

GENERAL PROVISIONS

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GENERAL PROVISIONS**5.1 GENERAL PROVISIONS - MISCELANEOUS****5.1.1 ACCESSORY USES AND BUILDINGS****5.1.1.1 Accessory Uses Permitted**

An *accessory use* which is normally, naturally and customarily subordinate and clearly incidental to a *permitted use* is *permitted* if:

- i) it is on the same *lot* as the *use* to which it is *accessory*;
- ii) it is not a *use* which is capable of having an independent existence;
- iii) it is not *used* for human habitation except as *permitted* in Section 5.2.4; and
- iv) it complies with the provisions as set out in Table 1 below:

TABLE 1 - REGULATIONS FOR ACCESSORY BUILDINGS, USES AND STRUCTURES

Provision	Residential Uses	Commercial & Institutional	Industrial/Open Space
<i>Permitted Location</i>	Any yard other than a <i>front yard</i>		
<i>Maximum Height</i>	4.0 m	6.0 m	6.0 m
<i>Side Yard Setback</i>	1.2 m	1.2 m	In accordance with Zone Standard
<i>Rear Yard Setback</i>	1.2 m	1.2 m	In accordance with Zone Standard
<i>Maximum Permitted Size</i>	10% of <i>lot area</i> to a maximum of 75 sq m of floor area	10% of <i>lot area</i>	5% of <i>lot area</i>
<i>Setback from Streetline</i>	In accordance with the <i>Front Yard</i> or <i>Exterior Side Yard</i> requirement as contained in the applicable zone		

(Amended by By-Law 9025-15)

(Amended by By-Law 9254-18)

Accessory Buildings less than 9.3 m² shall be setback from the *Side Yard* and *Rear Yard* a combination of 1.2 m and 0.6 m.

(Added by By-Law 8847-13)

Detached *garages* and carports shall be set back a minimum of 6.0 metres from any *street line*.

(Added by By-Law 9025-15)

5.1.1.2 Cargo Containers used for Storage Purposes

Where a *cargo container* is used for the purpose of storage *accessory* to a principal *use*, the following provisions shall apply:

- i) a *cargo container* may not be located in any residential zone;
- ii) a *cargo container* may only be located in the *rear yard* and must comply with the *rear yard depth* provisions of the zone in which the said *cargo container* is located;

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- iii) other than the *rear yard depth* requirement as set out in subsection ii) above, the placement of a *cargo container* shall comply with Table 1 - Regulations for Accessory Buildings, Uses and Structures.

5.1.1.3 **Carpports**

5.1.1.3.1 Notwithstanding the provisions of Section 5.1.1.1, a carport may be constructed in a residential zone provided that the following provisions are satisfied:

- i) it is attached to the house to which it is accessory;
- ii) it is located in an *interior side yard*;
- iii) it is entirely open, except for supporting poles, on the side adjacent to the interior side yard and at least one other side;
- iv) it is built over the driveway;
- v) the *building*, including the eave overhang, maintains a minimum setback from any *lot line* of 0.6 metres;
- vi) it does not exceed a length of 7.5 metres; and
- vii) it complies with the *height* limit for an *accessory building* or *structure* as set out in Table 1.

(Deleted and Replaced by By-Law 9254-18)

5.1.1.3.2 Notwithstanding subsection v), a gutter may protrude up to 0.15 metres into the required *side yard* width or setback.

5.1.1.3.3 Where a carport maintains a setback from an interior *lot line* of 1.2 metres or greater, the maximum length of a carport as set out in subsection vi) shall not apply.

5.1.1.4 **Excluded Uses**

The following *accessory uses* or *structures* are not subject to the provisions of Table 1:

- a) awnings, clothes poles, flag poles, garden trellises, fences, retaining walls or similar *accessory structures*;
- b) central air conditioning units, heat pumps, air exchangers or satellite dishes;
- c) a detached pergola or similar *structure* less than 10 square metres in area;
- d) decks and similar *structures* that are 0.3 metres or less in height.

(Deleted and Replaced by By-Law 9254-18)

5.1.2 **ADEQUATE MUNICIPAL SERVICES**

5.1.2.1 **New and Existing Development**

5.1.2.1.1 No *person* shall *use* any land or *erect* or *use* any *building* within the City of Woodstock unless the said land is serviced by municipal *water supply*, *sanitary sewers*, drainage systems and a *street* which meet municipal standards in effect and which have adequate capacity to service the development.

5.1.2.1.2 Notwithstanding subsection 5.1.2.1.1, an industrial *use* or a commercial *use*, except for a *hotel* or *motel*, or an *eating establishment*, which is *permitted* in an Industrial or Commercial Zone will be *permitted* on private services if:

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- a) municipal services cannot reasonably be extended to the site from their present location; and
- b) a private sewage disposal system and/or private well has been approved by the appropriate regulatory authority; and
- c) Woodstock Council has passed a resolution supporting the *use* of private services.

5.1.2.1.3 Notwithstanding subsection 5.1.2.1.1, any legally existing use or use permitted in any R1-13 Zone, FD Zone or AG Zone shall be permitted on private services where municipal services cannot reasonably be extended to the site from their present location.

5.1.3 **CORNER LOT SIGHT TRIANGLES**

5.1.3.1 A *sight triangle* shall be measured back from an intersection a distance of:

- i) 7.5 m in all Residential Zones; and
- ii) 9 m in all other Zones

(Replaced by By-Law 9025-15)

5.1.3.2 Within a *sight triangle* of a *corner lot*, no obstruction higher than 0.6 metres above grade, including any *building, structure, sign, landscape planting* or the parking of vehicles is *permitted*.

5.1.3.3 Notwithstanding the requirements of subsection 5.1.3.2, *corner lots* within the area identified on Schedule "E" are not subject to the *sight triangle* provisions of this By-law.

5.1.4 **CORNER LOTS**

5.1.4.1 Where a residential building in a Residential Zone is located on a *corner lot*, the requirements of this By-law for a minimum *interior side yard* and minimum *rear yard* may be interchanged.

Where a *yard* is adjacent to a 0.3 metre reserve, the zoning provisions for a *corner lot* shall apply.

(Deleted and Replaced by By-Law 9254-18)

5.1.5 **THROUGH LOTS**

5.1.5.1 Where a lot which is not a *corner lot* as defined herein has frontage on more than one *street*, the *setback* and *front yard depth* requirements of this By-law shall apply for the *main building*, on each *street* in accordance with the zone or zones which apply to such *lot*.

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Notwithstanding any provisions of the underlying zone, where regulations are in effect pursuant to the Conservation Authorities Act, no *building* or *structure*, with the exception of those designed, *used* or intended for flood or erosion control purposes, shall be *erected* or *used* on lands which exhibit a hazardous condition as a result of their instability; susceptibility to flooding, erosion, subsidence, inundation; or presence of organic soils or steep slopes unless a permit or other permission has been obtained from the Conservation Authority having jurisdiction.

5.1.7 **FRONTAGE ON A PUBLIC STREET**5.1.7.1 **Frontage Required**

No *person* shall *erect a building* or *structure* or otherwise *use* any land which does not have the minimum *lot frontage* on an *improved street*, County Road or Provincial Highway required for the zone which applies to the land.

5.1.8 **NON CONFORMING USES AND NON COMPLYING SITES AND BUILDINGS**

Any *use* which existed prior to November 26, 1981 shall be deemed to be lawful on the date on passage of this By-law provided that the *use* continued to the date of passage of this By-law.

5.1.8.1 **How Non-Conforming Rights Lost:**

The *non-conforming* right is extinguished as per the following:

- a) where a *building* or *structure* containing or otherwise *used* in connection with a *non-conforming use* is more than 50% accidentally damaged or demolished and is not repaired and re-occupied before the expiry of one year;
- b) where the *non-conforming use* is abandoned;
- c) in the case of a *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* in a Residential Zone and such vehicle is in excess of 7.5 metres in length and/or 2.7 metres in height, where the non-conforming use is removed from the lot for a period exceeding 30 consecutive days;
- d) in the case of a *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* in a Residential Zone that is stored in a manner that is non-conforming with respect to the locational restrictions of this By-law, where the said vehicle or trailer is removed from the lot for a period exceeding 30 consecutive days;
- e) where a *non-conforming use* is changed without the permission of the City of Woodstock Committee of Adjustment, or, where applicable, a decision rendered by the Ontario Municipal Board.

5.1.8.2 **Extensions to Buildings**

Nothing in this By-law shall prevent a *building* or *structure* containing or otherwise *used* in connection with a *non-conforming use* or which is non-complying relative to the zone provisions from being extended or enlarged in accordance with subsection 5.1.8.2.1.

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Further to Section 5.1.8.2 and subject to other provisions of this By-law that apply, where a *use, building or structure* was legally located or *erected* prior to November 26, 1981 and is in a zone which this By-law does not otherwise permit the location or *erection* of such *use, building or structure*, the regulations prescribed in this By-law for the zone listed in Column B below shall apply to the extension or enlargement of, or addition to, a legal *non-conforming use, building or structure* as listed in Column A below:

COLUMN A	COLUMN B
a <i>single-detached dwelling house</i>	R1
a <i>semi-detached or duplex dwelling house</i>	R2
a <i>horizontally attached or multiple attached dwelling house</i>	R3
a <i>street row dwelling house</i>	R3
an <i>apartment dwelling house</i>	R3
any commercial <i>use, building or structure</i>	C5
any industrial <i>use, building or structure</i>	M2
any institutional <i>use, building or structure</i>	NI

5.1.8.3 **Strengthening of Non-Complying Buildings**

Nothing in this By-law shall prevent the strengthening to a safe condition any *building or structure* which does not comply with the zone provisions provided that the repair does not increase the *height, size or volume* of the *building or structure*.

5.1.8.4 **Replacement of Non-Complying Buildings**

Where a *building or structure* which does not comply with the zone provisions in effect is damaged or demolished due to an accidental or other cause beyond the control of the owner, nothing in this By-law shall prevent the replacement of the non-complying *building or structure* provided that:

- (a) the *building or structure* is occupied by the same *use* or a *use permitted* by the applicable zone category; and
- (b) the replacement *building or structure* is located in a manner which does not increase the non-compliance with the zone provisions in effect; and
- (c) the new *building or structure* is replaced and re-occupied before the expiry of one (1) year.

5.1.8.5 **Vertical Additions to Non-Complying Buildings**

Where one or more additional *storeys* is proposed to be added to a *building or structure* which does not comply with the zone provisions in effect relating to *yard widths or depths*, such addition is *permitted* provided:

- (a) the addition, including any eaves overhang, is situated no closer to the *lot line* than the *existing building or structure*; and
- (b) the addition complies in all other respects to the provisions of this By-law.

GENERAL PROVISIONS**5.1.8.6 Non-Compliance due to Public Acquisition**

Where the *lot area* and/or *lot frontage* of a *lot* is reduced as a result of the public acquisition of a part of a *lot* and/or where said acquisition causes any *building* or *parking area existing* on the *lot* to become non-complying relative to the zone provisions contained herein, then nothing in this By-law shall prevent the continued *use* of the *building* provided that no further subsequent change is made to the *building* or *structure*, *parking area*, or the *lot* which would increase the extent of the non-compliance.

5.1.8.7 Under-Sized Lots of Record

Where a residential *lot* has lesser *lot area* and/or *lot frontage* than required by the zone provisions of this By-law, such *lot* may be *used* and a *building* or *structure* may be *erected* or *used* thereon in accordance with all other provisions of this By-law, provided that the said *lot*.

- i) was legally created and held in distinct ownership from abutting *lots* prior to passage of this By-law and;
- ii) was vacant at the time of passing of this By-law and has continued to be vacant since.

(Deleted and Replaced by By-Law 9254-18)

5.1.9 PERMITTED PROJECTIONS INTO REQUIRED YARDS**5.1.9.1 Projections into Required Yards Permitted from Main Buildings**

Notwithstanding the *yard* requirements established in this By-law, the following projections are permitted from a *main building* in accordance with the provisions as set out in Table 2

TABLE 2 - PERMITTED PROJECTIONS INTO REQUIRED YARDS

Structure	Yard in Which Projection Permitted	Maximum Projection Permitted into Required Yards	Minimum Setback Between Projection and Lot Line
Uncovered and unenclosed steps providing access to the ground floor and/or uncovered and unenclosed <i>decks</i> , stoops or landings not exceeding one <i>storey</i> in <i>height</i>	<i>Front Yard</i>	No limit	3.5 m
	<i>Rear Yard</i>	No limit	1.2 m
	<i>Interior Side Yard</i>	No limit	0.6 m ¹
	<i>Exterior Side Yard</i>	No Limit	2.0 m
Ramp used for handicapped access	All	Unlimited	None
Covered steps, <i>decks</i> , stoops or landings not exceeding one <i>storey</i> in <i>height</i> ²	<i>Front Yard</i>	1.5 m	3.5 m
	<i>Rear Yard</i>	No limit	1.2 m
Sills, cornices, pilasters, chimneys, eaves, gutters, and similar architectural features	All	0.6 m	0.6 m
Bay windows	All	1.0 m	1.2 m

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Structure	Yard in Which Projection Permitted	Maximum Projection Permitted into Required Yards	Minimum Setback Between Projection and Lot Line
Fire escapes, steps providing access above ground floor and balconies above ground floor	<i>Rear Yard</i>	1.2 m	1.2 m
	<i>Side Yard</i>	1.2 m	1.2 m
Balconies on apartment buildings	All	1.5 m	---
Building cantilevers	<i>Front Yard</i>	0.6 m	---
	<i>Rear Yard</i>	0.6 m	---

¹ except that where the *structure* is located within an *interior side yard* that is attached to another *dwelling house* or *dwelling unit*, as the case may be, the minimum setback between the projection and the *lot line* shall be nil.

² where the *structure* is located within an *interior side yard* that is attached to another *dwelling house* or *dwelling unit*, as the case may be, the minimum setback between the projection and the *lot line* shall be nil.

(Amended by By-Law 9076-16)

5.1.9.2 Parking Area Exception

Notwithstanding subsection 5.1.9.1, no projection is *permitted* into a required *parking area*.

5.1.9.3 Projections into Required Yards Permitted for Accessory Buildings

Notwithstanding the *yard* requirements established in this By-law, the following *accessory buildings* or *structures* are *permitted* to project into any *required yard* in accordance with the provisions set out in Table 3.

TABLE 3 - PERMITTED PROJECTIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

Structure	Yard in Which Projection Permitted	Minimum Setback Between Building and Lot Line
In-ground swimming pool	<i>Exterior Side Yard</i>	1.2 m
Child's playhouse with less than 10 square metres floor area with no permanent roof	<i>Rear Yard</i>	0.0 m
	<i>Interior Side Yard</i>	
	<i>Exterior Side Yard</i>	
Automated bank machine kiosk	<i>Front Yard</i>	3.0 m
	<i>Exterior Side Yard</i>	
Gas bar canopy and kiosk	<i>Front Yard</i>	5.0 m
	<i>Exterior Side Yard</i>	
Temporary seasonal greenhouse	<i>Front Yard</i>	3.0 m
	<i>Exterior Side Yard</i>	
Gate house	<i>Front Yard</i>	0.0 m
	<i>Exterior Side Yard</i>	
Sills, cornices, pilasters, chimneys, eaves, gutters, and similar architectural features	All	0.6 m

(Amended by By-Law 9254-18)

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5.1.10.1 Where a maximum building *height* applies to a *main building*, any *structure* which is normally associated with said *building*, such as a chimney on a house; a stairwell enclosure or mechanical penthouse for an *apartment dwelling house*; a flagpole; processing towers associated with an *industrial use*; a steeple on a *church*; or a television antenna or tower may extend above the maximum building *height* prescribed.

5.1.11 CONSOLIDATED LOTS AND PHASED CONDOMINIUMS5.1.11.1 **Lot Consolidation**

Where two or more abutting *lots* held under one identical ownership are consolidated for the purpose of development, the internal *lot lines* of the original *lots* will not be considered to be *lot lines* for the purpose of any zoning regulations provided that the principal *building* or *buildings* are constructed in a manner whereby said *building* or *buildings* are placed across the internal *lot line* or lines, as the case may be, and that all such regulations as they apply to the whole of the consolidated '*lot*' are observed.

5.1.11.2 **Registration of Condominiums**

Internal *lot lines* created by the registration of a plan of condominium shall not be construed to be *lot lines* for the purpose of zoning regulations provided that all such regulations as they apply to the whole of the *lot* existing prior to any condominium plan registration are observed.

(Deleted and Replaced by By-Law 9254-18)

5.1.12 BUFFER STRIPS5.1.12.1 **Non-Residential Uses Abutting Residential Uses**

Where a *parking area* for a non-residential *use* is located within an interior *side yard* or *rear yard* abutting a Residential Zone, a buffer strip consisting of solid, unpierced landscaping or fencing sufficient to screen such area shall be provided.

5.1.13 ACCESSORY BUSINESS OFFICES AND RETAIL SALES5.1.13.1 **Accessory Business Offices**

Business offices which are *accessory* to and *used* for administration or to accommodate the in-house technical and professional services of a *permitted use* in any Industrial Zone or the C4 Zone may be *permitted* in the same *building* as the principal *permitted use* or in a separate *building* on the same *lot* as the principal *permitted use*.

5.1.13.2 **Accessory Retail Sales**

Where *accessory* retail sales are *permitted* in an Industrial Zone or the C4 Zone, the following regulations shall apply:

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- i) A maximum of 10% of the *gross floor area* of a permitted use may be *used* for the retail sale of goods, materials or things produced or warehoused on the premises provided that the total *gross floor area* dedicated to retail sales does not exceed 200 square metres.
- ii) Where the *lot* supports an *industrial mall* or *buildings* containing more than one *permitted use*, the maximum *gross floor area* for any *accessory* retail sales associated with a *permitted use* shall be calculated individually for each such *use*.
- iii) The *gross floor area* used for *accessory* retail sales shall be separated from the main *permitted use* by a permanent, solid partition to the satisfaction of the City Engineer.

5.1.14 DISTANCE FROM ENVIRONMENTAL PROTECTION ZONES

- 5.1.14.1 No development or site alteration is *permitted* within 120 metres of Environmental Protection Zone 1 (EP1) except for those *uses permitted* within the EP1 Zone.
- 5.1.14.2 No development or site alteration is *permitted* within 50 metres of Environmental Protection Zone 2 (EP2) except for those *uses permitted* within the EP2 Zone.
- 5.1.14.2 Subsections 5.1.14.1 and 5.1.14.2 shall not apply to any lands in any Residential Zone that were so zoned as of the date of passage of this By-law.

5.1.15 USES PERMITTED IN ALL ZONES

- 5.1.15.1 Notwithstanding any provision contained in this By-law to the contrary, the following *uses* shall be *permitted* in all Zones, including those zones subject to special provisions, unless such *use* is specifically identified as not being *permitted*.
 - (i) a public *street* or highway;
 - (ii) a rail line, including tracks, spurs and other railway facilities, but excluding any *accessory* station, depot or yard;
 - (iii) a *public utility installation* in accordance with the provisions of Section 5.3.4.
 - (iv) a *private park* used solely for the purpose of landscaped entrance features, provided that such park does not exceed 200 square metres *lot area*;
 - (v) a public or private walkway or cart path;
 - (vi) a sign subject to any applicable City of Woodstock sign by-law;
 - (vii) a public washroom;
 - (viii) a trailer, temporary construction camp, waste container, tool shed, scaffold or other such *building* or other temporary work camp the sole purpose of which is incidental to construction and provided that such *buildings* or *structures* are:
 - located on the site where such work is underway;
 - located outside of any *sight triangle*;
 - not *used* for human habitation; and
 - located on the lands only so long as the same are necessary for work in progress which has neither been finished or abandoned;
 - (ix) an aid to navigation;
 - (x) a Canada Post mail box and/or superbox;
 - (xi) a temporary sales and/or rental office for the sale, rental or promotion of land and development in the surrounding area;

(Amended by By-Law 8847-13)

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Notwithstanding the foregoing, the above-noted *uses* are not *permitted* within Environmental Protection Zone 1 (EP1) or Environmental Protection Zone 2 (EP2) unless the *use* is specifically identified as a *permitted use* in those zones.

5.1.16 USES PROHIBITED IN ALL ZONES

- (i) an abattoir;
- (ii) an arsenal;
- (iii) a cement, lime or sulphur works;
- (iv) a coke manufacturing works;
- (v) a bone distilling operation, blood, bone and/or tripe boiling operation or a fish oil extracting operation;
- (vi) a fat, grease, lard or tallow rendering or refining operation but not including the manufacture of soap;
- (vii) a dead animal or offal incinerator or reducer;
- (viii) a facility for the manufacture, refining or processing of hydrochloric acid, nitric acid, picric acid, sulphuric acid or any sulphurous acid;
- (ix) an explosive, ammunition or fireworks manufacturing and/or storage facility;
- (x) a metal smelter;
- (xi) *open storage*, except where specifically identified as a *permitted use*;
- (xii) a petroleum refining plant;
- (xiii) a rendering plant;
- (xiv) a tannery for the curing and storing of rawhide, skins, leather and/or hair;
- (xv) a wool pulling or wool scouring plant;
- (xvi) any trade, business or manufacture which is deemed to be an offensive trade within the meaning of the Health Protection and Promotion Act, RSO 1990

(Amended by By-Law 9025-15)

5.2 GENERAL PROVISIONS FOR RESIDENTIAL USES

5.2.1 NUMBER OF SINGLE-DETACHED DWELLINGS PER LOT

5.2.1.1 Limit on Single-Detached Dwellings

Except within a Planned Unit Development Zone, no more than one *single-detached dwelling* is *permitted* on a *lot*.

5.2.1.2 Garden Suites

Subsection 5.2.1.1 shall not prevent a *garden suite* from being established in accordance with Section 5.2.4.

5.2.1.3 Converted Dwellings

Where a *dwelling house* is *altered* to include two or more *dwelling units* in accordance with the relevant provisions of this By-law, the maximum increase in *gross floor area* of the said *dwelling house* shall not exceed 25% of the *gross floor area* of the *dwelling house* as it existed on the date of passage of this By-law.

GENERAL PROVISIONS**5.2.2 ESTABLISHED BUILDING LINE PROVISIONS****5.2.2.1 Yard Reductions**

Where *existing* development on either side of a middle *lot* have legal *non-conforming front yard depth* or *exterior side yard width* for the zone, the *front yard depth* for the *main building* on the middle *lot* may be reduced to either:

- i) the average of the *yard* depth or width, as applicable, of the *main building* on each of the other two *lots*, if both are non-complying, or 3.0 metres, whichever is greater; or
- ii) the average of the *yards* of the *main building* on the non-complying *lot* and the *yard* depth or width, as applicable, of the applicable zone if only one adjacent *lot* is non-complying, or 3.0 metres, whichever is greater.

5.2.2.2 Parking Areas to Comply

Notwithstanding subsection 5.2.2.1, attached garages and carports shall be set back a minimum of 6.0 metres from any *street line*.

5.2.2.3 Where One Lot Vacant

Where one of the lots on either side of the middle lot mentioned in subsection 5.2.2.1 is vacant, the front yard setback for the main building on the middle lot may be reduced to the average of the setback provision of the zone and the established setback of the lot which is not vacant.

(Amended by By-Law 8847-13)

5.2.2.4 Same Privilege for Corner Lot

The *front yard depth* and *exterior side yard width* for a *main building* on a *corner lot* may be reduced to the *front yard depth* of the abutting *lots* which face the same *street* provided that the requirements of Section 5.1.3 – *Corner Lot Sight Triangles* are complied with.

5.2.2.5 Established Building Line which Exceeds Front Yard Depth

Except in the Historical District Residential Zone, where the *main building* on the *lots* on either side of the middle *lot* have a *yard* depth or width, as applicable, greater than the minimum *front yard depth* for the zone, the required *front yard depth* of the *main building* on the middle *lot* shall be the average *yards* of the dwellings on the other two *lots* or 9.0 metres, whichever is less.

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Where the *existing front yard depth* for a *main building* is less than the *required front yard depth* for the zone, an addition to the side of the building within an *interior side yard* may be extended into the *required front yard* to the extent of the legal *non-conforming front yard* provided that the said addition complies with all other provisions of this By-law.

5.2.3 BED AND BREAKFAST ESTABLISHMENTS IN RESIDENTIAL ZONES**5.2.3.1 Permitted in All Residential Zones**

A *bed and breakfast establishment* is permitted in all Residential Zones, however, such use may only be permitted in one of the following types of dwellings:

- a) a *single-detached dwelling*;
- b) a *semi-detached dwelling*;
- c) a *converted dwelling*;
- d) a *horizontally-attached dwelling*;
- e) a *street row dwelling*.

5.2.3.2 Limit on Guest Bedrooms

A maximum of three (3) guest bedrooms are permitted in a *bed and breakfast establishment* in a residential zone.

5.2.3.3 Restriction on Serving Meals

Meals, refreshments or beverages shall only be provided to *persons* utilizing a guest bedroom of a *bed and breakfast establishment* in a Residential Zone.

5.2.3.4 Parking

In accordance with Section 5 hereof.

5.2.3.5 Tandem Parking Permitted

Notwithstanding Section 5.4, one of the required *parking spaces* for a *bed and breakfast establishment* may be provided by means of a *tandem parking space*.

5.2.3.6 Signage

A *bed and breakfast establishment* in a Residential Zone may have one sign no larger than 0.2 square metres in area to identify the *use*.

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GENERAL PROVISIONS5.2.4 GARDEN SUITES5.2.4.1 **Establishing a Garden Suite**

Notwithstanding Section 5.2.1, a *garden suite* may be located on a *lot* in a Residential Zone or Agricultural Zone through the passage of a Temporary Use By-law.

5.2.4.2 **Conditions to be Satisfied**

A Temporary Use By-law as stated in subsection 5.2.4.1 shall only be granted where the proposed *garden suite* complies with the following conditions and zone provisions:

- i) only one *garden suite* is permitted on a *lot*;
- ii) the *garden suite* complies with Section 5.1.2 – Adequate Municipal Services;
- iii) the *garden suite* must be sited on the same *lot* as the main residential *building* and the owner of the *lot* must live on the property;
- iv) the *garden suite* may only be located in the *rear yard* of the *lot*;
- v) the *garden suite* must comply with the regulations for *accessory buildings* set out in Table 1 for Residential Zones; and
- vi) an agreement is entered into with the *Corporation* and registered on title specifying the period of temporary occupancy by any *persons* named, requirements for the removal of the *garden suite*, *building* design details, drainage and servicing works and monetary or other forms of security which may be required.

5.2.4.3 **Accessory Building Lot Coverage for a Garden Suite**

Where a *garden suite* is permitted in a Residential Zone pursuant to subsection 5.2.4.2, the *accessory building lot coverage* established in Table 1 may be exceeded by the ground floor area of the *garden suite* provided that the total *lot coverage* provision of the applicable Residential Zone is not exceeded.

5.2.5 HOME OCCUPATIONS5.2.5.1 **Permitted in Residential Zones**

One or more *home occupations* are *permitted* within a *main building* or an *accessory building* or *structure* in a Residential Zone subject to satisfying the following criteria:

- i) the area occupied by all the *home occupations* within the *dwelling unit* and/or *accessory building* or *structure* shall not exceed a cumulative total *gross floor area* of 30 square metres;

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- ii) no more than one (1) *person* who does not reside on the *lot* may be employed by the *home occupation*; where there is more than one (1) *home occupation*, the total number of employees for all such *uses*, cumulatively, shall be one (1);
- iii) no manufacturing or processing activity shall be carried out in conjunction with a *home occupation* except for the fabrication of homemade goods associated with a dressmaker or tailor, an artisans establishment or a craftpersons shop;
- iv) the only repair uses permitted as a *home occupation* are the repair of small household appliances and power equipment;
- v) the *home occupation* shall not involve the external display or outside storage of goods or materials or the shipping or receiving of goods or materials by *commercial motor vehicles* other than a courier service;
- vi) a day care with accommodation for up to five (5) *persons* is *permitted* as a *home occupation*;
- vii) a *home occupation* shall not involve the *use* of the premises as a base of operations for *persons* who are employed by or associated with the *use* but work off-site, nor shall the premises be used to assemble such *persons* for transportation to a work site;
- viii) a *home occupation* or combination of all *home occupations* within the dwelling unit shall provide one parking space and all *parking areas* required for the *home occupation use* shall be paved; and
- ix) a *home occupation* is *permitted* to have one sign no larger than 0.2 square metres in area identifying the use.

5.2.6 COMMERCIAL VEHICLES, RECREATIONAL VEHICLES AND UTILITY VEHICLES

5.2.6.1 Commercial Vehicles

The parking of *commercial vehicles* is prohibited in all Residential Zones

5.2.6.2 Recreational and Utility Vehicles

5.2.6.2.1 No *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* shall be stored or parked in any Residential Zone except:

- i) by the owner of such *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* who resides in a *dwelling unit* on the same *lot* provided that such vehicle is stored or parked in the *rear yard* or *interior side yard* of such *lot* with a minimum setback from any *lot line* of 1.0 metre; or
- ii) in a garage or carport on the *lot*;

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5.2.6.2.2 Notwithstanding subsection 5.2.6.2.1, no *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* may be stored or parked in any Residential Zone where such vehicle exceeds a length of 7.5 metres and/or a height of 2.7 metres, except that:

- i) where such vehicle is stored in a garage or carport on the *lot*, the length and height restrictions identified in this subsection shall not apply.

5.2.6.2.3 Not more than one (1) *travel trailer*, boat, *motor home* or similar recreational vehicle or *utility trailer* may be stored or parked on any *lot* at one time.

5.2.7 HOUSEHOLD SALES

5.2.7.1 Conditions

Household sales are *permitted* in any Residential Zone subject to the following conditions:

- a) No more than two household sales are *permitted* per annum at one location; and
- b) No individual sale will be more than two days in duration.

5.3 GENERAL PROVISIONS FOR SPECIFIC USES

5.3.1 AUTOMOBILE SERVICE STATIONS AND PUBLIC GARAGES

5.3.1.1 Ancillary Vehicular Sales

The sale of motor vehicles is *permitted* as an *accessory use* to an *automobile service station* or a *public garage*, provided that not more than six (6) motor vehicles are stored, kept or displayed for sale at anytime.

5.3.2 CONSTRUCTION USES

5.3.2.1 Temporary Construction Buildings

Any part of a *lot* may be used for temporary *buildings* associated with construction work occurring on such *lot* provided that:

- i) the *building* is only located on the *lot* for the duration of the construction work or as long as a valid building permit for such construction is in effect;
- ii) the *building* is located outside of any *corner lot sight triangle*; and
- iii) the *building* may not be *used* for human habitation.

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GENERAL PROVISIONS**5.3.2.2 Interim Buildings**

A temporary *building* may be *erected* on a non-residential *lot* for the purpose of operating a business on an interim basis during the period of time that construction of a permanent building is proceeding on that *lot*.

5.3.2.3 Model Homes

Notwithstanding Sections 5.1.2 or 5.1.5, a model home may be constructed on lands zoned for residential *uses*, however, no occupancy shall be *permitted* until such a time as compliance with such sections and all other provisions of this By-law occurs.

5.3.3 OUTDOOR PATIOS**5.3.3.1 Outdoor Patios Permitted**

An outdoor patio is *permitted* where it is operated as part of an *eating establishment, bar or nightclub, or golf course*.

5.3.3.2 Location

Any outdoor patio shall be established in accordance with the following criteria:

- i) an outdoor patio is prohibited in a required *yard* abutting a Residential Zone;
- ii) where a Residential Zone is located on the opposite side of the *street*, an outdoor patio may only be established if it is located a minimum of 20 metres from the boundary of such zone; and
- iii) the elevation of an outdoor patio must not exceed 2.0 metres above ground level and shall not be covered by a permanent *structure*.

5.3.3.3 Parking

The area of any outdoor patio shall be included as *gross floor area* for the purposes of calculating required parking in accordance with Section 5.4.

5.3.3.4 Encroachment into Required Yards

Notwithstanding any *required yard* setbacks contained in the applicable zone, an outdoor patio may project to within 1.2 metres of the *lot line* provided that the criteria set out in subsection 5.3.3.2 are complied with.

5.3.3.5 Encroachment into Municipal Road Allowance

An outdoor patio may be *permitted* to encroach on a public road allowance only where it will not interfere with pedestrian or vehicular traffic and only where a valid encroachment agreement has been entered into with the municipal authority having jurisdiction.

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GENERAL PROVISIONS5.3.4 **PUBLIC UTILITY INSTALLATIONS**5.3.4.1 **Regulations**

In addition to Section 5.1.15 – Permitted Uses in All Zones, a *public utility installation* is subject to the following regulations:

- i) It can not be an administrative, maintenance or storage use.
- ii) Where it is in a *building*, that *building* must have a form and appearance that is in general harmony with the *buildings* and *structures permitted* within the zone in which it is located.
- iii) No exterior storage of goods, materials or equipment is *permitted*.

5.3.4.2 **Exception**

The regulations contained in subsection 5.3.4.1 shall not apply to a *public utility installation* located in a Commercial, Industrial, Institutional or Open Space Zone.

5.3.5 **METHADONE CLINICS AND METHADONE DISPENSARIES**5.3.5.1 **General Regulations**

Notwithstanding any other provision contained in this By-law that may apply, the following specific provisions shall apply to a *Methadone Clinic* and/or a *Methadone Dispensary*:

- i) Parking

Minimum	1 space per 15 m ² (161 ft ²)
---------	--
- ii) Waiting Room Area

Minimum – <i>Methadone Clinic</i>	15% of the <i>gross floor area</i>
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5.3.5.2 **Public Hospitals**

Notwithstanding any other provision contained in this By-law, a *Methadone Clinic* and/or a *Methadone Dispensary* shall be *permitted* on any *lot* on which a *Public Hospital* is operated.

(Added by By-Law 8824-13)

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GENERAL PROVISIONS**5.4 PARKING AND LOADING PROVISIONS****5.4.1 GENERAL REQUIREMENTS FOR PARKING AREAS****5.4.1.1 Off-Street Parking Areas Required**

Unless otherwise stated in this By-law, motor vehicle *parking spaces* must be provided on the same *lot* as the *building* for which such parking is provided in accordance with the relevant standards as set out in this Section.

5.4.1.2 Grandfather Clause

Any *parking area* which existed prior to the passing of this By-law shall be deemed to be lawful notwithstanding that such *parking area* may not comply with the Zone standards in effect, provided that:

- a) The *parking area* was lawful on the date of passage of this By-law.
- b) The *use*, or floor area of any *building* or *structure* on the *lot* is not changed so as to require more *parking spaces* than were required at the date of passage of this By-law.

5.4.1.3 Minimums

The parking and zoning requirements set out in this Section are minimums unless otherwise expressly stated.

5.4.1.4 More Than One Use Per Building

In a *building* in which more than one independent and distinct *use* is located, the total requirement for parking will be the sum of the requirements applied to each separate *use*, unless otherwise expressly stated.

5.4.1.5 Parts to be Considered as Required Spaces

Where the application of the parking standards as set out in Section 5.4.2 results in part of a *parking space* being required, such part will be considered as one required space.

5.4.1.6 Exclusive Use

All required *parking spaces* must be *used* exclusively for that purpose and must not be *used* for any other purpose.

5.4.1.7 Access to Parking Space

A *parking space* must have unobstructed access from a public *street* by either a driveway or an aisle leading to a driveway.

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GENERAL PROVISIONS**5.4.1.8 Parking Space Dimensions**

- i) The length and width of motor vehicle *parking spaces* shall be provided in accordance with the configurations as set out in Schedules “C-1” and “C-2” of this By-law;
- ii) Where parking is provided at an angle other than those reflected on Schedules “C-1” and “C-2”, the length and width of motor vehicle *parking spaces* shall be provided in accordance with the requirements for the angle of parking which is greater than the angle being provided;
- iii) A *tandem parking space* shall be a minimum of 11 metres in length and 2.7 metres in width.

5.4.1.9 Parking Aisle Dimensions

- i) The minimum width of a *parking aisle* shall be as set out in Schedules “C-1” and “C-2”.
- ii) Where parking is provided at an angle other than those reflected on Schedules “C-1” and “C-2”, the length and width of motor vehicle *parking aisles* shall be provided in accordance with the requirements for the angle of parking which is greater than the angle being provided.

5.4.1.10 Shared Driveways and Aisles

A driveway or *parking aisle* may be shared by two abutting properties if the following criteria is satisfied:

- i) a legal right-of-way is established over the mutual driveway or *parking aisles* guaranteeing access for each abutting property to an *street*; and
- ii) a maintenance agreement for the mutual driveway or *parking aisle* is entered into between the affected property owners.

5.4.1.11 Driveway Standards

The following standards apply to driveways providing ingress and egress to *parking spaces*:

5.4.1.11.1 Minimum Width One-Way Access

Where the access to a *parking space* is provided directly by a driveway from an *street*, the driveway must be at least 3.0 metres in width;

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5.4.1.11.2 Minimum Width Joint Access

Except or provided in 5.4.1.11.3, where a joint ingress and egress driveway is provided to a *parking aisle*, the minimum driveway width must be at least 6.7 metres in width;

5.4.1.11.3 Less than 20 *Parking Spaces*

Within a Residential, Institutional or Commercial Zone, where the application of the parking standards as set out in Section 5.4.2 results in a requirement for less than 20 motor vehicle *parking spaces* a joint ingress and egress driveway is *permitted* with a minimum width of 3.0 metres;

5.4.1.11.4 Maximum Driveway Width – Non-Residential Zones

Within a Commercial or Institutional Zone, the maximum driveway width shall be 9.0 metres;

5.4.1.11.5 Driveway Requirements

For uses subject to a Site Plan Control By-law, the width, number and location of driveways shall be determined through the site plan approval process and agreement based on road functionality, traffic analysis, and site characteristics. Where uses are not subject to a Site Plan Control By-law, the following provisions shall apply:

- i) where a *lot* has less than 30 metres of frontage at the *street line*, not more than two driveways shall be permitted.
- ii) where a *lot* has less than 30 metres of frontage at the *street line* of a *County Road*, not more than one driveway shall be permitted on the said *County Road*.

(Replaced by By-Law 9025-15)

5.4.1.11.6 Distance from Intersection

- i) Where the *lot line* abutting a *street* is greater than 12.0 metres, the minimum distance between a driveway and an intersection of *street lines* shall be 9.0 metres. Where the *lot line* abutting a street is 12.0 metres or less, the minimum setback between a driveway and an intersection of *street lines* shall be 7.5 metres.
- ii) Notwithstanding subsection 5.4.1.11.6 i), the minimum distance between a driveway and the intersection of *street lines* where a *street* is a *County Road*, shall be the greatest distance from the intersection of the *street lines* that can be accommodated while maintaining all other relevant provisions of this By-law, or 30 metres, whichever is less.

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- iii) Where a *corner lot* has been cut for the purpose of providing a daylight triangle, the distances from the intersection of *street lines* noted above shall be measured from the intersection of the projection of the *lot lines* abutting a *street*.

5.4.1.12 **Parking Area Surface**

Each *parking space*, *parking aisle* and the driveway leading to the *parking space* shall be paved with asphalt, brick or similar material which prevents the raising of dust or loose particles and shall include provisions for drainage facilities.

Notwithstanding the foregoing, *parking areas* and driveways for residential *dwellings* with less than 4 units shall be provided and maintained with a stable surface of crushed stone or gravel, asphalt, brick, concrete or other hard surfaced material.

(Amended by By-Law 9076-16)

5.4.2 **MOTOR VEHICLE PARKING STANDARDS**5.4.2.1 **Off-Street Parking Required**

Except as modified in Schedules "D" and "E", off-street parking for motor vehicles must be provided at the rate set out in Table 4.

TABLE 4 - PARKING STANDARDS

LAND USE	NUMBER OF VEHICLE PARKING SPACES	
	A General Standard	B Downtown as Per Schedule 'D'
Residential Uses - <i>single-detached dwelling</i> - <i>semi-detached dwelling</i> - <i>duplex dwelling</i> - <i>street row dwelling house, horizontally attached or multiple attached dwelling house with individual garage or driveway</i>	2.0 per <i>dwelling unit</i>	Same as column A
- <i>converted dwelling house</i> - <i>boarding or lodging house</i> - <i>dwelling unit in a portion of a non-residential building</i>	1.0 per guest room or <i>dwelling unit</i>	Same as column A
- <i>apartment dwelling house</i> - <i>residential dwelling unit in a multiple use apartment dwelling</i> - <i>street row dwelling house, horizontally-attached or multiple attached dwelling house without individual garages or driveways</i>	1.5 per <i>dwelling unit</i>	1.0 per <i>dwelling unit</i>

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LAND USE	NUMBER OF VEHICLE PARKING SPACES		
	A General Standard	B Downtown as Per Schedule 'D'	
Residential Type Business Uses	- residential <i>dwelling unit</i> in an <i>apartment dwelling house, multiple use apartment dwelling house</i> or in a portion of a non-residential <i>building</i> within the area identified on Schedule "E"	0.5 per <i>dwelling unit</i>	Same as column A
	- <i>bed and breakfast establishment</i>	1.0 per <i>dwelling unit</i> plus 1.0 per <i>guest room</i>	Same as column A
	- <i>hotel or motel</i>	1.2 per <i>guest room</i>	Same as column A
General Business Uses	- furniture store - retail building supply establishment	1.0 per 90 m ² of <i>gross floor area</i>	Same as column A
	- <i>funeral home</i>	1.0 per 20 m ² of <i>gross floor area</i> , minimum 20 spaces	1.0 per 50 m ² of <i>gross floor area</i>
	- bank / finance office - <i>retail store</i> or <i>service shop</i> - rental establishment - office or public building - <i>personal service shop</i> - <i>shopping centre</i> (excluding a retail food store) with a <i>gross floor area greater than 600m²</i>	1.0 per 30 m ² of <i>gross floor area</i>	1.0 per 50 m ² of <i>gross floor area</i>
	- <i>eating establishment</i> - commercial club - <i>bar or nightclub</i> - <i>assembly hall</i>	1.0 per 10 m ² of <i>gross floor area</i>	1.0 per 50 m ² of <i>gross floor area</i>
	- <i>shopping centre</i> with a <i>gross floor area of 600 m² or less</i> - retail food store	1.0 per 20 m ² of <i>gross floor area</i>	1.0 per 50 m ² of <i>gross floor area</i>
	- <i>customer contact centre office/ medical clinic</i>	1.0 per 15 m ² of <i>gross floor area</i>	1.0 per 50 m ² of <i>gross floor area</i>
	Amended by By-Law 8847-13		

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LAND USE	NUMBER OF VEHICLE PARKING SPACES		
	A General Standard	B Downtown as Per Schedule 'D'	
Industrial Type Uses	- <i>truck terminal</i> - <i>industrial establishment</i> - <i>warehouse</i> - <i>wholesale outlet</i>	1.0 space per 200 m ² <i>gross floor area</i> plus 1.0 space per 30 m ² of office space	N/A
	- <i>veterinarian's clinic, animal kennel and animal shelter</i>	1.0 per 40 m ² of <i>gross floor area</i>	N/A
	- <i>body-rub parlour</i>	1.0 space per 10 m ² of <i>gross floor area</i>	N/A
	- <i>adult entertainment parlour</i>	1.0 space per 10 m ² of <i>gross floor area</i>	N/A
Institutional Type Uses	- <i>church</i>	1.0 per 5 persons seating capacity or 1 space per 10 m ² of <i>gross floor area</i> used as a hall or auditorium, whichever is greater	1.0 per 50 m ² of <i>gross floor area</i> used as a hall or auditorium
	- <i>daycare facility / nursery school</i>	1.0 per 40 m ² of <i>gross floor area</i>	Same as column A
	- <i>group home type 1 or group home type 2, emergency care establishment, hostel, nursing home, retirement home, home for the aged</i>	1.0 per 3 <i>guest rooms</i> or beds	Same as column A
	- <i>school</i>	for a secondary <i>school</i> 4.0 per classroom, for a elementary <i>school</i> 5.0 spaces plus 1.0 per classroom	Same as column A
Leisure and Recreation Type Uses	- <i>recreational building</i> (indoor sports), excluding any playing area in a tennis, squash, handball or badminton court - <i>amusement arcade</i> - <i>place of entertainment</i> - <i>health club</i>	1.0 per 25 m ² <i>gross floor area</i>	1.0 per 50 m ² of <i>gross floor area</i>
	- <i>billiard hall</i> - <i>curling rink</i> - <i>bowling alley</i>	6.0 per game table, sheet, lane or court	Same as column A

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LAND USE	NUMBER OF VEHICLE PARKING SPACES	
	A General Standard	B Downtown as Per Schedule 'D'
- theatre or cinema	1.0 per 2.0 seats	Same as column A
- All other non-residential uses not listed in this table	1.0 per 50 m2 of gross floor area	Same as column A

Other Uses

(Deleted and Replaced by By-Law 9254-18)

5.4.2.2 Parking Area Exempt

Notwithstanding subsection 5.4.2.1, the establishment of *parking spaces* shall not be required for any non-residential use, other than a *hotel*, within the area identified as the "Area Where No Parking Spaces or Loading Spaces Required as per Section 5.4.2.2 and Section 5.4.5.4" on Schedule "D".

5.4.2.3 Parking for Downtown Residential Uses

Notwithstanding any other provision contained in this By-law, where residential development within that area identified as the "Area Exempt from Parking Requirements as per Section 5.4.2.3" on Schedule "D" would require 10 *parking spaces* or less as calculated in accordance with subsection 5.4.2.1, the minimum number of *parking spaces* required for said residential development shall be nil.

5.4.2.4 Visitor Parking for Residential Uses

In addition to the requirements set out in Table 4, where there are more than 10 residential units, visitor *parking spaces* and motor vehicles must be provided at a rate of 1 space for every 10 required *parking spaces*.

Notwithstanding the above, the required number of visitor *parking spaces* for residential uses located in the 'Central Commercial Zone (C5)' shall be nil.

(Deleted and Replaced by By-Law 9254-18)

5.4.2.5 Accessible Parking

- 5.4.2.5.1 Accessible parking spaces for all non-residential and multiple residential uses including, an *apartment dwelling house*, a *boarding or lodging house*, a *horizontally attached dwelling house*, a *multiple attached dwelling house* and a *multiple-use apartment dwelling house* shall be provided in compliance with the provisions of this subsection:

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5.4.2.5.2 For the purpose of this subsection:

- (i) a Type A *parking space* shall comprise an unobstructed rectangular area with a minimum width of 3.4 m and a minimum length of 5.5 m; and
- (ii) a Type B *parking space* shall comprise an unobstructed rectangular area with a minimum width of 2.7 m and a minimum length of 5.5 m.

5.4.2.5.3 Each accessible *parking space* must maintain a 1.5 m wide access aisle along the entire length of the parking space as illustrated on Schedule "H". Where two or more accessible *parking spaces* are required in accordance with the provisions contained in Table 5 – Designated Accessible Parking Space Regulations, an access aisle may be shared between accessible *parking spaces*.

5.4.2.5.4 Required Number of Accessible Parking Spaces

Accessible *parking spaces* for non-residential and multiple residential uses shall be provided in compliance with Section 5.4.2.5.1 and Table 5 – Designated Accessible Parking Space Regulations.

TABLE 5: DESIGNATED ACCESSIBLE PARKING SPACE REGULATIONS

Total Number of Required Vehicle Parking Spaces	Minimum Number of Required Accessible Spaces	Type A Spaces	Type B Spaces
1 – 12	1	1	0
13 – 100	4% of total required <i>parking spaces</i>	Where an even number of accessible <i>parking spaces</i> are required, an equal number of Type A and Type B spaces must be provided. Where an odd number of total accessible <i>parking spaces</i> are required, the additional space may be a Type B space.	
101 – 200	3% of total required <i>parking spaces</i> + 1		
201 – 1,000	2% of total required <i>parking spaces</i> + 2		
1,001 or greater	1% of total required <i>parking spaces</i> + 11		

(Replaced by By-Law 9025-15)

5.4.2.5.5 Location of Accessible Parking Spaces

Accessible *parking spaces* shall be provided and maintained on the same *lot* in proximity to the main entrances to a *building* or structure.

5.4.2.5.6 Accessible Parking Exemptions

Accessible *parking spaces* shall not be required within the area identified as the "Area Where No Parking Spaces or Loading Spaces Required as per Section 5.4.2.2 and Section 5.4.5.4" on Schedule "D".

(Added by By-Law 9025-15)

GENERAL PROVISIONS5.4.3 **FLEXIBLE PARKING REQUIREMENTS**5.4.3.1 **Tandem Parking Permitted**

Where off-street parking is required as per Table 4 of this By-law, a portion of the required *parking spaces* may be provided by *tandem parking spaces* in accordance with the following conditions:

- i) An office *use*, industrial *use*, institutional *use*, or a *warehouse use* may provide a maximum of 20% of the required *parking spaces* as *tandem parking spaces* provided that such spaces are designated and clearly marked as employee parking;
- ii) A *funeral home* or a *church* may provide a maximum of 30% of the required *parking spaces* as *tandem parking spaces*;
- iii) A *duplex dwelling house*, *horizontally attached dwelling house*, *multiple attached dwelling house*, *semi-detached dwelling house*, *single-detached dwelling house* or a *street row dwelling house* may provide one *tandem parking space* per *dwelling unit*;
- iv) A *converted dwelling house* may provide one *parking space* by means of a *tandem parking space*;
- v) In the case of residential planned unit development in accordance with Section 28, a maximum of 20% of the required parking may be provided through *tandem parking spaces* provided that such spaces are exclusively designated to specific units.

5.4.3.2 **Off-Site Parking in Downtown Areas**

5.4.3.2.1 Notwithstanding the requirements of subsection 5.4.1.1, within the area identified on Schedule “D” as having reference to this subsection, required motor vehicle parking is permitted to be provided on a *lot* separate from the *lot* containing a *building* or *buildings* to which such parking is associated, provided that:

- i) the required parking is supplied within 150 metres of the *lot* containing the *building*; and
- ii) a site plan agreement is registered on title of the lands used for the parking which commits those *parking spaces* to the related *use*.

5.4.3.2.2 **Off-Site Parking in Other Commercial, Institutional and Open Space Zones**

Notwithstanding the requirements of subsection 5.4.1.1, within a Commercial, Institutional or Open Space Zone, required motor vehicle parking is may be provided on a *lot* separate from the *lot* containing a *building* or *buildings* to which such parking is associated, provided that:

- i) the required parking is supplied within 50 metres of the *lot* containing the *building*; and

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- ii) a site plan agreement is registered on title of the lands used for the parking which commits those parking spaces to the related *use*; and
- iii) not more than 25% of the required parking is provided off-site.

5.4.3.2.3 Notwithstanding the requirements of subsection 5.4.1.1, within the area identified on Schedule “D” or any Commercial, Institutional or Open Space Zone, required motor vehicle parking may encroach onto a boulevard associated with a public road allowance provided that such parking will not interfere with pedestrian or vehicular traffic or municipal infrastructure and only where a valid encroachment agreement has been entered into with the municipality and remains in good standing.

5.4.3.4 **Shared On-Site Parking Discount**

Where two or more *uses* are located together on one *lot* and share the same on-site parking, the aggregate individual *use* requirements may be discounted on the basis of the peak parking demand for each individual *use* occurring at differing times of the day in accordance with Table 6.

Table 6 shall be applied as follows:

- i) the *lot* shall contain a *use* with evening and weekend parking demand contained in Column A and a *use* with morning and afternoon demand contained in Column B in Table 6;
- ii) the percentage discount factor is to be applied to the *use* which requires the lesser number of *parking spaces*;
- iii) the number of discounted *parking spaces* calculated for the *use* which requires the lesser number of spaces is to be subtracted from the sum of the aggregate individual *use* requirements for that lot.
- iv) where more than one *use* is eligible for a parking discount in Table 6, the parking discount may only be applied to one *use*, however where two or more *uses* fall into the same discount category, their individual parking requirements may be combined and treated as one *use* for the purposes of calculating the shared parking requirement.

GENERAL PROVISIONS**TABLE 6 - SHARED PARKING REQUIREMENTS - PERCENTAGE DISCOUNTS**

A. Uses with Evening and Weekend Parking Demand	B. Uses with Morning and Afternoon Parking Demand					
	<i>Public or private school</i>	Daycare facility	<i>medical office</i>	<i>business or professional office</i>	building supply store, home improvement store	<i>retail store / service shop</i>
place of worship / church	100%	100%	50%	100%	100%	75%
theatre or cinema, <i>place of entertainment, recreational building (indoor)</i> , amusement arcade, health club, billiard hall, bowling alley, commercial club	75%	75%	50%	100%	75%	50%
<i>hotel/motel</i>	0%	20%	20%	20%	0%	15%
<i>personal service shop</i>	0%	0%	0%	40%	0%	0%
<i>apartment dwelling house or dwelling unit in a non-residential building</i>	50%	50%	25%	50%	0%	50%

5.4.3.5 Shopping Centre

- i) Where five or more non-residential *uses* are located together on one *lot* and share the same on-site parking, the *parking space* requirement shall be the lesser of the shopping centre requirement or the aggregate individual *use* requirement.
- ii) Notwithstanding subsection 5.4.3.5 i), a retail food store which forms part of a *shopping centre* shall provide parking in accordance with Table 4 – Parking Standards.

5.4.4 LOCATION OF PARKING AREAS

- 5.4.4.1 Motor vehicle *parking areas* must be situated in accordance with the requirements set out in Table 7.

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GENERAL PROVISIONS**TABLE 7 - YARDS WHERE PARKING AREAS ARE PERMITTED**

Land Use or Zone	Yards Where Parking is Permitted	Special Conditions
residential units with individual private driveways; <i>permitted uses</i> in the C3 Zone	all yards	a maximum of 50% of a <i>front yard</i> or <i>exterior side yard</i> may be used for a parking area
other residential units	interior <i>side yard</i> rear yard	
Commercial and/or Institutional Zone	all yards	
Industrial and/or Open Space Zones	all yards	

5.4.4.2 Setbacks

Motor vehicle parking areas must be setback from *lot lines* or *street lines* in accordance with Table 8.

TABLE 8 - SETBACK REQUIREMENTS FOR PARKING AREAS

Land Use or Zone	Setback of Parking Area From:			
	Street Line	Interior Side Lot Line	Rear Lot Line	Main Building
residential units with individual driveways; <i>permitted Uses</i> in the C3 Zone	1.0 m	n/a	n/a	n/a
other residential <i>uses</i>	1.5 m	1.5 m	1.5 m	1.5 m
Commercial and/or Institutional Zone	4.5 m	1.5 m	1.5 m	1.5 m
Industrial and/or Open Space Zones	4.5 m	3.0 m	3.0 m	1.5 m

5.4.4.3 Underground Parking

Notwithstanding any provision of this By-law to the contrary, the *yard*, and *parking area* setback requirements of this By-law do not apply to underground parking structures.

5.4.5 LOADING AND QUEUE SPACE REQUIREMENTS**5.4.5.1 Loading Spaces Required**

Off-street *loading spaces* must be provided on the same *lot* as the *building* to which such *loading space* is associated at the rate set out in Table 9 for the *uses* specified.

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GENERAL PROVISIONS**TABLE 9 - LOADING SPACE REQUIREMENTS**

Land Use	Gross Floor Area (m ²)	Number of Loading Spaces Required
<i>apartment dwelling house (30+ units)</i>	n/a	1.0
<i>retirement home or nursing home</i>	3000 m ² or more	1.0
place of worship, <i>school</i> , sports arena	500-4000	1.0
	4001-15000	2.0
	greater than 15000	3.0
Office	1000-4000	1.0
	4001-10000	2.0
	10000*	3.0
retail food store	less than 1000	1.0
	1001-3500	2.0
	3501-6500	3.0
	greater than 6500	4.0
all other non-residential <i>uses</i>	400-2000	1.0
	2001-6500	2.0
	6501-12000	3.0
	greater than 12000	4.0

5.4.5.2 Passenger Loading Space Requirements

In addition to the requirements of subsection 5.4.5.1, off-street passenger loading spaces must be provided at the rate and for the uses set out in Table 10.

TABLE 10 - PASSENGER LOADING SPACE REQUIREMENTS

Land Use	Number of Passenger Loading Spaces Required
<i>apartment dwelling house (50+ units)</i>	1.0
<i>retirement home or nursing home greater than 3000 m² gross floor area</i>	1.0
<i>day care; hospital; hotel; school; eating establishment greater than 400 m² gross floor area; movie or live performance theatre</i>	1.0

5.4.5.3 Standards for Loading Spaces

All *loading spaces* must be rectangular and must comply with the provisions of Table 11 below:

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GENERAL PROVISIONS**TABLE 11 - LOADING SPACE STANDARDS**

Design Provision	Standard Loading Space	Passenger Loading Space
length	9.0 m	6.0 m
width	3.5 m	3.5 m
vertical clearance	4.5 m	n/a
location	any yard other than a <i>required front yard</i> or <i>exterior side yard</i> , except in an Industrial Zone where such <i>loading space</i> shall be setback a minimum of 20 metres from a <i>street line</i>	any yard
access driveway width	6.0 m	3.5 m

5.4.5.4 Exemption

Notwithstanding subsections 5.4.5.1 & 5.4.5.2, within the downtown area identified as having reference to this subsection on Schedule "D", no *loading space* shall be required.

5.4.5.5 Queue Space Requirements

Where any *use permitted* by this By-law offers drive-through service, off-street vehicle queue spaces leading to and from the drive-through service must be provided in accordance with Table 12.

TABLE 12 – REQUIRED VEHICLE QUEUE SPACES

Land Use	Required Number of Spaces
automated teller situated on the exterior of a <i>building</i> or free-standing	3.0 before each automatic teller
<i>automobile service station</i> and <i>public garage</i>	3.0 before each service bay 1.0 at service bay exit if a through-bay
<i>motor vehicle washing establishment</i>	5.0 before each wash bay 2.0 after each wash bay
<i>eating establishment</i>	7.0 before order board 4.0 between order board and pick-up window 2.0 after pick-up window
<i>convenience store</i>	2.0 before service window

5.4.5.6 Queue Space Standard

All required queue spaces must be provided in accordance with the following design standards:

- i) the minimum dimensions for each queue space must be 3.0 metres in width and 5.7 metres in length;
- ii) queue spaces must be arranged in a single waiting line in advance and behind the service offered in accordance with Table 12;

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- iii) a minimum inside turning radius for queue spaces forming a waiting line is 6.0 metres
- iv) queue spaces forming a waiting line must be unobstructed by parking or loading spaces and must be clearly delineated by markings or barriers;
- v) queue spaces forming a waiting line or storage space from the service offered cannot form part of a *parking aisle* providing access to a *parking space*; and
- vi) queue spaces must not abut a Residential Zone.

5.4.5.7 Loading Space and Queue Space Surface Treatment

Each *loading space*, *passenger loading space*, queue space and the driveway leading to the space shall be paved with asphalt, brick or similar material which prevents the raising of dust or loose particles and shall include provisions for drainage facilities.