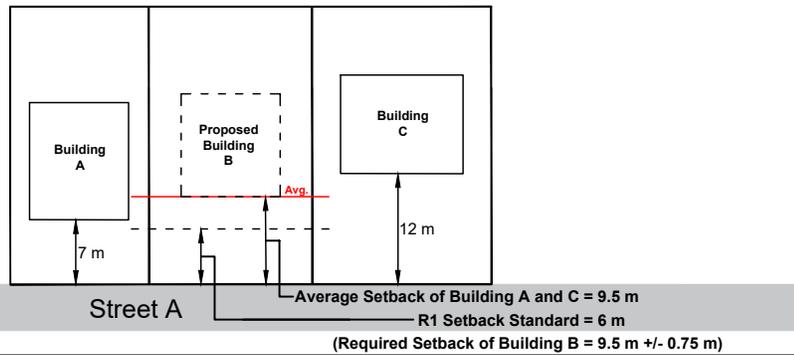
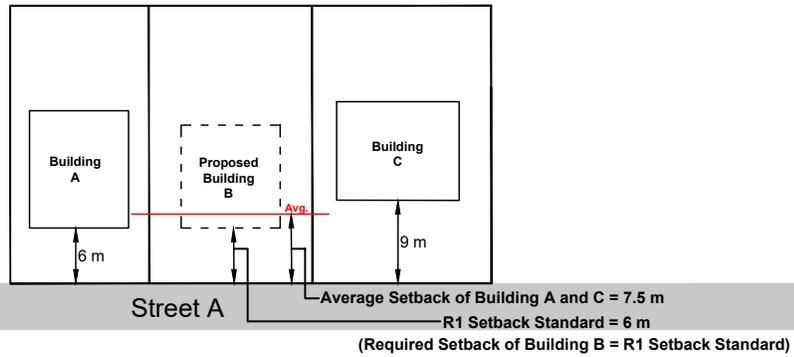
APPENDIX 16.2.4

December 16, 2013

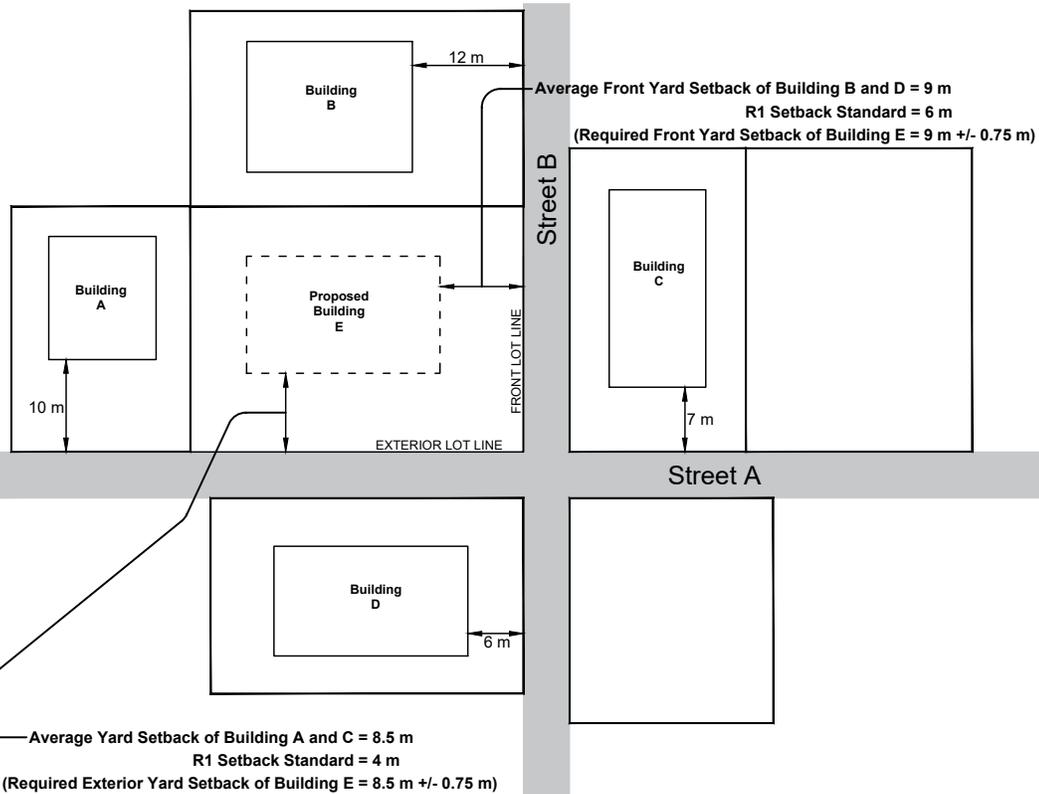
\*Examples below based on minimum yard standards for the Low Density Residential - Suburban Neighbourhood (R1) zone.

- Minimum front yard setback = 6 m
- Minimum exterior side yard setback = 4 m

1) Front Yard Setback



2) Corner Lot - Front Yard and Exterior Side Yard Setback



### Yard For Dwellings, Average (Section 5.3.1 (h), Section 5.4.1 (h), Section 12 'Definitions')

Where the 'average' front yard and / or exterior side yard setback of dwellings on adjacent properties is in excess of 2 metres of the stated required minimum setback, the average is the applicable requirement +/- an as-of-right variance of 0.75 metres. This provision applies to new dwellings or additions to existing dwellings.

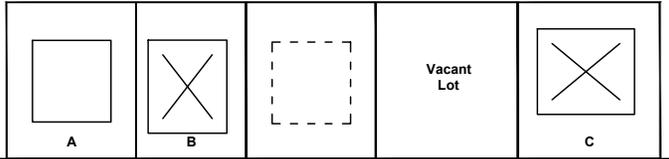
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#### APPENDIX 16.2.5

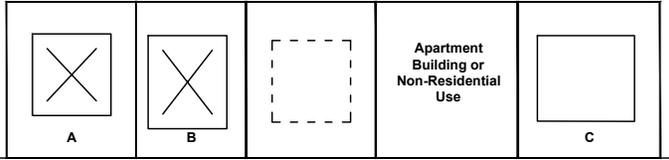
December 16, 2013

Other 'Averaging' Examples



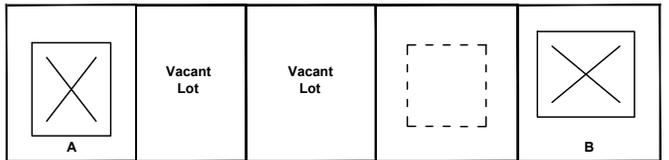
Street A

Average calculated from dwelling B and C



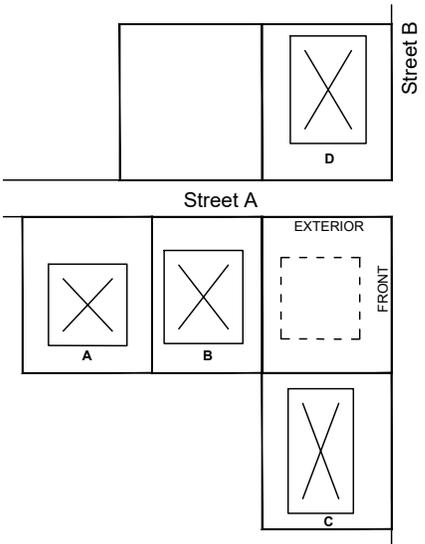
Street A

Average calculated from dwelling A and B



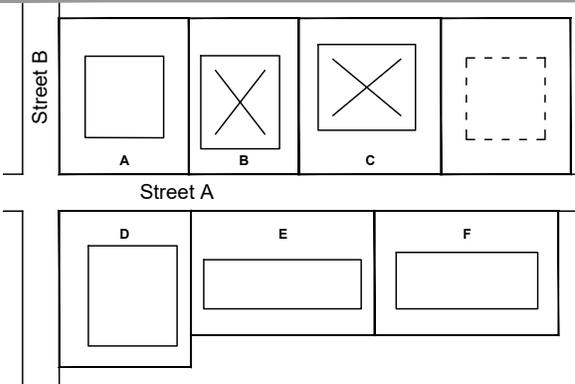
Street A

Average calculated from dwelling A and B



Front yard average calculated from dwelling C and D

Exterior side yard average calculated from dwelling A and B



Average calculated from dwelling B and C

Proposed Dwelling

**Yard For Dwellings, Average**  
**(Section 5.3.1 (h), Section 5.4.1 (h), Section 12 'Definitions')**

Where the 'average' front yard and / or exterior side yard setback of dwellings on adjacent properties is in excess of 2 metres of the stated required minimum setback, the average is the applicable requirement +/- an as-of-right variance of 0.75 metres. This provision applies to new dwellings or additions to existing dwellings.

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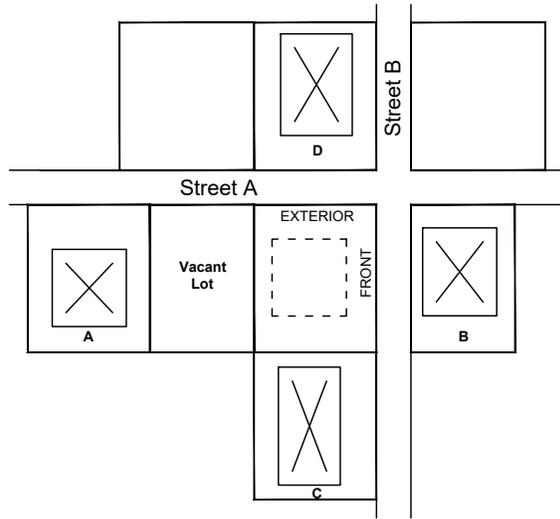
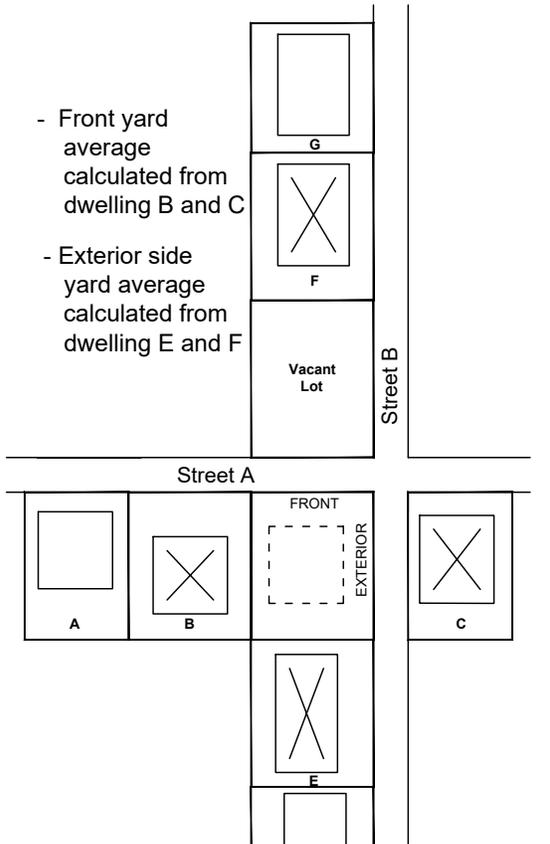
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APPENDIX 16.2.5

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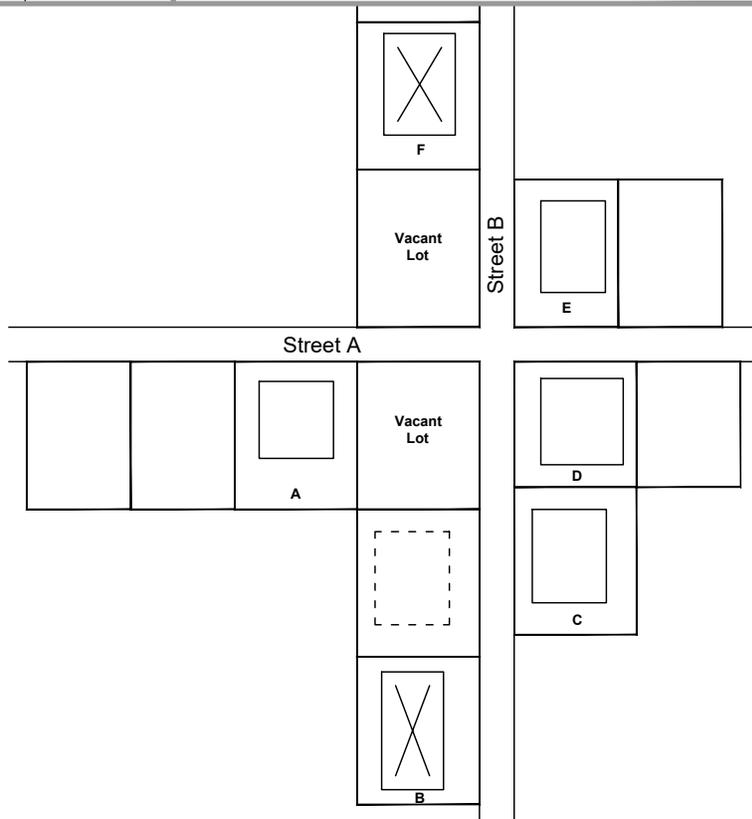
Other 'Averaging' Examples

- Front yard average calculated from dwelling B and C
- Exterior side yard average calculated from dwelling E and F



- Front yard average calculated from dwelling C and D
- Exterior side yard average calculated from dwelling A and B

- Average calculated from dwelling B and F



 Proposed Dwelling

**Yard For Dwellings, Average**  
(Section 5.3.1 (h), Section 5.4.1 (h), Section 12 'Definitions')

Where the 'average' front yard and / or exterior side yard setback of dwellings on adjacent properties is in excess of 2 metres of the stated required minimum setback, the average is the applicable requirement +/- an as-of-right variance of 0.75 metres. This provision applies to new dwellings or additions to existing dwellings.

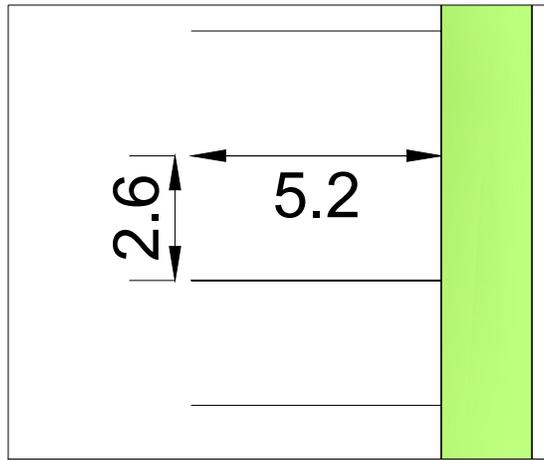
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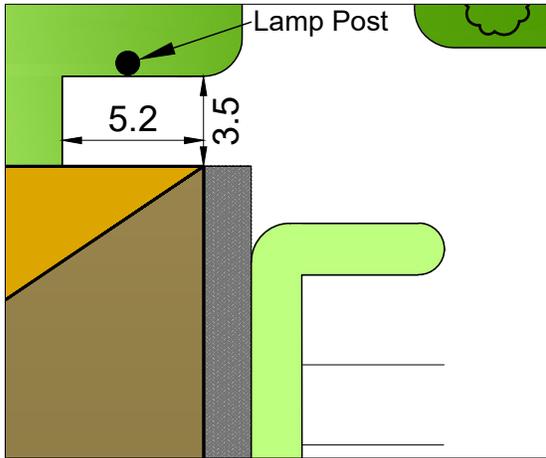
APPENDIX 16.2.5

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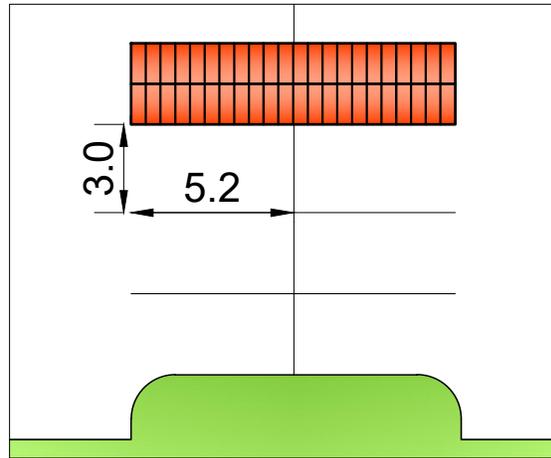
Standard Parking Space



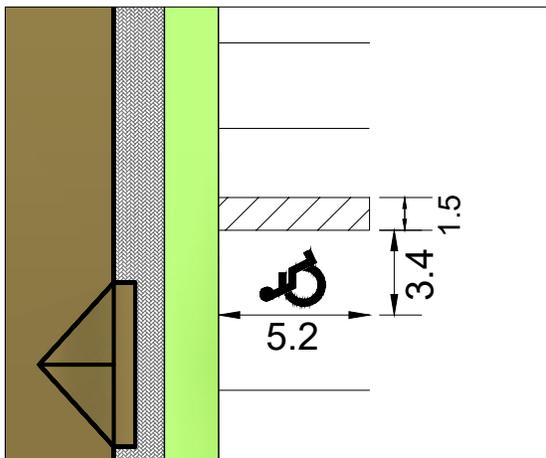
Standard Parking Space  
Obstructed on Two Sides



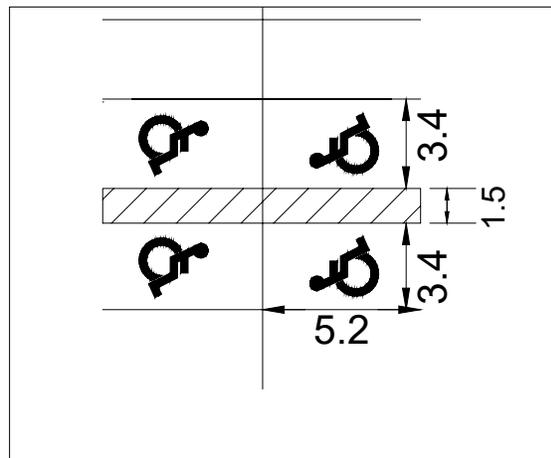
Standard Parking Space  
Obstructed on One Side



Accessible Space



Two (2) Accessible Spaces  
Side by Side



All distances are in metres.

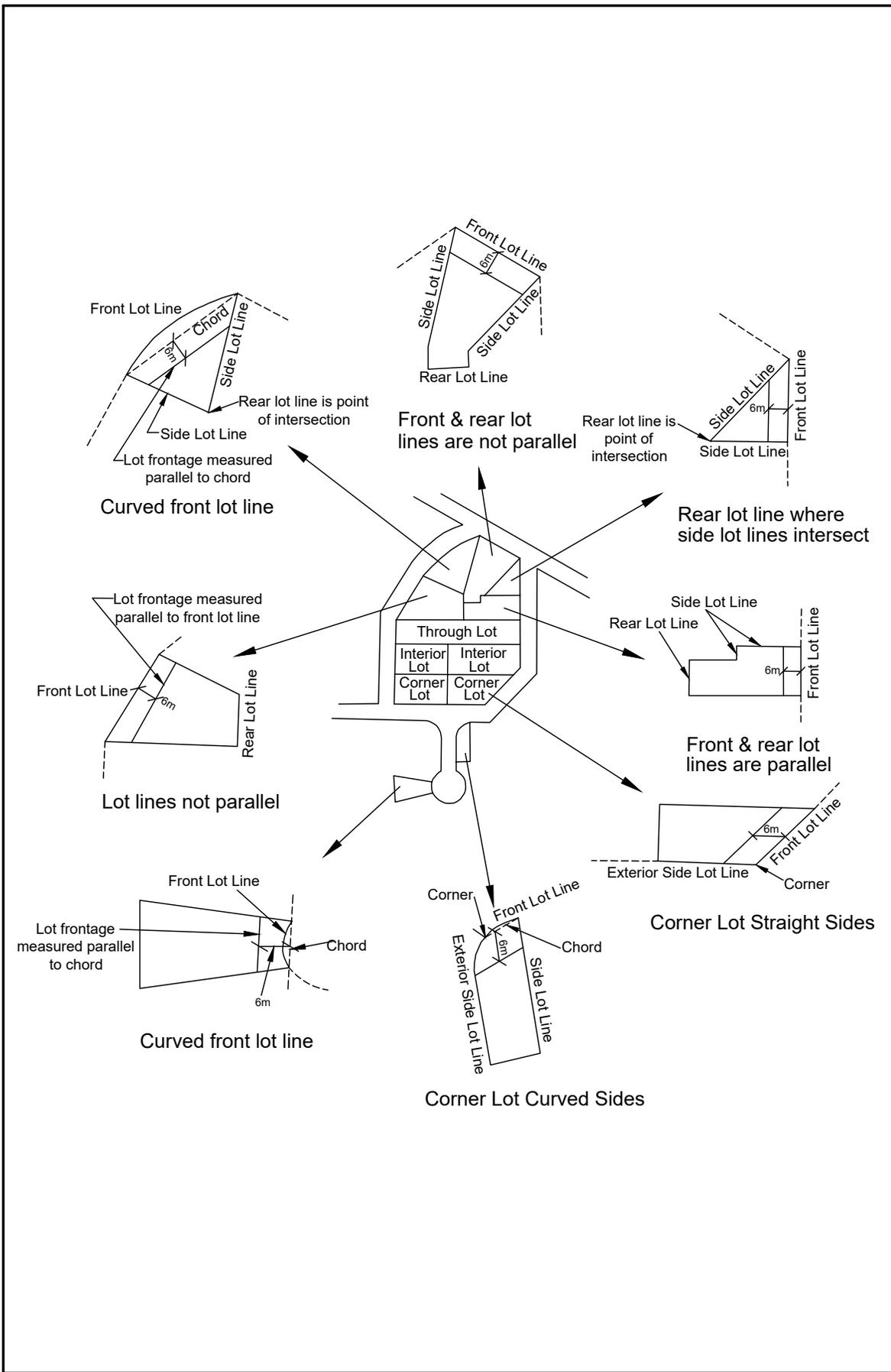
**Parking Space Dimensions**  
(Section 3.7)

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APPENDIX 16.2.6

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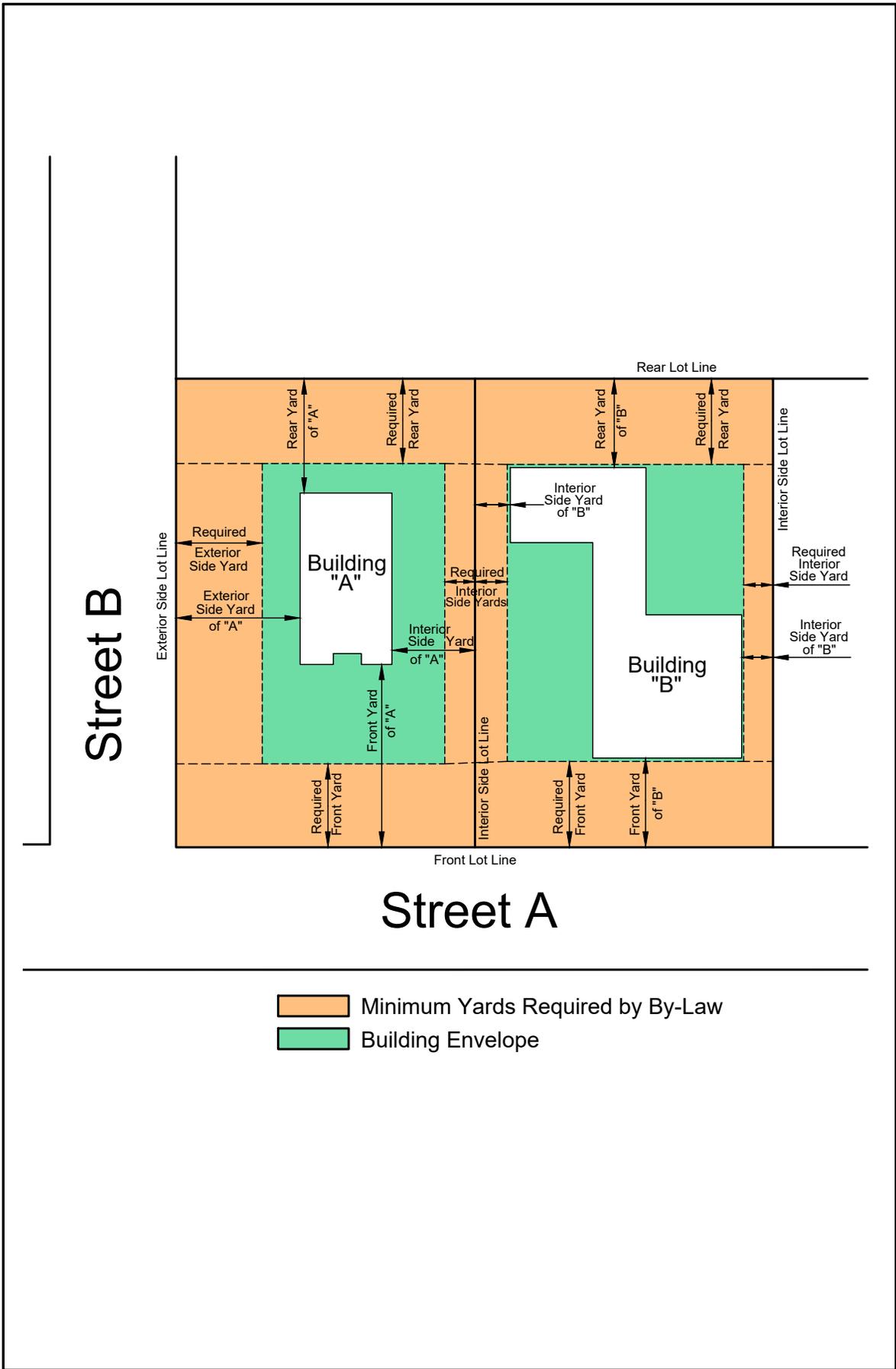
## Lot Types (Section 12)

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APPENDIX 16.2.7

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December 16, 2013



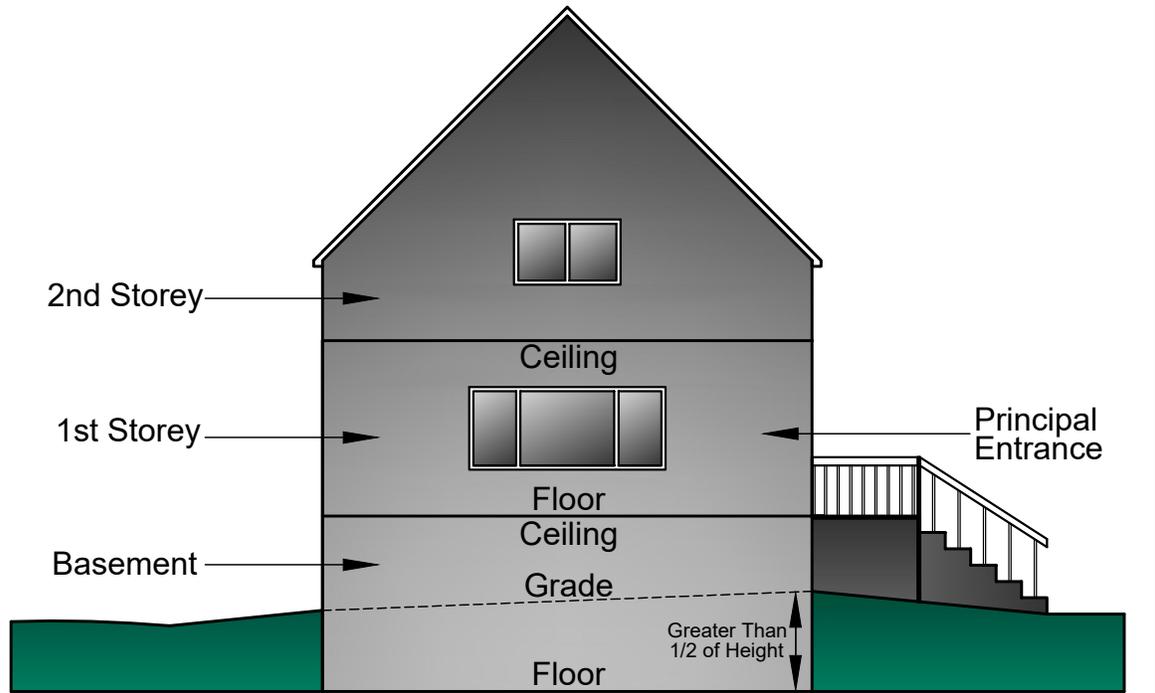
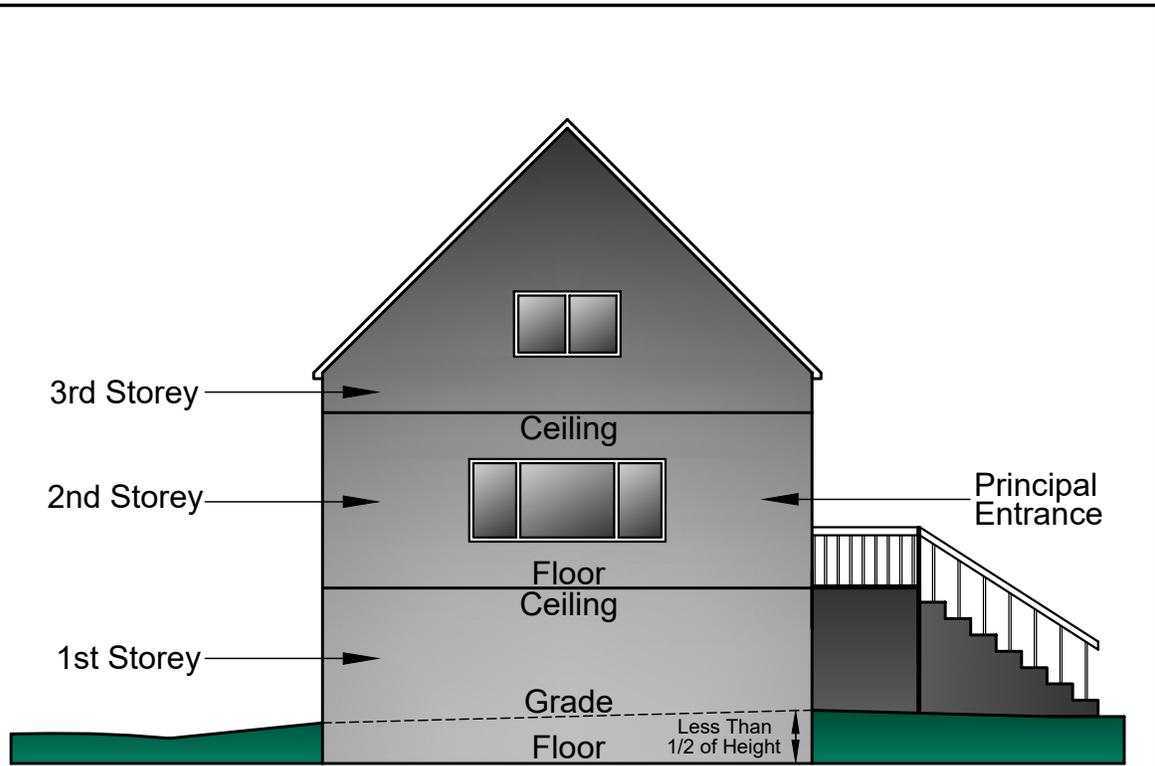
**Yard Definitions  
(Section 12)**

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Services

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APPENDIX 16.2.8

December 16, 2013



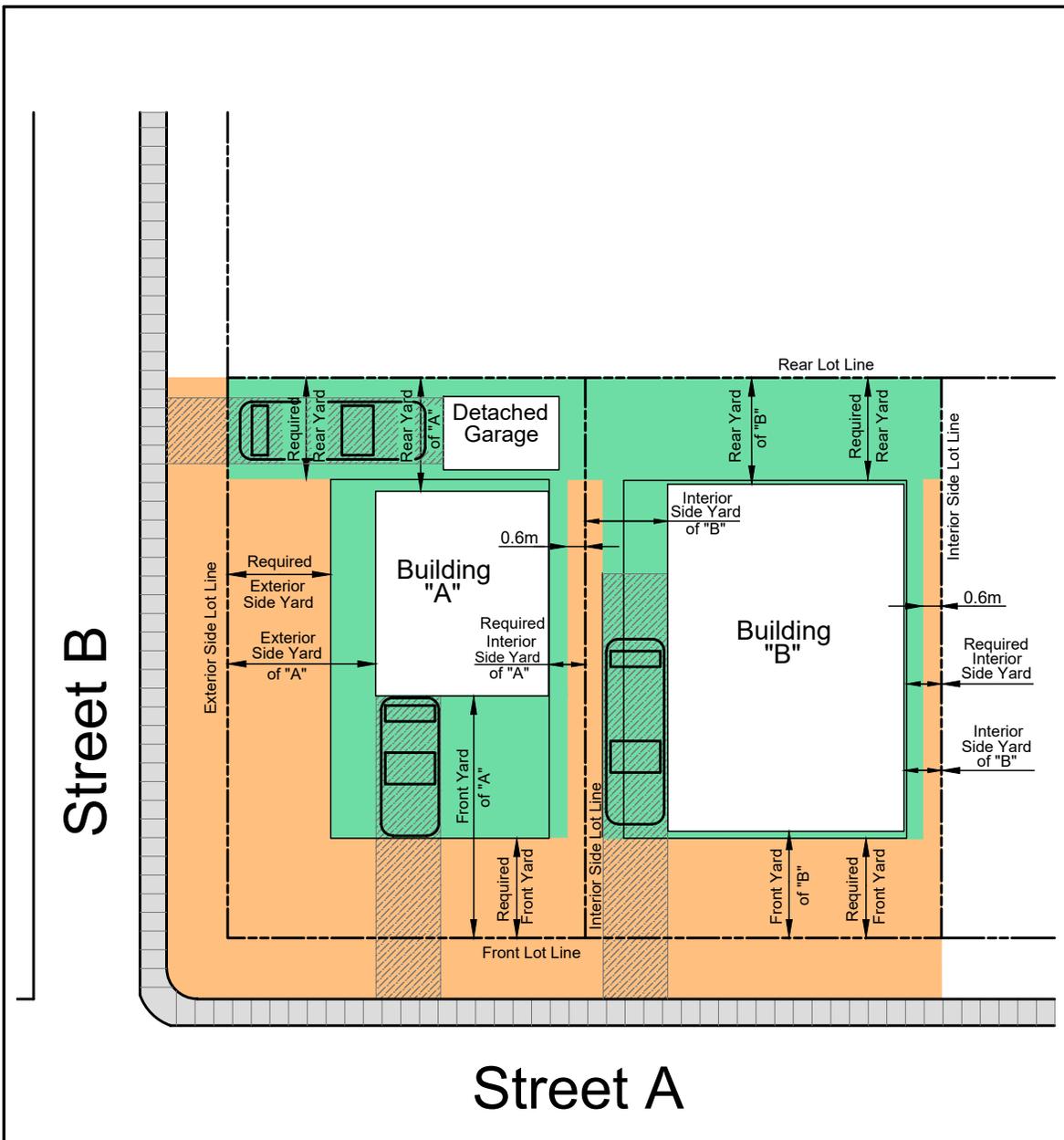
## Basement and Storey Definitions (Section 12)

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Planning and Building  
Services

APPENDIX 16.2.9

December 16, 2013



- Parking is Prohibited** for all Recreation Vehicles, Boats, Recreation Trailers and Utility Trailers
- Parking is Permitted** for all Recreation Vehicles, Boats, Recreation Trailers and Utility Trailers
- Property Lines

**Parking Prohibitions**  
(Section 3.6.2)  
**Recreation Vehicle, Boat, Recreation Trailer, Utility Trailer**

City of St. Catharines  
Planning and Building  
Services

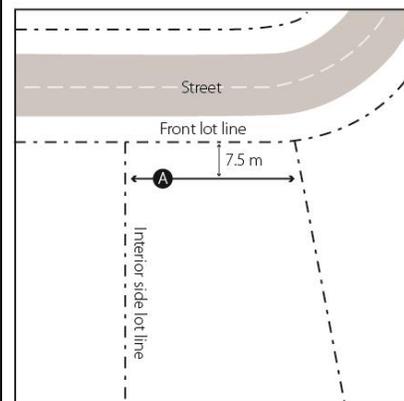
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APPENDIX 16.2.10

December 16, 2013

Term	Definitions
	<i>Act</i> , as amended and shall include residences which provide care to meet the physical, emotional, social, spiritual and personal needs of persons.
Lot	Means one parcel of land that is registered as a legally conveyable parcel of land in the land registry office.
Lot Area	Means the total horizontal area within the lot lines of a lot.
Lot Coverage	Means the horizontal area of that part of the lot covered by all roofed structures and buildings above ground level, excluding permitted eave projections and balconies, expressed as a percentage of the lot area.
Lot Depth	Means the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid points of the front and rear lot lines.
Lot Frontage	Means the horizontal distance between the side lot lines; where such lot lines are not parallel, the lot frontage shall be measured perpendicularly from the line joining the centre of the front and rear lot lines at a point 6.0 metres from the front lot line.
Lot Line	Means any boundary of a lot.
Lot Line, Flankage	Means a lot line other than a front lot line that abuts a street.
Lot Line, Front	Means any lot line abutting a street, and:

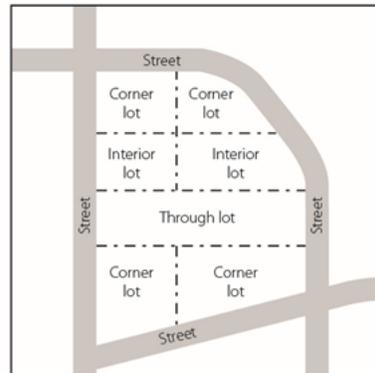
Lot Frontage



Measurement of Lot Frontage

Term	Definitions
	<p>(a) For a corner lot, through lot or through corner lot, the shortest of the lot lines that divide the lot from the road shall be deemed to be the front lot line.</p> <p>(b) For a corner lot, through lot, or through corner lot where such lot lines are of equal length, the City may deem any of the lot lines that divide the lot from the street as the front lot line.</p>
Lot Line, Interior Side	Means a lot line other than a front, rear, or flankage lot line.
Lot Line, Rear	Means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, the rear lot line shall be the point of intersection of the side lot lines.
Lot Line, Side	Means the interior side lot lines and flankage lot lines.
Lot, Corner	Means a lot at the intersection of two or more public streets or upon two parts of the same public street with such street or streets containing an angle of not more than one-hundred thirty-five degrees.
Lot, Interior	Means a lot other than a corner lot, through lot, or through corner lot.
Lot, Through	Means a lot bounded by a public street on two opposite lot lines, but does not include a corner lot or through corner not.
Lot, Through Corner	Means a lot bounded by public streets on three or more lot lines.

Lot Types



# Appendix E: Site Specific Examples



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## SECTION 7 EXCEPTIONS

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### 7.1 EXCEPTIONS

There are special zoning provisions that apply to the lands identified as exceptions in Section 7.1.1 of this By-law. The location of each exception is identified on the Exception Schedules. When there is an inconsistency between the text and the exception schedules, the applicable text shall apply.

#### 7.1.1 List of Exceptions

The following exceptions apply to the properties specified:

Exception	Zoning	Map	By-law	File Reference
1	RM4	28		A14/74, SP2/75, 18CDM 75-54
<p>i) Location: 92 Church Street</p> <p>ii) Legal Description: Part 1, Plan WR-159</p> <p>iii) Additional <i>Uses</i>: <i>Offices</i> on the ground floor of the apartment <i>building</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
2	R1-B	44	91-89	
<p>i) Location: 14 Emperor Street</p> <p>ii) Legal Description: Part 9, Plan 40R-7493</p> <p>iii) Additional <i>Uses</i>: Esthetician service</p> <p><b>Exception 2 is continued on the next page.</b></p>				

**Table 16A: Exceptions**

Exception No.	Zone	Permitted Uses	Uses Prohibited	Special Provisions	Location	By-Law No.
1	RU	i. All uses permitted in the RU zone ii. <b>Accessory Farm Employee Accommodation</b>		No future severance shall be permitted.	Pt. Lot 22, Conc. 6 (Map 9) Pt. Lots 22 & 23, Conc. 5 (Map 9) Pt. Lot 25, Conc. 4 (Map 9) Pt. Lots 13 & 14, Conc. 2 (Map 4) Pt. Lot 12, Conc. 4 (Map 11) Pt. Lot 4, Conc. 3 (Map 15) Pt. Lot 24, Conc. 3 (Map 8) Pt. Lot 3, Conc. 5 (Map 15) Pt. Lot 8, Conc. 8 (Map 14) Pt. Lot 6, Conc. 8 (Map 14) Pt. Lot 17, Conc. 4 (Map 11) Pt. Lot 27, Conc. 2 (Map 8) Pt. Lot 27, Conc. 2 (Map 14) Pt. Lot 24, Conc. 4 (Map 9) Pt. Lot 29, Conc. 3 (Map 8) Pt. of Lot 11, Conc. 4 (Map 11) Part of Lot 22, Conc. 5 (Map 9)	76-27 77-24 78-25 79-44 80-14 80-18 81-54 82-53 83-26 84-68 86-113 88-80 88-125 91-27 95-63 2005-54 2006-98

Table 12: Permitted Use, Lot, Building and Structure Exceptions

Site Specific	By-law #	Address	Zone	Additional Permitted Uses	Sole Permitted Uses	Excluded Uses	Lot, Building and Structure Exceptions
3	75-12	Part Lot 278, Corporation Plan 4	RM3		Retirement home		Maximum # of units: 63 Parking spaces: one space for four units.
4	75-13	Part Lots 1 and 2, Plan 63	MS	Boarding house			
6	78-20	Lot 15, Concession 2	MS				Minimum lot frontage: 18.3 m.
12	80-38	Lots 3 & 4, Plan 143	RM2				Part 1 as shown on Schedule 11 of Appendix A: Minimum lot frontage: 17.68 m. Maximum dwelling units: 8 Minimum side yard (east side): 1.4 m. Minimum side yard (west side): 4.02 m.  Part 2 as shown on Schedule 11 of Appendix A: Minimum lot frontage: 18.25 m. Minimum side yard (east side): 3.2 m. Minimum side yard (west side) 3.07 m.
14	81-39		HR				Minimum lot area: 0.43 ha
15	81-77		RM2(H)				Part 3 as shown on Schedule 12 of Appendix A: Minimum lot frontage: 9.27 m.
16	82-31		RM1				Maximum height: one storey.
16	82-31		TRM				Maximum height: one storey
17	82-58	129 Main St E	MS				Minimum lot frontage: 16.5 m.

## Section 8: Special Provisions, Holding Provisions, Temporary Use Zones, and Interim Control Zones

### 8.1 Special Provisions

Where the *Zone* symbol designating certain lands ends with a dash and a number, (for example R1-A-1), there are special provisions that apply to such lands. As indicated, the specified provision shall be the applicable regulation rather than the normal provision of that *Zone* category. All other normal *Zone* provisions and sections shall continue to apply.

#### 8.1.1 List of Exceptions

The following exceptions apply to the properties specified:

Exception 1	Zoning CC-1; R4-N-1	Map 11	By-Law Reference 1979-50, Schedule 'E'	File Reference
i) Location: 220, 222, 224, 226 Eagle Street; 278 to 290 Cawthra Boulevard ii) Legal Description: Lots 33. 47. 48 and 49, Registered Plan 344 iii) Development Standards: (a) <i>Lot Area per Dwelling Unit</i> (minimum): 111 m <sup>2</sup> (b) <i>Floor Space Index</i> (maximum): 0.95				

Exception 2	Zoning OS-2-2	Map 8	By-Law Reference 1981-96	File Reference
i) Location: 470 Crossland Gate ii) Legal Description: Block 92, Plan 65M-2212 iii) <i>Uses</i> : A Club House; <i>Banquet Facilities</i> ; and, Private Indoor Recreation Facilities shall also be permitted.				

Exception 3	Zoning R1-B-3	Map 4	By-Law Reference 1983-41	File Reference
i) Location: 241 Old Main Street ii) Legal Description: Concession 1 E.Y.S., Part of Lot 98, 65R-11175 iii) <i>Additional Uses</i> : A school for aquatic instruction is permitted in conjunction with a <i>residential use</i> .				

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**SECTION 13**  
**SPECIAL PROVISIONS, HOLDING PROVISIONS,**  
**TEMPORARY USE ZONES, AND INTERIM CONTROL ZONES**

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**13.1 SPECIAL PROVISIONS**

Where a *Zone* designation on any lands is shown to contain a star symbol followed by a number, (for example \*17) on schedules to this By-law, special provisions as outlined in Section 13.1.1 of this By-law shall apply to those lands as indicated. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

**13.1.1 List of Special Provisions**

The following exceptions apply to the properties specified:

Section No.	By-law No. (Date Enacted)	Zone	Exception No.
Property Address and/or Legal Description			
Special Provisions			
<b>13.1.1.1</b>	75-2002 109-2004 (Dec 20/04)	RLD	<b>*1</b>
57 Martin Street (Martin House)			
i) Only <i>Uses Permitted</i>			
a) business or professional <i>office</i> , with the exception of a medical practitioner;			
b) <i>dwelling unit</i> in the main and upper portion of a commercial <i>building</i> .			
<b>13.1.1.2</b>	61-85 125-2005 (Sept 26/05)	C3	<b>*2</b>
1580 Derry Road East (Mattamy Hawthorne Village Commercial)			
i) Additional Permitted <i>Use</i>			
a) <i>fitness centre</i>			
ii) <i>Zone Standards</i>			
b) Maximum Total Combined <i>Gross Floor Area</i> : 1550m <sup>2</sup>			

# Special Provisions

<b>6</b>	<b>TDL Group/Wendy's Headquarters, 226, 228, and 240 Wycroft Road and 874 Sinclair Road (Part of Lot 17, Concession 3 S.D.S.)</b>	Parent Zone: E2 (2014-014) (2015-079)
Map 19(7)		

**15.6.1 Zone Provisions for All Lands**

The following regulations apply to all lands identified as subject to this Special Provision:

- a) *Restaurant*, and Footnote 6 of Table 10.2, relating to maximum *net floor area*, shall not apply (2015-079)

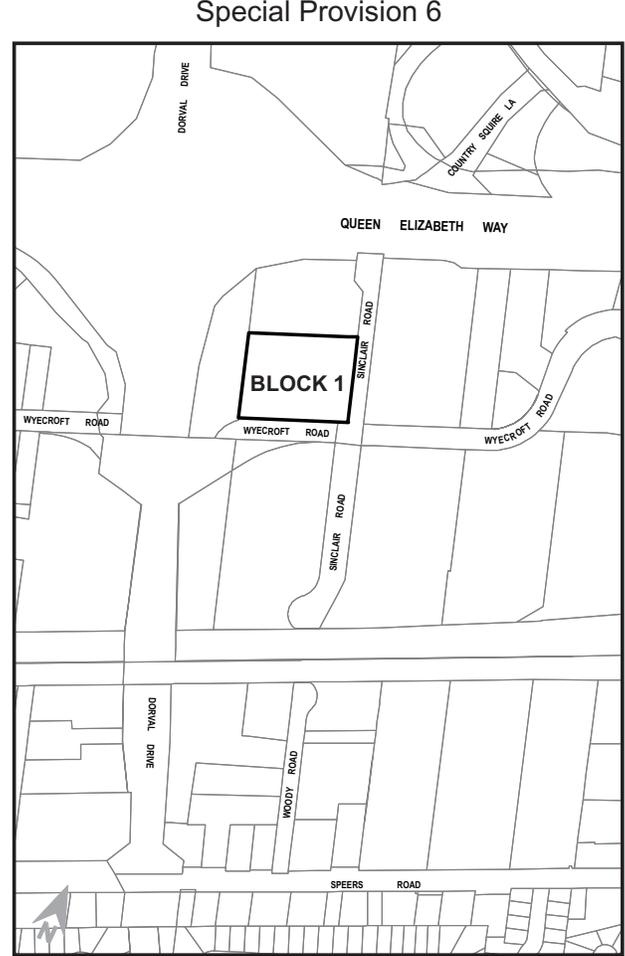
**15.6.2 Parking Provisions for Block 1 Lands**

The following parking regulations apply:

- |  |   |
|--|---|
| a) Minimum number of <i>parking spaces</i> for all <i>uses</i> on lands identified as Block 1 on Figure 15.6.1 | 1.0 per 39.0 m <sup>2</sup> <i>net floor area</i> |
| b) Parking spaces required by this By-law can be provided on any lot subject to this Special Provision.        |   |

**15.6.3 Special Site Figures**

Figure 15.6.1



# Special Provisions

<b>13</b> <b>(Old 854)</b>	<b>278 Dundas Street East</b> <b>(Part of Lot 13, Concession 1 S.D.S.)</b>	Parent Zone: MU4
Map 19(22a)		(2011-022) (2017-124)
<b>15.13.1 Additional Permitted Uses</b>		
The following additional <i>use</i> is are permitted:		
a)	<i>Townhouse dwelling</i> units that share a common wall with an <i>apartment dwelling</i> and/or <i>mixed use building</i> and only if not oriented toward Taunton Road, Oak Walk Drive, an <i>urban square</i> , or the transit facility.	
b)	<i>Rooftop terraces</i>	
c)	<i>Outdoor patios</i>	
d)	A public <i>parking structure</i> located either below or above grade	
<b>15.13.2 Zone Provisions</b>		
The following regulations apply:		
a)	Footnote 3 of Table 8.2 shall not apply to a <i>townhouse dwelling</i>	
b)	Permitted locations for retail and service commercial <i>uses</i>	Only in combination with a residential or office <i>use</i> , and only within the first two <i>storeys</i> of a <i>building</i> with a minimum of 60% of retail and service commercial <i>uses</i> oriented towards Taunton Road, Oak Walk Drive, the transit facility, and public <i>amenity space</i> such as an <i>urban square</i>
c)	<i>Minimum yard</i> along any <i>lot line</i> abutting Taunton Road, Oak Walk Drive and the transit facility	1.0 m
d)	Maximum setback to Taunton Road, and Oak Walk Drive	3.0 m
e)	Maximum setback to the transit facility	30.0 m
f)	Minimum setback to easterly side lot line	0.0 m
g)	Minimum net <i>floor area</i> for office <i>uses</i>	2,640 sq.m
h)	Maximum <i>floor area</i> for a <i>retail store</i> or <i>restaurant</i>	500.0 sq.m, where the <i>premises</i> occupies one <i>storey</i> , and 1,000sq.m where the <i>premises</i> occupies two <i>storeys</i>
i)	Minimum <i>main wall</i> stepback above the fourth <i>storey</i>	2.0 m
j)	Maximum allowable projection into any <i>yard</i> for <i>balconies</i> , bay windows, cornices, stairs, <i>porches</i> , and terraces	Up to 0.3 m from a <i>lot line</i> abutting any public road
k)	Minimum <i>height</i>	23.0 m, and shall not apply to any <i>townhouse dwelling unit</i>
l)	Maximum <i>height</i>	41.0 m
m)	Maximum number of <i>storeys</i>	12
n)	Maximum <i>height</i> for a one <i>building tower</i> (upon execution of a Section 37 agreement)	85.0 m
o)	Maximum <i>height</i> for all other <i>buildings</i> (upon execution of a Section 37 agreement)	57.0 m

## Special Provisions

p)	Maximum number of <i>storeys</i> for a one <i>building</i> tower (upon execution of a Section 37 agreement with understanding that total number of <i>storeys</i> through bonusing must not exceed 20 <i>storeys</i> across the site)	25
q)	Maximum number of <i>storeys</i> for all other <i>buildings</i> (upon execution of a Section 37 agreement with understanding that total number of <i>storeys</i> through bonusing must not exceed 20 <i>storeys</i> across the site)	17
r)	Maximum number of <i>storeys</i> permitted through a Section 37 agreement	20
s)	Minimum <i>height</i> for a podium connecting <i>building</i> towers	12.0 m
t)	Maximum number of <i>storeys</i> for a podium connecting <i>building</i> towers	4
u)	Maximum number of <i>building</i> towers	4
v)	Maximum <i>height</i> of parapets	3.0 m
w)	Maximum <i>height</i> of unenclosed rooftop mechanical equipment, elevator penthouse and stair tower	6.0 m
x)	Maximum <i>height</i> of wholly enclosed rooftop mechanical equipment, elevator penthouses and stair towers	10.0 m
y)	Maximum <i>height</i> of rooftop architectural features	12.0 m
z)	Maximum number of <i>dwelling units</i> (inclusive of a Section 37 Agreement)	750
aa)	Residential <i>dwelling units</i> are not permitted at-grade where they will face Taunton Road, Oak Walk Drive, or abutting a public <i>amenity</i> space such as an <i>urban square</i> or a transit facility.	
ab)	Retail and service commercial <i>uses</i> shall be the only permitted <i>use</i> at grade along façades oriented towards Taunton Road, Oak Walk Drive, the transit facility, and public <i>amenity space</i> such as an <i>urban square</i> .	
ac)	Where commercial and/or office units are located at grade and are oriented towards a public street, the transit facility, or a public <i>amenity space</i> such as an <i>urban square</i> , a minimum of one principal <i>building</i> entrance to each unit shall be directly accessible from, and oriented towards, the public street, transit facility, or public <i>amenity space</i> . A maximum of 2 entrances are permitted for end units in such locations.	
ad)	Transformer and telecommunications vaults shall be located internal to the serviced building.	
<b>15.13.3 Parking Provisions</b>		
The following parking provisions apply:		
a)	Minimum number of <i>parking spaces</i> for <i>dwelling units</i>	1.0 per <i>dwelling</i> , inclusive of visitor parking
b)	A <i>surface parking area</i> shall not be permitted in any <i>yard</i> between a <i>building</i> and a public road and shall not occupy more than 20% of the <i>lot</i> area	
c)	Visitor parking for residential <i>uses</i> may be counted towards required parking for retail and/or office <i>uses</i> .	
<b>15.13.4 Special Site Provisions</b>		
The following additional provisions apply:		
a)	All lands identified as subject to this Special Provision shall be considered as one <i>lot</i> for the purposes of this By-law.	
<b>15.13.5 Bonussing Provisions</b>		
In order to permit the increased permissions contained in this Special Provision, zoning compliance for building height above 12 <i>storeys</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits in the Uptown Core identified in the Livable Oakville Plan.	

# Appendix F: Holding Provisions Examples



## Part 14.0 - Holding Provisions

Lands subject to a Holding (H) provision are listed in Table 14A in accordance with Section 2.6 of this By-law.

**Table 14A: Holding Provisions**

	Conditions for Removal
H1	The Region and the Town have confirmed that servicing allocation is available and that the Town has allocated sufficient capacity to this <b>development</b> .
H2	The Town has approved a Site Plan application in accordance with Section 41 of the Planning Act.
H3	The Town has approved a Natural Heritage Evaluation.
H4	The Town has confirmed that full municipal servicing is available and that the Town has allocated sufficient allocation to this <b>development</b> . In the interim, only the following uses are permitted: <b>Animal clinic</b> <b>Animal daycare centre</b> without grooming <b>Art gallery</b> <b>Business offices</b> <b>Commercial school</b> <b>Financial institution</b> <b>Library</b> <b>Medical office</b> <b>Museum</b>
H5	No person shall use any lot or erect, alter or use any building or structures for large-format retail stores until the submission and approval of a market impact study which demonstrates the proposal is justified and viable and which assesses to the satisfaction of the Town the impact of the proposed large-format retail store on commercial uses in the Town and on the planned function of the Village Core Areas. Such study is to be undertaken at the expense of the applicant by a qualified consultant. In the interim, all uses permitted in Exception (142) shall be permitted, with the exception of retail store.
H6	No person shall use any lot or erect, alter or use any building or structures for large-format retail stores until the submission and approval of a traffic impact study which assesses, to the satisfaction of the Town and/or the Region, the traffic impact and appropriate measures to handle traffic from the proposed use. Such study is to be undertaken at the expense of the applicant by a qualified consultant. In the interim, all uses permitted in Exception (142) shall be permitted, with the exception of retail store.



## 8.2

### Holding Provisions

Where, on the Schedules to this By-Law, a *zone* symbol is shown with the ‘(H)’ prefix (for example (H)R1-E), the lands shall only be for the identified *uses* and, where permitted, the expansion of those *uses* as of the date of adoption of this By-Law, until such time as certain conditions have been met.

Council may pass a By-Law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met. *Zones* with Holding Provisions are identified in Section 8.2.1 of this By-Law.

### 8.2.1

#### List of Holding Provisions

The following holding provisions apply to the properties specified:

By-Law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
2004-152	16660 Yonge Street Part of Lot 90, Concession 1 W.Y.S.	Within the lands zoned (H)UC-R-57 only a retail <i>art gallery</i> ; picture framing studio; one residential <i>dwelling unit</i> ; and, <i>offices</i> shall be permitted.  Furthermore, no extension or enlargement of the <i>uses</i> which existed on the date of passing of this By-Law shall occur unless an amendment to this By-Law or removal of the ‘(H)’ prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.	<ul style="list-style-type: none"> <li>The adequacy for the provision of servicing, such as water supply, sewage disposal facilities, storm water drainage;</li> <li>That an amending site plan approval agreement has been entered into between the Owner and the Town and the performance security contemplated therein has been posted; and,</li> <li>That all relevant provisions of the Official Plan have been complied with.</li> </ul>	September 13, 2004

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Holding Provisions

## 16.1 General Prohibition

Where a *zone* symbol is preceded by an upper case letter “H”, and number, and a hyphen, the symbol refers to a Holding Provision that applies to the lands so designated. No person shall *use* or permit the land to be *used* to which the Hold applies for the *uses* specified in the appropriate clause in this Part of this By-law, erect a new *building* or *structure*, or expand or replace an existing *building* or *structure* until the Holding Provision is removed in accordance with Section 36 of the Planning Act.

## 16.2 Exceptions to Prohibition

Notwithstanding the above and unless modified by the provisions of Section 16.3, the following *uses* are permitted without the need to remove a Holding Provision.

- a) Construction *uses* in accordance with Section 4.25.1 of this By-law;
- b) *Model homes* in accordance with Section 4.25.2 of this By-law;
- c) Temporary sales offices in accordance with Section 4.25.3 of this By-law;

## 16.3 Holding Provisions

H1	Mixed Use Zones in Bronte, Kerr, and Palermo Villages	Parent Zones: MU1, MU2, MU3
Maps 19(2a), (7a), (19a)		(2014-014)
<b>16.3.1.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	All <i>uses</i> permitted in the applicable <i>Zone</i>	
<b>16.3.1.2 Zone Regulations Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, only the following replacements, additions or expansions of <i>buildings</i> or <i>structures</i> legally existing on the effective date of this By-law shall be permitted.		
a)	The replacement or addition of architectural features such as, but not limited to, an awning, canopy, cornice, cove, belt course, eaves, gutters, pilasters, sills, or weather shielding <i>structure</i> .	
b)	The replacement or addition of an existing non-walk in bay, box out and bow window, without foundation.	
c)	The replacement or addition of a fire escape.	
d)	An addition of <i>loor area</i> on the <i>first storey</i> , provided that the additional <i>loor area</i> does not project beyond the <i>main wall</i> on the <i>storey</i> above the <i>first storey</i> as it legally existed on the effective date of this By-law.	
e)	Improvements to a building façade.	
<b>16.3.1.3 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following conditions, if and as applicable, shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .	
b)	The owner has entered into any required servicing agreement(s) with the <i>Town</i> regarding stormwater management.	
c)	The completion of detailed design drawings required for the construction of <i>road</i> and <i>infrastructure</i> improvements.	
d)	Registration on title of an agreement between the owner and the <i>Town</i> with respect to the road and <i>infrastructure</i> improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the <i>road</i> and <i>infrastructure</i> improvements.	
e)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> .	
f)	All required land conveyances have been undertaken.	

## SECTION 14 HOLDING PROVISIONS

Where a zone symbol contains the suffix 'H' with or without a special provision (for example R4-H1 or R4-1-H1) the zoning shall not take effect until the prescribed conditions are met and the '(H)' is removed from the subject lot.

When the amending by-law removing the 'H' Holding symbol from a zone is enacted, the permitted uses and regulations for that lot shall apply.

Until such time as the prescribed conditions are met the identified lot shall only be used for the existing permitted use as of the date of this By-law including expansion of the existing permitted use, or other uses as set out in the Holding provision(s).

Lots with Holding provisions including the conditions to be satisfied prior to the removal of the Holding (H) zone symbol are identified in Section 14.1 below.

### 14.1 List of Holding Provisions

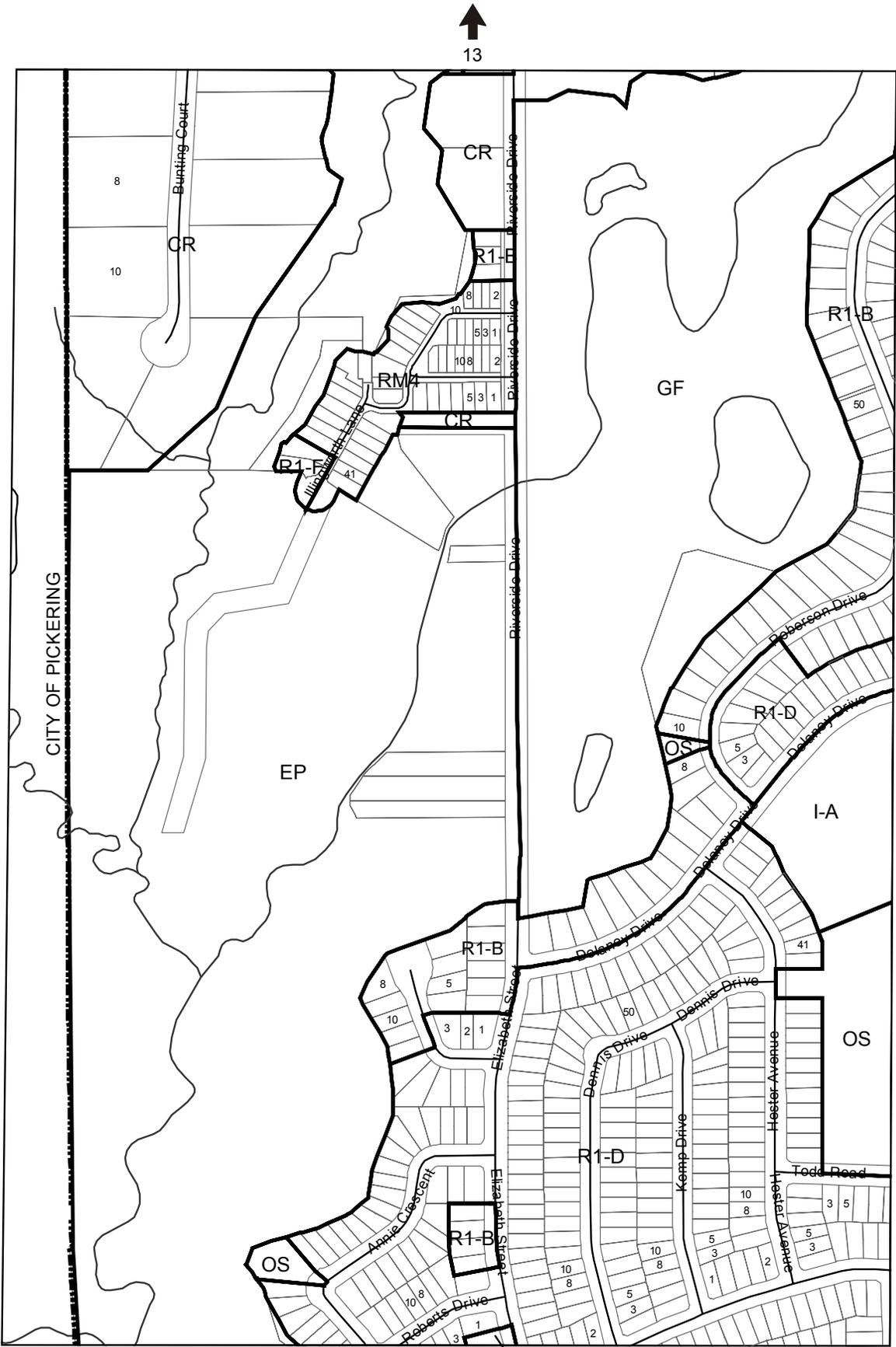
<b>Holding</b>	<b>Schedule A</b>	<b>Location</b>	<b>By-law</b>
<b>H1</b>	<b>Various</b>	<b>Various</b>	
Environmental Considerations		An Environmental Site Assessment shall be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of the Environment prior to the removal of the Holding (H) designation.	

<b>Holding</b>	<b>Schedule A</b>	<b>Location</b>	<b>By-law</b>
<b>H2</b>	<b>16</b>	<b>191 Bunting Road</b>	
Environmental Considerations		A Record of site Condition (RSC) shall be submitted. The existing uses and uses permitted in the Employment (E2) Zone shall continue to be permitted until such time as the Holding (H) designation is removed.	
Note: Special Provision 78 also applies to the lands.			

<b>Holding</b>	<b>Schedule A</b>	<b>Location</b>	<b>By-law</b>
<b>H3</b>	<b>18</b>	<b>Westgate Business and Professional Park 1242, 1262, and 1290 Fourth Avenue</b>	
1.	Submission of an urban design plan, by a qualified professional, to the City for review and approval, addressing the entire business park;		
2.	Confirmation of the availability of urban services, being municipal water, sanitary sewers and storm drainage to the satisfaction of the City Engineer;		
3.	Submission of a Traffic and Parking Study of the entire business park prepared by a qualified professional, reviewed and approved by the City and the Ministry of Transportation;		

# Appendix G: Schedule Examples





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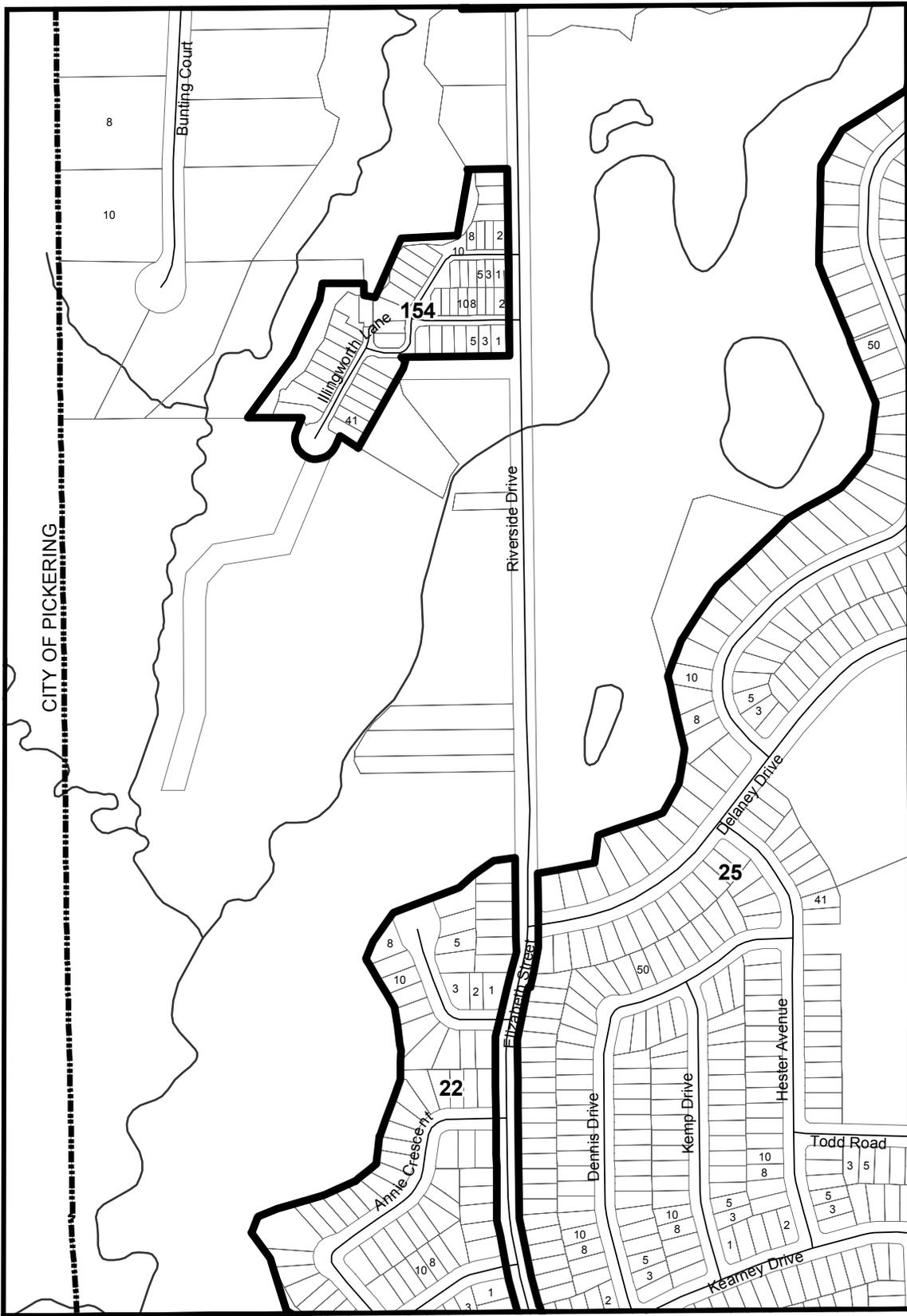


21 →

R1-B

MAP 20

13



21

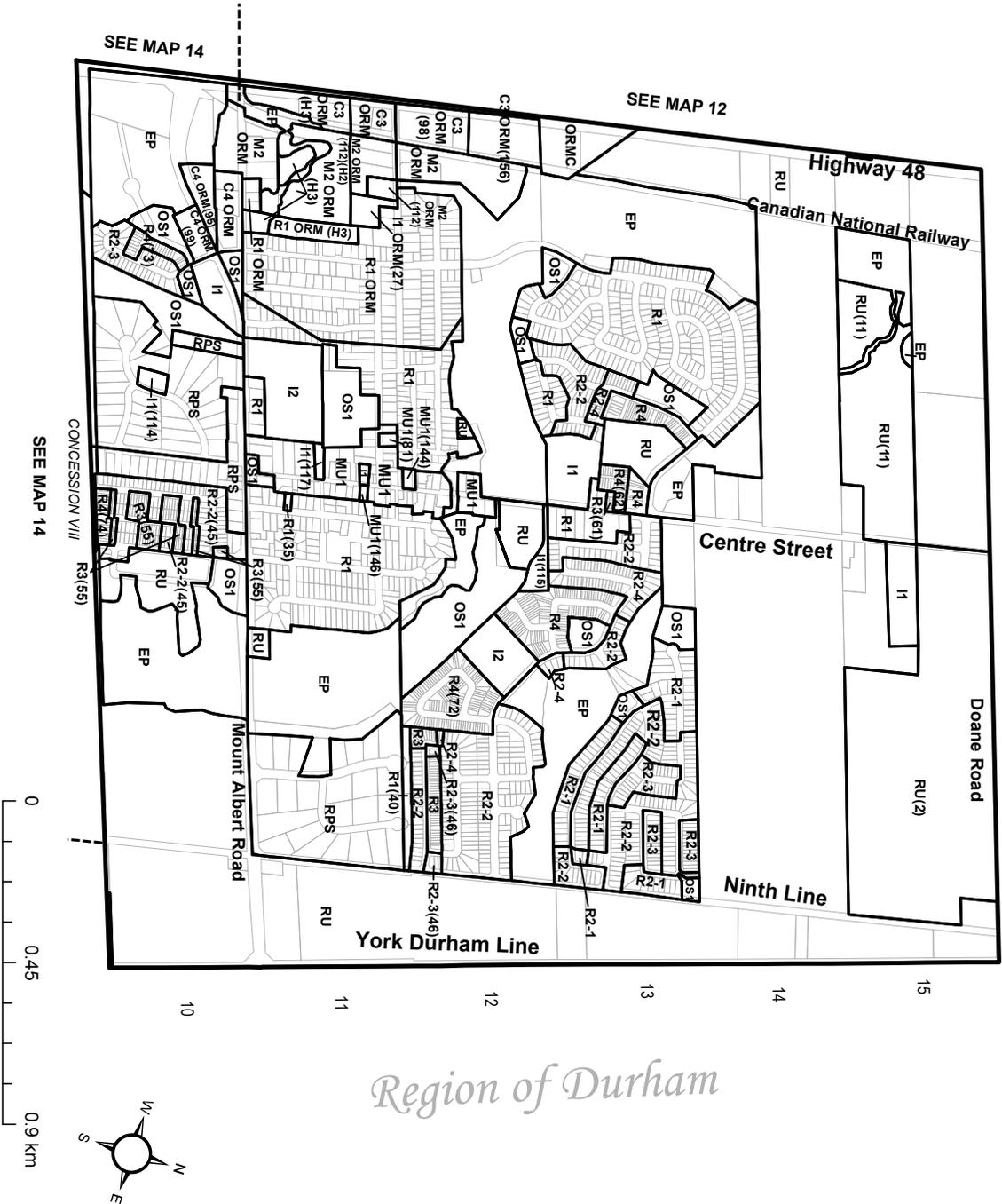
27

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MAP 20





# Map 6

- LEGEND:**
- RURAL (RU)
  - AGGREGATE EXTRACTION (AER)
  - ENVIRONMENTAL PROTECTION (EP)
  - HAMLET RESIDENTIAL (HR)
  - ESTATE RESIDENTIAL (ER)
  - RESIDENTIAL (R1 - R6)
  - RESIDENTIAL PRIVATE SERVICES (RPS)
  - OPEN SPACE (OS1 & OS2)
  - MIXED USE (MU1 - MU7)
  - COMMERCIAL (C1 - C4)
  - EMPLOYMENT PRESTIGE (M1)
  - EMPLOYMENT GENERAL (M2)
  - INSTITUTIONAL (I1 & I2)
  - OAK RIDGES MORAINÉ CORE (ORMC)
  - OAK RIDGES MORAINÉ COUNTRYSIDE (ORMCS)
  - OAK RIDGES MORAINÉ CORE LINKAGE (ORMCL)
  - OAK RIDGES MORAINÉ INDUSTRIAL EXTRACTIVE (ORMIE)



Town of  
**East Gwillimbury**  
Development Services Dept  
Planning Branch

**Schedule "A" to  
By-Law No. 2018-043**

May 2018

Produced by: Planning Branch  
Development Services Department  
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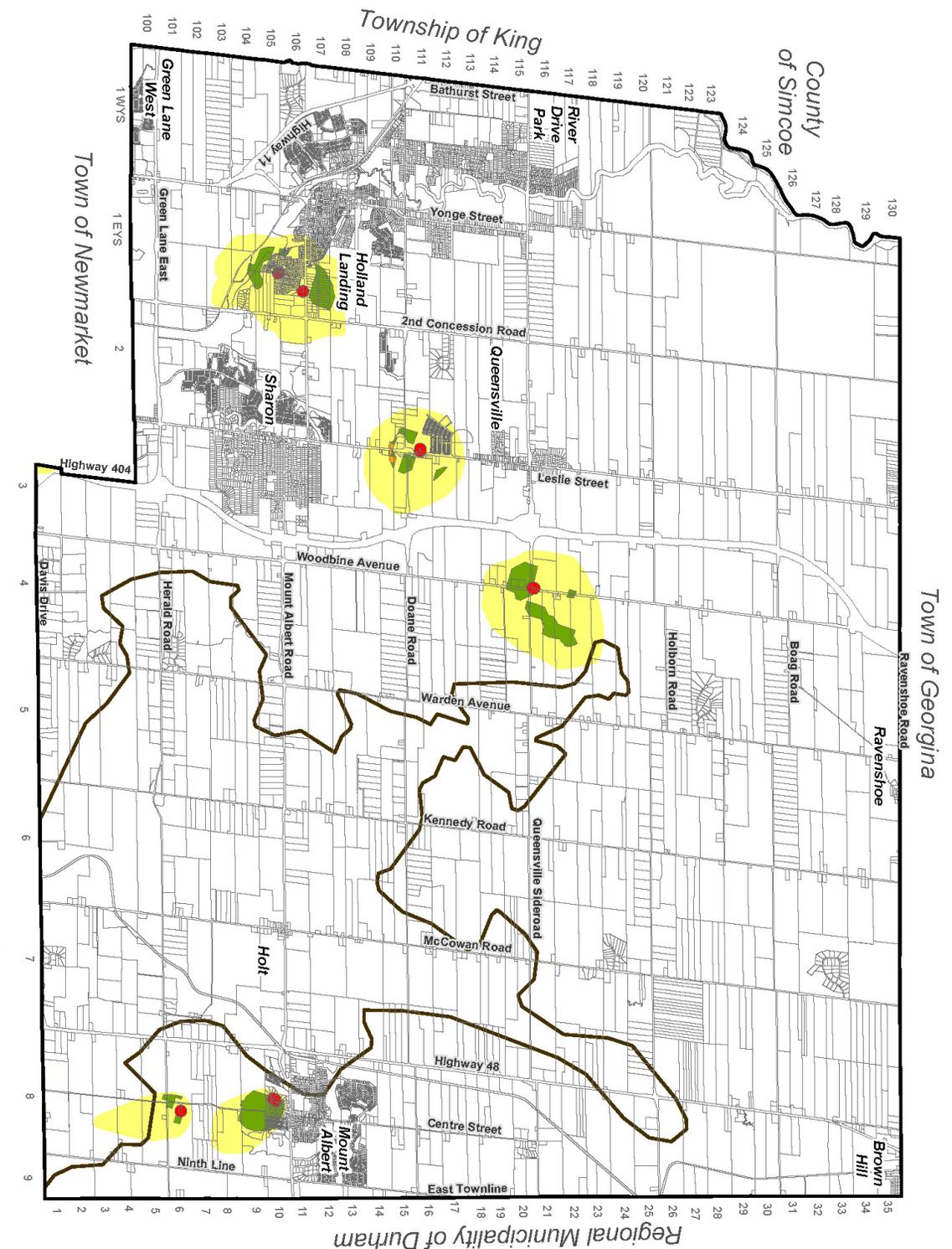


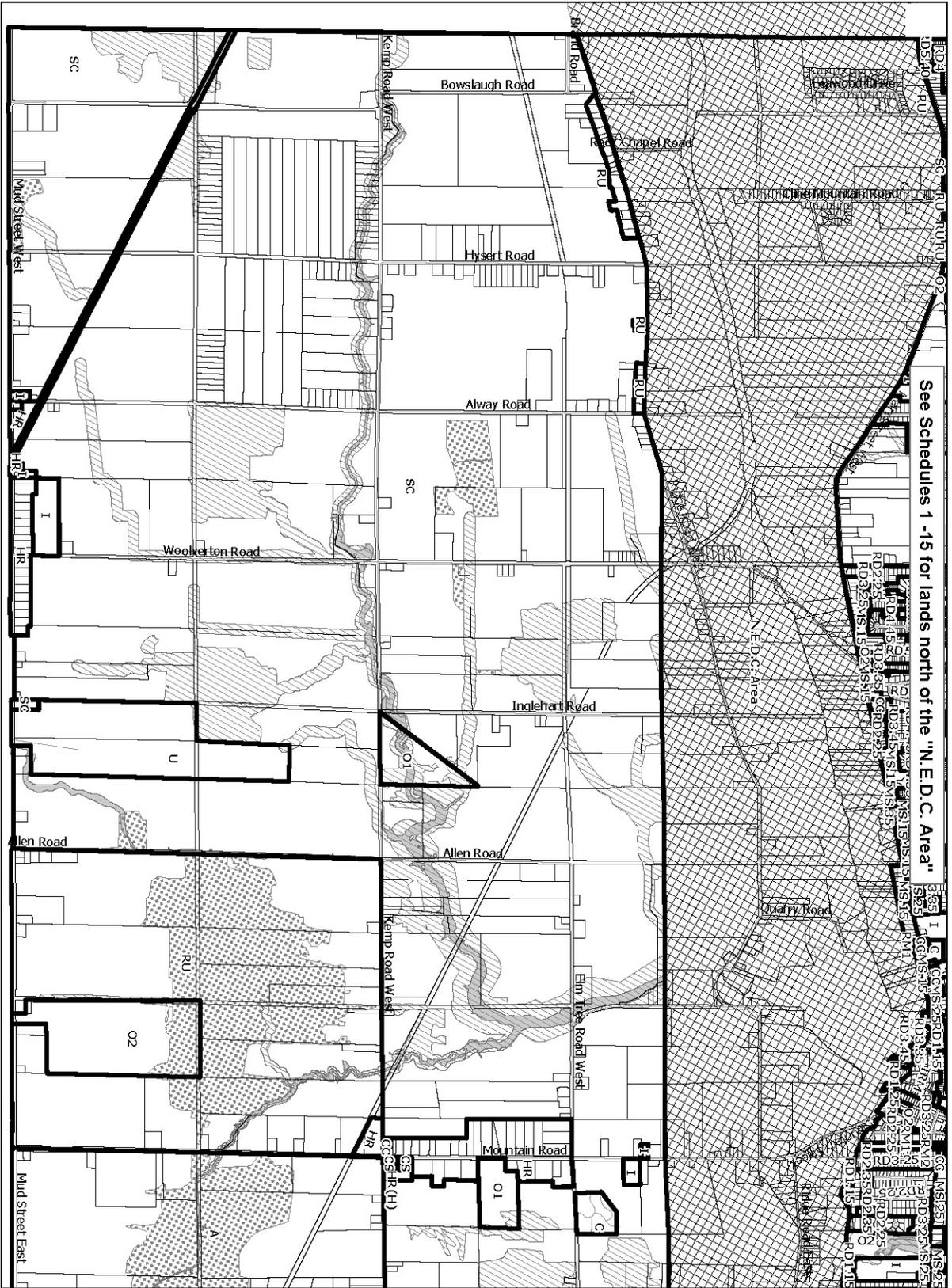
Town of East Gwillimbury

### Schedule D Wellhead Protection Significant Threat Areas

-  Oak Ridges Moraine (ORM) Conservation Plan Area \*
- Significant Threat Areas**
-  Significant Threat Area 1
-  Significant Threat Area 2
-  Significant Threat Area 3
-  Significant Threat Area 4

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\* Includes the Queen's Printer for Ontario, 2013-2018





See Schedules 1 -15 for lands north of the 'N.E.D.C. Area'

# Town of Grimsby

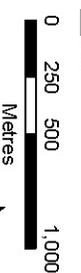
## Zoning Schedules

July 2019



### Zones

- RO1 - Residential Detached 1
- RO2 - Residential Detached 2
- RO3 - Residential Detached 3
- RO4 - Residential Detached 4
- RO5 - Residential Detached 5
- OB - Office Business
- MS - Main Street
- RM1 - Residential Multiple 1
- RM2 - Residential Multiple 2
- RM3 - Residential Multiple 3
- TRM - Transitional Residential
- HR - Heavy Residential
- ND - Neighbourhood Development
- DM - Downtown Main Street
- DI - Downtown Interfection
- CC - Convenience Commercial
- NC - Neighbourhood Commercial
- CS - Service Commercial
- MC - Marine Commercial
- MHO - Mixed Use High Density
- TRMC - Transitional Residential Medium Density
- OE - Office Employment
- PE - Private Employment
- I - Industrial
- C - Cemetery
- O1 - Private Open Space
- O2 - Public Open Space
- U - Utility
- A - Agricultural
- RU - Rural
- SC - Specialty Crop

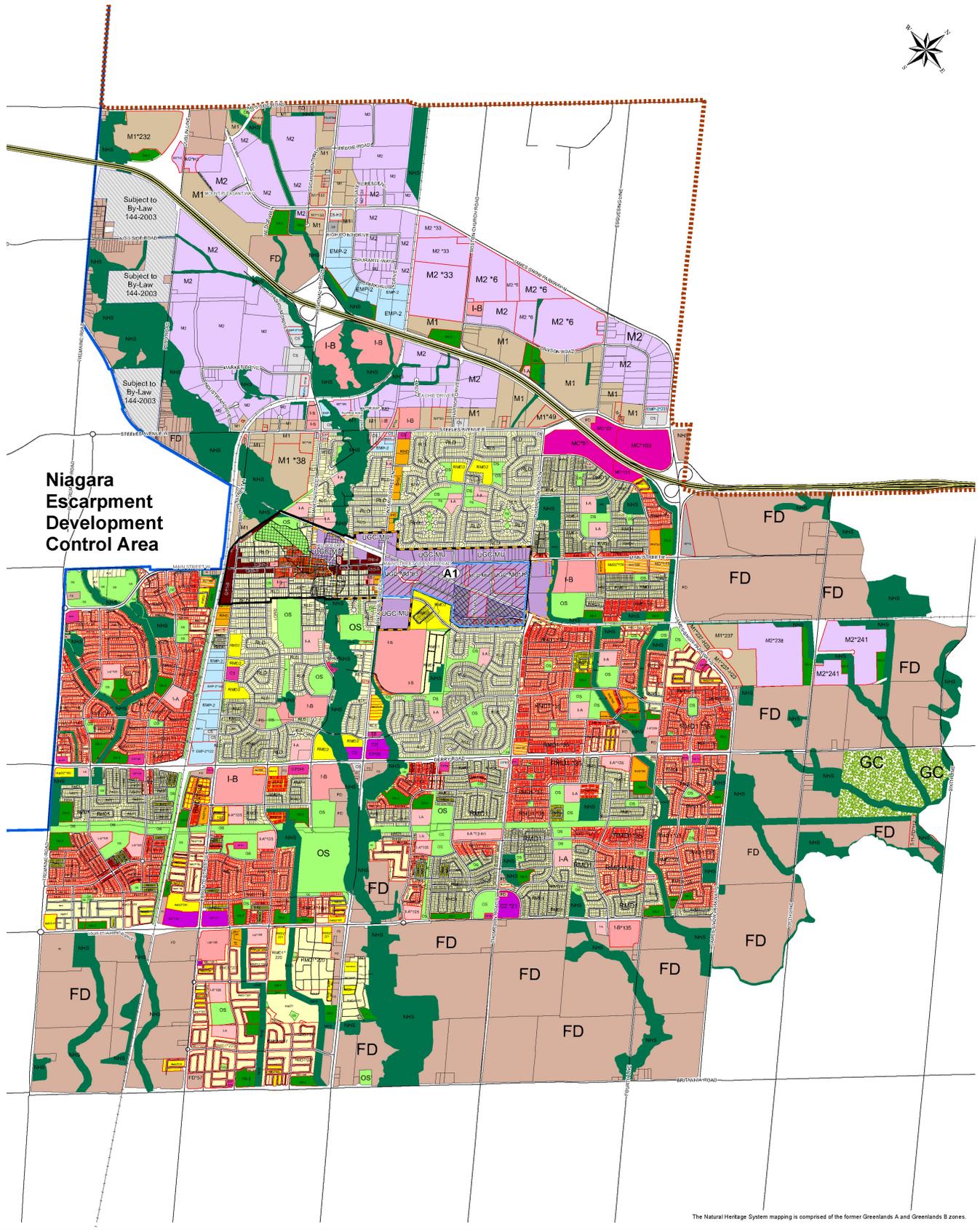


**Schedule 16-A**

Note:  
 1. Site specific zoning shown on separate schedules.  
 2. This map is shown for reference purposes only.  
 3. Please refer to the Niagara Escarpment Planning and Development Act - R.S.O. 1990, Ontario Regulation 620/90 for associated zoning rules.







The Natural Heritage System mapping is comprised of the former Greenlands A and Greenlands B zones.

<b>Town of Milton</b> <b>Zoning By-law 016-2014</b> <b>(HUSP Urban Area)</b> Date: July, 2018 <small>Copyright 2018: Town of Milton, Teranet Inc.          Copyright 2010: Conservation Halton, Region of Halton</small>		Low Density Residential Zone (RLD) Medium Density Residential I Zone (RMD1) Medium Density Residential II Zone (RMD2) High Density Residential Zone (RHD) Residential Office Zone (RO) Secondary Mixed Use Commercial Zone (C2) Local Commercial Zone (C3)	Auto Commercial Zone (C5) Business Commercial Zone (C6) Employment Zone (EMP-2) Future Development Zone (FD) Open Space Zone (OS) Open Space - Storm Water Management Zone (OS-2)	Central Business District Secondary Commercial Zone (CBD-B) Urban Growth Centre Mixed Use Zone (UGC-MU) Urban Growth Centre Mixed Use Zone 2 (UGC-MU-2) Central Business District Core Commercial Zone (CBD-A) Business Park Zone (M1) General Industrial Zone (M2)	Minor Institutional Zone (I-A) Major Institutional Zone (I-B) Major Commercial Zone (MC) Natural Heritage System Zone (NHS) Natural Heritage System - Special Policy Area (NHS-SPA) Golf Course Zone (GC)	Niagara Escarpment Development Control Area Special Provisions, Holding Provisions, Temporary Use Zones, and Interim Control Zones Site Specific Zone Urban Growth Centre Central Business District Under Appeal. Refer to Table 7A, Footnote 15
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