

## Part 3 | General Regulations

The following regulations shall apply in all zones unless specifically stated otherwise.

### 3.1 Accessory Buildings and Structures

*Buildings and structures accessory to a permitted use* are permitted in the residential zones, commercial zones, and employment zones subject to the following regulations:

- a) *Accessory buildings or structures* shall not be erected until the *main building or use* to which it is *accessory* is established;
- b) *Accessory buildings or structures* shall be located a minimum of 1.2 m from any other *building or structure* located on the same *lot*; and,
- c) The requirements for each zone in accordance with Table 3.1.

| Table 3.1 – Accessory Building or Structure Requirements      |  |   |
|---|--|---|
|   | Residential Zones  | Commercial and Employment Zones   |
| Maximum Lot Coverage of Accessory Building(s) or Structure(s) | 10% of total lot coverage permitted  | 10% of total lot coverage permitted   |
| Minimum Front Yard Setback                                    | 6.0 m, but in no case closer to the street than the front wall of the dwelling | As required by the applicable zone  |
| Minimum Rear Yard Setback                                     | 0.9 m  | As required by the applicable zone  |
| Minimum Interior Side Yard Setback                            | 0.9 m  | As required by the applicable zone  |
| Minimum Exterior Side Yard Lot Line Setback                   | <del>As required by the applicable zone</del><br>3m                            | <del>As per required by the applicable zone</del><br><u>Minimum exterior side yard setback</u> As required by the applicable zone |
| Maximum Height  | 4.5 m  | 6.0 m   |

### 3.2 Bed and Breakfast Establishments

Where a *bed and breakfast* is permitted the following regulations shall apply:

- a) The maximum number of guest rooms for hire shall be three (3);
- b) The *bed and breakfast* shall be a *secondary use* to the *principal residential use* and shall maintain the residential character of the *dwelling*;
- c) Only one (1) sign per *bed and breakfast* is permitted subject to the regulations of the City's Sign By-law, as amended from time to time; and,
- d) The operator(s) of the *bed and breakfast* shall reside on the *lot*.

### 3.3 Farm Produce Stands

*Notwithstanding* any other regulation of this By-law, where a *farm produce stand* is permitted as an *accessory use*, the following regulations shall apply:

- a) The *use* is only permitted on the same *lot* as the *principal agricultural use*;
- b) The cumulative maximum area for all *farm produce stands* shall be 18.5 m<sup>2</sup>;
- c) Any *farm produce stand* shall be *setback* a minimum of 6.0 m from any *lot line*; and,
- d) Where parking is not permitted on adjacent *street(s)*, a *parking area* on the *lot* must be provided with a minimum of two (2) *parking spaces* as outlined in Table 4.1.

### 3.4 Garden Suite Dwellings

A *garden suite dwelling* is only permitted on *lots* zoned R1 or R2 where a Temporary Use By-law has been passed under the *Planning Act, R.S.O. 1990*, as amended, and the following regulations shall apply:

- a) A *second dwelling unit* and a *garden suite dwelling* shall not be permitted on the same *lot*; and,
- b) One (1) additional *parking space* shall be provided on the *lot* and it is permitted to be in *tandem*.

### 3.5 Highway Corridor Setbacks

*Notwithstanding* any other provision of this By-law, all *buildings* and *structures* and the following features shall be *setback* a minimum of 14.0 metres from the *highway corridor*:

- a) Any *parking space*, including a *barrier-free parking space*, *bicycle parking space*, or *stacking lane* required by this By-law;
- b) Any *loading space*;
- c) *Utilities*;
- d) *Fire routes*; and
- e) *Stormwater management facility*.

### 3.6 Home Occupations

Where a *home occupation* is permitted as an *accessory use* in a *single detached*, *semi-detached*, or *townhouse (street or stacked) dwelling* in a *residential zone* the following regulations shall apply:

- a) The *home occupation* shall be clearly subordinate to the main *residential use* and conducted wholly within the *dwelling unit*;
- b) The external appearance and the residential character of the *dwelling unit* shall not be *altered*;
- c) There shall be no exterior indication either from the appearance of the *dwelling*, including signage, or the volume of vehicular traffic that any such *home occupation* is being conducted;
- d) The maximum *gross floor area* of any *home occupation* shall not exceed 25% of the *dwelling unit area* to a maximum of 37.2 m<sup>2</sup>;
- e) The *outside storage* or display of goods, material and products is prohibited;
- f) The *home occupation* must only employ persons who reside in the said *dwelling unit*;
- g) Not more than one (1) *home occupation* is permitted in a *dwelling unit*;
- h) No *parking area/lot* shall be provided for any *home occupation*;
- i) A minimum of one (1) *parking space* shall be provided for a *home occupation*, which *parking space* may be in *tandem*; and,
- j) The following uses *shall* not be considered as *home occupations*:

- i) *Retail store;*
- ii) *Pet day care or pet grooming establishment;*
- iii) *Kennel;*
- iv) *Veterinary clinic;*
- v) *Motor vehicle repair shop/garage;*
- vi) *Light or heavy service shop; and,*
- vii) *Taxi service.*

### 3.7 Licensed Medical Marijuana Production Facilities

Where a *licensed marijuana production facility* is permitted the following regulations shall apply:

- a) *Notwithstanding any other regulation of this By-law, any building or structure or portion of land thereof used for a licensed marijuana production facility purposes shall be set back 150.0 m from any residential, institutional, or open space zone; and,*
- b) *Notwithstanding any other regulation of this By-law, open storage is prohibited accessory to a licensed marijuana production facility.*

### 3.8 Lot ~~Frontage~~ Requirements

No person shall erect any *building or structure* or use any *building, structure, or lot* unless the *lot or condominium unit* meets at least one of the following requirements:

- a) *The lot has frontage on a public street which is or will be assumed by by-law by a public authority;*
- b) *The lot has frontage on a private street which has access to a public street;*
- c) *A condominium unit, that is part of a common element condominium, fronts onto a condominium common element roadway that connects directly or indirectly with a public street; or,*
- d) Is Aan existing lot (for lot frontage and lot area) that has access to a public street.

### 3.9 Minimum Distance Separation Requirements

- a) *Notwithstanding* any other regulation of this By-law, no new *building used for human habitation* shall be *erected* unless it is located in compliance with the Minimum Distance Separation I (MDS I) Formula published by the Ontario Ministry of Agriculture, Food and Rural Affairs, as may be amended from time to time.
- b) *Notwithstanding* any other regulation of this By-law, no new or expanded livestock facility shall be *erected* or enlarged unless it is located in compliance with the Minimum Distance Separation II (MDS II) Formula published by the Ontario Ministry of Agriculture, Food and Rural Affairs, as may be amended from time to time.

### 3.10 Model Homes and Temporary Sales Trailers

- a) Model homes shall be permitted on lands which have an executed subdivision agreement [or model home agreement](#), in accordance with the agreement.
- b) A temporary sales *portable trailer* shall be permitted only on lands that have received draft plan of subdivision or final approval for the exclusive sale of *lots* or *dwellings* on land that is within the subdivision.

### 3.11 Motor Vehicle Service Stations

Where a *motor vehicle service station* is permitted the following regulations shall apply:

- a) *Notwithstanding* the *side yard* and *rear yard setbacks* of the applicable zone, the minimum *side yard* and *rear yard setback* abutting a residential use and/ or zone shall be 10.0 m, in all other cases the minimum *side yard* and *rear yard setback* shall be 7.5 m;
- b) A weather *canopy* may be *erected* over fuel pumps and fuel pump islands. A minimum *setback* of 3.0 m is required between the extent of the weather *canopy* and any *lot line*;
- c) Where the *lot* is a *corner lot*, no portion of any *structure* shall be located within any *sight triangle*; and,
- d) A 3.0 m *planting/buffer strip* shall be provided across the *frontage* and, if located on a *corner lot*, along the *exterior side yard* of the *lot*.

### 3.12 Occasional Uses

Nothing in this By-law shall prevent the occasional *use* of land for a period not exceeding thirty-six (36) months for the following *uses*:

- a) The *use* of any land or the erection or *use* of any temporary *building* or *structure* for a construction camp, work camp, tool shed, scaffold or other temporary *building* or *structure* incidental to and necessary for any construction work on the premises for which a building permit has been issued and not expired, but only for so long as such *use, building* or *structure* is necessary for such construction work which has not been finished or *abandoned*.

### 3.13 On-Farm Diversified Uses

Where an *on-farm diversified use* is permitted, the following regulations shall apply:

- a) The *on-farm diversified use* is located on the same *lot* on an active farm that is farmed for gain;
- b) The *on-farm diversified use* is an *accessory use* to the principal *agricultural use* of the property and maintains the agricultural/rural character of the area;
- c) The *on-farm diversified use* is appropriate to available rural services and *infrastructure*;
- d) The *on-farm diversified use* is permitted to occupy a maximum of 2% of the *lot* on which the *uses* are located, to a maximum of 10,000 m<sup>2</sup> (1 ha), whichever is less.

In accordance with the *Province's* Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, as amended, the area for an *on-farm diversified use* is calculated based on the following:

- i) Existing *lanes* shared between *agricultural uses* and *on-farm diversified uses* are not counted in the calculation;
- ii) The area of *existing buildings* or *structures*, built prior to April 30, 2014, the date the Provincial Policy Statement, 2014, came into effect, occupied by *on-farm diversified uses* is discounted;
- iii) The area of new *buildings, structures, setbacks, open/outside storage, landscape open space areas, berms, lanes* and *parking areas* on the *lot* are counted in the calculation at 100%;
- iv) The *gross floor area* of *buildings used* for *on-farm diversified uses* is limited to 20% of the 2% maximum *lot* area, to a maximum of 10,000 m<sup>2</sup> (1 ha), whichever is less;
- e) All required *parking* is provided on site for the *on-farm diversified use*; and,

- f) One (1) sign is permitted subject to the regulations of the City's Sign By-law, as amended from time to time.

### 3.14 Open/ Outside Storage

Where *open/ outside storage* is permitted, the following regulations shall apply:

- a) *Open/ outside storage* shall only be permitted in a *rear yard*; and,
- b) Where an *open/ outside storage* area is visible from any *street*, any *abutting lot* and/or *park*, the *open/outside storage* area shall be screened by a visual screen containing a solid *fence* or *wall* not less than 2.0 m in *height*.

### 3.15 Outdoor Patios

Where a *patio* is permitted as an *accessory use* to a permitted *use*, the following regulations shall apply:

- a) *Patios* above *grade* require a Building Permit.
- b) *Patios* that *abut* a *residential use* must have a *fence* 2.4 m in height on the *abutting lot line*;
- b) The maximum area for a *patio* shall not exceed 50% of the *net floor area* of the *principal use* to which the *patio* is *accessory*; and,
- c) *Parking spaces* shall be required for the area occupied by the *patio* as prescribed in Section 4.1.

### 3.16 Outside Display and Sales Areas

Where an *outside display and sales area* is permitted, the following regulations shall apply:

- a) The *outside display and sales area* is *accessory* to a permitted *use* on the *lot*;
- b) The *outside display and sales area* shall be located outside of an interior *side yard* and be located on areas on the *lot* that does not include: a fire route, *parking area/lot*, *driveway*, or *sight triangle*; and,
- c) The *outside display and sales area* may only locate in areas that do not comprise a fire route.

### 3.17 Pipeline Corridors

- a) *Notwithstanding* any other regulation of this By-law, no *building* or *structure* shall be located any closer than 7.0 m from the limit of the *pipeline* right-of-ways.
- b) *Notwithstanding* any other regulation of this By-law, no *accessory building* or *structure* shall be located any closer than 3.0 m from the limit of the *pipeline* right-of-ways.

### 3.18 Railway Setbacks for Sensitive Land Uses

- a) *Notwithstanding* any other regulations in this By-law, all *buildings* and *structures* containing a *dwelling*, *place of worship*, *day care*, *private school* or *public school* shall be located no closer than the following:
  - i) 30.0 m from any principal main line; and,
  - ii) 15.0 m from any principal branch line or spur lines.
- b) The *setback* requirements in a) are to be measured from the adjoining *lot lines* to the proposed *building* or *structure*; and
- c) The *setback* requirements in a) do not apply to *buildings* or *structures* accessory to a *dwelling* or *above ground* or *in-ground pools*, or *above ground* or *in-ground hot tubs*.

### 3.19 Residential Dwellings on a Lot

Except where otherwise permitted for *private street development*, *apartment buildings*, and *long-term care facilities*, only one (1) unit is permitted on a *lot* of the following *dwelling* types:

- a) *A single detached dwelling*;
- b) *A semi-detached dwelling*;
- c) *A duplex dwelling*;
- d) *A triplex dwelling*; or,
- e) *A fourplex dwelling*.

### 3.20 Seasonal Commercial Uses

Where a *seasonal commercial use* is permitted, the following regulations shall apply:

- a) The *seasonal commercial use* is *accessory* to a permitted *use* on the *lot*; and,

- b) The *seasonal commercial use* shall be located outside of a *minimum/required yard* on areas on the *lot* that does not include: a fire route, *parking area/lot*, *driveway*, or *sight triangle*.

### 3.21 Second Dwelling Units

Where a *second dwelling unit* is permitted, the following regulations apply:

- a) A maximum of one (1) *second dwelling unit* is permitted on a *lot*;
- b) A *second dwelling unit* is subject to a Building Permit being issued;
- c) A *second dwelling unit* shall have a *gross floor area* of a maximum of 40% of the *principal dwelling unit gross floor area*;
- d) One (1) additional *parking space* shall be provided on the *lot* and it is permitted to be in *tandem*;
- e) A *second dwelling unit* in an *accessory building* shall also be subject to Section 3.1, [except within the Agricultural Zone, subject to Section 9.4](#); and,
- f) A *second dwelling unit* and a *garden suite dwelling* shall not be permitted on the same *lot*.

### 3.22 Sight Triangles on Corner Lots

- a) Where *sight triangles* have not been dedicated to the City as part of the right-of-way in a plan of subdivision, *sight triangles* shall be required and shall measure 5.0 m by 5.0 m;
- b) Within the C1 zone, a *sight triangle* of 3.0 m by 3.0 m is required; and,
- c) Within the *sight triangle* only vegetation to a maximum of 0.75 m above the general elevation of the street is permitted

### 3.23 Shipping Containers, Storage Containers and Storage Trailers

Where *shipping containers, storage containers and storage trailers* are permitted, the following regulations apply:

| Table 3.2 – Commercial and Employment Zones  |   |
|--|---|
| Item   | Regulations   |
| Number of <i>shipping containers, storage containers or storage trailers</i> permitted per lot | Maximum three (3) <i>shipping containers, storage containers and/or storage trailers</i> .<br><br>No limit for a <i>self-storage establishment, transportation depot or storage container sales establishment</i> .   |
| Container/ trailer dimensions  | Maximum 3.0 m wide by 12.0 m in length and 3.0 m in <i>height</i> .   |
| Location   | Only permitted in the <i>rear yard or interior side yard</i> .<br><br>Applicable <i>yard setbacks</i> apply.<br><br>Anchoring system can encroach in required <i>yard</i> .   |
| Lot coverage   | If used as the <i>principal/ primary use</i> the maximum <i>lot coverage</i> of the applicable <i>zone</i> applies.<br><br>If used as an <i>accessory building or structure</i> the maximum <i>lot coverage</i> for <i>accessory building or structure</i> applies. |
| Location restriction   | Not permitted on any required <i>parking space, parking aisle, fire route, driveway, setback, landscape open space or planting/ buffer strip</i> .  |
| Use restriction  | Human habitation prohibited.  |
| Height restriction   | No stacking of units.   |
| Fencing  | Not permitted to be <i>used</i> as fencing.   |
| Screening  | Units shall be screened from all <i>abutting</i> properties and <i>street</i> .   |

**Table 3.3 – Residential, Agricultural and Rural Zones**

| <b>Item</b>  | <b>Regulations</b>  |
|--|---|
| Number of <i>storage containers</i> permitted per <i>lot</i> | Maximum of two <i>storage containers</i> permitted per <i>lot</i> .   |
| <i>Storage container</i> dimensions                          | Maximum 3.0 m wide by 5.0 m in length and 3.0 m in <i>height</i> .  |
| Location   | <i>Rear yard</i> only, except on a temporary basis permitted up to ninety (90) consecutive days subject to location restrictions.                         |
| <i>Lot coverage</i>  | The maximum <i>lot coverage</i> for all <i>accessory building or structures</i> applies.  |
| Location restriction   | Not permitted on any required <i>parking space, parking aisle, fire route, setback, landscape open space or planting/ buffer strip</i> .                  |
| <i>Height</i> restriction                                    | No stacking of units.   |
| Fencing  | Not permitted to be <i>used</i> as fencing.   |
| Screening  | Units shall be screened from all <i>abutting</i> properties and <i>street</i> .<br><br>Units <i>used</i> on a temporary basis do not need to be screened. |

### 3.24 Temporary Tents and/ or Stages

Where a *temporary tent and/ or stage* is permitted, the following regulations shall apply:

- a) The *temporary tent and/ or stage* is accessory to a permitted *use* on the *lot* subject to a Building Permit being issued, if required; and,
- b) The *temporary tent and/ or stage use* shall be located outside of a *minimum/required yard* on areas on the *lot* that does not include a fire route, *driveway, or loading spaces*.

### 3.25 Waste Storage Areas

The storage of waste in *storage containers* is permitted in any commercial, employment, and institutional zone and on lots with four (4) or more *dwelling units* subject to the following:

- a) A *waste storage area*, including any waste loading or unloading area shall only be located in the *rear yard, interior yard* or *exterior side yard*; and,
- b) *Storage containers* that are fully above *grade* shall be completely screened from view with a *waste enclosure*.

### 3.26 Yards to be Unobstructed

- a) Except as permitted by this section or otherwise specified by this By-law, no *building* or *structure* shall be erected or *used* in any required *yard* except for in accordance with Tables 3.2 and 3.3.

| Table 3.4 – General Structures Permitted Encroachments/Projections                             |   |  |
|--|---|--|
| Structure Type   | Yard Permitted                            | Maximum Encroachment/Projection into the Required Yard |
| Eaves and Gutters  | All                                       | Not closer than 0.5 m to any <i>lot line</i>           |
| Uncovered Stairs or Ramps to <i>First Storey</i> , Uncovered Balconies                         | All                                       | Not closer than 0.5 m to any <i>lot line</i>           |
| <i>Chimneys</i>  | All                                       | 0.6 m  |
| Fire Escapes and Exterior Staircases, Including an <i>Exterior Landing</i>                     | <i>Interior side, Exterior side, Rear</i> | 1.2 m  |
| <i>Operating Apparatus</i> such as: Central Air Conditioning Unit, Heat Pump or Pumping Filter | <i>Interior side, Exterior side, Rear</i> | Not closer than 1.2 m to any <i>lot line</i>           |
| Alcoves, Bay Windows, Bow Windows, Window Sills, Ornamental Projections, Dormers               | <i>Interior side and Exterior side</i>    | Not closer than 0.5 m to any <i>lot line</i>           |
|  | <i>Front and Rear</i>                     | 0.6 m  |

| <b>Table 3.5 Platform Structure Permitted Encroachments/ Projections<br/>(i.e. Deck, Porch, Balcony, Patio)</b> |   |   |  |
|---|---|---|--|
|   | <b>Height of Platform (1)</b>                               |   |  |
|   | <b>Height above established grade from 0.15 m to 0.6 m*</b> | <b>Height above established grade more than 0.6 m and less than 1.2 m</b> | <b>Height above established grade 1.2 m or greater</b> |
| <i>Minimum Setback from Exterior Side Lot Line to Platform Structure (2)</i>                                    | 3.0 m   | 3.0 m   | <i>Required exterior yard of main building</i>         |
| <i>Minimum Setback from Interior Side Lot Line to Platform Structure (2)</i>                                    | <i>Required interior side yard of main building</i>         |   |  |
| <i>Minimum Setback from Rear Lot Line to Platform Structure (2)</i>   | 1.8 m   | 3.0 m   | 4.5 m  |
| <i>Minimum Setback from Front Lot Line to Platform Structure (2)</i>  | 3.0 m   | 3.0 m   | <i>Required front yard of main building</i>            |

**Footnotes for Table 3.5:**

- (1) A platform structure less than 0.15 m above grade is defined as *landscape open space*.
- (2) For *private street development*, the *minimum setback* from a specified *lot line*, as set out in the Table above, will be taken as the *minimum setback* in the corresponding *yard* for the individual *condominium unit*.