



Corporation of the Town of Smiths Falls Comprehensive Zoning By-law

Council Adopted: August 22, 2022



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Prepared For:

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TOWN OF SMITHS FALLS

BY-LAW NO. 10375-2022

TO ENACT A ZONING BY-LAW FOR THE CORPORATION OF THE TOWN OF SMITHS FALLS, AND TO REPEAL BY-LAW NO. 6080-94, AS AMENDED

Whereas at the Council Meeting dated October 17, 1994, the Council of the Corporation of the Town of Smiths Falls enacted By-law No. 6080-94 as amended to adopt the Town of Smiths Falls Zoning By-law; and

Whereas under Section 34(1) of the *Planning Act, R.S.O., 1990*, as amended, zoning by-laws may be passed to prohibit and regulate the use of lands, buildings, and structures.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Smiths Falls, in accordance with the provisions of the *Planning Act, R.S.O., 1990*, as amended, enacts as follows:

Section 1: The entire Corporation of the Town of Smiths Falls, are the lands affected by this By-law.

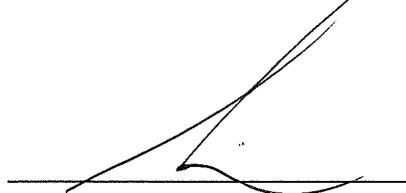
Section 2: That the Town of Smiths Falls Comprehensive Zoning By-law, consisting of text and schedules available on the Town's webpage for the Zoning By-law review at <https://www.smithsfalls.ca/business/planning/zoning-by-law-review/> as well as paper copy at the Planning Department, is hereby approved.

Section 3: That Zoning By-law No. 6080-94, as amended and all previous Comprehensive Zoning By-laws passed under Section 34 or any predecessor thereof are hereby repealed in their entirety.

Section 4: That, this By-law shall come into force and effect as provided in the *Planning Act, R.S.O. 1990*, as amended, and thereupon shall be effective from the date of its final passing.

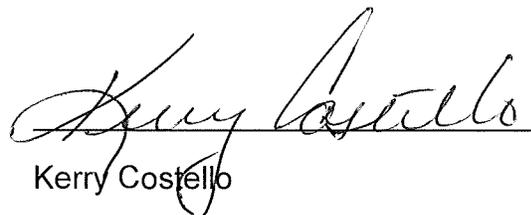
Section 6: That, the Mayor and Clerk are hereby authorized and directed to proceed with the giving notice of the passing of this By-law in accordance with the *Planning Act, R.S.O. 1990*, as amended.

Read a first, second and third time and finally passed this 22nd day of August, 2022



Shawn Pankow

Mayor



Kerry Costello

Clerk

1 Town of Smiths Falls

Comprehensive Zoning By-law No. 10375-2022

The Town of Smiths Falls Comprehensive Zoning By-law No. 10375-2022 came into effect on August 22, 2022.

This Office Consolidation has been prepared for convenience purposes only. While every effort has been made to ensure accuracy of the information contained herein, reference should be made to the original By-law and all amendments thereto for all legal purposes.

Office Consolidation Date
Reserved for future Use

The following table lists all approved amending by-laws to the Town of Smiths Falls Comprehensive Zoning By-law following August 22, 2022.

By-law No. / Adoption Date	Property Location	Text Section	Schedule Change	Purpose
Reserved for future Use				

User Guide

This User Guide is provided for information purposes to assist readers in navigating the Town of Smiths Falls Comprehensive Zoning By-law and how to apply provisions to a specific property of interest.

Structure of the Zoning By-law

The Town of Smiths Falls Comprehensive Zoning By-law is divided into a series of Sections.

1 & 2 Title, Administration and

Interpretation

These sections include the Zoning By-law's title page and outline how the Zoning By-law is administered and enforced by the Town of Smiths Falls and directs how the Zoning By-law provisions and the Zoning Schedules should be read and interpreted.

4 General Provisions

This section contains provisions that may apply to all properties in all Zones, depending on the proposed development. For example, this includes provisions for specific types of Uses which may be permitted in more than one Zone, such as Accessory Buildings and Structures, as well as other provisions such as parking requirements.

25 Zoning Schedules

This section introduces the A-Series and B-Series Zoning Schedules, which form part of the Zoning By-law, and establishes Zone boundaries and Special Overlays in the Town of Smiths Falls.

3 Definitions

This section contains definitions for key terms used in the Zoning By-law, including permitted Uses. Some definitions contain illustrations to help clarify their meaning and correct interpretation.

5 to 24 Zones

These sections establish the **19 Zones** in the Town. Each Zone section outlines permitted Uses, standards for Lots and Buildings, additional provisions which may apply only to certain Uses, and Exception Zones which establish provisions for specific properties.

26 Approvals

This section contains the signing page and date of passing of this Zoning By-law.

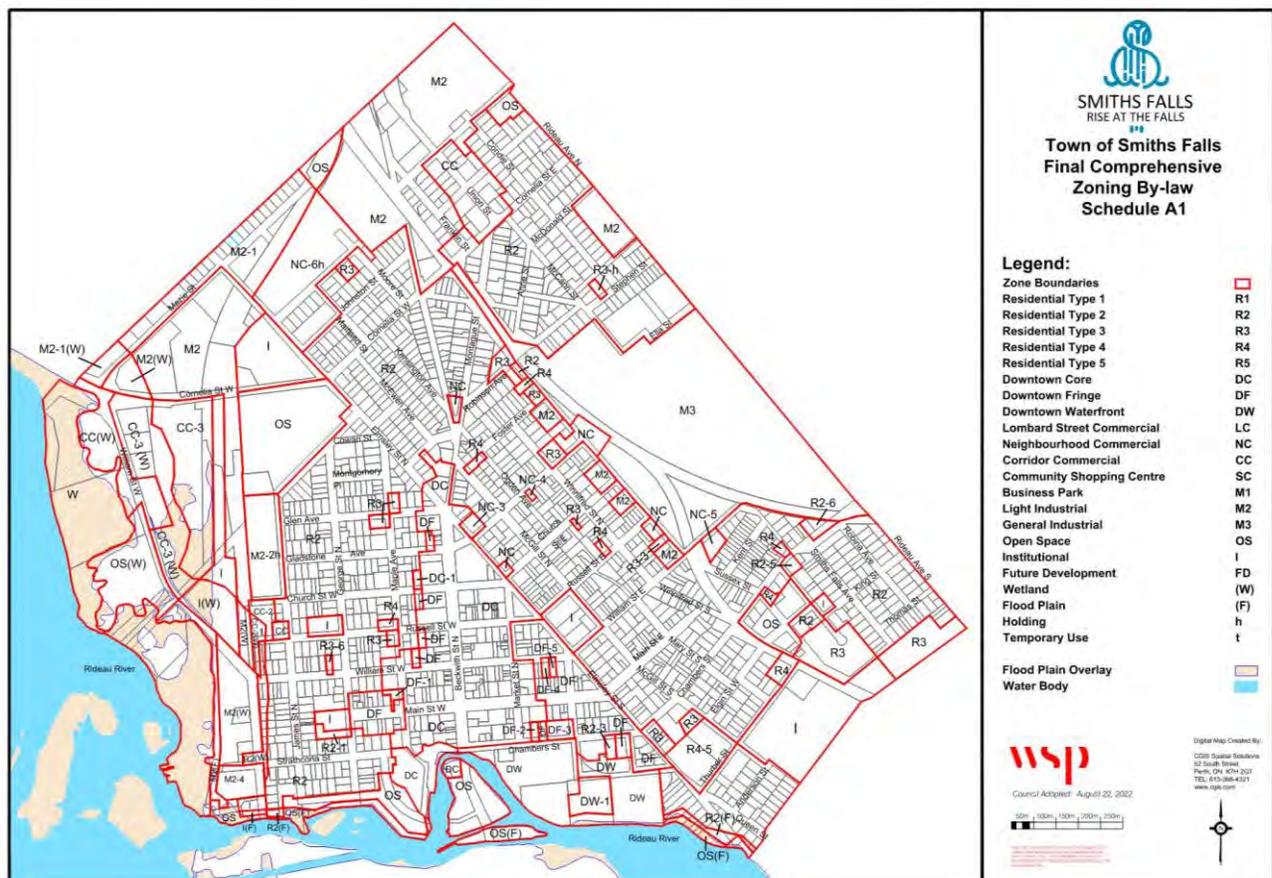
How to Determine a Property's Zoning and Identify Applicable Regulations

To determine the zoning and regulations that apply to a specific property, such as the Uses that are permitted or Lot and Building requirements, follow these steps:

Step 1: Identify the Property's Zoning on the Key Map

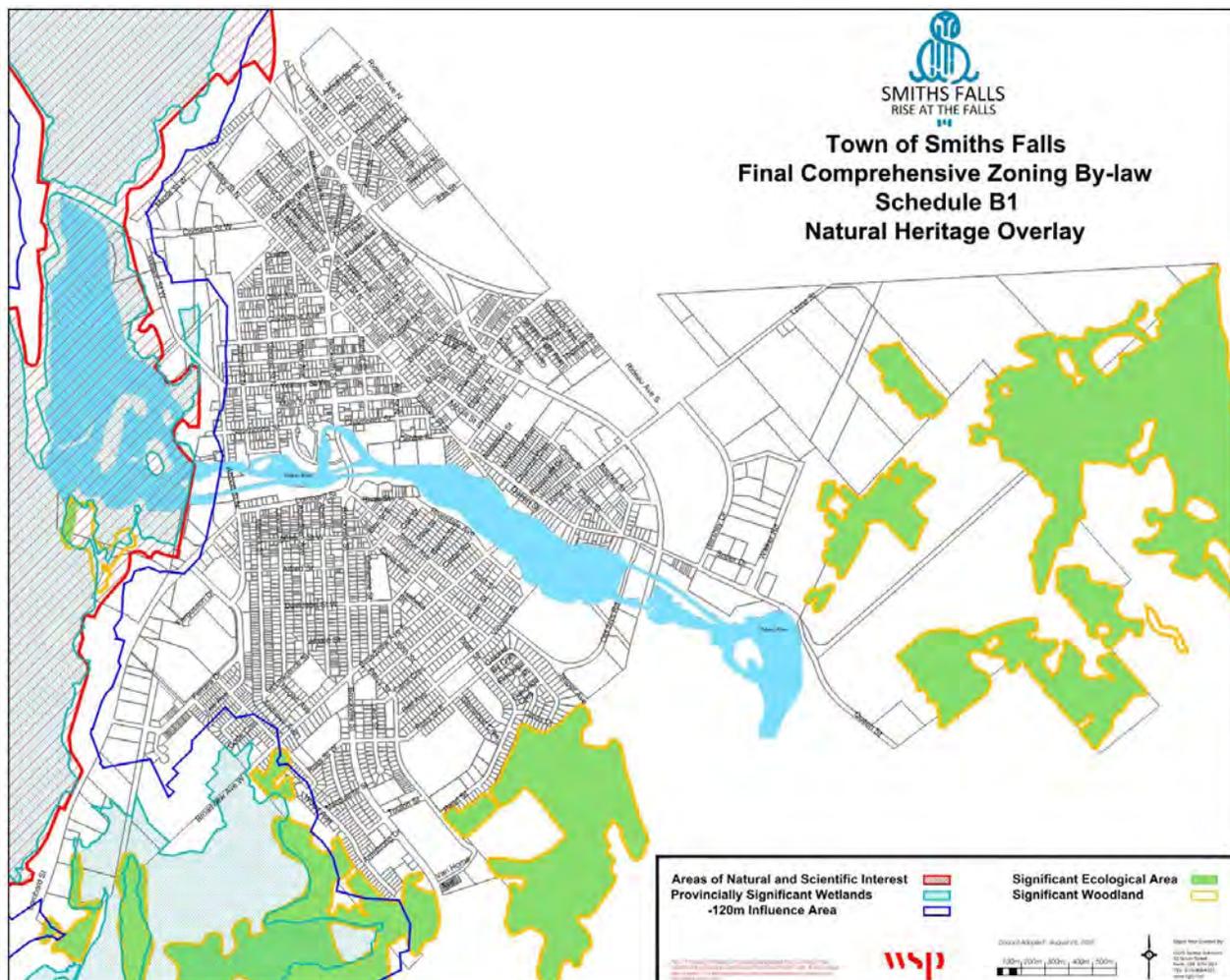
A-Series Zoning Schedules: Zones

To determine the zoning for a property, you should first identify the property of interest on the Town of Smiths Falls Key Map. The Key Map is available as a series of A-Series Schedules (i.e., A1, A2, etc.) to the Comprehensive Zoning By-law, which divide the Town geographically into four quadrants. The A-Series Schedules are also available for review through the Town's Community Map – an online and interactive mapping website prepared using ArcGIS.



B-Series Zoning Schedules: Special Overlays

Next, you should identify the property of interest on the B-Series Schedules. There are two (2) B-Series Schedules that establish Special Overlays related to Natural Heritage and Source Water Protection. Should the property of interest form part of the Special Overlays shown on the B-Series Schedules, it may be subject to specific provisions related to the Natural Heritage Overlay or Source Water Protection contained in the Zoning By-law. The B-Series Schedules are also available for review through the Town’s online Community Map.



- a) Zone boundaries are outlined in red on the Zoning Map.
- b) Each property is associated with a Zone symbol (e.g. R1, LC, OS).
- c) The Zoning Map Legend explains the Zone symbols.
- d) Some properties will have more than one Zone symbol that applies. For example, some properties may be split up into more than one Zone or may have a Zone symbol that contains a suffix.

Legend:

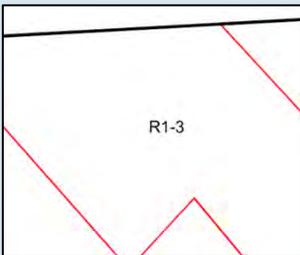
Zone Boundaries	
Lombard Street Commercial	LC
Neighbourhood Commercial	NC
Corridor Commercial	CC

The following summarizes the meaning of different types of Zone symbols:



This is a base Zone. The acronyms for each base Zone are explained in the Zoning Map legend. For example, “OS” means the Open Space Zone. Some properties in the Town are identified only with a base Zone.

Each base Zone has its own section in this Zoning By-law (**Sections 5 to 24**) which details permitted Uses, Lot and Building requirements, and additional provisions that apply to all properties within that Zone.



If a dash and a number follow the Zone symbol (e.g. “R1-3”), then the property is subject to a site-specific Exception Zone. The provisions for each individual Exception Zone are found in the Zoning By-law document under a subsection within the base Zone section (e.g., Section 6 Residential Type 1 Zone, Subsection 6.4 Exception Zones).

An Exception Zone contains provisions that override, or are in addition to, the base Zone provisions. For example, a property with the Exception Zone R1-3 will be subject to the provisions of the Residential Type One (R1) Zone, and site-specific exception provisions.



If an “h” symbol follows the Zone symbol and site-specific Exception Zone (e.g., “R5-4h”), then the property is subject to a Holding Zone. Where a Holding Zone applies, no development can occur and only legally existing Uses are permitted on the property, until such time that the holding is lifted by a by-law of Council, in accordance with the specific holding provisions for that property.

The specific holding provisions for each property with a Holding Zone are found under the Exception Zone (e.g., for the R3-2h Zone, they are found under Section 8 Residential Type 3 Zone, Subsection 8.3 Exception Zones).

Step 2: Identify Permitted Uses

Once the applicable Zone symbol for the property of interest is identified, you should refer to **Sections 5 to 24** to identify the types of Uses that are permitted on the property under the applicable Zone.

9.1.1 Residential Uses

- Apartment Dwelling
- Multiple Dwelling
- Stacked Townhouse
- Back-to-Back Townhouse

Each of the sections for the **19 Zones** in the Town (**Sections 5 to 24** in the Zoning By-law) contain a subsection entitled “Permitted Uses”, where a list of permitted Uses is provided.

If the property of interest has a site-specific Exception Zone, as identified in Step 1, the Exception Zone provisions may contain specific provisions regarding the types of Uses which are permitted or prohibited on the property.

If the property is subject to a Holding Zone, only legally existing Uses on the property are permitted until the holding provisions are fulfilled and the holding symbol is lifted by a by-law of Council.

Each of the permitted Uses have a corresponding definition in **Section 3 Definitions** of the Zoning By-law.

Step 3: Identify Lot and Building Requirements

Next, you should understand the requirements for Lots and Buildings which apply to a proposed development. Lot and Building requirements are found under the subsection “Zone Provisions” in each Zone (**Sections 5 to 24** in the Zoning By-law).

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	None
d. Minimum Exterior Side Yard	None
e. Minimum Interior Side Yard	None
f. Minimum Rear Yard	None Except where the yard abuts a Lot in a Residential zone, the minimum yard shall be 1.5 m.
g. Minimum Building Height	11 m
h. Maximum Building Height	22 m
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.

Lot and Building requirements are organized in a table under the “Zone Standards” subsection in each Zone. Different types of permitted Uses may have different requirements. Separate columns and subsections may be provided for different types of permitted Uses (e.g., residential and non-residential Uses).

Lot and Building requirements may include minimum Lot Area, minimum Lot Frontage, Yard Setbacks, maximum Building Height, and other requirements.

Lot and Building requirements may include minimum Lot Area, minimum Lot Frontage, Yard Setbacks, maximum Building Height, and other requirements.

If the property of interest has a site-specific Exception Zone, as identified in Step 1, the Exception Zone provisions may include specific Lot and Building requirements for the property, that differ from the Zone Standards.

Step 4: Determine Applicable General Provisions

All of **Section 4 General Provisions** in the Zoning By-law document should be reviewed to determine the provisions that apply

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to a particular proposed development or property. The General Provisions apply to all Zones, unless specifically stated otherwise.

For example, the General Provisions contain specific requirements for Uses, Buildings, and Structures that are Accessory to permitted Uses (e.g., detached garages, sheds). Other General Provisions include detailed requirements related to parking and loading facilities, as well as permitted projections into required Yards (such as porches, steps, bay windows, etc.).

The General Provisions also contain requirements for specific Uses, such as shipping containers and home occupations, and some are only applicable in certain situations, such as properties located within the Natural Heritage Overlay.

Step 5: Identify Other Federal or Provincial Regulations and Requirements

Depending on a proposed development or location of a property, other permits may be required from various Federal or Provincial regulatory authorities, such as the Rideau Valley Conservation Authority and Parks Canada. The Zoning By-law is not intended to replace or incorporate the regulations or approval processes of other regulatory approval authorities. Additionally, other approvals from the Town of Smiths Falls, such as the Chief Building Official, may be required to permit development.

Property owners should always consult with Town of Smiths Falls staff to determine the approval requirements for a particular project. If the provisions of the Zoning By-law cannot be met, a Minor Variance or Zoning By-law Amendment application may be required.



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2 Administration and Interpretation

2.1 Title

This By-law maybe cited as the “Town of Smiths Falls Comprehensive Zoning By-law”, the “Zoning By-law”, or By-law No. 10375-2022 of the Corporation of the Town of Smiths Falls.

2.2 Lands Subject to By-law

The provisions of this By-law shall apply to the whole of the Town of Smiths Falls, with the exception of the Gallipeau Centre lands at 361 Queen Street as they are subject to Development Permit System By-law No. 8825-2015.

2.3 Scope of this By-law

No land shall be Used and no Building or Structures shall be Erected, Altered, enlarged, or Used within the municipal boundaries of the Town of Smiths Falls except in compliance with the provisions of this By-law.

When the regulations or requirements of any Department of Government impose greater restrictions than the restrictions imposed by this By-law, then such greater restrictions shall govern.

2.4 Effective Date

This By-law shall come into effect on the day it is passed by Council, subject to the appeal provisions of the Planning Act, R.S.O. 1990, c. 13, as amended.

2.5 Repeal of By-laws

All previous By-laws and amendments thereto passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. 13, as amended, are hereby repealed, and such repeal shall come into effect upon the date this By-law comes into force.

2.6 Administration

This By-law shall be administered by the Senior Planner or by an officer or employee designated by the Corporation from time to time.

2.7 Interpretation

1. This By-law should be read in its entirety, in conjunction with the Schedules thereto, to determine the provisions which apply to a Lot, Use, Building, or Structure.
2. The provisions of this By-law shall be held to be the minimum requirements, except where the word maximum is Used, in which case the maximum requirement shall apply.
3. For the purposes of this By-law, the definitions and interpretation given herein shall govern. Where any words are not specifically defined in this By-law, they shall carry their customary meaning.

For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural, and words in the plural include the singular number; the word “shall” is mandatory; the words “used” and “occupied” shall include the words “intended” or “arranged” and “designed to be used” or “occupied.”

2.8 Buildings and Other Permits, Licenses, and Approvals

Notwithstanding the provisions of the Corporation’s Building By-law or any other By-law of the Corporation, no Building permit, occupancy permit, license, or other approval shall be issued in respect of any matter within the jurisdiction of the Town of Smiths Falls where the proposed Building, Structure or Use would be in violation of any of the provisions of this By-law.

2.9 Application for Permits

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

- i. The true dimensions of the Lot to be built upon or otherwise used.
- ii. The proposed location, Height and Dimensions of any Building, Structure or Use proposed for the Lot.
- iii. Proposed locations and dimensions of any Yards, Setback, Landscaped Open Space, off-street Parking Space, etc., required by this By-law.
- iv. The location of all existing Building or Structures on the Lot.

- v. A statement signed by the owner, disclosing the exact Use proposed for each aforesaid Building or Structure and giving all information necessary to determine if such proposed or existing Building or Structure or Use conforms to the requirements of this By-law.

2.10 Inspection

An Official delegated by the Corporation acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out their duties under this By-law.

2.11 Violations and Penalties

Every person who Uses any Lot, or Erects or Uses any Building or Structure or any part of any Lot, Building or Structure in a manner contrary to any requirement of this By-law, or who causes or permits such Use or Erection, or who violates any provisions of this By-law or causes or permits a violation, shall be guilty of an offence and subject to the provisions of Section 67 of I Planning Act, R.S.O. 1990, c. 13, as amended, and the Municipal Act, R.S.O. 1990, Chapter M. 45. Further, any person who contravenes any of the provisions of this By-law is guilty of an offence and the procedure with respect thereto, and the penalty upon conviction therefore shall be as provided for in the Provincial Offences Act, R.S.O. 1990, Chapter P. 33 and amendments thereto.

2.12 Remedies

In case any Building or Structure is to be Erected, Altered, reconstructed, extended or part thereof is to be used, or any Lot is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to The Municipal Act, RSO 1990 Section 32 of Chapter M. 45.

2.13 Validity

If any section, clause or provision of this By-law, including anything contained in the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause or provision so invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in

full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

2.14 Existing By-laws

Zoning By-law 6080-94, as amended, to regulate the Use of lands and the character, location, bulk, Height and Use of Buildings and Structures, shall be, and the same is, hereby repealed.

3 Definitions

3.1 Interpretation

- 1. For convenience purposes only, the terms defined in Section 3.1 are capitalized throughout this By-law.

3.2 Defined Terms

In this By-law, the following meanings shall apply unless the context requires otherwise.

A

Accessory	When Used to describe a Use, Building, or Structure, means a Use, Building, or Structure that is normally incidental, subordinate, and functionally associated with a main Use, Building, or Structure, is located on the same Lot therewith, and is not Used for human habitation. For example, an Accessory Building or Structure may include a detached garage or shed, a temporary garage, unenclosed and uncovered decks, in-ground and above-ground pools, steps, ramps, or similar Structures.
Additional Residential Unit	Means a self-contained Dwelling Unit with kitchen and bathroom facilities that are intended for the exclusive Use of the unit only, which is secondary to a main Dwelling Unit, and which is contained within a permitted Single-Detached Dwelling, Semi-Detached Dwelling, or Rowhouse (i.e. Townhouse) Dwelling, or which is contained in a Building or Structure that is ancillary to a permitted Single-Detached Dwelling, Semi-Detached Dwelling, or Rowhouse (i.e. Townhouse) Dwelling, and which is accessed through a private entrance outside the main Dwelling Unit or through a common hallway or stairway within the main Dwelling Unit.
Adult Entertainment	Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or

services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Agriculture Use

Means the Use of Land, Buildings or Structures for the tillage of soil, growing and harvesting of vegetables, fruits, field crops, mushrooms, berries, trees, flowers or landscaping materials; the grazing, breeding, raising, boarding or training of all kinds of livestock and poultry including but not limited to cattle, swine, sheep, deer, goats, rabbits, poultry, horses, ponies, donkeys, mules and fur bearing animals; aquaculture; apiaries; the Erection and Use of greenhouses, vine crops, wood Lots and forest tree Uses; and the packing, treating, storing and sale of produce produced on the premises and other similar Uses customarily carried on in the field of general agriculture.

**Agriculture Use,
Intensive**

Means an Agricultural Use where animals or birds are kept for grazing, breeding, raising, boarding, or training of livestock of all kinds including, but not so as to limit the generality of the foregoing, cattle, swine, sheep, goats, rabbits, poultry, fish, horses, ponies, donkeys, mules, and fur bearing animals.

**Agriculture Use,
Non-Intensive**

Means an area of land with or without Accessory Buildings or Structures which is Used primarily for the tillage of soil, growing and harvesting of vegetables, fruits, field crops, mushrooms, berries, trees, flowers or landscaping materials; the Erection and Use of greenhouses, wood lots and forest tree Uses; the packing, treating, storing, and sale of produce produced on the premises and other similar Uses customarily carried on in the field of general agriculture excluding "Agricultural Uses, Intensive" as specified herein.

**Air Treatment
Control**

Means the functional use of industrial grade multi-stage carbon filtration system, or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

Aisle	Means a portion of a Parking Lot which abuts one or more off-street Parking Spaces to which it provides access and which is not used for the parking of Vehicles.
Alter	When used in reference to a Building or part thereof, shall mean to change the Use of or to change any one or more of the external dimensions of such Building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a Lot, the word Alter means to change the Use, area, Lot Frontage or Lot Depth thereof; to change the width, Lot Depth or area of any required Yard, Landscaped Open Space or Parking Lot; or to change the location of any boundary of such Lot with respect to a Street or Lane, whether such Alteration is made by conveyance or alienation of any portion of such Lot, or otherwise. Altered and Alteration shall have corresponding meanings.
Animal Care	Means an establishment for the caring, grooming and training of Household Pets, but does not include a Kennel or an Animal Hospital.
Animal Hospital	Means a Building or part of a Building used by veterinarians, their staff and their patients to provide grooming, medical or surgical treatments or similar services and includes overnight care or accommodation.
Assembly Hall	Means a Building or part of a Building in which facilities are provided for civic, education, political, religious or social purposes and shall include a banquet hall or private club.
Attached	Means a Building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent Building or Buildings.
Attic	Means the portion of a Building situated wholly or in part within the roof and which is not a Half Storey.

Automobile Body Shop Means a Building or Structure used for complete Vehicle repairs to bodies, frames or motors and/or painting, upholstering and/or complete collision work, but shall not include a wrecking or Salvage Yard.

Automobile Gas Bar Means a Building and/or Structure including Fuel Pump Islands where gasoline and/or oil is kept for sale with or without lubricants or other items and accessories associated with the operation of Vehicles and normally sold at a gasoline pump island, but where no servicing, repair or equipping of Vehicles is carried on.

Automobile Rental Means a Parking Space or Parking Lot and/or a Building or part thereof where Vehicles, as defined by the Highway Traffic Act, are rented or kept or used for rental purposes.

Automobile Sales Means a Building and/or Lot where Vehicles, as defined by the Highway Traffic Act, are kept for display and/or sale. Permitted Accessory Uses may include those normally required for performing maintenance and repair on Vehicles, including service centre, service bays, body shop, storage of parts.

Automobile Service Station Means a Building, portion of a Building, and/or Structure where retail goods including gasoline, oil, grease, antifreeze, tires, sparkplugs, batteries, mufflers, glass, tires, and other automobile accessories may be sold incidentally and where installation, minor or running repairs essential to the operation of Vehicles are executed or performed, but shall not include any other Use otherwise defined herein.

Automobile Washing Establishment Means a Building or Structure containing facilities for washing Vehicles, either by production line methods and mechanical devices, or by a self-service operation.

B

Bar Means a Building or portion of the Building or premises other than a Restaurant, where liquor, spirits and food are stored, sold

and consumed and which is licensed under the Liquor License Act.

Basement Means a portion of a Building, which is partly underground and has at least one half of its Height above the adjacent Finished Grade.

Bed and Breakfast Means a Single-Detached Dwelling that is used to accommodate the traveling or vacationing public for gain or profit and includes provision of meals to the guest room occupants. The definition of a Bed and Breakfast shall not include a Rooming House, Hotel, Motel, or Guest House.

Building Means any Structure used or intended to be used for shelter, accommodation or enclosure of persons, animals, chattels other than a lawful boundary wall or fence.

Building, Main Means a Building designed and used for the principal Use on the Lot.

Building Line Means a line within a Lot drawn parallel to a Lot Line establishing the minimum distance between that Lot Line and any portion of a Building or Structure which may be Erected.

Building Supply Outlet Means a Building, Structure or Lot where Building supplies including lumber, siding, roofing, plumbing, electrical, heating, air conditioning and similar and contracting the construction or installation of the items.

Bulk Storage Means the Use of a Building, Structure or Lot for the purpose of storing and selling coal, fuel, oil, chemicals and similar items, but does not include any manufacturing, assembling or processing Uses.

C

Campground Shall mean an establishment providing temporary accommodation for tents, tent trailers, travel trailers,

	Recreational Vehicles and campers, but does not include a residential Mobile Home Park.
Cannabis	Shall mean the cannabis plant and anything referred to in Schedule 1 of the Cannabis Act, S.C. 2018, c. 16, as amended.
Cannabis Production and Processing Facility	Shall mean lands, Buildings or Structures Used for producing, processing, testing, destroying, packaging and/or shipping of Cannabis authorized by a federally issued license or registration.
Carport	Means a partially enclosed Structure, which is attached to the main Building and which is used primarily for the storage of one or more Vehicles and in which no business, occupation or service is conducted for profit.
Catering Establishment	Means a Building where food and drink are prepared in large quantities for consumption off-site or in relation to an Assembly Hall Use, but does not include Restaurant or Take-Out Restaurant.
Chief Building Official	Means an officer, employee, or designate of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, the Zoning By-law and similar By-laws of the Corporation.
Communication Facility	Means any Use of land that is primarily for telecommunications in accordance with Industry Canada regulations.
Community Centre	Means any Land, Building and/or Structure that is Used for community activities, whether used for commercial purposes or not, the control of which is vested in the Corporation, a local board or agent thereof.
Conservation	Means the maintenance of the natural environment for the purposes of preservation, research, observation and outdoor Uses such as hiking and fishing. This definition may include the construction and Use of trail shelters and other similar Structures ancillary to the foregoing Uses, but shall not include a Dwelling, a Mobile Home or tourist Vehicle.

Convenience Store Means a Building or part of a Building wherein convenience commercial goods and food, which serve the day-to-day needs of the public are offered for sale and may include an Automobile Gas Bar.

Corporation Means the Corporation of the Town of Smiths Falls.

Court Means an open space enclosed wholly or partly by Buildings.

Custom Workshop Means a Building or part of a Building where individual custom productions such as drapes, venetian blinds, handmade leather goods, orthopaedic and prosthetic appliances, weaving, awnings and other non-offensive, non-dangerous custom production is carried out but does not include any factory production or any shop or factory otherwise classified or defined in this By-law. A Custom Workshop may include an Accessory retail Use up to 30% of the Gross Leasable Floor Area.

D

Day Care Centre A licensed facility where temporary care, protection, and supervision are provided to children or adults, but which shall not include overnight accommodation.

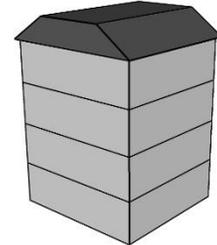
Driveway Means the area between the traveled portion of a Street and a Parking Lot used by Vehicles for access to and from the Parking Lot, but does not include a lane. A Driveway on a residential Lot may be used as one (1) or more Parking Spaces, excluding the required Parking Spaces, where specifically permitted herein.

Dry Cleaning Plant Means a Building or part of a Building in which the business of dry cleaning, dry dyeing, cleaning or pressing of clothing articles or fabric goods is conducted.

Dwelling Means a Building containing one (1) or more Dwelling Units occupied or intended to be occupied by one or more households and exclude a Hotel, Motel, Recreational Vehicle, or tent.

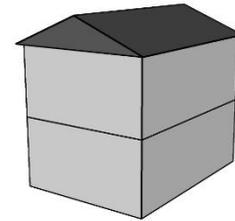
Dwelling, Accessory Means a Dwelling Unit which is Accessory to a permitted non-residential Use.

Dwelling, Apartment Means a Building containing a number of Dwelling Units which share a common entrance from the Street level wherein the occupants have the right to Use common halls and/or stairs and/or elevators and Yards.



Dwelling, Converted Means a Single-Detached Dwelling existing at the time of the passing of this By-law which because of its size and design, has been or can be converted, by partition and the addition of sanitary facilities and cooking facilities, into more than one (1) Dwelling Unit.

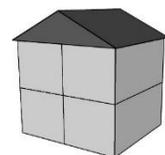
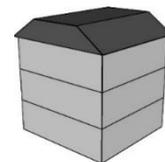
Dwelling, Duplex Means the whole of a Dwelling divided horizontally into two (2) Dwelling Units, each of which has an independent entrance either directly from the outside or through a common vestibule.



Dwelling, Mobile (See Mobile Home)

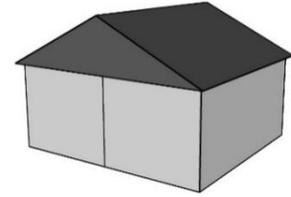
Dwelling, Modular Means a Single-Detached Dwelling built in two (2) or more major pieces and transported to the site where it is assembled as opposed to a Dwelling built entirely on site. For the purposes of this By-law, a Modular Dwelling shall be deemed to be a Single-Detached Dwelling, including a Dwelling made of Shipping Containers.

Dwelling, Multiple Means a Dwelling containing three (3) or more Dwelling Units and not otherwise defined herein. For the purposes of this By-law, a triplex, quadruplex, etc. would be deemed a Multiple Dwelling.



Dwelling, Semi-Detached

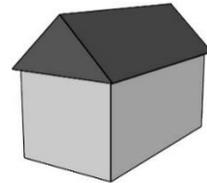
Means one (1) of a pair of attached Dwelling Units divided vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.

**Dwelling, Rowhouse**

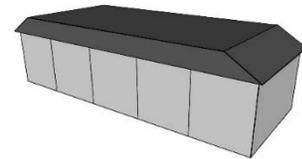
(See Dwelling, Townhouse)

Dwelling, Single-Detached

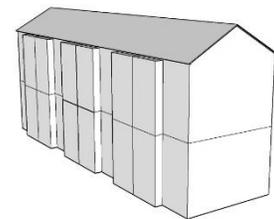
Means a completely detached Dwelling Unit.

**Dwelling, Townhouse**

Means one of a group of three (3) or more attached Dwelling Units divided vertically, each of which has independent entrances to front and rear privacy Yards.

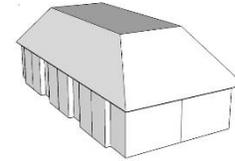


1. **Street Townhouse:** Means a Townhouse Dwelling that abuts and is oriented towards a public Street.
2. **Planned Unit Townhouse:** Means a Townhouse Dwelling, which forms part of a group of such Dwellings and which shares common facilities with the other Dwellings such as access to a public Street or private Laneway, parking facilities, open space, recreation areas.
3. **Stacked Townhouse:** Means a Townhouse Dwelling that is configured in a manner that a portion of the Dwelling Units are located entirely or partially above the other portion of the Dwelling Units, and where each Dwelling Unit has its own independent external access outside. A Stacked Townhouse is not required to provide access to a Rear Yard. A Stacked Townhouse cannot be a Back-to-Back Townhouse.



4. **Back-to-Back Townhouse:**

Means a Townhouse Dwelling that is configured in a manner that the attached dwelling units are separated by a common vertical wall



above grade, including a common rear wall and where each Dwelling Unit has an independent external entrance from the outside that is accessed through the front or side of the Dwelling Unit. A Back-to-Back Townhouse cannot be a Stacked Townhouse.

Dwelling Unit

Means a suite of two (2) or more Habitable Rooms designed for Use and occupied by not more than one household in which separate kitchen and sanitary facilities are provided for the exclusive Use of the household, with a private entrance from outside the Building or from common hallway or stairway inside the Building.

**Dwelling Unit,
Bachelor**

Means a Dwelling Unit consisting of one (1) bathroom and not more than two (2) Habitable Rooms providing therein living, dining sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

E

Electric Vehicle

Means a Vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle’s batteries. An Electric Vehicle shall include a battery electric vehicle or a plug-in hybrid Electric vehicle.

**Electric Vehicle
Supply Equipment**

Means a complete assembly consisting of conductors, connectors, devices, apparatus, and fitting installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an Electric Vehicle.

Equestrian	Means a commercial Use where horses are housed or boarded, and are available for riding, riding instruction, agility training, or jumping.
Erect	Means to build, construct, reconstruct, Alter and relocate and without limitation the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filing or draining, structurally Altering any existing Building or Structure by an addition, deletion, enlargement or extension, and any other work which requires a Building permit.
Established Building Line	Means the average distance between the street and the Building Line for all main Buildings on the same side of the street and within the same block existing.
Existing	Means existing as of the date of passing of this By-law.

F

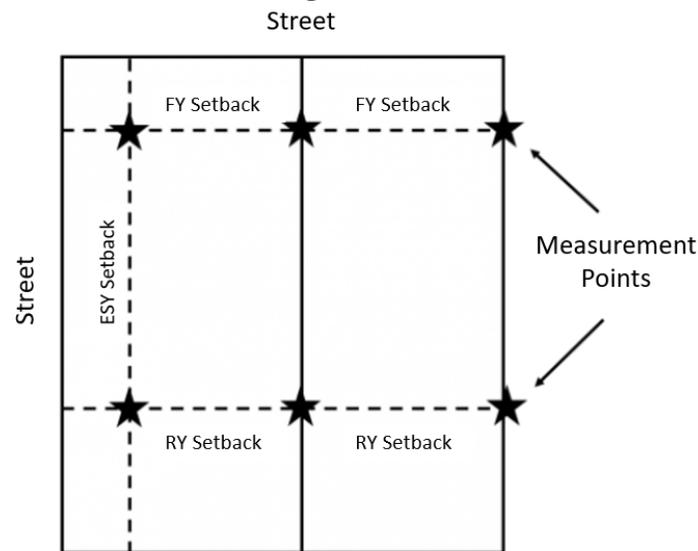
Farm Implement Sales	Means a Building and/or Lot where Lot new and/or used farm implements are kept for display, sale and/or rental. Accessory Uses may include those normally required for performing maintenance on and repair of farm implements, including service centers, service bays, storage of farm implement parts.
Farm Supply Sales	Means a Building wherein farm supplies which may include feed. Seed, agricultural chemicals, hardware, farm working apparel, or similar goods may be sold or rented.
Fill Line	Means the line which delineates the boundary of the lands which are subject to Ontario Regulation 174/06 (Development Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations).
Flood Line	Means the line which delineates 1:100-year flood boundary.

Flood Plain	Means the area below the flood line as determined by the 100-year flood as established by the Conservation Authority and/or Ontario Regulations 166.
Financial Institution	Means a Building or part of a Building in which a bank, trust company, finance company or investment company is located.
Floor Space Index	Means the ratio of the Gross Leasable Floor Area to the Lot Area.
Food Production Facility	Means a Building or portion of a Building where food is processed, manufactured, packaged, and prepared for distribution and/or commercial sale. This definition may include a bakery, dairy, among others. Food Production Facility may be a use as part of a Retail Food Store.
Fuel Pump Island	Means a Structure on a Lot of an Automobile Gas Bar, Retail Propane/Natural Gas Transfer Facility or Automobile Service Station where the fuel pumps are located.
Funeral Home	Means a Building used for the preparation of deceased human bodies for interment or cremation, for the viewing of deceased persons, and for the holding of funeral services.
G	
Garage, Private	Means an Accessory Building or part of a residential Building located on a residential Lot intended for the storage of one (1) or more Vehicles, in which no business, occupation or service is conducted for profit. Freestanding garages are Accessory Buildings.
Garage Parking	Means an enclosed Structure used for the temporary parking of more than four (4) Vehicles available for Public Use either for free, for compensation or as an accommodation to customers.
Golf Course	Means a public or private area operated for the purpose of playing golf and includes a par 3 Golf Course, but does not include driving ranges, miniature courses and similar Uses.

Grade, Average

Existing Average Grade shall be calculated prior to any site alteration and based on the average of grade elevations:

- a) For an Interior Lot, at the intersection of Interior Side Lot Lines with the minimum required Front Yard and Rear Yard setbacks of the Zone in which the Lot is located; and
- b) For a Corner Lot, at the intersection of the interior side Lot Line with the minimum required Front Yard and Rear Yard setbacks of the zone in which the lot is located, and at the intersection of an Exterior Side Yard setback with the minimum required Front Yard (FY) and Rear Yard (RY) setbacks of the Zone in which the lot is located.

Illustration of Average Grade Measurement**Grade, Finished**

Means:

- a) When used with reference to a Building, the average elevation of the finished surface of the ground where it meets the exterior of the Building;
- b) When used with reference to a Structure, shall mean the average elevation surrounding such Structure; and
- c) When used with reference to a street, road or highway, means the elevation of the street, road or highway

established by the Corporation or other designated authority.

Greenhouse

Means a Building and/or Structure used for the growing of flowers, vegetables, shrubs, trees and similar vegetation including any part of a Building, Structure or area used for the sale of garden supplies and landscaping materials which may include seeds, bulbs, tools etc. This definition shall not include any premises for the growing of mushrooms.

Gross Leasable Floor Area

Means the total of the area of the floor or floors above and below grade, measured from the exterior faces of the exterior walls of a Building or Structure at the level of each floor but shall not include any part of the Building or Structure:

1. Below grade which is used for heating equipment, storage, laundry facilities and similar Accessory Uses; and
2. Used for the storage or parking of Vehicles.

Group Home

Means a single housekeeping unit in a residential Dwelling in which three (3) to ten (10) persons (excluding supervisory staff or the receiving of family) live together under responsible supervision consistent with the requirements of its residents, and which is licensed and/or approved under provincial statutes and in compliance with municipal by-laws. A group home does not include correctional facilities or a Shelter.

Guest House

Means a Single-Detached Dwelling and/or a Building which is Accessory to a Single-Detached Dwelling in which more than two (2) guest rooms are used to accommodate the traveling public for gain or profit, and may include the provision of meals to the guest room occupants.

H

Habitable Room

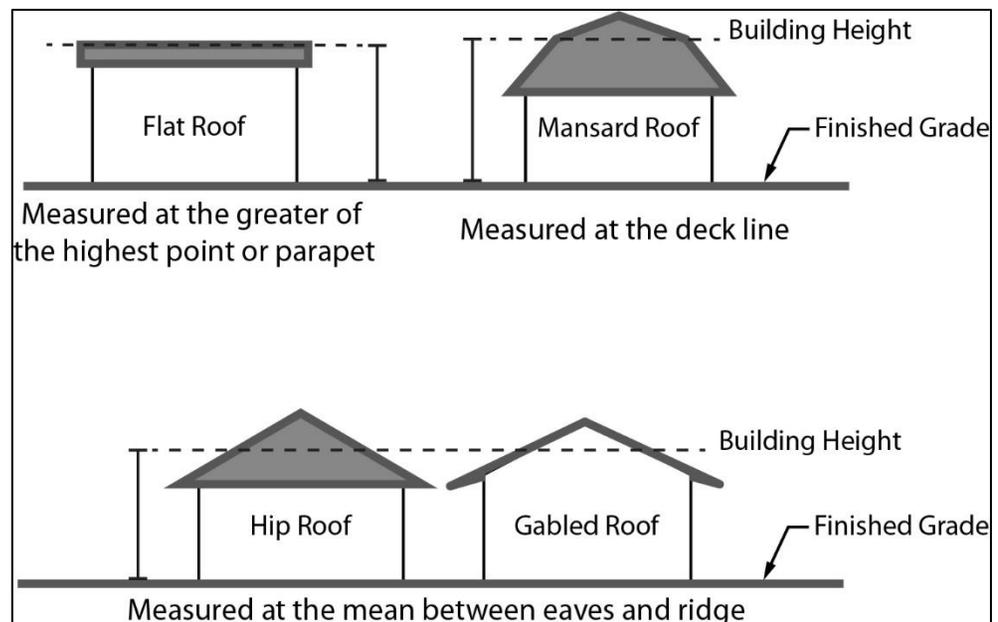
Means a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a bathroom, den, library or enclosed sunroom but shall not include any porch, verandah, unfinished attic or unfinished Basement.

Height

Means the vertical distance of a Building between the Finished Grade and the:

1. highest point of the roof surface or the parapet, whichever is greater of a flat roof; or
2. deck line of a mansard roof; or
3. mean level between eaves and ridge of a gabled, hip, gambrel, cottage or other type of pitched roof.

Illustration of Building Height:



Highway

(See Street)

Home for the Aged

Means a building established by the Corporation under the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c. H.13.

Home Occupation	Means an occupation conducted for gain or profit as an Accessory Use entirely within a Dwelling Unit operated by an individual within the household residing in said Dwelling Unit.
Hospital	A Public or Private Institution as defined under the Public Hospitals Act, R.S.O. 1990, c. P.40 or under the Private Hospitals Act, R.S.O. 1990, C. P.24.
Hotel	Means a Building or part of a Building, or two (2) or more disconnected or detached Buildings, designed to be Used for the purpose of catering to the needs of the traveling or vacationing public by furnishing sleeping accommodation with or without kitchens. With or without supplying food, and may include meeting rooms, banquet hall, public dining rooms and any premises licensed under the Liquor Licence Act and shall include a Motel or motor inn but shall not include Rooming Houses, Bars, Guest Houses, Bed and Breakfasts, or Apartment Dwellings.
Household	The collection of all individuals residing in a Dwelling Unit.
I	
Improved Amenity Area	Means an indoor or outdoor area provided on a Lot for the personal, shared, or communal Use of residents in a Building or Buildings that provides value-added features such as, but not limited to, an equipped children’s play area, gazebos, rooftop gardens, terraces, furnished common area and fitness equipment for all ages.
Industrial Mall	Means a Building divided into a number of self-contained units which are occupied by Uses which are permitted Uses in an Industrial Zone.
Institution	Means a Building or part of a Building used for a non-commercial purpose by an organized body or society for promoting a particular purpose. This definition may include a library, college,

museum, university, or similar Use, but shall not include an Assembly Hall.

Intake Protection Zone Means the vulnerable area delineated around surface water intakes for municipal drinking water systems.

J

Reserved for future Use

K

Kennel Means a Building or a Structure or part of a Building or Structure used for the breeding, raising and/or boarding of dogs or cats for personal Use or for profit or gain and may or may not be registered with an association incorporated under the Animal Pedigree Act (Canada). A Kennel does not include an Animal Hospital or Animal Care.

L

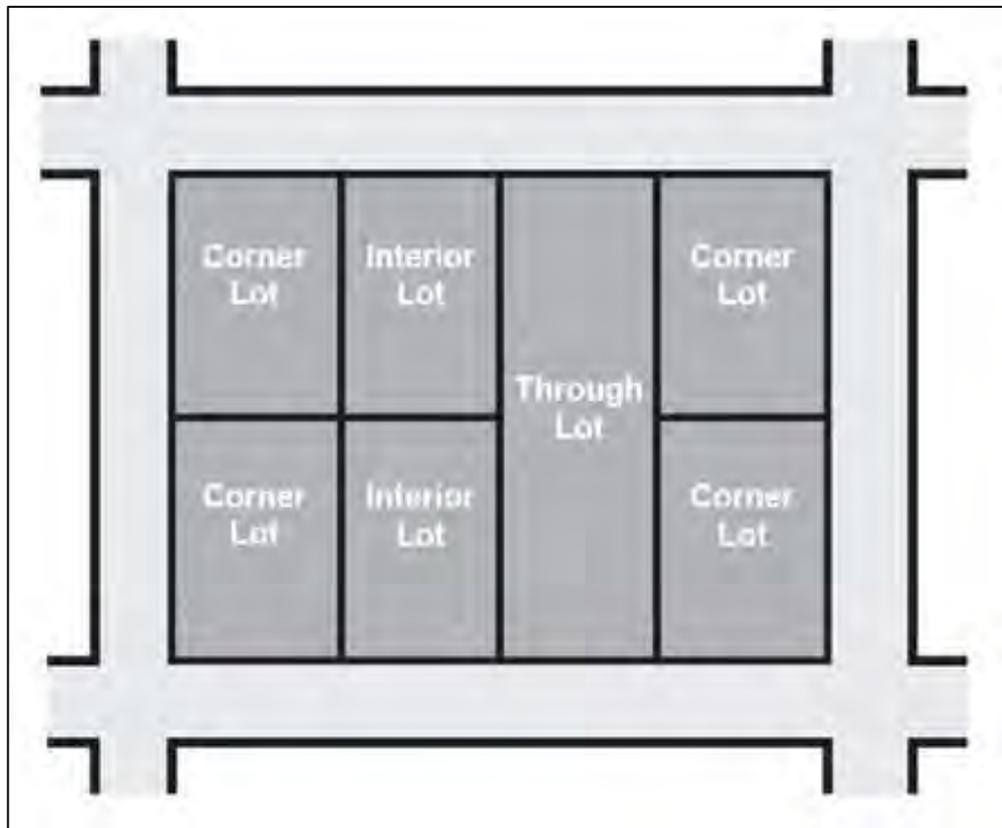
Landscape Strip Means a landscaped area located inside and along the perimeter of a Lot intended to screen or separate land Uses either from one another or from a Public Street.

Landscaped Open Space Means the area of a Lot comprised of lawn with or without natural or ornamental shrubs, flowers and trees including space occupied by fences, paths, walks, courts, patios and pools, but shall not include Parking Lots, Aisles, Driveways, Loading Spaces, curbs, or ramps for Vehicles.

Lane Means a public thoroughfare which affords a secondary means of access to abutting Lots but which is not a street as herein defined and which is not intended for general traffic circulation.

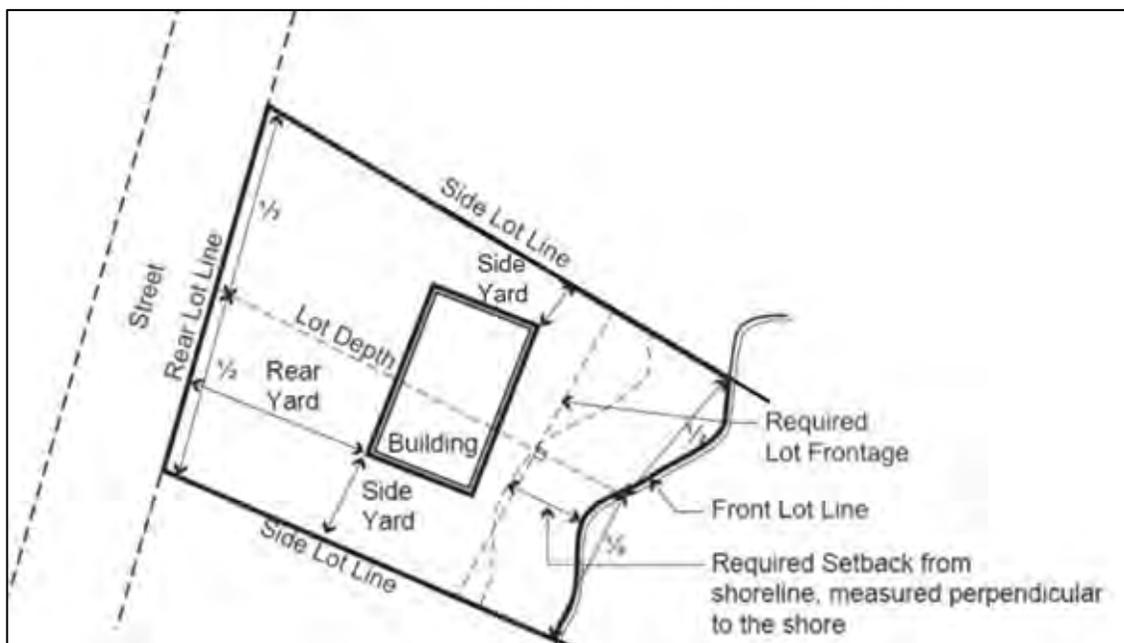
- Laundromat** Means a Building or part of a Building containing two (2) or more washing and/or self-service dry-cleaning machines and/or dryers for Use by the public which is operated for profit or gain.
- Loading Space** Means a space or bay located on a Lot which is Used or intended to be used for the temporary parking of any Vehicle while loading or unloading goods, merchandise, animals or materials used in connection with the Use of the Lot or any Building thereon.
- Lot** Means any parcel of land describe in a registered deed or shown in a registered plan of subdivision, which is capable of being legally conveyed from one (1) party to another and including any parts of the parcel which are subject to right of easement.

Illustration of Lot types:



Lot, Corner	Means Lot situated at the intersection of and abutting two (2) streets which intersect at an angle of less than 135 degrees.
Lot, Interior	Means a Lot situated between adjacent Lots and abutting one (1) street.
Lot, Irregular	Means a Lot abutting more than one (1) street, but not otherwise defined herein.
Lot, Through	Means a Lot bounded on two (2) opposite sides by streets provided, however, that if any Lot qualifies as being both a Corner Lot and a Through Lot as herein defined, such Lot shall be conclusively deemed to be a Corner Lot.
Lot, Waterfront	Means a Lot with one (1) Lot Line abutting the shoreline of a Waterbody.

Illustration of a Waterfront Lot



Lot Area	Means the total horizontal area within the Lot Lines of a Lot. For calculating the minimum required Lot Area, areas covered by a Waterbody or watercourse, or areas located within the mapped floodplain or areas between the top and toe of the cliffs or
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embankment having a slope of 30 degrees or more from the horizontal shall not be included.

Lot Coverage

Means the percentage of the Lot Area covered by Buildings or Structures exclusive of canopies, balconies and overhanging eaves.

Lot Depth

Means the horizontal distance between the Front Lot Line and the Rear Lot Line.

For the purpose of determining the required minimum Lot Depth for Lots which are not square or rectangular the following shall apply:

1. If the Front and Rear Lot Lines are not parallel, the Lot Depth shall be measured by joining the mid-point of the Front Lot Line with mid-point of the Rear Lot Line, or with the apex of the triangle formed by the Side Lot Lines.
2. In the case of a Corner Lot with a curved Front Lot Line, the Lot Depth shall be measured by first extending the Front and Exterior Side Lot Lines as tangents, from the point where each Lot Line begins to curve, in a straight line to their point of intersection. The Lot Depth shall then be measure by joining the mid-point of the tangent to the Front Lot Line and the mid-point of the Rear Lot Line, or with the apex of the triangle formed by the Side Lot Lines.

Lot Frontage

Means the width of the Lot between the Side Lot Lines at the Front Lot Line.

For the purpose of determining the minimum required Lot Frontage in the case of a Lot without parallel Side Lot Lines and/or without a straight Front Lot Line, the following shall apply:

1. the minimum required Lot Frontage shall be measured as the length of the Front Lot Line; or
2. the minimum required Lot Frontage shall be measured as the horizontal distance between the Side Lot Lines,

measured between the points on the Side Lot Lines equal to the Front Yard requirement for the Use in the Zone in which the Lot is located.

Lot Line Means the boundary of a Lot and the vertical projection thereof.

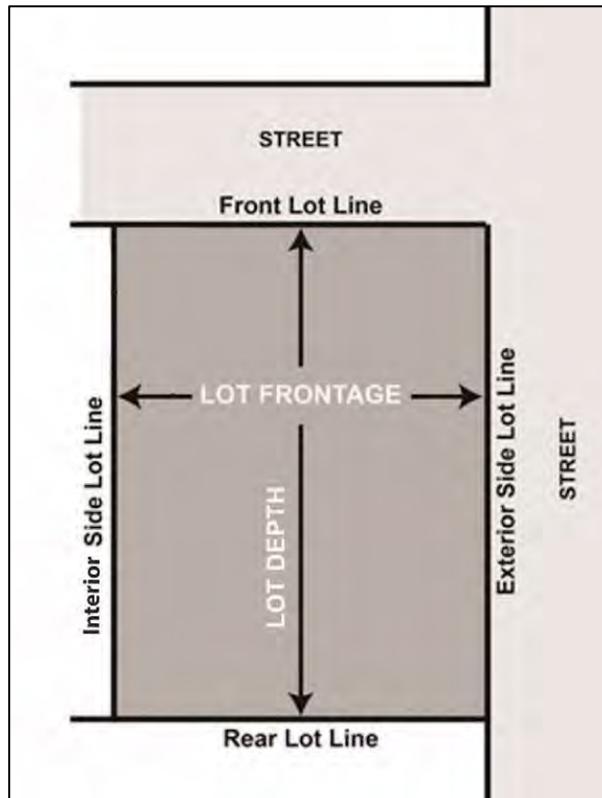
Lot Line, Exterior Side Means a Lot Line located between the Front and Rear Lot Lines and abutting a street, and is also one (1) line of a corner Sight Triangle. In the case of a Lot with at least three (3) Lot Lines that abut a street, the Lot shall have at least two (2) Exterior Side Lot Lines.

Lot Line, Front Means the line dividing the Lot from the street.

For the purpose of determining the Front Lot Line the following shall apply:

1. In the case of a Corner Lot, the shorter Lot Line abutting a street shall be deemed to be the Front Lot Line and the longer line abutting a street shall be deemed an Exterior Lot Line. If such Lot Lines are of equal length, the Front Lot Line shall be deemed to be the Lot Line as established by Building orientation and/or main access.
2. In the case of a Through Lot, the shorter of the lines, dividing the Lot from the streets shall be deemed the Front Lot Line. If such lines are of equal length, the Front Lot Line shall be deemed to be the line as established by Building orientation and/or main access.
3. In the case of a Waterfront Lot, the shoreline shall be the Front Lot Line.
4. In the case of an irregular Lot, the shortest Lot Line abutting a street shall be deemed the Front Lot Line, or the Front Lot Line shall be deemed to be the Lot Line as established by Building orientation and/or main access.

Illustration of Lot Lines:



Lot Line, Interior Side Means a Lot Line other than a Front, Rear, or Exterior Side Lot Line.

Lot Line, Rear Means the Lot Line furthest from and opposite to the Front Lot Line. In the case of a Lot having four (4) or more Lot Lines, the Lot Line farthest from and opposite to the Front Lot Line shall be deemed to be the Rear Lot Line. In the case of a Lot having three (3) Lot Lines, there shall be deemed to be no Rear Lot Line.

Lot Line, Side Means the Lot Line or lines other than a Front Lot Line or Rear Lot Line.

M

Main Wall Means the exterior front, side or rear wall of a Building, and all structural members essential to the support of a fully or partially

enclosed space or roof, where such members are nearer to a Lot Line than the said exterior wall.

Manufacturing Means a Building or part of a Building Used for the production, processing, fabrication, and/or assembly of goods occurs in which raw materials and other goods are transformed into finished products, which are then transported to an end user.

Marina Means a Lot, Building or Structure containing docking facilities, boat launching ramps, lifts, boathouses, and located on a Waterbody, where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provoked, and may include a Building or Structure for the sale of accessories or refreshments, but does not include a Marine Facility.

Marine Facility Means an Accessory Building or Structure located on a Waterfront Lot which is used to take a boat into or out of a Waterbody, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any Building Used for human habitation or a Marina.

Medical Clinic Means a Building or part of a Building used solely by physicians, dentists, and/or drugless practitioners, their staff and their patients, for the purpose of consultation, diagnosis and office treatment.

Mobile Home Means any Dwelling to be made mobile and constructed or manufactured to provide a permanent residence, but does not include a Modular Dwelling, Motor Home, travel trailer, tent trailer, or any other trailer otherwise designed.

Mobile Home Park An area of land Used for the parking of Mobile Homes to be Used as Dwelling Units and includes all Accessory Buildings necessary for the operation of the park.

Motel (See Hotel)

Motor Home Means a self-propelled Vehicle designed for living, sleeping and eating accommodation.

Municipality (See Corporation)

N

Non-Complying Means an existing Use, Building or Structure which does not comply with, or fails to meet, one (1) or more of the required Zone provisions of this By-law.

Non-Conforming With reference to a Use, means an existing Use which is not permitted Use in the Zone in which the said Use is located, and with reference to a Lot means a Lot having less than the minimum Lot Area and/or frontage required in the Zone in which such Lot is located.

Normal High Water Mark Means the mark made by the action of water under natural conditions or as established by a legal survey.

Nursing Home Means a Building containing multiple rooms with common access to eating, bathrooms, recreation and leisure areas for temporary occupancy by those requiring nursing or other care where meals, personal care, nursing services and medical care and treatment are provided or made available, as defined under the Long-Term Care Homes Act, 2007, S.O. 2007, c. 8.

O

Obnoxious Use Means a Use which is offensive by reason of its emission of odor, smoke, dust, noise, gas, fumes, vibration, or refuse matter, and a Use which under The Health, Protection and Promotion Act or its regulations is likely to have an adverse affect on the health of any person.

Office Means a Building or part of a Building used or intended to be used in the performance and transaction of business including professional, administrative, and clerical activities.

Open Storage Area Means a Lot or part of a Lot used for the storage of equipment, goods or materials excluding a Parking Lot and a Salvage Yard.

Outdoor Furnace Means a solid fuel burning appliance located outside of the Building it serves and is Used for the space heating of Buildings and/or domestic water heating and does not include the incineration of waste as defined in Section 25 of the Environmental Protection Act, c.E.19., R.S.O. 1990.

P

Park, Private Means a recreational area other than a Public Park.

Park, Public Means a recreational area consisting largely of open space, which may include a playground, swimming pool, arena, play field, or similar Use, owned or controlled by the Corporation, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and includes a Community Centre as herein defined.

Parking Lot Means an area, Building or Structure used for the temporary parking of Vehicles and includes any related Aisles and Parking Spaces but shall not include any part of a Driveway, a street or lane. This definition may include a parking garage.

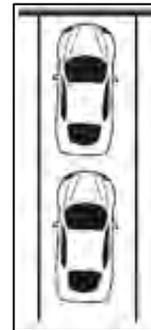
Parking Space Means a rectangular area of a Parking Lot or parking garage used for the temporary parking or storage of one (1) Vehicle, exclusive of any Aisles or Driveways.

Parking Space, Barrier Free Means a rectangular area designated and Used for the temporary parking of one (1) Vehicle Used by a person with a disability, exclusive of any Aisles or Driveways.

Parking Space, Bicycle Means an area Used for parking or storing a bicycle.

Parking Space, Tandem

Means a Parking Space that can only be accessed by passing through another Parking Space from a street, lane or Driveway.



Patio, Outdoor Commercial

Means an outdoor semi-enclosed area Used on a seasonal basis in association with a Restaurant or Bar where seating accommodation is provided and where meals and/or refreshments are served to the public for consumption on the premise. For the purpose of this By-law, the patio shall be deemed to be part of the associated use.

Patio, Residential

Means a patio located wholly on private residential property owned or leased by the owner.

Pet, Household

Means a domestic animal in which is tamed and commonly kept in a Dwelling Unit either with free movement or confined in an appropriate container but shall not include a domesticated animal which is commonly kept, bred, raised or grazed as an Agricultural Use, an animal requiring unusual care beyond normal feeding or grooming, or an animal representing a hazard or danger to the health, safety or well being of the occupants of the Dwelling Unit.

Pharmacy

Means a Retail Store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and non-prescription medicines.

Place of Entertainment

Means a cinema or other theatre, arena, auditorium, indoor children’s playground/trampoline park, public hall, dance hall, pool hall, arcade or music hall, but does not include a Place of Recreation.

Place of Recreation

Means a Lot, Building or Structure in which various forms of recreation are provided for a fee, including amusement parks,

mini-golf courses, bowling alley, curling rink and ice or roller rink, but does not include a Place of Entertainment.

Place of Worship Means a place or Building that is Used for the regular assembly of persons for the practice of religious worship, services or rites. Permitted Accessory Uses may include a hall, rectory, Sunday school, and licensed Day Care Centre.

Printing Shop Means a Building or part of a Building used for job printing or the publication of periodical or otherwise written material.

Private Amenity Area Means a privacy Yard immediately adjacent to the Dwelling Unit which serves the household and with access controlled by the Household of the Dwelling Unit.

Propane/Compressed Natural Gas Transfer and Handling Facility **Retail Propane/Compressed Natural Gas Transfer Facility** means a Transfer Facility that is licensed under the provisions of The Technical Standards and Safety Act, from which petroleum fuels (propane and compressed natural gas) may be retailed to the public.

Consumer Outlet Propane/Compressed Natural Gas Transfer Facility means a non-retail Transfer Facility licensed under The Technical Standards and Safety Act, where vehicles, appliances and other equipment of the business or establishment to which the said facility belongs are refueled with petroleum fuels (propane and natural gas).

Gas Cylinder Handling Facility means a facility licensed under The Technical Standards and Safety Act, where bottled gases are handled and stored in cylinders and where there is no element of transfer.

Bulk Propane Storage Depot means a propane Transfer Facility that has an aggregate capacity in excess of 7571 liters (2000 U.S. gallons).

Public Authority Means any School Board, Public Utility Commission, Transportation Commission, Public Library Board, Board of Parks

Management, Board of Health, Board of Commissioners of Police, or other board of commission or committee of local authority established or exercising any power or authority under any general or special Statute of Ontario with respect to any of the affairs or purposes of a municipality or a portion thereof and includes any committee or local authority established by By-law of the Corporation.

Public Use Means the Use of any land, Building or Structure by a Public Authority.

Public Utility Means the Use of any land, Building or Structure by a telephone, gas or railway company or similar company for the purposes of installing and maintaining public utilities.

Q

Reserved for future Use

R

Railway Spur Means a rail line located on private right of-way which provides access from a rail line to the private property.

Recreational Vehicle Means a Vehicle designed for Use principally for recreation such as a travel trailer, tent trailer, Motor Home, boat, boat trailer, snowmobile, all terrain vehicle.

Recreational Vehicle Sales Means a Building and/or Lot where Recreational Vehicles are kept for display and/or sale. Permitted Accessory Uses may include those normally required for performing maintenance and repair such as a service centre, service bays, body shop, storage of parts.

Religious Institution Means a Building or part of a Building Used for a bible institute, reading room, religious library, religious school, monastery,

convent, religious retreat or similar Use but shall not include a Place of Worship.

Restaurant, Full-Service Means a Building or part of a Building where food is offered for sale to the public for consumption on or off the premises and includes Restaurants, cafes, cafeterias, ice cream parlors, tea or lunch rooms, dairy bars, coffee shops, Bars and pubs which may be licensed under I Liquor License Act. This definition does not include a Take-Out Restaurant, although a take-out counter within a Restaurant is permitted.

Restaurant, Drive-through Means a Building or Structure used to take and fulfill orders for food to the public while remaining in their Vehicle.

Restaurant, Take-Out Means a Restaurant, that does not have seating capacity for diners and instead sells food or refreshments to the public solely for consumption off the premises.

Retail, Accessory Means an Accessory Use located in a Building, part of a Building, or Structure in which goods, wares, merchandise, articles or things are offered or kept for sale at retail.

Retail Food Store Means a Retail Store where primarily food, as well as other personal, convenience and household items and services are provided for sale directly to the public and includes Uses such as a supermarket, butcher shop, bake shop, produce outlet, or delicatessen.

Retail Store Means a Building or part of a Building in which goods, wares, merchandise, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.

Right-of-Way (See Street)

Right-of-Way, Private Means land owned by an individual other than a Public Authority over which Right-of-Way has been granted to other for access purposes.

Risk Management Official Means the Risk Management Official appointed by the Corporation under Part IV of the Clean Water Act.

Road (See Street)

Rooming House Means a Single-Detached Dwelling in which rooms are rented individually, with or without meals, for three (3) or more individuals but does not include any other establishment otherwise defined or classified herein. This definition includes a boarding house.

S

Salvage Yard Means a Lot, Building and/or Structure where goods, wares, merchandise articles or things are stored, handled processed for further Use and/or are abandoned, and includes a junk Yard, a scrap metal Yard, an automobile wrecking Yard or premises, but does not include a waste disposal site.

Sample and Showroom Means a Building or part of a Building Used for the display of samples, patterns or other goods for viewing by the consumer and where purchase orders are taken, provided that articles from the display are not taken from the premises. This definition does not include big box, new format or other similar commercial Uses where the general public has access, either freely, by membership or by some other form of control. Such Uses shall be considered a Retail Store within the meaning of this By-law.

School Means a place of primary, elementary, or secondary education which has a body of teachers and students on the premises, and that provides instruction in primary, elementary or secondary courses of study authorized or approved by the Minister of Education for Ontario, and also includes adult education and English or French as a second language programs.

School, Commercial Means a school conducted for hire or gain, other than a private, academic, religious or philanthropic school, and includes a dancing studio, music studio, yoga studio, art school, golf school,

a school of calisthenics, a business or trade school and any other such specialized school conducted for hire or gain.

Screening

Means the Use of landscaping, walls, fences, hedges and/or other ornamental fixtures to shield the view from one Lot to another.

Self-Storage Facility

Means land and Buildings Used, rented, or leased to persons for the storage of household and personal items and /or commercial goods and materials, including but not limited to Vehicles and Recreational Vehicles. Does not include any business operation or Use associated with the storage.

Seniors’ Residence

Means a Building or part of a Building comprised of Dwelling Units which is operated primarily for senior citizens, and which may include communal areas and areas for the servicing of meals and ancillary health care, social support, counselling, personal service, and recreational services to serve residents. The definition of Senior’s Residence shall not include a long-term care facility, or Rooming House.

Service, Industrial or Business

Means a Building or part of a Building Used primarily to provide goods or services to other industries and businesses and, without limiting the generality of the foregoing, includes such Uses as courier, equipment and supply, data processing, research, training, rental and similar Uses not otherwise defined herein.

Service Shop, Personal

Means a Building or part of a Building wherein a personal service is provided. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, an artist’s or photographic studio or similar Use.

Service Shop, Repair

Means a Building a part of a Building wherein articles, goods or materials such as appliances, furniture, office equipment or similar items may be repaired or serviced. This definition shall not include any manufacturing operation, Building or Structure used for the service or repair of Vehicles, or a Custom Workshop.

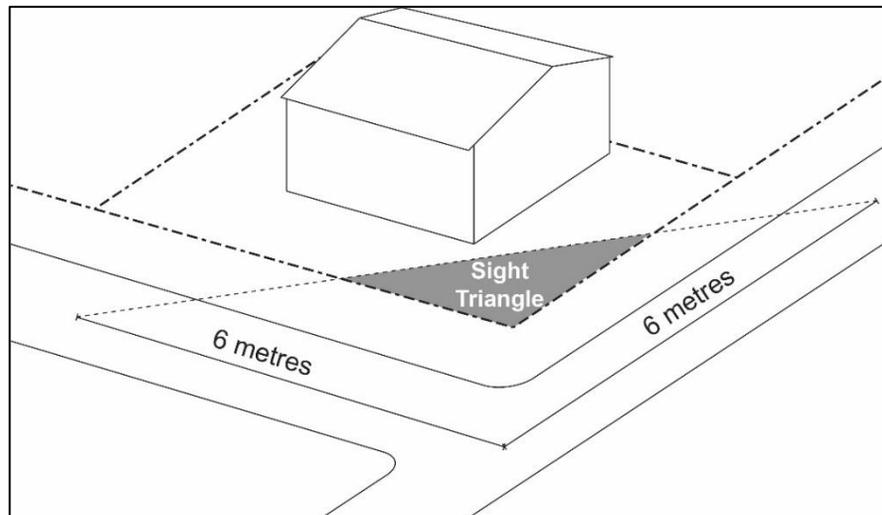
Setback	<p>Means:</p> <ol style="list-style-type: none">1. The least horizontal distance between a Lot Line and the nearest part of the foundation of a Building or Structure on the Lot; or2. With reference to a street, the least horizontal dimension between the centre line of a street allowance, measured at right angles to such centre line, and the nearest part of any excavation, the foundation of a Building or Structure on the Lot, or the nearest Open Storage Use on the Lot; or3. With reference to a Waterbody or watercourse, the least horizontal distance between the stable top of bank and/or Normal High Water Mark, where the bank is not clearly defined, of the Waterbody or watercourse and the nearest part of the foundation of a Building or a Structure.
Shipping Container	<p>Means any unlicensed trailer (whether or not mounted on wheels, and without a cab above or below grade), seacan, shipping container, storage container, cargo box, and storage trailer designed or once servicing as commercial shipping or cargo containers, and typically consisting of four sides locked together to form a steel box. For the purposes of this definition, unlicensed trailer means a trailer which does not have a valid permit under the Highway Traffic Act, R.S.O 1990, c. H.8., as amended.</p>
Shelter	<p>Means an establishment providing temporary accommodation to individuals who are in immediate need of emergency accommodation and food, and may include ancillary health care, counselling and social support services.</p>
Shopping Centre	<p>Means a group of non-residential Uses which are planned, designed, developed, and managed in one (1) or more Buildings by a single owner or tenant or group of owners or tenants, and includes Parking Lots and landscaped areas. For the purpose of</p>

this By-law, a commercial plaza, power centre, discount centre or other similar centre shall be considered a Shopping Centre.

Sight Triangle

Means the triangular space formed by intersecting street lines and a line drawn from a point in one street line to a point on the other street line, each such point being 6 m from the point of intersection of the street lines measured along the street lines. Where the two (2) street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

Illustration of a Sight Triangle:



Small-Scale Brewery

Means a Building that is Used for the self-contained manufacturing, production, storage, packaging, bottling, canning, and shipping of no more than 50,000 hectolitres of beer per year authorized by a license issued by the Alcohol and Gaming Commission of Ontario, and which does not result in nuisances or emissions (e.g. noise, odour, fumes, vibrations). A Small-Scale Brewery may include the following Accessory Uses:

1. An area where products made on the premises and products made off the premises, or by in collaboration with another brewery, winery, or distillery, are sold to the general public for consumption on the premises;

- 2. A private hospitality area for tasting and dining where products made on the premises are provided to private groups;
 - 3. Special events and tours; and
- An office for administration purposes.

Small-Scale Distillery Means a Building that is Used for the manufacturing, production, storage, packaging, bottling, canning, and shipping of no more than 50,000 hectolitres of liquor per year authorized by a license issued by the Alcohol and Gaming Commission of Ontario, and which does not result in nuisances and emissions (e.g. noise, odour, fumes, vibrations). A small-scale distillery may include the following Accessory Uses:

- 1. An area where products made on the premises and products made off the premises, or by in collaboration with another brewery, winery, or distillery, are sold to the general public for consumption on the premises;
 - 2. A private hospitality area for tasting and dining where products made on the premises are provided to private groups;
 - 3. Special events and tours; and
- An office for administration purposes.

Source Water Protection Area Means the lands and waters that have been defined under Ontario Regulation 284/07 as the “study area” for an assessment report and a source protection plan under the Clean Water Act, S.O. 2006, c. 22.

Stock-in-Trade Means the equipment, merchandise, or materials necessary to be used in a trade or business.

Storey Means that portion of a Building between any floor and the floor, ceiling or roof next above, provided that any portion of a Building partly below grade level shall not be deemed a Storey unless its ceiling is at least 2 m above grade. Provided also that

any portion of a Storey exceeding 4.5 m in Height shall be deemed an additional Storey for each 4.5 m or fraction thereof of such excess.

Storey, Half	Means the portion of a Building located wholly or partly within a sloping roof, having a floor area of not less than one-half or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1 m in height and a ceiling with a minimum height of 2.5 m over an area equal to at least 50% of its floor area.
Street, Open Public	Means an open thoroughfare under the jurisdiction of the Corporation, the County, the Province of Ontario, or the government of Canada. This definition includes highways, roads, Right-of-Ways and road allowances, but excludes lanes and Private Right-of-Ways.
Street, Unopened Public	Means a street which has not been assumed by the Corporation as a public thoroughfare.
Street, Private	Means a street, not otherwise defined herein, which is described on a plan of subdivision or on a plan of condominium which is not under the jurisdiction of the Corporation, but which has been approved by the Corporation.
Street Line	Means a limit of the street allowance and is the dividing line between a Lot and a street.
Structure	Means anything constructed or Erected, either permanent or temporary, the Use of which requires location on the ground or attachment to something having location on the ground. By the purposes of this By-law, a fence not exceeding 2 m in height shall be deemed not be a Structure.
Swimming Pool, Private	Means a body of water, permanently located outdoors on privately owned property, contained by artificial means, and used and maintained for the purpose of swimming, wading, diving or bathing.

T

Taxi Station Means a Building or Structure or a part thereof used in whole or in part to dispatch taxis and includes adjacent land used to store Vehicles used for the taxi business.

Transportation Terminal Means a Lot, Building or Structure where trucks or tractor trailer, are kept for hire, rent or lease, are stored, or parked for remuneration, or from which trucks or tractor trailers are dispatched for hire as common carriers and where Buildings or Structures used for storage or distribution of goods, wares and merchandise.

U

Use Means the purpose for which any land, Building, Structure or combination thereof is designed, arranged, occupied, or maintained.

Use, Accessory Means a Use customarily incidental and subordinate to the main Use or main Building and located on the same Lot with such main Use or main Building.

V

Vehicle Means any carriage, conveyance or other device capable of being propelled, driven or drawn by any kind of power, including motor power or wind power, and includes, without limiting the generality of the foregoing, a passenger automobile, truck, trailer, boat, aircraft, tractor, farm implement, mobile crane or shovel, snowmobile, motorcycle, but does not include a pedal bicycle, canoe, kayak or any other device powered solely by means of human effort, or a Mobile Home.

W

Wall, Exterior Side	Means the main exterior wall of a residential Building that is not a permitted projection or an attached private garage or carport, which is located closest to the Exterior Side Lot Line.
Wall, Front	Means the main exterior wall of a residential Building that is not a permitted projection or an attached private garage or carport, which is located closest to the Front Lot Line.
Warehouse	Means a Building or portion of a Building used only for the bulk storage of goods, wares, merchandise, or materials and includes Accessory office space, space but does not include bulk storage.
Waterbody	Means any bay, lake, river, canal as well as any floodplain associated with the Waterbody, but excluding a drainage or irrigation channel and any other Watercourse.
Watercourse	Means any depression 1 m or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year, having a bed and well-defined banks, as well as any floodplain associated with the Watercourse. Creeks, streams and other similar Watercourses are included in this definition.
Wellhead Protection Area (WHPA)	Means the vulnerable area around a wellhead where land Use activities have the potential to affect the quality of water that flows into the well, as identified in the Clean Water Act.
Wetland	Means lands that are seasonally or permanently covered by shallow water as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils (soils in which there is an abundance of moisture) and has favoured the dominance of either hydrophytic or water tolerant plants. The four (4) major categories of wetlands are swamps, marshes, bogs, and fens.
Wholesale Outlet	Means a Building used or intended to be Used for the bulk storage and sale of quantities of goods, commodities, wares,

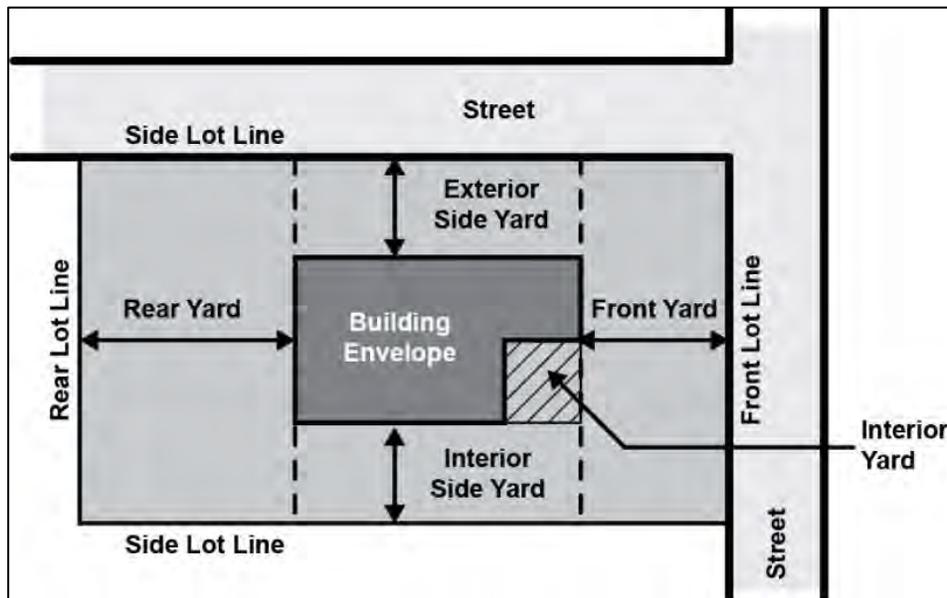
merchandise, or materials for resale or business Use. Associated activities such as re-packaging, assembling of components and similar activities are also permitted as part of the Wholesale Outlet Use, provided that such activities are clearly Accessory to the main Use. This definition does not include big box, new format or other similar commercial Uses where the general public has access, either freely, by membership or by some other form of control. Such Uses shall be considered a Retail Store within the meaning of this By-law.

X

Reserved for future Use

Y

Illustration of Yards:



Yard

Means a space, appurtenant to a Building or Structure, located on the same Lot as the Building or Structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such Buildings, Accessory Uses, or Structures as are specifically permitted elsewhere in this By-law.

Yard, Front	Means the space extending across the full width of a Lot between the Front Lot Line and the nearest part of any Main Wall of any Building or Structure on the Lot.
Yard, Exterior Side	Means a Side Yard immediately adjacent to a Public Street.
Yard, Interior side	Means a Side Yard other than an Exterior Side Yard.
Yard, Rear	Means the space extending across the full width of a Lot between the Rear Lot Line and the nearest part of any rear wall of any main Building or Structure on the Lot. In the case of a Lot with no Rear Lot Line, the Rear Yard shall be the area between the point where the Side Lot Lines meet and the nearest part of any wall of any main Building or Structure on the Lot.
Yard, Required	Means the minimum Yard required by the provisions of this By-law.
Yard, Side	Means the space extending from the Front Yard to the Rear Yard and from the Side Lot Line to the nearest part of any side wall of any main Building or Structure on the Lot.
Z	
Zone	Means a designated area of land shown on the Schedules to this By-law to which certain provisions and restrictions apply.



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4 General Provisions

4.1 Accessory Uses

4.1.1 General

Where this By-law provides that a Lot may be used or a Building or Structure may be Erected or used for a purpose. That purpose shall include any Accessory Buildings, Structures or Uses but shall not include any:

1. occupation for gain or profit except as specifically permitted in this By-law; or
 2. Building used for human habitation except as specifically permitted in this By-law.
-

4.1.2 Location

Accessory Buildings and Structures shall be permitted in any Zone but shall not be built closer:

1. to the Front Lot Line or the Exterior Side Lot Line than the minimum distance required by this By-law for the main Building on the Lot, except as otherwise indicated in 4.1.2(c);
 2. to a street line than the main Building;
 3. than 1.2 m to any interior or Rear Lot Line except that:
 - a. common Semi-Detached garages may be centred on the mutual Side Lot Line; and
 - b. where a Lot Line abuts a public Lane, an Accessory Building may be located not less than 0.5 m from the said Lane.
-

4.1.3 Height

Accessory Buildings or Structures shall not exceed 4.5 m in height in Residential Zones, and 6 m in height in all other Zones.

4.1.4 Lot Coverage

The total Lot Coverage of all Accessory Buildings or Structures, inclusive of swimming pools (subject to Section 4.1.6), porches and decks higher than 0.6 m above grade, shall not exceed:

1. 10% of the Lot Area in Residential Zones; and
2. 15% of the Lot Area in all other Zones.

4.1.5 Separation

No Accessory Building or Structure shall be located closer than 2 m to the main Building.

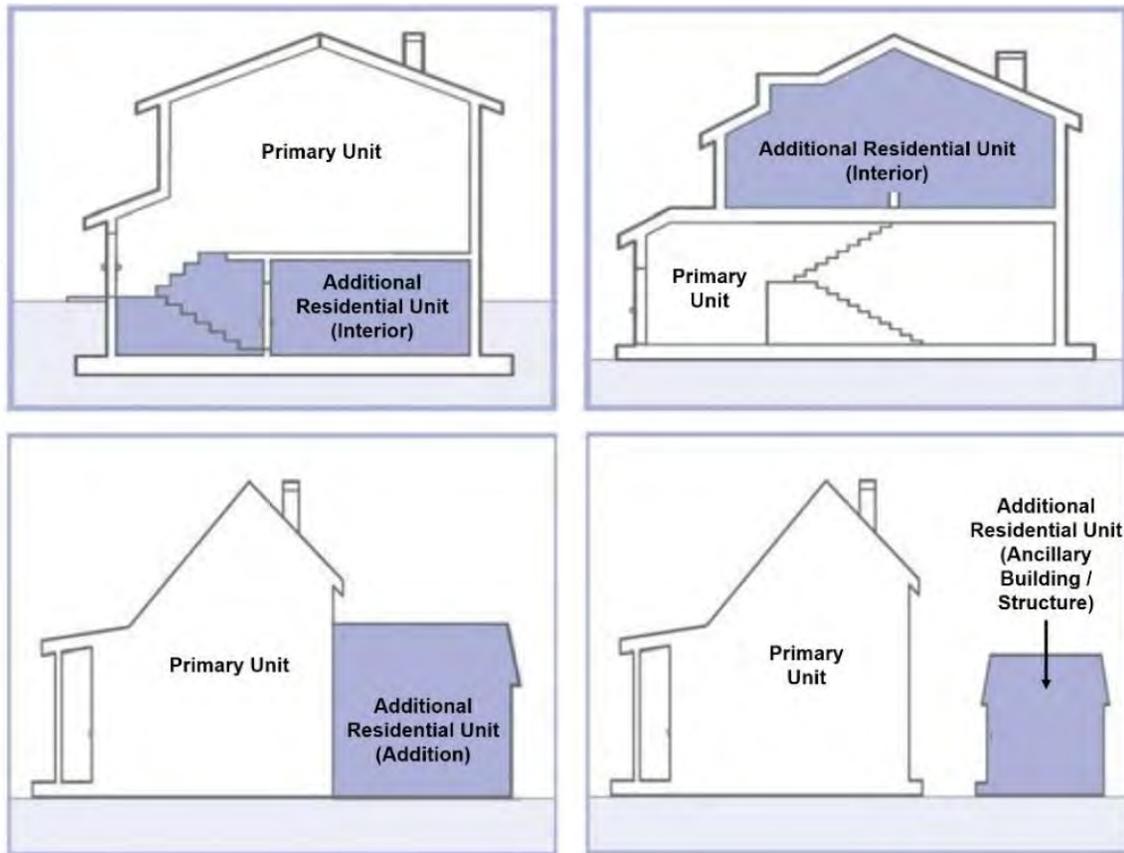
4.1.6 Accessory Retail

Agriculture Uses, Food Production Facility, and a Custom Workshop may include an Accessory Retail Use up to 30% of the Gross Leasable Floor Area.

4.1.7 Private Swimming Pools

1. A Private Swimming Pool may be Erected and used in any Yard provided that no part of such swimming pool, including operational equipment, shall be located closer than 1.5 m to any Rear or Interior Side Lot Line, 6 m to any Front or Exterior Side Lot Line, and 1.2 m to the main Building.
2. A Private Swimming Pool shall not be considered part of the Lot Coverage provided no part of the pool or its supporting Structure protrudes more than 1.4 m above the Finished Grade.
3. Access to the pool shall be controlled pursuant to the requirements of the Corporation's Pools By-law, as amended from time to time.
4. A Private Swimming Pool shall be set back at least 30 m from the Normal High Water Mark of a Waterbody.

4.2 Additional Residential Units



Source: Ministry of Municipal Affairs and Housing, 2019

1. A maximum of one (1) Additional Residential Unit, as herein defined, shall be a permitted Use within all Single-Detached Dwellings, Semi-Detached Dwellings, and Rowhouse (i.e. Townhouse) Dwellings, except in Accessory Dwellings.
2. A maximum of one (1) Additional Residential Unit, as herein defined, shall be a permitted Use in a Building or Structure ancillary to and located on the same Lot as a Single-Detached Dwelling, Semi-Detached Dwelling, and Rowhouse (i.e. Townhouse) Dwelling.
3. An Additional Residential Unit shall not be established prior to obtaining a Building permit, and shall comply with the Ontario Building Code and Fire Code, as amended.
4. An Additional Residential Unit shall only be permitted where adequate public or private water and sanitary sewer services are available.

5. Where an Additional Residential Unit is established in a Building or Structure that is ancillary to a permitted Single-Detached Dwelling, Semi-Detached Dwelling, or Rowhouse (i.e. Townhouse) Dwelling, the following provisions shall apply:
 - a. The Additional Residential Unit shall be subject to the minimum setback and maximum Building Height provisions for the main Dwelling Unit in the Zone in which it is located, except that:
 - i. The Additional Residential Unit shall have a minimum Rear Yard setback of 1.2 m; and
 - ii. An Additional Residential Unit in a Building or Structure that is ancillary to a permitted Semi-Detached Dwelling or Rowhouse (i.e. Townhouse) Dwelling shall have a minimum setback of 1.2 m from an Interior Side Yard Lot Line for the main Dwelling.
 - b. An Additional Residential Unit in a Building or Structure that is ancillary to a permitted interior Rowhouse (i.e. Townhouse) Dwelling Unit shall require a separate access (i.e. not through the main Dwelling), either through an access easement or a rear lane;
 - c. An Additional Residential Unit is not exempt from the maximum Lot Coverage provisions of the Zone in which it is located.
6. An Additional Residential Unit shall not exceed 40% of the gross floor area of the main Dwelling Unit, except that when located in a Basement, it may occupy the whole of the Basement, provided that the finished storey of such Basement is located above the level of the sanitary or storm sewer serving the Building or Structure in which such Basement is located, or provided that the Additional Residential Unit is serviced by an appropriate sewage pumping facility.
7. The establishment of an Additional Residential Unit shall not result in any new doorway entrance added to the front wall of the main Dwelling Unit.
8. Provision (7) of this Section does not:
 - a. Prohibit an internal lobby or vestibule within a common doorway entrance in the front wall;
 - b. Prohibit the creation of an Additional Residential Unit within a main Dwelling Unit that already contains more than one (1) doorway entrance in the front wall;

- c. Require the removal of a doorway entrance to a main Dwelling Unit that already contains more than one (1) doorway entrance in the front wall; nor
 - d. Prohibit the addition of one (1) doorway entrance along the front wall of a main Dwelling Unit on a Corner Lot where there is no doorway entrance along that front wall, but where there is a doorway entrance along the exterior side wall of the main Dwelling Unit.
9. The main Dwelling Unit and the Additional Residential Unit must share the parking area and Yards provided for the main Dwelling Unit, and no new Driveway may be established.
 10. Parking shall be provided for an Additional Residential Unit in accordance with Parking provisions in this By-law.
 11. The establishment of an Additional Residential Unit must not reduce the number of Parking Spaces provided for the main Dwelling Unit below the minimum required by this By-law.
 12. Notwithstanding any other provision in this By-law, the required Parking Space for an Additional Residential Unit may be provided as a Tandem Parking Space with the required Parking Space for the main Dwelling Unit.

4.3 Automobile Service Stations, Gas Bars, and Retail Propane / Compressed Natural Gas Transfer Facilities

Where Automobile Service Stations, Automobile Gas Bars and Retail Propane/Compressed Natural Gas Transfer Facilities are permitted in this By-law, the following provisions shall apply.

1. The minimum Lot Frontage shall be 38 m.
2. The minimum Yard requirements for the main Building shall be as listed in Table 4-1:

Table 4-1: Minimum Yard Requirements for Automobile Service Stations, Gas Bars, and Retail Propane / Compressed Natural Gas Transfer Facilities

Provision	Requirement
Front Yard Depth	6 m
Exterior Side Yard Width	6 m

Provision	Requirement
Interior Side Yard Width	3.5 m except where the Yard abuts a Residential Zone the minimum shall be 6 m
Rear Yard Depth	6 m

3. The minimum distance between any portion of a Fuel Pump Island and any Front or Exterior Side Lot Line shall be 6 m.
4. The minimum distance between any portion of a Fuel Pump Island any Rear or Interior Side Lot Line shall be 4.5 m.
5. Where the Lot is a Corner Lot, no portion of any Fuel Pump Island shall be located closer than 3 m to a straight line between a point in the Front Lot Line and a point in the Exterior Side Lot Line, each such point being a distance of 15 m from the intersection of such lines.
6. The minimum distance between a Driveway and the intersection of Street Lines, measured along the street line shall be 4.5 m.
7. The minimum interior angle of intersection between a Driveway and a Street Line shall be 45 degrees and the maximum interior angle between a Driveway and a Street Line shall be 90 degrees.

4.4 Bed and Breakfast

A Bed and Breakfast, as herein defined shall be a permitted Use in all Residential Zones and the DF Zone within all Single-Detached Dwellings, except in Accessory Dwellings and shall be subject to the following provisions:

1. The operation of a Bed and Breakfast shall be incidental and secondary to the main Use of the Single-Detached Dwelling;
2. There shall be a maximum of three (3) Guest Rooms or suites as part of the operation of a Bed and Breakfast;
3. The requirements for off-street parking for Bed and Breakfasts specified in the Parking provisions of this By-law shall be met;

4. A Bed and Breakfast shall not be subject to the requirements for Home Occupations specified in Section 0; and
5. A Bed and Breakfast shall provide meals only to guests of the Bed and Breakfast.

4.5 Buildings to be Moved

No Building or Structure shall be moved within the limits of the Town or shall be moved from outside the Town into the Town unless the Building or Structure is a permitted Use and satisfies all the requirements of the Zone in which it is to be located and then only after a permit has been obtained from the Chief Building Official.

4.6 Cannabis Production and Processing Facilities

A Cannabis Production and Processing Facility shall be permitted in all Industrial Zones and shall be subject to the provisions of the applicable Zone. The following additional provisions apply:

1. A Cannabis Production and Processing Facility shall be located at least 150 m from the Building to:
 - a. A Lot in a Residential, Institutional, or Open Space Zone; and
 - b. Despite the required minimum distances noted in this provision, no Cannabis Production and Processing Facility lawfully established under these provisions shall be deemed to be in violation of this provision by the subsequent Erection of a residential or institutional Use constructed on another Lot.
2. A Cannabis Production and Processing Facility must be entirely conducted indoors within a licensed Building;
3. The licensed producer shall provide to the Town of Smiths Falls notification of a licensed production application and a copy of the current and valid production license issued by Health Canada, as well as notification to the Smiths Falls Fire Department and Smiths Falls Police Service;
4. A Cannabis Production and Processing Facility shall not be conducted within a residential Dwelling and shall not be permitted as a Home Occupation;
5. A Cannabis Production and Processing Facility must be fenced and shall be subject to Site Plan Control to address applicable physical design standards; and,

6. A Cannabis Production and Processing Facility shall be equipped with Air Treatment Control and shall not result in nuisance, such as odour or fumes.

4.7 Construction Uses

1. A Building or Structure, incidental to construction on the Lot where such Building or Structure is situated, shall be permitted in all Zones for as long as it is necessary for the construction in progress to be completed or abandoned, but only while a valid Building permit for such construction remains in force.
2. Abandoned in this subsection shall mean the failure to proceed expeditiously with the construction work or the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during a continuous 6-month period.

4.8 Dangerous Substances

No Use shall be permitted which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufactured under The Health Protection and Promotion Act or regulations thereunder.

4.9 Day Care Centres

Day Care Centres shall be permitted in all Zones except the Industrial (M), Wetland (W), Flood Plain (F), and Future Development (D) Zones, subject to the following provisions as listed in Table 4-2.

Table 4-2: Lot and Building Requirements for Day Nurseries

Provision	Requirement
a. Minimum Lot Area	420 m ²
b. Minimum Lot Frontage	12 m
c. Minimum Exterior Side Yard	6 m
d. Minimum Interior Side Yard	3.5 m
e. Minimum Interior Side Yard	3 m
f. Minimum Rear Yard Depth	8 m
g. Minimum Landscaped Open Space	30%

Provision	Requirement
h. Maximum Height of Buildings	11 m
i. Accessory Uses, Parking, etc.	In accordance with Section 4

4.10 Dwelling Units Below Grade

A Dwelling Unit, in its entirety, may be located in a Basement, provided that the finished storey of such Basement is located above the level of the sanitary or storm sewer serving the Building or Structure in which such Basement is located or provided that the Dwelling Unit is serviced by an appropriate sewage pumping facility.

4.11 Frontage on an Opened Street

No Building or Structure shall be Erected in any Zone unless the Lot on which such Building or Structure is located has frontage on an opened street. This provision shall not apply to a Lot on a registered plan of subdivision where an agreement between the owner and the Corporation, which includes provisions for the construction of the streets in the subdivision, is registered in the Registry Office or the Land Titles Office.

4.12 Frontage on More Than One Street

Where a Lot fronts on more than one street and is not a Corner Lot, the requirements for Front Yards contained in this By-law shall apply to each Yard abutting the street in accordance with the provisions of the Zone or Zones in which such Lot is located.

4.13 Group Homes

Group Homes shall be a permitted Use in all Zones, except in the Flood Plain (F) Zone, in which a Single-Detached Dwelling is permitted as a principle Use in accordance with the following provisions.

1. Group Homes shall not be permitted in Accessory Single-Detached Dwellings nor in Additional Residential Units.
2. Group Homes may be permitted in Single-Detached Dwellings and in both units of Semi-Detached and Duplex Dwellings, provided that both units are occupied by one (1) group

home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed ten (10).

4.14 Height Restrictions by Perth and Smiths Falls District Hospital

Notwithstanding any other provisions of this By-law, no Building or Structure and no Accessory Building or Structure shall be permitted to extend in height above the elevation of the flight path for the helipad at the Perth and Smiths Falls District Hospital, located at 60 Cornelia Street West, pursuant to the regulations of Transport Canada.

4.15 Home Occupations

Home Occupations, as herein defined, are permitted as an Accessory Use in all Dwelling Units, except those located in the Flood Plain (F) and Wetland (W) Zones, in accordance with the following provisions.

1. The Home Occupation shall be carried out entirely within the Dwelling or entirely within an Accessory Building or Structure normally associated with a Dwelling.
2. There shall be no display or advertising other than a legal sign of not more than 0.3 m² in size, to indicate that a Home Occupation is being conducted in the Dwelling Unit.
3. Such Uses as a Bed and Breakfast, offices, domestic and household arts and crafts, Day Care Centre, instruction, personal service, Custom Workshops, repair shops and similar Uses may be permitted as Home Occupations.
4. No more than one (1) Home Occupation shall be conducted within the Dwelling Unit.
5. The Home Occupation shall occupy an area of not more than 25% of the gross floor area of the Dwelling Unit.
6. The Home Occupation does not interfere with television or radio reception.
7. No Stock-in-Trade is sold or rented, or kept for sale or rent upon the premises unless such items were created by the resident or unless kept for interior display or demonstration purposes only.
8. No more than one (1) on-site non-resident employee shall be employed in the operation of the Home Occupation.
9. An Open Storage Area is prohibited.

10. Parking shall be provided for Home Occupations in accordance with the Parking provisions of this By-law.

4.16 Keeping of Animals

No animals other than Household Pets, as herein defined, shall be kept in any Zone, except as permitted as an Animal Hospital or Animal Care Use in those Zones in which Animal Hospital, Animal Care, and Kennel are permitted. Notwithstanding the foregoing, however where an Agricultural Use which includes the keeping breeding raising and/or grazing of domesticated animals or poultry existed on the date of passing of this By-law, such a Use shall be deemed to be a permitted Use so long as it continues.

4.17 Landscaped Open Space

4.17.1 Requirements

1. Except in the DC, DF, DW, LC, and NC Zones, where any Lot in a Commercial or Industrial Zone abuts a Lot in a Residential Zone or where any Lot used for public or institutional purposes abuts a Lot in a Residential Zone, then a continuous strip of Landscaped Open Space having a minimum width of 3 m shall be provided along the abutting Lot Line.
2. In any Non-Residential Zone except the DC, DF, DW, and NC Zones, where the required parking abuts a Lot in a Residential Zone, then a continuous strip of Landscaped Open Space a minimum width of 3 m shall be provided along the abutting Lot Line.
3. In any Zone, where the required parking abuts a street, then a strip of Landscaped Open Space a minimum width of 1.5 m shall be provided along the Lot Line abutting the street and the landscaped strip shall be continuous except for Aisles and Driveways required for access to the parking area.
4. In Commercial and Industrial Zones, where any Lot abuts a Lot in a Residential Zone, a solid fence a minimum of 1.5 m in height constructed of wood, metal or equivalent material shall be Erected along the Lot Line.
5. Any portion of any Yard which is not used for any other purpose permitted in this By-law shall be devoted to landscaped open space.

4.17.2 Driveways or Walkways

In all cases where Driveways or walkways extend through the Landscaped Open Space, it shall be permissible to interrupt the strip within 3 m of the edge of such Driveway or within 1.5 m of the edge of such walkway.

4.17.3 Accessory Uses

No Accessory Use shall be permitted to locate within the required Landscape Open Space.

4.18 Lanes as Yards

Where the Rear Lot Line of a Lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the Lot for the purpose of computing the area of the Lot and for the purpose of computing the depth of any Rear Yard required under this By-law, provided that the depth of any required Rear Yard shall never be less than 6 m, exclusive of the lane.

4.19 Lots Divided Into More Than One Zone

Where a Lot is divided into more than one (1) Zone, each such portion of the Lot shall be used in accordance with the provisions of this By-law for the Zone where such portion of the Lot is located. Each such portion of the Lot shall be considered as a separate Lot for the purpose of determining Zone provisions.

4.20 Mobile Homes, Boats, Recreational Vehicles as Dwellings

No Mobile Home, boat or Recreational Vehicle shall be used for residential or non-residential purposes within the municipality except as a temporary office, temporary residence tool storage shed or similar Use on a construction site provided that such Use is terminated when the work is completed or abandoned.

4.21 Natural Heritage Overlay

On those lands shaded on Schedule B1 – Natural Heritage Overlay, the following provisions apply:

1. Development and site alteration shall only be permitted where it has been demonstrated through an Environmental Impact Statement to the satisfaction of the Town that the

proposed development will result in no negative impact or degradation of the natural heritage feature or their ecological functions.

2. The Natural Heritage Overlay, which includes identified natural features such as Areas of Natural and Scientific Interest (ANSI), Provincially Significant Wetlands (PSWs) and associated 120 m regulated buffer, Significant Ecological Areas, and Significant Woodlands are identified on Schedule B1.

4.22 Non-Complying Buildings, Structures, and Lots

4.22.1 Alterations to Non-Complying Buildings and Structures

1. Nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of an existing non-complying Building or Structure provided such enlargement, reconstruction, renovation or repair does not:
 - a. Further increase non-compliance with any applicable provisions of this By-law; and
 - b. Contravene any other provisions of this By-law.

4.22.2 Development on Existing Non-Complying Lots

Development is permitted on any vacant Lot existing on the date of passing of this By-law and which Lot is legally non-complying with respect to the provisions of this By-law, provided that the proposed Use:

1. Use is permitted in the Zone in which the Lot is located; and
2. Use does not contravene any other provisions of this By-law.

4.22.3 Lots Having Less Area and/or Frontage

Where a Lot having a lesser Lot Area, Lot Depth and/or Lot Frontage than that required herein is held under distinct and separate ownership from abutting Lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, or where such a Lot is created as a result of any expropriation by or conveyance to a Public Authority or of any dedication required for site plan approval, such smaller Lot may be used and a Building or Structure may be Erected, Altered or used on

such smaller Lot, provided that the owner complies with all other requirements of this By-law.

4.22.4 Use of Undersized or Small Lots

Where a Lot having less than the minimum Lot Area or Lot Frontage required by this By-law, exists and is held under distinct and separate ownership from adjacent Lots on the date of passing of this By-law as shown by the records of the Registry of Land Titles Office, or is increased in area or frontage but still does not meet the minimum area or frontage requirements of this By-law, such Lot may be used, and a Building or Structure may be Erected, for a purpose permitted in the Zone in which it is located, provided that all other applicable provisions in this By-law are met.

4.22.5 Expropriation and/or Road Widening

1. If any legally existing Building or Structure would become non-complying as a result of a road widening or an expropriation, by having its Front Yard, Exterior Side Yard or setback reduced, the said existing Building or Structure shall be deemed to be complying for the purposes of this By-law; and
2. If any legally existing Lot would become non-complying as a result of a road widening or an expropriation, by having its Lot Area, Lot Depth, and/or Lot Frontage reduced, the said existing Lot shall be deemed to be complying for the purposes of this By-law.

4.23 Non-Conforming Uses

4.23.1 Conformity

Save as otherwise provide in this By-law, no land, or Building or Structure shall be used for any purpose, and no Building, or Structure, shall be Erected or Altered for any purpose except as hereafter stated in this By-law and in conformity with all of the applicable provisions of this By-law.

1. No person shall change the purpose for which any Lot, Building or Structure is Used or Erect any new Building or Structure or addition to any existing Building or Structure or sever any lands from any existing Lot if the effect of such action is to cause the original, adjoining, remaining or new Use, Building or Structure or Lot to be in contravention of this By-law.

2. Nothing in this By-law shall apply to exempt any person from complying with the requirements of any Bylaw in force within the Corporation or from obtaining any license, permission, consent, permit, authority, or approval required by this or any other By-law of the Corporation or by any other Federal, Provincial or Municipal Law in force at the time of passing of this By-law.
3. This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
4. Notwithstanding anything in this By-law, no person shall reduce any Lot Area or Lot Frontage, either by conveyance or other alienation of title of any portion thereof so as to contravene any of the provisions of this By-law. However, no person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part of parts of any Lot has or have been conveyed to or acquired by any Public Authority.

4.23.2 Continuation of Non-Conforming Uses

The provisions of this By-law shall not apply to prevent the Use of any existing Lot, Building or Structure for any purpose prohibited by this By-law if such Lot, Building or Structure was legally used for such purpose on the date of passing of this By-law, and provided that the Lot, Building, or Structure continues to be used for that purpose.

4.23.3 Building Permit Issued

The provisions of this By-law shall not apply to prevent the Erection or Use of any Building or Structure for a purpose prohibited by this By-law, the plans for which have, prior to the date of passing of this By-law, been approved by the Chief Building Official, so long as the Building or Structure when Erected is used and continues to be used for the purpose for which it was Erected and provided the Erection of such Building or Structure is commenced within two years after the date of the passing of this By-law, and such Building or Structure is completed within a reasonable time after the Erection thereof is commenced.

4.23.4 Change of Non-Conforming Use

A Use of a Lot, Building or Structure which, under the provisions hereof is not permitted within the Zone in which such Lot, Building or Structure is located, shall not be changed except to a Use which is permitted within such Zone or to a Use which is authorized by the Planning Advisory Committee, which assumes the duties and responsibilities of the

Committee of Adjustment pursuant to its powers under the Planning Act, R.S.O. 1990, c. 13, as amended.

4.23.5 Termination of Non-Conforming Use

A non-conforming Use shall be considered to be terminated once the Use ceases and the property is used for a permitted Use.

4.23.6 Repair and Replacement of Non-Conforming Uses

Nothing in this By-law shall prevent the repair, replacement in whole or in part, or the strengthening to a safe condition of any Building or Structure or part of such Building or Structure which does not comply with the provisions of this By-law, provided such Alteration or repair does not increase the height, size or volume or change the Use of such Building or Structure which does not comply with the provisions of this By-law, provided such Alteration or repair does not increase the height, size or volume or change the Use of such Building or Structure.

4.23.7 Permitted Extensions of Non-Conforming Uses

1. Extensions or additions to non-conforming Uses shall not be permitted except by amendment to this By-law in accordance with Section 44 of the Planning Act, R.S.O. 1990, c. 13, as amended.
2. Notwithstanding Subsection a) above, nothing in this By-law shall prevent an extension or an addition being made to a Use, Building or Structure which existed on the date of passing of this By-law and which is a permitted Use in the Zone in which it is located but which does not conform with one or more of the Zone Provisions of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

4.24 Objects Stored in Yards

1. Except as hereinafter provided no person shall obstruct any required Front Yard or Rear Yard by the location of a Building or Structure, or by the storage of lumber, salvage or similar material.
2. In any Residential Zone:
 - a. No person shall Use any Lot for the parking or storage of any commercial Vehicle in excess of 2000 kg Vehicle weight;

- b. Notwithstanding the provisions of Subsection a) above, the occupant of any Dwelling may Use any garage situated on the same Lot for the housing or storage of one commercial Vehicle, not exceeding 4,500 kg. (Vehicle weight, which Vehicle is operated by the owner).
- c. No person shall Use any Lot for the outside parking or storage of a:
 - i. Vehicle which has had part of all or its superstructure removed; and/or
 - ii. Vehicle which is unlicensed
- d. Any number of Recreational Vehicles, not exceeding a total length of 11 m may be stored in an Interior Side or Rear Yard provided that the Recreational Vehicle(s) being stored are setback a minimum of 0.6 m from any Lot Line and the line dividing the Side or Rear Yard from the Front Yard.
- e. Where a Recreational Vehicle is parked in any Yard on a Lot, such Recreational Vehicle shall not be used for living or sleeping accommodation for longer than thirty (30) consecutive days by any person in transit between one place and another; but in no event shall such living or sleeping accommodation be leased or rented.
- f. The parking or outside storage of a Recreational Vehicle may be permitted for a period of not more than 72 hours in any one (1) calendar month in a Front Yard or Exterior Side Yard.
- g. Notwithstanding the foregoing, where a Lot is used for a Dwelling or Dwellings containing more than two (2) Dwelling Units, the limitations imposed herein shall not restrict the number of Recreational Vehicles that are stored on the Lot provided the area, Building or Structure used for such storage complies with the Yard provisions of the Zone in which such area, Building or Structure is located has been approved by the Corporation, under a site plan agreement. Such are, Building or Structure shall be in addition to the required parking.

4.25 Occupancy Restrictions

Human habitation shall not be permitted in any of the following Buildings, Structures or parts thereof any;

1. Private Garage or other Building which is Accessory to a Residential Use, unless it is a permitted Additional Residential Unit;
2. Truck, bus, coach, street car body whether or not the same is mounted on wheels or boat out of water;
3. Basement, as defined in this By-law unless it is a permitted Additional Residential Unit;
4. Building or Structure before the Main Wall and roof have been Erected, application of the exterior siding and roofing has been completed and the kitchen, heating and sanitary conveniences have been installed unless approval of the Senior Planner, Chief Building Official, or other official designated by the Corporation has been obtained in advance.
5. Trailer other than as temporary or seasonal accommodation, pursuant to the Recreational Vehicle provisions herein.

4.26 One Dwelling Per Lot

Except in accordance with the provisions for Additional Residential Units and Group Dwellings, not more than one (1) Dwelling shall be located on a Lot.

4.27 Outdoor Lighting

1. Where outdoor lights are provided, the light fixtures shall be arranged, installed, and maintained to deflect, shade, and focus light away from abutting properties or adjacent land Uses in order not to cause a nuisance.
2. Outdoor lights shall not interfere with the effectiveness of any traffic control device.

4.28 Parking and Loading Area Regulations

1. The owner of every Building or Structure Erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole Use of the owner, occupant or other persons entering upon or making Use of the said premises from time to time, Parking Spaces and areas in accordance with Table 4-3.
2. If the calculation of required minimum Parking Spaces, Barrier-Free Parking Spaces, or Bicycle Parking Spaces results in a fraction, the applicable requirement shall be rounded up to the next whole number.

3. Where the minimum requirement by Zone differs from the minimum requirement by type of Use, the higher standard shall apply.

4.28.1 Downtown Core Parking Area Requirements

1. On those lands zoned DC and DF and shaded on Schedule A:
 - a. The following permitted Uses shall require 1 Parking Space per 50 m² per gross floor area: Custom Workshop, Dry Cleaning Plant, Financial Institution, Laundromat, Medical Clinic, Office, Personal Service Shop, Printing Shop, Repair Service Shop, Retail Food Store, Retail Store, Small-Scale Brewery, Take-Out Restaurant.
 - b. The Parking Area Requirements for all other permitted Non-Residential Uses set out in Section 4.28.2, shall be reduced by 50%.
 - c. Parking shall not be permitted in the Front Yard.
2. On those lands zoned DW and shaded on Schedule A:
 - a. The Parking Area Requirements for permitted Non-Residential Uses set out in Section 4.28.2, shall be reduced by 50%.
 - b. Parking shall not be permitted in the Front Yard.

4.28.2 Minimum Parking Requirements

A minimum number of off-street Parking Spaces for motor Vehicles shall be provided and maintained on a Lot in accordance with Table 4-3.

Table 4-3: Minimum Parking Requirements

Type of Use	Minimum Number of Parking Spaces Required
Residential Uses	
Additional Residential Unit Apartment Dwelling Duplex Dwelling Semi-Detached Dwelling Single-Detached Dwelling	1 Parking Space per Dwelling Unit
Dwelling Unit in the upper storey of a Non-Residential Building.	1 Parking Space

Type of Use	Minimum Number of Parking Spaces Required
Dwelling Unit occupying a portion of, and located at the rear or the side, of the ground floor of a Non-Residential Building	1 Parking Space
Group Dwellings	1 Parking Space per Dwelling Unit for Single-Detached, Semi-Detached and Duplex Dwellings 1.25 Parking Spaces per Dwelling Unit or fraction thereof for all other Residential Uses
Group Home	1 Parking Space per on duty employee plus 1 space per 5 beds, or fraction thereof
Home Occupation	1 space per Home Occupation where clients or customers are attended or served on site, in addition to 1 space per non-resident employee of a Home Occupation which may be provided as a Tandem Parking Space
Mobile Home Park	1 space per Mobile Home Lot
Rooming House	0.5 Parking Space plus 0.25 spaces per room boarded
Seniors' Residence	1 Parking Space per 3 Dwelling Units, or fraction thereof
Planned Unit Townhouse Street Townhouse	1 Parking Space per Dwelling Unit located in a Private Garage
Stacked Townhouse Dwelling Back-to-Back Townhouse Dwelling	1 Parking Space per Dwelling Unit
Other Residential Uses	1 Parking Spaces per Dwelling Unit or fraction thereof
Non-Residential Uses	
Adult Entertainment	1 Parking Space per 25 m ² of gross floor area

Type of Use	Minimum Number of Parking Spaces Required
Museum	
Animal Hospital	1 Parking Space per 30 m ² of gross floor area with a minimum of 3 Parking Spaces
Assembly Hall	<p>The greater of:</p> <ul style="list-style-type: none"> • 1 Parking Space for every 8 fixed seats or fraction thereof; or • 1 Parking Space for every 3 meters of bench space, or 1 Parking Space per 12 m² of gross floor area or fraction thereof
Automobile Body Shop Automobile Gas Bar Automobile Care Automobile Rental Automobile Sales Automobile Service Station	<p>2 Parking Spaces per 100 m² of gross floor area, with a minimum of 4 Parking Spaces.</p> <p>The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause</p>
Automobile Washing Establishment	<p>Self-service operation: 2 waiting and 1 drying space per wash rack</p> <p>Conveyer operation: 5 waiting spaces per wash rack</p>
Bar	1 Parking Space per 5.5 m ² devoted for patron use, or 1 space per 6 seats of approved or licensed patron use, whichever is greater
Bed and Breakfast	1 Parking Space per guest room, in addition to the spaces required for the Dwelling Unit
Building Supply Outlet Service Shop, Repair Wholesale Outlet	2 Parking Spaces per 100 m ² of gross floor area or fraction thereof, with a minimum of 8 Parking Spaces
Bulk Storage Food Production Facility	1 Parking Space per 120 m ² of gross floor area, or fraction thereof

Type of Use	Minimum Number of Parking Spaces Required
Cannabis Production and Processing Facility	1 Parking Space per 100 m ² of gross floor area, plus 1 additional space per 300 m ² of gross floor area in excess of 2,800 m ²
Catering Establishment	0.5 Parking Spaces per 100 m ² of gross floor area
Place of Entertainment Place of Recreation Place of Worship	<ul style="list-style-type: none"> 5 Parking Spaces per 100 m² of gross floor area
Community Centre	1 Parking Space per 50 m ² of gross floor area
Conservation	0 Parking Spaces
Convenience Store Dry Cleaning Plant Financial Institution Laundromat Service Shop, Personal	1 Parking Space per 25 m ² of gross floor area or fraction thereof, with a minimum of 4 Parking Spaces
Custom Workshop	1 Parking Space per 34 m ² of gross floor area or fraction thereof, with a minimum of 4 Parking Spaces
Day Care Centre	1 Parking Space per on duty employee plus 1 space per 12 children
Farm Implement Sales Farm Supply Sales	<p>2 Parking Spaces per 100 m² of gross floor area, with a minimum of 4 Parking Spaces.</p> <p>The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause</p>

Type of Use	Minimum Number of Parking Spaces Required
Funeral Home	1 Parking Space per 18 m ² of gross floor area, or fraction thereof, with a minimum of 8 Parking Spaces
Golf Course	0.5 Parking Spaces per 100 m ² of gross floor area, plus 2 spaces per hole or 1 space per stall for a driving range, but no less than 25 spaces in total
Greenhouse	2 Parking Spaces per 100 m ² of gross floor area or fraction thereof, with a minimum of 8 Parking Spaces
Guest House	1 Parking Space per guest room in addition to the parking requirement for the Main Dwelling
Highway Commercial Mall	1 Parking Space per 34 m ² of gross floor area or fraction thereof, with a minimum of 4 Parking Spaces
Home for the Aged Hospital Nursing Home	1 Parking Space for every 2 beds
Hotel	1 Parking Space per guest room, plus 1 Parking Space per 8 persons design capacity of the eating area or meeting room
Kennel	1 Parking Space per 50 m ² of gross floor area
Industrial Business / Service Industrial Mall	1 Parking Space per 34 m ² of gross floor area or fraction thereof, with a minimum of 4 Parking Spaces
Institution	1 Parking Space per 100 m ² of display/assembly area, or fraction thereof, including Basement area used for display, with a minimum of 4 Parking Spaces

Type of Use	Minimum Number of Parking Spaces Required
Manufacturing	1 Parking Space per 80 m ² of gross floor area
Marina	1 space per 100 m ² of gross floor area, plus 1 space per boat slip and 2 spaces per boat lunch
Medical Clinic	1 Parking Space per 30 m ² of gross floor area with a minimum of 3 Parking Spaces
Motel	1 Parking Space per guest room
Office	1 Parking Space per 34 m ² of gross floor area on the first storey and 1 Parking Space per 36 m ² of gross floor area above the first storey
Park, Private Park, Public	4 spaces per sportsfield or swimming pool or 1 space per 5 fixed seats, whichever is greater; other cases: 0 spaces
Place of Recreation (Bowling Alley, Curling Rink)	2 Parking Spaces per bowling or curling sheet, plus 1 Parking Space per 6 seats design capacity of the area for Accessory Uses
Printing Shop	1 Parking Space per 34 m ² of gross floor area or fraction thereof, with a minimum of 4 Parking Spaces
Public Use	1 Parking Space per 34 m ² of gross floor area on the first storey and 1 Parking Space per 36 m ² of gross floor area above the first storey
Recreational Vehicle Sales	2 Parking Spaces per 100 m ² of gross floor area, with a minimum of 4 Parking Spaces. The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause
Restaurant, Full-Service	1 Parking Space per 14 m ² of gross floor area.

Type of Use	Minimum Number of Parking Spaces Required
	In all cases, a minimum of 2 Parking Spaces shall be provided, except in the DC and DF Zones.
Restaurant, Take-Out	1 Parking Space per 9.5 m ² of gross floor area, or fraction thereof
Outdoor Commercial Patio	15% of the required Parking Spaces for the following uses with which the Outdoor Commercial Patio is associated: Full-Service Restaurant, Take-Out Restaurant, Bar, Small-Scale Brewery, Small-Scale Distillery. The above requirement does not apply to seasonal or Private Patios.
Retail Store Retail Food Store	1 Parking Space per 25 m ² of gross floor area or fraction thereof
School, Commercial	5 spaces per classroom, plus additional spaces for any place of assembly, as required
School, Elementary	The lesser of: <ul style="list-style-type: none"> • Parking Spaces per classroom, and 1 Parking Space per 4 m² of floor area in gymnasium; or • 1 Parking Space per 4 m² of floor area in auditorium, or fraction thereof
School, Secondary	The lesser of: <ul style="list-style-type: none"> • Parking Spaces per classroom and 3 spaces per 4 m² of floor area in the gymnasium; or • 3 Parking Spaces per 4 m² of floor area of the auditorium, or fraction thereof
Self-Storage Facility	1 space per 100 m ² of gross floor area, plus 1 additional space per 300 m ² of gross floor area in excess of 2,800 m ²

Type of Use	Minimum Number of Parking Spaces Required
	The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause
Shopping Centre	4 Parking Spaces per 100 m ² of Gross Leasable Floor Area
Small-Scale Brewery	1 space per 100 m ² of gross floor area of the production area, plus 3 spaces per 100 m ² of gross floor area dedicated to Accessory tasting and dining facilities or Accessory retail sales area
Small-Scale Distillery	1 space per 100 m ² of gross floor area of the production area, plus 3 spaces per 100 m ² of gross floor area dedicated to Accessory tasting and dining facilities or Accessory retail sales area
Transportation Terminal	2 Parking Spaces per 100 m ² of gross floor area, with a minimum of 4 Parking Spaces. The provision of parking for the storage of new and used vehicles, boats or trailers for sale or lease, or service shall not be included as satisfying the provisions of this clause
Warehouse	1 Parking Space per 120 m ² of gross floor area, or fraction thereof
Other Non-Residential Uses permitted by this By-law	1 Parking Space per 25 m ² of gross floor area

4.28.3 Minimum Visitor Parking Requirements

1. In addition to the minimum Parking Space requirements of this By-law, off-street visitor parking must be provided for the land uses at the rates specified in Table 4-4:

Table 4-4: Minimum Visitor Parking Requirements

Use	Minimum Number of Spaces Required
Apartment Dwelling, Seniors' Residence, Townhouse or Multiple Dwelling containing five (5) or more units	1 space for every 10 Dwelling Units

2. Notwithstanding provision (1) of this Section, no visitor Parking spaces are required for the first ten (10) Dwelling Units on a lot, and no more than 30 visitor Parking Spaces are required per building.
3. Notwithstanding provision (1) of this Section, in the case of a Townhouse Dwelling, where each dwelling unit has a driveway accessing a garage or carport located on the same lot as the dwelling unit, no visitor parking is required for that Dwelling Unit.

4.28.4 Cash in Lieu of Parking

The Minimum Parking Requirements for Non-Residential Uses required herein may be reduced or waived provided the owner enters into an Agreement with the Corporation under Section 40 of the Planning Act, R.S.O. 1990, c. 13, as amended.

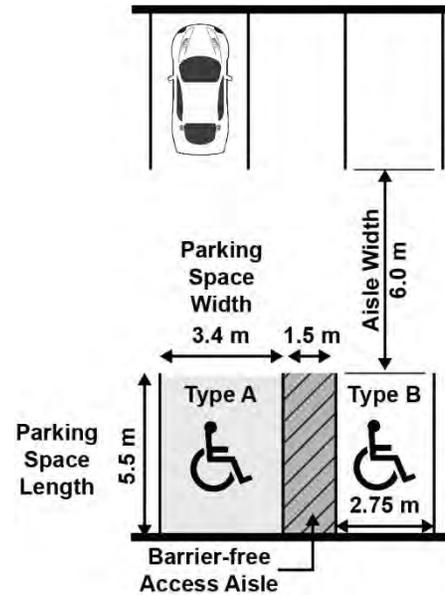
4.28.5 Parking Space Location on Other Lot

1. Where the owner of a Building or Structure proposes to provide the required Parking Spaces and areas in a location other than on the same Lot as the Use that requires such Parking Spaces and areas, then such Parking Spaces and areas shall be located not more than 150 m from the said Lot and shall be located within the same Zone as the said Lot.
2. Furthermore, such Parking Spaces and areas shall:
 - a. be in the same possession, either by deed or renewable long term lease, as the property occupied by the Use or Building to which the parking facilities are Accessory; or
 - b. be subject to an agreement between the owner of the Use or Building served by the parking facilities and the owner of the parking facility allocating the required number of Parking Spaces.
3. In addition, the required number of Parking Spaces shall be maintained for the duration of the Use.

4.28.6 Barrier-Free Parking Requirements

1. Where Parking Spaces are required in accordance with Table 4-3 of this By-law for any non-residential Use, Barrier-Free Parking Spaces shall be provided in accordance with this Section of the By-law. Barrier-Free Parking Spaces shall not be required in addition to those Parking Spaces required in Table 4-3, but rather, these Barrier-Free Parking Spaces shall contribute to the total number of Parking Spaces required.
2. The minimum number of Barrier-Free Parking Spaces shall be calculated and provided for the total number of Parking Spaces on the Lot, and shall not solely be based on the minimum number of Parking Spaces required. The calculation of the total minimum number of Barrier-Free Parking Spaces required shall be in accordance with the following:
 - a. Where an even number of Barrier-Free Parking Spaces are required, an equal number of Type A and Type B Barrier-Free Parking Spaces shall be provided.
 - b. Where an odd number of Barrier-Free Parking Spaces are required, the number of Barrier-Free Parking Spaces must be divided equally between a Type A and a Type B Barrier-Free Parking Space, while the remainder may be provided as a Type B Barrier-Free Parking Space.
3. Where Type A Barrier-Free Parking Spaces are required, each Barrier-Free Parking Space shall be designated by a sign mounted on a post or wall that is visible during the winter months. Such sign shall be mounted at least 1.5 m above grade and shall identify the space as being “van accessible”.
4. Barrier-Free Parking Spaces shall not be required in association with any Parking Spaces required and provided for emergency service Vehicles, motor Vehicles displayed for sale, or any other vehicles associated with outside storage.

5. Barrier-Free Parking Spaces shall have the following:
- Type A – A minimum width of 3.4 m and a minimum length of 5.5 m;
 - Type B – A minimum width of 2.75 m and a minimum length of 5.5 m; and
 - Access provided by a barrier-free access Aisle with a minimum width of 1.5 m which extends the full length of the Parking Space, and which is marked with high tonal contrast diagonal lines (i.e. hatching) on a hard surface. Two (2) Barrier-Free Parking Spaces which are adjacent to one another may share one (1) barrier-free access Aisle.
6. Barrier-Free Parking Spaces shall be paved with hard surface materials, shall be reasonably level, and as accessible to the Building entrance(s) as possible.



Barrier-free Parking Requirements

4.28.7 Parking Space Requirements

Each required Parking Space shall maintain a minimum area and width and shall be in accordance with the following:

- All required Parking Spaces shall have direct and unobstructed access from a parking Aisle or Driveway and shall be accessible, unobstructed, and usable.
- In the case of a private garage or carport, a Parking Space shall consist of an area of not less than 14.3 m² with a minimum width of 2.6 m.
- In the case of regular or angled Parking Spaces, a Parking Space shall consist of a minimum width of 2.75 m and a minimum length of 5.5 m, with the Parking Space measured at right angles to the angle of parking.
- In the case of parallel Parking Spaces, consists of a minimum width of 2.75 m and a minimum length of 6.7 m.
- Minor encroachments into Parking Spaces, such as pillars, window wells, and steps, shall be permitted as long as the functionality of the Parking Space is not hindered.

4.28.8 Ingress and Egress

1. Ingress and egress, to and from the required Parking Spaces and Lot shall be provided by means of unobstructed Driveways or passageways at least 3 m, but not more than 9 m, in width excluding curb ramps, except in a Residential Zone wherein the maximum width of all Driveways or passageways on the Lot shall be 6 m or 50% of the width of the Lot, whichever is less.
2. The maximum width of any joint ingress and egress Driveway ramp, measured along the street line, shall be 9 m, excluding curb ramps.
3. The minimum distance between a Driveway and an intersection of street lines, measured along the street line intersected by such a Driveway, shall be 7 m, except for Automobile Service Stations, Automobile Gas Bars and Retail Propane. For a Compressed Natural Gas Transfer Facilities, the minimum shall be 4.5 m.
4. The minimum distance between two separate Driveways on one Lot, measured along the street line, shall be 7 m.
5. The minimum angle of intersection between a Driveway and a street line shall be 60 degrees.

4.28.9 Parking Lot and Driveway Surfaces

1. Parking Lots and Driveways shall be surfaced with a permeable or impermeable hard surface, such as asphalt, concrete, interlock pavers, permeable pavers, or similar hard surfaces.
2. New developments shall surface parking in accordance with this Section within one (1) year of occupancy.

4.28.10 Aisle Widths

Aisles between Parking Spaces shall provide unobstructed access from each Parking Space to a Driveway in accordance with Table 4-5.

Table 4-5: Minimum Aisle Widths

Angle of Parking	Minimum Aisle Width
Parallel parking on one side of aisle	3 m
0° to 55°	4 m
56° to 75°	5.8 m
56° to 75°	6 m
Over 75°	6.7 m

4.28.11 Electric Vehicle Parking Requirements

1. Required Parking Spaces may be Used as part of Electric Vehicle Supply Equipment, whether or not a fee is charged for the Use of such Electric Vehicle Supply Equipment.
2. For new development, a minimum of 20% of the required Parking Spaces for Residential uses in the DC, DF, and DW Zones shall be designed to be Electric Vehicle Parking Ready.
3. A minimum of 5% of the required Parking Spaces for non-residential Uses shall be Electric Vehicle Parking Spaces.
4. If the calculation of required Electric Vehicle Parking Spaces results in a fraction, the applicable requirement shall be rounded down to the next whole number.
5. All required Electric Vehicle Parking Spaces shall be clearly defined and demarcated.
6. The requirements of subsections 1) through 5) shall only be required for Buildings or portions of Buildings that were not existing on the date of passing of this By-law.

4.28.12 Multiple Use Developments

When a Building or Structure accommodates more than one type of Use, the parking area requirements shall be the sum of the requirements for the separate parts of the Building or Structure occupied by the separate types of Use.

4.28.13 Additions to Buildings or Change of Use

When a Building or Structure has insufficient parking at the time of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the

deficiency be made up prior to the construction of any addition or change of Use to a permitted Use in the Zone in which the Building is located. No addition may be built and no change of Use may occur, however, the effect of which would be an increase in the deficiency. Further, in any Business Park (M1), Light Industrial (M2), General Industrial (M3) or Corridor Commercial (CC) Zone, any change from one permitted Use to another permitted Use shall not require that any additional Parking Spaces be provided, notwithstanding the Parking provisions of this By-law, if there is insufficient room on the Lot to provide any additional Parking Spaces and such lower parking standard shall be identified in the Site Plan Agreement.

4.28.14 Parking Area Location

Parking shall be permitted in Yards in accordance with Table 4-6, except as otherwise required in accordance with the for Landscaped Open Space provisions of this By-law.

Table 4-6: Parking Location in Required Yards

Use	Yard in Which Required Parking is Permitted
Apartment Dwelling	<p>All Yards, except in the required Front Yard, provided no Parking Spaces and no Driveway shall be located within 2 m of a Habitable Room window both in distance and height, and provided that where a Dwelling requires four (4) or more Parking Spaces such spaces are no closer than 1.5 m to any Lot Line.</p> <p>The above shall apply to required parking located on the same Lot or an adjacent Lot.</p>
Other Residential	<p>All Yards, except in the required Front Yard, provided no Parking Spaces and no Driveway shall be located within 2 m of a Habitable Room window both in distance and in height.</p> <p>The above shall apply to required parking located on the same Lot or an adjacent Lot.</p>

Use	Yard in Which Required Parking is Permitted
Open Space, Commercial	All Yards, provided that no part of any parking area, other than a Driveway, is located closer than 1.5 m to any street line.
Industrial, Institutional	Interior Side and Rear Yards only, except for visitor parking covering not more than 15% of the Front Yard area. Provided that no part of any parking area, other than a Driveway, is located closer than 1.5 m to any street line.

4.28.15 Parking Lot Required

Where more than three (3) Parking Spaces are required and such Parking Spaces are to be located together, such Parking Spaces shall be located in a Parking Lot or parking garage.

4.28.16 Minimum Bicycle Parking Requirements

1. In all Zones, bicycle parking must be provided for the land Uses at the rates specified in Table 4-7.

Table 4-7: Minimum Bicycle Parking Space Requirements

Use	Minimum Number of Spaces Required
Apartment Dwelling, Seniors' Residence, Townhouse Dwelling consisting of six (6) or more units	0.25 spaces per unit
Full-Service Restaurant, Retail Store, Office	1 space per 250 m ²
School	1 space per 100 m ²
Shopping Centre	In all cases, a minimum of 4 spaces shall be provided. Where the gross floor area is more than 500 m ² , an additional 2 spaces per 500 m ² of gross floor area.

Other non-residential Uses	1 space per 1,000 m ²
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2. Bicycle parking must be located on the same Lot as the Use or Building for which it is provided, and must be located in order to promote convenient access to main entrances
3. A Bicycle Parking Space may be located within any Yard.
4. A maximum of 50% of Bicycle Parking Spaces may be located within a required landscaped area.
5. Bicycle Parking Spaces must comply with the minimum Parking Space dimensions in Table 4-8.

Table 4-8: Minimum Bicycle Parking Space Dimensions

Bicycle Parking Space	Minimum Width	Minimum Length
Horizontal	0.6 m	1.8 m
Vertical	0.5 m	0.6 m

6. Bicycle racks shall be provided for bicycle parking on a surface comprised of, brick, asphalt, interlocking pavers or concrete.
7. Bicycle Parking Spaces shall be accessed by an Aisle with a minimum width of 1.5 metres.
8. When a Building or Structure accommodates more than one type of Use, the Bicycle Parking Space requirements shall be the sum of the requirements for the separate parts of the Building or Structure occupied by the separate types of Use.

4.28.17 Loading Space Regulations

1. Off-street Loading Spaces shall be provided and maintained on a Lot in accordance with Table 4-9.

Table 4-9: Minimum Loading Space Requirements

Use	Minimum Number of Loading Spaces Required
Funeral Home	1
Hotel	2

Use	Minimum Number of Loading Spaces Required
Other non-residential Uses	<p>1 space for every 2,800 m² of gross floor area or part thereof, but no greater than 6 Loading Space shall be required</p> <p>The provision for an off-street Loading Space for a non-residential Building containing less than 200 m² is optional</p>
Residential Uses	0
<p>Provided, however, that in addition to the above number of Loading Spaces, adequate space shall be provided for the parking of vehicles awaiting access to Loading Spaces.</p>	

2. Each required Loading Space shall be not less than 9 m in length; 3 m in width; and have a vertical clearance of at least 4 m.
3. Access to Loading Spaces shall be by means of an Aisle at least 3.7 m wide contained within the Lot on which the Loading Spaces are located, and leading to a street or lane located within or adjoining the Zone in which the Use is located.
4. Loading Spaces required shall be located in the Interior Side or Rear Yard. Loading Spaces may be in Front and Exterior Side Yards if set back from the street line a minimum distance of 10 m.
5. In the Yard where a Loading Space is located, a minimum 3 m wide Landscape Strip shall be provided and maintained on the Lot Line abutting a Residential, Institutional, or Open Space Zone.
6. Where there are two (2) or more Uses located on the same Lot, the Loading Space requirements shall be the sum of the requirements of each Use.
7. The Loading Space requirements referred to herein shall not apply to any Building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the Building or Structure which increases the floor area, then additional Loading Spaces shall be provided for such addition as required above.

4.29 Permitted Yard, Setback and Height Encroachments

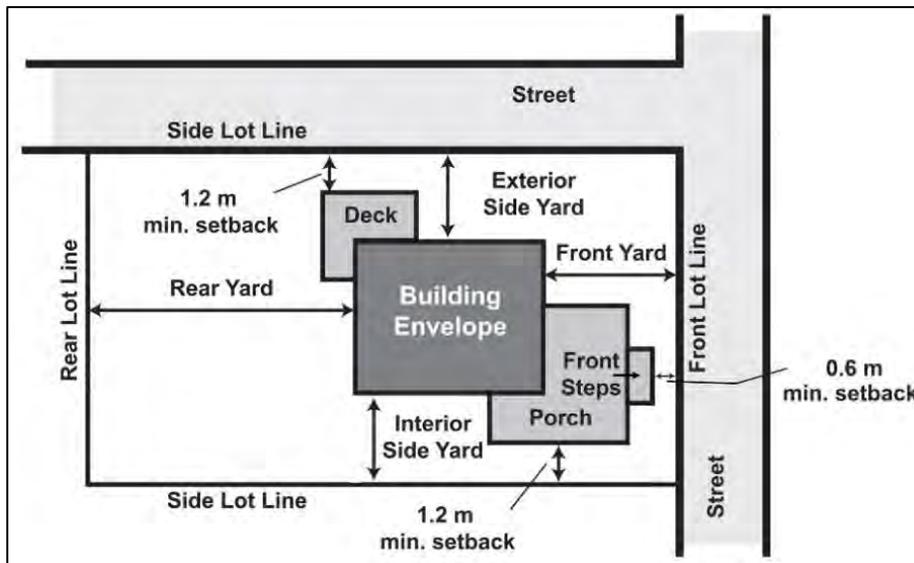
As listed in Table 4-10, the following Yard, setback and height encroachments shall be permitted provided such encroachments do not encroach into any required Parking Space(s).

Table 4-10: Permitted Yard, Setback, and Height Encroachments

Building Feature / Structure	Yard in which Projection is Permitted	Maximum Permitted Encroachment
Skills, belt courses, chimneys, cornices, eaves, gutters, parapets or other ornamental Structures	Any	0.5 m
Window bay, excluding eaves and cornices	Any	0.5 m, but can be located no closer than 1.2 m to a Lot Line
Drop awnings, flag poles, garden trellises, fences, retaining walls, signs, functional Accessory Structures or similar Accessory Uses	Any, except where excluded in a sight triangle	No limit
Satellite dishes	Front or exterior side	1.8 m
Covered or unenclosed porches, balconies, verandahs, and steps, with a maximum of two (2) enclosed sides	Any, except where excluded in a sight triangle	2.5 m, but can be located no closer than 1.2 m to a Lot Line
Decks	Rear	No limit, but no closer than 1.2 m to a Lot Line
Uncovered terraces or patios not more than 1 m above grade	Any, except where excluded in a sight triangle	No limit
Unenclosed fire escapes, in which the steps and landings are latticed	Side or rear	1 m

Building Feature / Structure	Yard in which Projection is Permitted	Maximum Permitted Encroachment
in such a manner that the proportions of voids to solids is not less than two to one and in which guards consist only of hand rails and the structural members necessary to their support		
Accessible ramps, with a maximum width of 1.5 m	Any	No limit, but no closer than 1.2 m to a Lot Line
Elevator housing, a roof stairway, a water tank, a skylight, a steeple or church spire, a belfry, flag pole, a clock tower, a chimney or smokestack, a radio or television tower or antenna, a satellite dish, a ventilation fan housing, a firewall or a parapet wall, or a roof sign	Any	No limit except as prohibited under the provisions of Section 4.14
Air conditioners	Any, except for a Front Yard. May be permitted in the Front Yard of a Back-to-Back Townhouse.	1 m, but no closer than 1.2 m to a Lot Line

Example of permitted encroachments:



4.29.1 Alternative Building Setbacks in Residential Zones

Notwithstanding anything else in this By-law, in any Residential Zone, Buildings and Structures which are built between existing Buildings or adjacent to existing Buildings not separated by a street, which are located on the same side of a street that they front onto, and which are separated by no more than 60 m may be built with a setback equal to the average setback of the adjacent Buildings, but this depth need be no greater than the setback regulations prescribed in the Zone in which it is situated, and shall not be less than 3 m for Interior Lots and 3.5 m for Corner Lots provided that the Driveway which provides access to the required Parking Space(s) is at least 6 m in length.

4.30 Public and Institutional Uses

1. Any land may be used and any Building or Structure may be Erected or used for the purpose of a public service by a public authority such as the Corporation, the Provincial and Federal Government, a utility company providing public utilities to the Corporation, a transportation service operated by or for the Corporation, parks and recreation facilities, and Conservation authority established by the Provincial Government, and a Health Unit, provided that:

- a. No goods, materials or equipment shall be store in the open, except as permitted in such Zone;
 - b. Any above-ground Use carried on under the authority of this paragraph in any Residential Zone shall be maintained in general harmony with Residential Buildings in such Zone;
 - c. The Lot Coverage, setback and Yard requirements prescribed for in the Zone in which such land, Building or Structure is located shall be complied with, except where such land, Building or Structure is located in a Residential Zone in which case the provisions of the Institutional (I) Zone shall apply. Streets and Installations
2. Nothing in this By-law shall prevent the Use of land as a street or prevent the installation of a water main, sanitary sewer main, storm sewer main, gas main, pipeline or overhead or underground hydro, telephone and cable line, traffic or other sign, or other supply and/or communication line, including their distribution transformer, pumping and/or regulation stations, provided that the location of such main or line has been approved the Corporation.

4.31 Setbacks from Roads

1. All Buildings and Structures located along Provincial Highways and County Roads shall comply with the specific setback requirements established by the Ministry of Transportation and the County. Development permits for such lands shall be obtained from the Ministry of Transportation and County Roads Department.

4.32 Setbacks / Buffers from Watercourses, Waterbodies, and Fish Habitats

1. All new development, including the Erection of Buildings and Structures and the septic system tile bed on privately serviced Lots and additions to existing structures that do not increase the horizontal building footprint, shall require a minimum setback of 30 m from the Normal High Water Mark of a Watercourse, Waterbody, or Wetland and the following shall apply:
 - a. a minimum naturalized shoreline buffer of 15 m shall be maintained, unless as outlined in subsection (b); and

- b. the lesser of 25% or 15 m of the shoreline may be developed for access to and Use of the waterfront.
- 2. Development requiring a plan of subdivision or that is subject to site plan control must provide the watercourse or waterbody setbacks set forth in subsection (1) above unless, as established through conditions of approval, a different setback is determined to be appropriate subject to the completion of an Environmental Impact Statement, in accordance with the policies set forth in the Official Plan as required by the Corporation, and in consultation with the Conservation Authority.
- 3. Development and site Alteration adjacent to the Natural Heritage Overlay shown in Schedule B1 of this By-law shall require a minimum setback of 30 m unless it can be demonstrated through the preparation of an Environment Impact Study in accordance with the requirements of the Official Plan and review and approval by the Corporation and the Conservation Authority that the proposed development or site Alteration will result in a net environmental gain of the productive capacity of the area.

4.32.1 Yard Exceptions for Waterbodies, Watercourses, Embankments, and Cliffs

Where in this By-law a Front, Side or Rear Yard is required, and part of the area of the Lot is usually covered by water or marsh, or is beyond the rim of the Waterbody or Watercourse, or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal, then the required Yard shall be measured from the nearest Main Wall of the main Building or Structure on the Lot to the edge of the said area covered by water or marsh, or to the rim of said waterbody or watercourse, or to the top of the said cliff or embankment if such area is closer than the Lot Line.

4.33 Shipping Containers

- 1. No person shall Erect, install, or place a Shipping Container in any Residential, Commercial, or Institutional Zones, or in any other Zone which permits residential Uses as a main Use, except where:
 - a. A Shipping Container forms part of a Dwelling, the design of which shall be reviewed through the site plan process.
- 2. Shipping containers shall be permitted in any Industrial Zone, subject to the following provisions:

- a. A shipping container shall be considered to be an Accessory Structure ancillary to the main Use on a Lot.
 - b. A Shipping Container must be located in the Rear Yard and screened from view from the street and abutting properties. Screening requirements shall be determined by Town Planning staff;
 - c. Setbacks for a Shipping Container must include a 0.8 m Side Yard and Rear Yard setback, except for Corner Lots, where they must be located 6 m from the street;
 - d. A Shipping Container shall not be located in a required parking area or Parking Space, and shall not encroach into any required landscaped area or Landscape Strip;
 - e. A Shipping Container shall not be placed for the purpose of display or advertising on a property, or for the purpose of providing screening or fencing;
 - f. A Shipping Container shall be included in all calculations for the purpose of determining maximum Lot Coverage of Accessory Buildings or Structures; and
 - g. A Building permit will be required for the construction and/or installation of a Shipping Container.
3. Notwithstanding any other provision of this Section to the contrary, a Shipping Container shall be permitted as a temporary Use on a construction site in any Zone, other than the Wetland and Floodplain Zones, and areas part of the Natural Heritage Overlay, for the purposes of storing equipment and materials incidental to construction, provided that a Shipping Container shall:
- a. Not be located in a minimum required Front Yard or in an Exterior Side Yard;
 - b. Be located entirely on private property without encroaching on to a public sidewalk or Right-of-Way, and shall not create a site line obstruction;
 - c. Not exceed two (2) in number; and
 - d. Be removed from the site within 30 days of completing construction works.

4.34 Sight Triangles

4.34.1 Sight Triangles

In a Sight Triangle, except in the DC, DF, DW, and NC Zones, no uncovered surface Parking Lot or Loading Space may be constructed or used and no Building or Structure, landscaping or Finished Grade shall be constructed or located thereon which exceeds 0.8 m above grade, so as not to obstruct the vision of Vehicle operators.

4.34.2 Railway Crossings

Where any road or street crosses a railway at the same grade, no Building or Structure shall hereafter be Erected closer to the point of intersection of the centre line of both the railway and the street than 30 m where automatic signal protection is provided and 45 m where no automatic signals are provided.

4.35 Signs

Nothing in this By-law shall apply to prevent the Use of signs on any land, Building or Structure, but the Erection, Use and maintenance of such signs shall be subject to the provisions of the Sign By-law of the Corporation and the provisions of this By-law for Home Occupations and Sight Triangles.

4.36 Site Plan Requirements

No development shall take place on any parcel of land designated as Site Plan Control Area in the Site Plan Control By-law unless the Council of the Corporation has approved such plans and drawings required under the provisions of the Site Plan Control By-law.

4.37 Source Water Protection

The following provisions shall apply to lands within the Source Water Protection Overlay, as shown on Schedule B2 of this By-law:

- a. All applications for development within the Source Water Protection Overlay shall be accompanied by a completed Source Protection Activity Checklist unless exempted by the Corporation and/or the Risk Management Official.

- b. Where not otherwise excluded, pursuant to subsection 1), applications for development within the Source Water Protection Area shall be accompanied by a notice from the RMO in accordance with Section 59(2) of the Clean Water Act prior to approval.
- c. No Building Permit or Site Plan Control approval shall be issued for any Use within the Source Water Protection Overlay area without the prior review of the potential impact upon Source Water by the Corporation and/or the Risk Management Official.
- d. Properties with a portion of land within the Source Water Protection Area may be developed without notice from the RMO provided the development takes place outside of the area described as being part of the Source Water Protection Area Overlay.
- e. Properties entirely within the Source Water Protection Area Overlay may be developed without notice from the RMO provided the development is solely for residential purposes.
- f. Properties having parts lying within more than one (1) sensitivity rating as shown on the Source Water Protection Overlay, or only having a part of the property within the Source Water Protection Overlay area, shall be subject to the restrictions applicable to the more sensitive rating, subject to the approval of the Corporation and/or the RMO.
- g. Properties within the Source Water Protection Area Overlay zoned IPZ-10 used for any non-residential Use that has the potential to Use, store or undertake the following types of activity, or which may Use any of the items listed in this Section, as defined by the Mississippi-Rideau Source Protection Plan, shall be prohibited until it is must be demonstrated to the satisfaction of the Corporation and/or RMO that the Use does not represent a significant threat to drinking water for the Use to proceed:
 - a. Agricultural Use
 - b. Chemical Storage (DNAPL)
 - c. Waste Disposal Site
 - d. Handling and storage of commercial fertilizer, organic solvents or commercial pesticide to land
 - e. Handling or storage of fuel at private outlets
 - f. Handling and storage of road salt
 - g. On-site Sewage Systems (more than 10,000 litres)

- h. Snow storage/disposal site
- h. Properties within the Source Water Protection Area Overlay zoned IPZ-8 used for any non-residential Use that has the potential to Use, store or undertake the following types of activity, or which may Use any of the items listed in this Section, as defined by the Mississippi-Rideau Source Protection Plan, shall be prohibited until it is must be demonstrated to the satisfaction of the Corporation and/or RMO that the Use does not represent a significant threat to drinking water for the Use to proceed:
 - a. Combined sewer discharge from a stormwater outlet to surface water
 - b. Sewage Treatment Plant or Industrial effluent discharge
 - c. Sewage Treatment Plant bypass discharge to surface water
 - d. Waste Disposal Site
- i. Properties within the Source Water Protection Area Used for any non-residential Use that has the potential to impact the supply of water by removing water from an aquifer shall not be permitted unless it has been demonstrated, to the satisfaction of the RMO, that the Use would not be a significant threat to drinking water for the Use to proceed.
- j. Further to Subsections 7), 8), and 9) above, the prohibited uses shall only be permitted through amendment to this By-law.

5 Zones

5.1 Classification

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Town of Smiths Falls which are divided into various Zones. The boundaries of these Zones are illustrated in the Schedules of this By-law. On the Schedules, Zones and their classifications are identified by symbols, as shown in Table 5-1.

Table 5-1: Establishment of Zones / Special Overlays and Corresponding Symbols

Classification	Zone	Symbol or Suffix
Zones		
Residential	Residential Type One Zone	R1
	Residential Type Two Zone	R2
	Residential Type Three Zone	R3
	Residential Type Four Zone	R4
	Residential Type Five Zone	R5
Commercial	Downtown Core Zone	DC
	Downtown Fringe Zone	DF
	Downtown Waterfront Zone	DW
	Lombard Street Commercial Zone	LC
	Neighbourhood Commercial Zone	NC
	Corridor Commercial Zone	CC
	Community Shopping Centre Zone	SC
Industrial	Business Park Zone	M1
	Light Industrial Zone	M2
	General Industrial Zone	M3
Open Space	Open Space Zone	OS

Classification	Zone	Symbol or Suffix
Institutional	Institutional Zone	I
Future Development	Future Development Zone	FD
Wetland	Wetland Zone	(W)
Special Zones		
Flood Plain	Flood Plain Zone	(F)
Holding	Holding Zone	h
Temporary Use	Temporary Use Zone	t

5.2 Zone Regulations

The permitted Uses, the size and dimensions of Lots, the size of Yards, the Lot Coverage, the setback, the Gross Leasable Floor Area, the Landscaped Open Space, and all other Zone provisions set out herein for the respective Zones.

5.3 Zone Boundaries

The extent and boundaries of all the said Zones are shown on the Schedules, which form a part of this By-law and are attached hereto.

5.4 Zone Symbols

The symbols listed in Section 5.1 may be used to refer to Building Structure the Uses of Lots, Buildings, and Structures permitted by this By-law in the said Zones. Whenever in this By-law the word Zone is used, preceded by any of the said symbols, such Zones shall mean any area within the Corporation within the scope of this By-law, delineated on the Schedules and designated thereon by the said symbol.

5.5 Exception Zones

Where the Zone symbol as shown on the Schedules is followed by a dash and a number (e.g. R1-1), then special provisions apply to such lands and such special provisions may be found by reference to that part of the By-law which deals with that particular Zone and the

Exception Zones subsection thereunder. Lands zoned in this manner shall also be subject to all provisions of the Zone, except as otherwise specified in such special provisions.

5.6 Special Zones

5.6.1 Flood Plain Zone (F)

Lands zoned Flood Plain as identified on the Schedules by the suffix "(F)" after the Zone symbol shall be subject to all of the provisions of the Zone in which the lands are located. However, no Building or Structure shall be Erected or Altered within any area which is located within a Flood Plain Zone, except with the written approval of the Conservation Authority.

5.6.2 Holding Zones

Any parcel or area of land in any Zone on the Schedules of this By-law may be further classified as a Holding Zone with the addition of the suffix "h" (e.g. R3-4h). The intent is to signify Council's approval in principle of future development of the land for the purposes indicated by the Zone symbol. The holding classification added to a given Zone shall restrict development of the land until such time as the demand for the development of the land is sufficient to warrant immediate development.

Where a Holding Zone applies, no lands shall be used and no Buildings or Structures shall be Erected or used for any purpose other than Uses existing on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law, and the Corporation may require that the applicant enter into an agreement for the development of the land prior to the amendment being adopted.

5.6.3 Temporary Use Zones

Where the Zone symbol zoning certain lands as shown on the Schedules is followed by the suffix "t" (e.g. R1t), a Use or Uses in addition to the Uses permitted in the Zone in which the lands are located shall be permitted for a specified period of time following which the Use or Uses shall cease. Temporary Uses shall only be permitted by an amendment to this By-law which amends the Schedules by adding the letter "t" to the Zone symbol on the lands where the temporary Use is located and by amending this section to:

- a. describe the lands on which the temporary Use or Uses is/are permitted including the municipal address where appropriate;
- b. list the permitted temporary Use or Uses;
- c. specify the time period for which the temporary Use or Uses is/are permitted including the date on which the Use or Uses is/are to cease, on which date the amendment shall be deemed to be repealed and the temporary Use(s) shall be deemed to be repealed and the temporary Use (s) no longer permitted;
- d. describe any conditions which apply to the temporary Use or Uses.

5.7 Zone Boundaries

1. Zone boundaries, where possible, shall be construed to be Lot Lines, street lines, centre lines of streets or railway rights-of-way. In the case where uncertainty exists as to the boundary of any Zone, then the location of such boundary shall be determined in accordance with the scale of the Schedules as its original size.
2. Wherever it occurs, the municipal limit of the Town of Smiths Falls is the boundary of the Zone adjacent to it.
3. Where a Zone boundary is shown on the Schedules of this By-law, the Zone symbol within the boundary shall apply to all lands within such boundary.

5.8 Building, Structure, and Use Classification

1. The Buildings, Structures and Use of Buildings, Structures and Lots specifically named as Use permitted and classified under the headings of “Residential” and “Non-Residential” refer only to the Uses as are specifically named under such heading in each Zone.
2. For the purpose of reference, all Buildings, Structures and Uses of Buildings, Structures and Lots named as Permitted Uses and classified under the headings of “Residential” and “Non-Residential” may be referred to as “Residential” and “Non-Residential” Buildings, Structures, or Uses respectively.
3. The Buildings, Structures, and Uses specifically named as permitted Uses in a particular Zone are the only Uses permitted in the particular Zone in which they are named and classified, unless otherwise stated in Section 4 General Provisions or in the Exception Zone provisions in the particular Zone.



6 Residential Type 1 (R1) Zone

The Residential Type 1 (R1) Zone is intended to implement the Official Plan policies for low density Uses in the Residential designation. This Zone generally permits Single-Detached Dwellings and some institutional Uses.

6.1 General

No person shall within any R1 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions and the general provisions of this By-law.

6.2 Permitted Uses

6.2.1 Residential Uses

- Single-Detached Dwelling

6.2.2 Non-Residential Uses

- Place of Worship in accordance with Section 22.
- Other Uses in accordance with Section 4.

6.3 Zone Provisions

6.3.1 Lot and Building Requirements for Permitted Residential Uses

Table 6-1: Lot and Building Requirements for Permitted Residential Uses (Single-Detached Dwelling)

Provision	Requirement
	Single-Detached Dwelling
a. Minimum Lot Area	420 m ²
b. Minimum Lot Frontage	15 m
c. Minimum Front Yard	6 m
d. Minimum Exterior Side Yard	3.5 m

Provision	Requirement
	Single-Detached Dwelling
e. Minimum Interior Side Yard	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m
f. Minimum Rear Yard	8 m
g. Maximum Lot Coverage	35%
h. Maximum Building Height	11 m

6.4 Exception Zones

6.4.1 R1-1

Zoning By-law Section	Exception No.	By-law No.
6.4.1	R1-1	8916-2017
Property Location: 110-118 Lorne Street, portion of 131 Lorne Street, unnumbered address accessible from 11 Lorne Street		
Standards		
i. The following additional Uses shall be permitted: Agriculture, Non-Intensive.		

6.4.2 R1-2

Zoning By-law Section	Exception No.	By-law No.
6.4.2	R1-2	8916-2017
Property Location: 125 Lorne Street		
Standards		
i. The following additional Uses shall be permitted: Automobile Care, Automobile Body Shop, Automobile Sales and Farm Implement Sales.		



6.4.3 R1-3

Zoning By-law Section	Exception No.	By-law No.
6.4.3	R1-3	8916-2017
Property Location: 131 Lorne Street		
Standards		
i. The following additional Uses shall be permitted: Equestrian Uses and Agriculture, Non-Intensive.		

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7 Residential Type 2 (R2) Zone

The Residential Type 2 (R2) Zone is intended to implement the policies for low and medium density Uses in the Residential designation in the Official Plan. This Zone generally permits housing forms including Single-Detached, Semi-Detached, and Duplex Dwellings, as well as some institutional Uses.

No person shall within any R2 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

7.1 Permitted Uses

7.1.1 Residential Uses

- Converted Dwelling
 - Duplex Dwelling
 - Multiple Dwelling
 - Rooming House
 - Semi-Detached Dwelling
 - Single-Detached Dwelling
-

7.1.2 Non-Residential Uses

- Place of Worship in accordance with Section 20
- Other Uses in accordance with Section 4

7.2 Zone Provisions

7.2.1 Lot and Building Requirements for Permitted Residential Uses

Table 7-1: Lot and Building Requirements for Permitted Low-Density Residential Uses (Single-Detached, Semi-Detached, Duplex Dwellings)

Provision	Requirement for Low-Density Residential Uses		
	Single-Detached Dwelling	Semi-Detached Dwelling	Duplex Dwelling
a. Minimum Lot Area	420 m ²	210 m ² per Dwelling Unit	420 m ²
b. Minimum Lot Frontage	15 m	9 m per Dwelling Unit	15 m
c. Minimum Front Yard	6 m	6 m	6 m
d. Minimum Exterior Side Yard	3.5 m	3.5 m	3.5 m
e. Minimum Interior Side Yard	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building the minimum shall be 1.2 m	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m
f. Minimum Rear Yard	8 m	8 m	8 m
g. Maximum Lot Coverage	35%	40%	35%
h. Maximum Building Height	11 m	11 m	11 m



Table 7-2: Lot and Building Requirements for Permitted Medium-Density Residential Uses (Multiple Dwellings, Converted Dwellings)

Provision	Requirement for Medium-Density Residential Uses	
	Multiple Dwelling	Converted Dwelling
a. Minimum Lot Area	450 m ²	450 m ²
b. Minimum Lot Frontage	18 m	12 m
c. Minimum Front Yard	6 m	6 m
d. Minimum Exterior Side Yard	3.5 m	3.5 m
e. Minimum Interior Side Yard	6 m on one side with a minimum aggregate of 9 m for both Yards, except where a garage or carport is attached to the main Building, the minimum for both Yards shall be 3 m	3 m on one side with a minimum aggregate of 4 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1 m
f. Minimum Rear Yard	8 m	8 m
g. Maximum Lot Coverage	35%	40%
h. Maximum Building Height	11 m	11 m
i. Maximum Number of Dwelling Units	4	N/A
j. Maximum Density	One (1) Dwelling Unit per 200 m ² Lot Area	One (1) Dwelling Unit per 200 m ² Lot Area

7.3 Exception Zones

7.3.1 R2-1

Zoning By-law Section	Exception No.	By-law No.
7.3.1	R2-1	7095-95
Property Location: 4 George Street South		
Standards		
<ul style="list-style-type: none"> i. The following additional Uses shall be permitted: Group School for teaching developmentally handicapped persons shall be a permitted use within the Building existing on the property on the date of approval of this By-law. ii. For the purpose of this Section, a Group School shall be a facility in which a maximum of eighteen (18) developmentally handicapped students receive educational training from supervisory staff during normal school hours. 		

7.3.2 R2-2

Zoning By-law Section	Exception No.	By-law No.
7.3.2	R2-2	10136-2020
Property Location: 8 & 10 Philip Street		
Standards		
<ul style="list-style-type: none"> i. The following additional Uses shall be permitted: Apartment Dwelling containing six (6) Dwelling Units shall be permitted subject to the provisions of the R2 Zone ii. The following special provisions shall apply: <ul style="list-style-type: none"> a. Minimum Lot Frontage: 16 m; b. Minimum Interior Side Yard: 3 m; c. Maximum Building Height: 8.5 m; 		



Zoning By-law Section	Exception No.	By-law No.
7.3.2	R2-2	10136-2020
Property Location: 8 & 10 Philip Street		
Standards		
<ul style="list-style-type: none"> d. Minimum separation between Parking Spaces and Habitable Room window: 4 m; e. Minimum separation between Driveway and Habitable Room window: 1.2 m; and f. Parking area setback from Lot Lines shared with another R2-3 Zone: none. 		

7.3.3 R2-3

Zoning By-law Section	Exception No.	By-law No.
7.3.3	R2-3	10162-2020
Property Location: 65 Chambers Street East		
Standards		
<ul style="list-style-type: none"> i. The following additional Uses shall be permitted: Converted Dwelling containing seven (7) Dwelling Units. ii. The following special provisions shall apply: <ul style="list-style-type: none"> a. Maximum Density: 1 Dwelling Unit/178 m² Lot Area; b. Minimum required parking: 8 Parking Spaces; and c. No parking is permitted in the Front Yard. 		

7.3.4 R2-4

Zoning By-law Section	Exception No.	By-law No.
7.3.4	R2-4	10180-2020
Property Location: 102 Brockville Street		
Standards		
i. The following additional Uses shall be permitted: Converted Dwelling House containing three (3) units; and a detached Additional Residential Unit within an Accessory Building, which existed at the date of passing of this By-law.		

7.3.5 R2-5

Zoning By-law Section	Exception No.	By-law No.
7.3.5	R2-5	101321-2022
Property Location: 169 Chambers Street		
Standards		
i. A Multiple Dwelling containing three (3) units; and an Additional Residential Unit in a detached ancillary structure shall be permitted within structures existing as of the date of the passing of this amending By-law.		

7.3.6 R2-6

Zoning By-law Section	Exception No.	By-law No.
7.3.6	R2-6	10365-2022
Property Location: 188 Chambers Street		
Standards		
i. A Multiple Dwelling containing five (5) units shall be permitted.		
ii. The following special provisions shall apply:		



Zoning By-law Section	Exception No.	By-law No.
7.3.6	R2-6	10365-2022
Property Location: 188 Chambers Street		
Standards		
a. Minimum Front Yard: 3 m; and, b. Minimum distance between a driveway and a habitable room window: 0.78 m.		



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8 Residential Type 3 (R3) Zone

The Residential Type 3 (R3) Zone is intended to implement the Official Plan policies for low and medium density Uses in the Residential designation. This Zone generally permits housing forms including Single-Detached, Semi-Detached, Duplex, Townhouse, and Multiple Dwellings, as well as some institutional Uses.

No person shall within any R3 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

8.1 Permitted Uses

8.1.1 Residential Uses

- Duplex Dwelling
- Semi-Detached Dwelling
- Single-Detached Dwelling
- Multiple Dwelling
- Planned Unit Townhouse
- Street Townhouse

8.1.2 Non-Residential Uses

- Place of Worship in accordance with Section 22
- Other Uses in accordance with Section 4

8.2 Zone Provisions

8.2.1 Lot and Building Requirements for Permitted Residential Uses

Table 8-1: Lot and Building Requirements for Permitted Low-Density Residential Uses (Single-Detached, Semi-Detached, Duplex Dwellings)

Provision	Requirement for Low-Density Residential Uses		
	Single-Detached Dwelling	Semi-Detached Dwelling	Duplex Dwelling
a. Minimum Lot Area	420 m ²	210 m ² per Dwelling Unit	420 m ²

Provision	Requirement for Low-Density Residential Uses		
	Single-Detached Dwelling	Semi-Detached Dwelling	Duplex Dwelling
b. Minimum Lot Frontage	15 m	9 m per Dwelling Unit	15 m
c. Minimum Front Yard	6 m	6 m	6 m
d. Minimum Exterior Side Yard	3.5 m	3.5 m	3.5 m
e. Minimum Interior Side Yard	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m	3 m on one side except where a garage or carport is attached to the main Building the minimum shall be 1.2 m, and none on the other side	3 m on one side, with a minimum aggregate of 4.2 m for both Yards, except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m
f. Minimum Rear Yard	8 m	8 m	8 m
g. Maximum Lot Coverage	35%	40%	40%
h. Maximum Building Height	11 m	11 m	11 m
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.	In accordance with Section 4.	In accordance with Section 4.



Table 8-2: Lot and Building Requirements for Permitted Medium-Density Residential Uses (Street Townhouse, Planned Unit Townhouse, Multiple Dwelling)

Provision	Requirement for Medium-Density Residential Uses		
	Street Townhouse	Planned Unit Townhouse	Multiple Dwelling
a. Minimum Lot Area	200 m ² per corner dwelling unit and 150 m ² per interior dwelling unit	200 m ² per corner dwelling unit and 150 m ² per interior dwelling unit	200 m ² per dwelling unit
b. Minimum Lot Frontage	5.5 m per dwelling unit	30 m	30 m
c. Minimum Front Yard	6 m	6 m	6 m
d. Minimum Exterior Side Yard	3.5 m	6 m	6 m
e. Minimum Interior Side Yard	Except that the minimum width adjoining a corner unit shall be 1.2 m	6 m	3 m on one side with a minimum aggregate of 4.2 m except where a garage or carport is attached to the main Building, the minimum shall be 1.2 m
f. Minimum Rear Yard	8 m	6 m	8 m
g. Maximum Number of Dwelling Units	6	N/A	N/A
h. Maximum Lot Coverage	45%	35%	35%
i. Maximum Building Height	11 m	11 m	11 m

Provision	Requirement for Medium-Density Residential Uses		
	Street Townhouse	Planned Unit Townhouse	Multiple Dwelling
j. Minimum Distance Between Buildings	3 m	3 m	N/A
k. Accessory Uses, Parking, Etc.	In accordance with Section 4.	In accordance with Section 4.	In accordance with Section 4.

8.2.2 Additional Provisions – Planned Unit Townhouse

1. Privacy Yards

Privacy Yards shall be provided for each Planned Unit Townhouse Dwelling in accordance with Table 8-3 and shall be measured as though each Dwelling Unit is located on a separate Lot. The privacy Yards may be included in Yard requirements for minimum Front Yard, Interior Side Yard, and Rear Yard for a Planned Unit Townhouse, as described in Section 8.2.1.

Table 8-3: Minimum Requirements for Privacy Yards in the R3 Zone

Provision	Requirement
a. Minimum Front Yard Depth	6 m
Minimum Exterior Side Yard Width	6 m
Minimum Interior Side Yard Width	None, except that the minimum width adjoining an end unit shall be 1 m
Minimum Rear Yard Depth	6 m

8.2.3 Additional Provisions – Multiple Dwelling

1. Maximum Density

One (1) Dwelling Unit per 200 m² of Lot Area.



2. Courts

Where a Building is in a court, the distance between opposing side walls of the Building forming the court shall be no less than 12 m.

3. Privacy Yards

- a. Privacy Yards with a minimum depth of 6 m, which are clear and unobstructed by any parking area or Driveway, other than a private Driveway for a Dwelling Unit, shall be provided adjoining any ground floor Habitable Room window except for a Dwelling containing less than ten (10) Dwelling Units, a Driveway shall be permitted within 3.5 m of an end wall in an Exterior Side Yard.
- b. Within a privacy Yard, an area with a minimum depth of 3.5 m unobstructed by any public or joint pedestrian access shall be provided adjoining any ground floor Habitable Room window.
- c. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 m above the adjacent Finished Grade.

4. Improved Amenity Area

- a. For Dwellings which do not have a separate privacy Yard with a minimum depth of 6 m for the exclusive Use of each Dwelling Unit, an Improved Amenity Area shall be provided.
- b. The Improved Amenity Area shall be a minimum of 4% of the Lot Area which may be included in the area calculated as required Landscaped Open Space.
- c. The Improved Amenity Area shall be located not less than 6 m from a ground floor Habitable Room window and not in the Front Yard.
- d. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 above the adjacent Finished Grade.

8.3 Exception Zones

8.3.1 R3-1

Zoning By-law Section	Exception No.	By-law No.
8.3.1	R3-1	8153-2008
Property Location: 90 & 98 Queen Street		
Standards		
i. The permitted Uses shall be restricted to: Multiple Dwelling containing four (4) Dwelling Units.		

8.3.2 R3-2

Zoning By-law Section	Exception No.	By-law No.
8.3.2	R3-2	10274-2021
Property Location: Bellamy Farms Subdivision Phase II		
Standards		
i. The permitted Uses shall be restricted to: Single-Detached Dwelling in accordance with the building and lot provisions for the R1 Zone; Semi-Detached Dwelling; and Street Townhouse.		
ii. A Street Townhouse shall be subject to the following additional provisions:		
a. Minimum Lot Area: 160 m ² ; and		
b. Minimum Lot Frontage: 5.45 m.		



8.3.3 R3-3

Zoning By-law Section	Exception No.	By-law No.
8.3.3	R3-3	8665-2014
Property Location: 16 Victoria Avenue		
Standards		
i. The Maximum Density shall be 1 Dwelling Unit per 190 m ² of Lot Area.		

8.3.4 R3-4

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
8.3.4	R3-4	10160-2020
Property Location: 1 Old Slys Road		
Standards		
i. The following additional Use shall be permitted: Multiple Dwelling containing four (4) Dwelling Units.		
ii. The following special provisions shall apply:		
a. Minimum Interior Side Yard: 2.7 m; and		
b. Exterior Side Yard: 4 m.		

8.3.5 R3-5

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
8.3.5	R3-5	10231-2021
Property Location: 224-238 Percy Street		
Standards		
i. A Planned Unit Townhouse shall be permitted, subject to the following special provisions: <ul style="list-style-type: none"> a. Minimum Exterior Side Yard: 3.5 m; b. Interior Side Yard: 3 m; and c. Exterior Side Privacy Yard: 3 m. 		

8.3.6 R3-6

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
8.3.6	R3-6	8699-2014
Property Location: 42 William Street West		
Standards		
i. The following additional uses shall be permitted: <ul style="list-style-type: none"> a. Yoga Studio b. Catering Establishment c. Assembly Hall 		



9 Residential Type 4 (R4) Zone

The Residential Type 4 (R4) Zone is intended to implement the Official Plan policies for medium and high density Uses in the Residential designation. This Zone generally permits housing forms including Apartment and Multiple Dwellings, as well as some institutional Uses.

No person shall within any R4 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

9.1 Permitted Uses

9.1.1 Residential Uses

- Apartment Dwelling
- Multiple Dwelling
- Stacked Townhouse
- Back-to-Back Townhouse

9.1.2 Non-Residential Uses

- Home for the Aged
- Nursing Home
- Place of Worship in accordance with Section 22
- Other Uses in accordance with Section 4

9.2 Zone Provisions

9.2.1 Lot and Building Requirements for Permitted Residential Uses

Table 9-1: Lot and Building Requirements for Permitted Residential Uses (Apartment, Multiple Dwelling)

Provision	Requirement
	Apartment Dwelling and Multiple Dwelling
a. Minimum Lot Area	1,000 m ²
b. Minimum Lot Frontage	30 m

Provision	Requirement
	Apartment Dwelling and Multiple Dwelling
c. Minimum Front Yard	6 m
d. Minimum Exterior Side Yard	6 m
e. Minimum Interior Side Yard	6 m
f. Minimum Rear Yard	8 m
g. Maximum Lot Coverage	35%
h. Maximum Building Height	11 m
i. Accessory Uses, Parking	In accordance with Section 4.
j. Maximum Density	1 Dwelling Unit per 130 m ² Lot Area

Table 9-2: Lot and Building Requirements for Permitted Residential Uses (Stacked and Back-to-Back Townhouse Dwelling)

Provision	Requirement	
	Stacked Townhouse	Back-to-Back Townhouse
a. Minimum Lot Area	1,000 m ²	1,000 m ²
b. Minimum Lot Frontage	6 m per Dwelling Unit at grade	6 m per Dwelling Unit at grade facing the Front Lot Line
c. Minimum Front Yard	6 m	6 m
d. Minimum Exterior Side Yard	3.5 m	3.5 m
e. Minimum Interior Side Yard	Corner unit – 1.2 m Inside unit – 0 m	Corner unit – 1.2 m Inside unit – 0 m
f. Minimum Rear Yard	8 m; 0 m for Back-to-Back Stacked Townhouses	0 m
g. Maximum Lot Coverage	49%	49%



Provision	Requirement	
	Stacked Townhouse	Back-to-Back Townhouse
h. Maximum Building Height	11 m	11 m
i. Minimum Distance Between Buildings	3 m	3 m
j. Accessory Uses, Parking	In accordance with Section 4.	In accordance with Section 4.
k. Maximum Density	1 Dwelling Unit per 130 m ² Lot Area	1 Dwelling Unit per 130 m ² Lot Area

9.2.2 Additional Provisions – Apartment and Multiple Dwelling

1. Courts

Where a Building is in a court, the distance between opposing side walls of the Building forming the court shall be no less than 12 m.

2. Privacy Yards

- a. Privacy Yards with a minimum depth of 6 m, which are clear and unobstructed by any parking area or Driveway, other than a private Driveway for a Dwelling Unit, shall be provided adjoining any ground floor Habitable Room window, except for a Dwelling containing less than ten (10) Dwelling Units, a Driveway shall be permitted within 3.5 m of an end wall in an Exterior Side Yard.
- b. Within a privacy Yard, an area with a minimum depth of 3.5 m unobstructed by any public or joint pedestrian access shall be provided adjoining any ground floor Habitable Room window.
- c. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 m above the adjacent Finished Grade.

3. Improved Amenity Area

- a. For Apartment Dwellings which do not have a separate privacy Yard with a minimum depth of 6 m for the exclusive use of each Dwelling Unit, an Improved Amenity Area shall be provided.
- b. The Improved Amenity Area shall be a minimum of 4% of the Lot Area which may be included in the area calculated as required landscaped open space.
- c. The Improved Amenity Area shall be located not less than 6 m from a ground floor Habitable Room window and not in the Front Yard.
- d. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 m above the adjacent Finished Grade.

9.2.3 Nursing Home and Home for the Aged

In accordance with Section 22.2.

9.3 Exception Zones

9.3.1 R4-1

Zoning By-law Section	Exception No.	By-law No.
9.3.1	R4-1	N/A
Property Location: 8 & 11 River Street		
Standards		
<ul style="list-style-type: none"> i. The following special provisions shall apply: <ul style="list-style-type: none"> a. Minimum Lot Frontage: 22 m; b. Minimum Side Yard: 3 m; c. Privacy Yard: None; and d. Improved Amenity Area: None. 		



9.3.2 R4-2

Zoning By-law Section	Exception No.	By-law No.
9.3.2	R4-2	8505-2012
Property Location: 66 Queen Street		
Standards		
i. The Minimum Lot Area shall be: 1,168 m ² .		

9.3.3 R4-3

Zoning By-law Section	Exception No.	By-law No.
9.3.3	R4-3	N/A
Property Location: Van Horne Avenue (Legal Description: Lot 3, Con 3 of South Elmsley 27R8847 Parts 1,14 and 15)		
Standards		
i. The following additional Uses shall be permitted: Apartment Dwelling containing 24 Dwelling Units.		
ii. The following special provisions shall apply: <ul style="list-style-type: none"> a. Minimum Interior Side Yard Setback for Parking Spaces: 0.5 m; and b. Driveways shall be permitted within 3.5 m of a Habitable Room window. 		

9.3.4 R4-4

Zoning By-law Section	Exception No.	By-law No.
9.3.4	R4-4	10252-2021
Property Location: 45 Elmsley Street South		
Standards		
i. The following additional Uses shall be permitted: Apartment Dwelling.		

Zoning By-law Section	Exception No.	By-law No.
9.3.4	R4-4	10252-2021
Property Location: 45 Elmsley Street South		
Standards		
ii. The following provisions shall apply: <ul style="list-style-type: none"> a. Maximum Building Height: 18 m; b. Minimum Rear Yard Depth: 6 m; c. Maximum Density: 1 Dwelling Unit per 95 m² of Lot Area; d. The Front Yard facing Elmsley Street South shall be considered only the Front Yard; e. An equipped children’s play area shall be not be required on site; and f. Minimum angle of intersection between a Driveway and a Street line shall be 45 degrees. 		

9.3.5 R4-5

Zoning By-law Section	Exception No.	By-law No.
9.3.5	R4-5	10322-2022
Property Location: 40 McGill Street South		
Standards		
i. The following uses shall be permitted: Apartment Dwelling. ii. The following special provisions shall apply: <ul style="list-style-type: none"> a. Minimum Front Yard: 4.25 m; b. Minimum Privacy Yard for individual units: 3.5 m c. An equipped children’s play area shall not be required on site; and, d. Parking shall be permitted in all yards. 		



10 Residential Type 5 (R5) Zone

The Residential Type 5 (R5) Zone is intended to implement the Official Plan policies for high density Uses in the Residential designation in the Official Plan. This Zone generally permits Apartment Dwellings, as well as some institutional Uses.

No person shall within any R5 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

10.1 Permitted Uses

10.1.1 Residential Uses

- Apartment Dwelling

10.1.2 Non-Residential Uses

- Home for the Aged
- Nursing Home
- Place of Worship in accordance with Section 22
- Other Uses in accordance with Section 4

10.2 Zone Provisions

10.2.1 Lot and Building Requirements for Permitted Residential Uses

Table 10-1: Lot and Building Requirements for Permitted Residential Uses (Apartment Dwelling)

Provision	Requirement
	Apartment Dwelling
a. Minimum Lot Area	1,000 m ²
b. Minimum Lot Frontage	30 m
c. Minimum Front Yard	8 m
d. Minimum Exterior Side Yard	8 m

Provision	Requirement
	Apartment Dwelling
e. Minimum Interior Side Yard	8 m
f. Minimum Rear Yard	8 m
g. Maximum Lot Coverage	24%
h. Maximum Building Height	15 m
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.
j. Maximum Density	One Dwelling Unit per 70 m ² Lot Area

10.2.2 Additional Provisions – Apartment Dwelling and Multiple Dwelling

1. Courts

Where a Building is in a court, the distance between opposing side walls of the Building forming the court shall be no less than 12 m.

2. Privacy Yards

- a. Privacy Yards with a minimum depth of 6 m, which are clear and unobstructed by any parking area or Driveway, other than a private Driveway for a Dwelling Unit, shall be provided adjoining any ground floor Habitable Room window, except for a Dwelling containing less than 10 Dwelling Units, a Driveway shall be permitted within 3.5 m of an end wall in an Exterior Side Yard.
- b. With a privacy Yard, an area with a minimum depth of 3.5 m unobstructed by any public or joint pedestrian access shall be provided adjoining any ground floor Habitable Room window.
- c. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 m above the adjacent Finished Grade.



3. Improved Amenity Area

- a. For Apartment Dwellings which do not have a separate privacy Yard with a minimum depth of 6 m for the exclusive Use of each Dwelling Unit, an Improved Amenity Area shall be provided.
- b. The Improved Amenity Area shall be located not less than 6 m from a ground floor Habitable Room window and not in the Front Yard.
- c. For the purpose of this provision, a window shall be considered to be a ground floor window if any part of the glazing is less than 2.5 m above the adjacent Finished Grade.

10.2.3 Nursing Home and Home for the Aged

In accordance with Section 22.2.

10.3 Exception Zones

10.3.1 R5-1

Zoning By-law Section	Exception No.	By-law No.
10.3.1	R5-1	8505-2012
Property Location: 254, 260 & 266 Brockville Street		
Standards		
i. A Planned Unit Townhouse is permitted in accordance with the Planned Unit Townhouse provisions in the R3 Zone.		



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11 Downtown Core (DC) Zone

The Downtown Core (DC) Zone is intended to implement the policies of the Downtown Core designation in the Official Plan. This Zone generally permits a wide range of commercial Uses such as retail Uses, Personal Service Shops, Restaurants, as well as complimentary institutional Uses. Above-ground residential Uses are permitted.

No person shall within any DC Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

11.1 Permitted Uses

11.1.1 Non-Residential Uses

- Animal Hospital
- Assembly Hall
- Bar
- Commercial School
- Community Centre
- Custom Workshop
- Day Care
- Financial Institution
- Full-Service Restaurant
- Funeral Home
- Hotel
- Institution
- Laundromat
- Medical Clinic
- Museum
- Pharmacy
- Place of Entertainment
- Place of Recreation
- Place of Worship
- Printing Shop
- Public Use
- Religious Institution
- Repair Service Shop
- Retail Food Store
- Retail Store
- School
- Small-Scale Brewery
- Small-Scale Distillery
- Take-Out Restaurant
- Taxi Station

- Office
- Parking Lot
- Personal Service Shop
- Other Uses in accordance with Section 4

11.1.2 Residential Uses

- A Dwelling Unit or units in the upper storey of a Non-Residential Building.
- A Dwelling Unit or units occupying a portion of, and located at the rear or the side, of the ground floor of a Non-Residential Building with no wall of the Dwelling Unit facing a public street.

11.2 Zone Provisions

11.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 11-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	None
d. Minimum Exterior Side Yard	None
e. Minimum Interior Side Yard	None
f. Minimum Rear Yard	None Except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 1.5 m
g. Minimum Building Height	11 m
h. Maximum Building Height	22 m
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.



11.2.2 Lot and Building Requirements for Permitted Residential Uses

Table 11-2: Lot and Building Requirements for Permitted Residential Uses

Provision	Requirement
a. Minimum Landscaped Open Space	15 m ² per unit
b. Minimum Open Usable Roof Area	The minimum landscaped open space provision shall not apply to Dwelling Units in a portion of Non-Residential Building provided that all Dwelling Units have access to a private balcony or to an open roof deck with an area of not less than 5 m ² per unit
c. Maximum Density	One Dwelling Unit per 70 m ² of Lot Area
d. Minimum Building Height	11 m
e. Maximum Building Height	22 m
f. Accessory Uses, Parking, Etc.	In accordance with Section 4.

11.3 Exception Zones

11.3.1 DC-1

Zoning By-law Section	Exception No.	By-law No.
11.3.1	DC-1	N/A
Property Location: 10 Church Street West		
Standards		
i. In addition to the permitted Non-Residential uses, the ground floor may be used for residential uses in accordance with the provisions of Section 11.1.1, provided that no ground floor Dwelling Unit shall be located below a Non-Residential use.		

12 Downtown Fringe (DF) Zone

The Downtown Fringe Zone is intended to implement the policies of the Downtown Core designation in the Official Plan. This Zone generally permits a wide range of commercial Uses, as well as existing residential Uses and new upper-floor residential Uses.

No person shall within any DF Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

12.1 Permitted Uses

12.1.1 Non-Residential Uses

- Animal Hospital
- Commercial School
- Community Centre
- Convenience Store
- Custom Workshop
- Dry Cleaning Plant
- Financial Institution
- Funeral Home
- Guest House
- Hotel
- Laundromat
- Medical Clinic
- Office
- Parking Lot
- Personal Service Shop
- Place of Recreation
- Place of Worship
- Printing Shop
- Religious Institution
- Repair Service Shop
- Restaurant, Full Service
- Retail Food Store
- Retail Store
- Sample and Showroom
- School
- Take-Out Restaurant
- Other uses in accordance with Section 4



12.1.2 Residential Uses

- A Dwelling Unit or units in the upper storey of a Non-Residential Building.
- A Dwelling Unit or units occupying a portion of, and located at the rear or the side, of the ground floor of a Non-Residential Building with no wall of the Dwelling Unit facing a public street.
- Any existing Residential Building containing a Single-Detached, Semi-Detached, Duplex, Multiple, Townhouse, or Converted Dwelling that was legally used for such purpose on the date of passing of this By-law.

12.2 Zone Provisions

12.2.1 Lot and Building Requirements for Non-Residential Buildings

Table 12-1: Lot and Building Requirements for Non-Residential Buildings

Provision	Requirement
g. Minimum Lot Area	No minimum
h. Minimum Lot Frontage	No minimum
i. Minimum Front Yard	6 m
j. Minimum Exterior Side Yard	3.5 m
k. Minimum Interior Side Yard	3 m
l. Minimum Rear Yard	8 m
m. Maximum Building Height	15 m

12.2.2 Lot and Building Requirements for Existing Residential Buildings

1. The provisions of the R2 Zone are to apply to any existing Residential Building containing a Single-Detached, Semi-Detached, Duplex, Multiple, Townhouse, or Converted Dwelling that was legally used for such purpose on the date of passing of this By-law.

12.3 Exception Zones

12.3.1 DF-1

Zoning By-law Section	Exception No.	By-law No.
12.3.1	DF-1	7688-2002
Property Location: 6 Maple Avenue		
Standards		
<ul style="list-style-type: none"> i. The following additional provisions shall apply: <ul style="list-style-type: none"> a. the ground floor of the building may be used for a Dwelling Unit or units, provided the upper floor commercial use is restricted to offices; or b. the building may be used for all uses permitted under Section 12.1, provided there is no Dwelling Unit or units located on the ground floor. ii. No open space is required for any ground floor Dwelling Units. 		

12.3.2 DF-2

Zoning By-law Section	Exception No.	By-law No.
12.3.2	DF-2	8026-06
Property Location: 30 Chambers Street East		
Standards		
<ul style="list-style-type: none"> i. Dwelling Units are permitted on all floors of a building. 		

**12.3.3 DF-3**

Zoning By-law Section	Exception No.	By-law No.
12.3.3	DF-3	B/L 8474-2012
Property Location: 44-50 Chambers Street		
Standards		
<p>i. In addition to the permitted uses, a multiple residential project may be permitted to be built on the properties. In order to allow flexibility in the design of the project, Apartment Dwelling, Street Townhouse, Planned Unit Townhouse, and Semi-Detached Dwelling are also permitted uses in addition to the Commercial uses permitted in the DF Zone.</p>		

12.3.4 DF-4

Zoning By-law Section	Exception No.	By-law No.
12.3.4	DF-4	8434-2011
Property Location: 33 William Street East		
Standards		
<p>i. The ground floor of a building may be used for a Dwelling Unit or Dwelling Units provided that no Commercial uses occupy the upper storeys.</p>		

12.3.5 DF-5

Zoning By-law Section	Exception No.	By-law No.
12.3.5	DF-5	8538-2013
Property Location: 37 William Street East		
Standards		
<p>i. In addition to the permitted non-residential uses, the following additional uses shall be permitted: One (1) Basement Dwelling Unit where the ground floor Commercial uses are restricted to an Office Use.</p>		



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13 Downtown Waterfront (DW) Zone

The Downtown Core Waterfront (DCW) Zone is intended to implement the policies of the Downtown Core designation in the Official Plan, and recognizes these lands' significance due to their close proximity to the Rideau Canal, a designated UNESCO World Heritage Site, and the Downtown Core. This Zone generally permits Public Uses such a park, a range of commercial Uses, complimentary institutional Uses, and above-ground residential Uses.

No person shall within any DW Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

13.1 Permitted Uses

13.1.1 Non-Residential Uses

- Assembly Hall
- Bar
- Community Centre
- Commercial School
- Custom Workshop
- Financial Institution
- Full-Service Restaurant
- Hotel Institution
- Marina
- Marina Facility
- Medical Clinic
- Museum
- Office in the upper storey of a Building
- Parking Lot
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Place of Worship
- Public Use
- Religious Institution
- Retail Store
- Retail Food Store
- School
- Small-Scale Brewery
- Small-Scale Distillery
- Take-Out Restaurant
- Other Uses in accordance with Section 4

13.1.2 Residential Uses

- A Dwelling Unit or units in the upper storey of a Non-Residential Building.
- A Dwelling Unit or units occupying a portion of, and located at the rear or the side, of the ground floor of a Non-Residential Building.

13.2 Zone Provisions

13.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 13-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	None
d. Minimum Exterior Side Yard	None
e. Minimum Interior Side Yard	None Except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 1.5 m
f. Minimum Rear Yard	None Except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 1.5 m
g. Minimum Building Height	7 m
h. Maximum Building Height	15 m
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.



13.2.2 Lot and Building Requirements for Permitted Residential Uses

Table 13-2: Lot and Building Requirements for Permitted Residential Uses

Provision	Requirement
a. Minimum Landscaped Open Space	15 m ² per unit
b. Minimum Open Usable Roof Area	The minimum landscaped open space provision shall not apply to Dwelling Units in a portion of Non-Residential Building provided that all Dwelling Units have access to a private balcony or to an open roof deck with an area of not less than 5 m ² per unit
c. Maximum Density	One Dwelling Unit per 70 m ² of Lot Area
d. Maximum Building Height	15 m
e. Accessory Uses, Parking, Etc.	In accordance with Section 4.

13.3 Exception Zones

13.3.1 DW-1

Zoning By-law Section	Exception No.	By-law No.
13.3.1	DW-1	9009-2018
Property Location: 41 Centre Street		
Standards		
i. The following uses are also permitted: Marina, Marine Facility Use, provided that: <ul style="list-style-type: none"> a. An Open Storage Area is limited to boat storage during the winter months in the southwestern extremity of the property; b. No new construction nor permanent water access including docks, berthing ramps, lifts, for the Marina and Marine Facility use is permitted at the shore line. 		



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14 Lombard Street Commercial (LC) Zone

The Lombard Street Commercial (LC) Zone is intended to implement the policies of the Downtown Core and Neighbourhood Serving Commercial designations, and the Lombard Street Specific Policy Area 1 in the Official Plan. This Zone generally permits a wide range of commercial Uses such as Retail Stores, services, offices, hotels, and Restaurants, as well as institutional Uses.

No person shall within any LC Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

14.1 Permitted Uses

14.1.1 Non-Residential Uses

- Animal Hospital
- Assembly Hall
- Commercial School
- Community Centre
- Custom Workshop
- Dry Cleaning Plant
- Full-Service Restaurant
- Funeral Home
- Financial Institution
- Hotel Institution
- Medical Clinic
- Museum
- Office
- Parking Lot
- Place of Entertainment
- Personal Service Shop
- Place of Recreation
- Place of Worship
- Printing Shop
- Public Use
- Religious Institution
- Repair Service Shop
- Retail Food Store
- Retail Store
- School
- Take-Out Restaurant
- Taxi Station
- Warehouse Use Accessory to any of the foregoing

- Wholesale Outlet Accessory to any of the foregoing
- Other Uses in accordance with Section 4

14.1.2 Residential Uses

None.

14.2 Zone Provisions

14.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 14-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	None
d. Minimum Exterior Side Yard	None
e. Minimum Interior Side Yard	None, except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 1.5 m
f. Minimum Rear Yard	None Except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 6 m
g. Maximum Building Height	22 m
h. Accessory Uses, Parking, Etc.	In accordance with Section 4.



14.2.2 Lot and Building Requirements for Permitted Residential Uses

Table 14-2: Lot and Building Requirements for Permitted Residential Uses

Provision	Requirement
a. Minimum Landscaped Open Space	15 m ² per unit
b. Minimum Open Usable Roof Area	The minimum landscaped open space provision shall not apply to Dwelling Units in a portion of Non-Residential Building provided that all Dwelling Units have access to a private balcony or to an open roof deck with an area of not less than 5 m ² per unit
c. Maximum Density	One Dwelling Unit per 70 m ² of Lot Area
d. Maximum Building Height	22 m
e. Accessory Uses, Parking, Etc.	In accordance with Section 4.

14.2.3 Building Conversions

Notwithstanding any provisions of this By-law to the contrary, any existing residential Building which is in the Lombard Street Commercial (LC) zone, may be converted to a permitted commercial Use notwithstanding that such conversion may not meet one or more of the provisions of this By-law, except that the parking provisions of this By-law shall be met and except that any addition or enlargement shall comply with all of the provisions of this By-law.

14.3 Exception Zones

Reserved for future use.



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15 Neighbourhood Commercial (NC) Zone

The Neighbourhood Commercial (NC) Zone is intended to implement the policies of the Neighbourhood Serving Commercial designation in the Official Plan. This Zone generally permits a range of commercial Uses which serve residential neighbourhoods, such as Convenience Stores and Personal Service Shops, as well as some non-commercial Uses such as Medical Clinics and Animal Hospitals.

No person shall within any NC Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

15.1 Permitted Uses

15.1.1 Non-Residential Uses

- Animal Hospital
- Automobile Gas Bar
- Convenience Store
- Dry Cleaning Plant
- Financial Institution
- Full-Service Restaurant
- Laundromat
- Medical Clinic
- Office
- Personal Service Shop
- Pharmacy
- Printing Shop
- Retail Food Store
- Retail Store
- Shopping Centre
- Take-Out Restaurant
- Other Uses in accordance with Section 4

15.1.2 Residential Uses

- A Dwelling Unit or units in a portion of a Non-Residential Building

15.2 Zone Provisions

15.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 15-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	15 m
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	1 m Except where the Yard abuts a Lot in a Residential zone, the minimum Yard shall be 3 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m
g. Maximum Building Height	11 m
h. Minimum Landscaped Open Space	20% which shall include a solid fence a minimum of 1.5 m in height constructed of wood, metal or equivalent material along any Lot Line that abuts a Lot in a Residential, Open Space or Institutional Zone
i. Maximum Ground Floor Area	400 m ² per unit Except 600 m ² for a Shopping Centre (entire Building)
j. Open Storage Area	No Open Storage Area is permitted. Garbage shall be stored with metal containers or in a fenced area (s) designed expressly for that purpose
k. Accessory Uses, Parking, Etc.	In accordance with Section 4



15.2.2 Lot and Building Requirements for Permitted Residential Uses

Table 15-2: Lot and Building Requirements for Permitted Residential Uses

Provision	Requirement
a. Minimum Landscaped Open Space	15 m ² per unit
b. Minimum Open Usable Roof Area	The minimum landscaped open space provision shall not apply to Dwelling Units in a portion of Non-Residential Building provided that all Dwelling Units have access to a private balcony or to an open roof deck with an area of not less than 5 m ² per unit
c. Maximum Density	One Dwelling Unit per 70 m ² of Lot Area
d. Maximum Building Height	11 m
e. Accessory Uses, Parking, Etc.	In accordance with Section 4

15.3 Exception Zones

15.3.1 NC-1

Zoning By-law Section	Exception No.	By-law No.
15.3.1	NC-1	8718-2013
Property Location: 270 Brockville Street		
Standards		
i. The permitted uses shall be restricted to the following uses: Financial Office, Medical Office, Office, Public Use, Personal Service Shop.		

15.3.2 NC-2

Zoning By-law Section	Exception No.	By-law No.
15.3.2	NC-2	7880-05
Property Location: 33 Ferrara Drive		
Standards		
<ul style="list-style-type: none"> i. A Yard having a minimum depth or width, as the case may be, of 9 m shall be provided where such Yard abuts land which is located in a Residential Zone along Merrick Street. ii. The required Yard shall be maintained as a landscaped buffer and shall include a 1.8 m tall solid fence along the rear or side Lot Line, as the case may be. 		

15.3.3 NC-3

Zoning By-law Section	Exception No.	By-law No.
15.3.3	NC-3	8969-2017
Property Location: 73 Elmsley Street North & 12 Daniel Street		
Standards		
<ul style="list-style-type: none"> i. No more than thirteen (13) Dwelling Units in total be permitted in the existing Buildings on site, with no more than seven (7) Dwelling Units in total be permitted on the ground floors with the minimum of one (1) ground floor commercial located in the corner of Elmsley Street and Daniel Street. ii. The following additional zone provisions shall apply and supersede the property: <ul style="list-style-type: none"> i. Location of Residential Units: Five (5) Dwelling Units in total may be permitted on the ground floors of 73 Elmsley Street North; and one (1) Dwelling Unit on the ground floor of 12 Daniel Street. iii. In accordance with Section 4.36, the property shall be subject to Site Plan Control and a Development Agreement. 		



15.3.4 NC-4

Zoning By-law Section	Exception No.	By-law No.
15.3.4	NC-4	8969-2017
Property Location: 35 Daniel Street		
Standards		
<ul style="list-style-type: none"> i. The following additional uses shall be permitted: Office. ii. The minimum Rear Yard setback shall be 0 m. iii. The minimum Interior Side Yard setback abutting a Residential Zone shall be 0 m. iv. A minimum of four (4) Parking Spaces shall be required. 		

15.3.5 NC-5

Zoning By-law Section	Exception No.	By-law No.
15.3.5	NC-5	8969-2017
Property Location: East Side of Sussex Street & William Street East		
Standards		
<ul style="list-style-type: none"> v. The permitted uses shall be limited to the following: Animal Care, Animal Hospital, Financial Office, Medical Clinic, Office, Personal Service Shop, Printing Shop, Retail Store, Retail Food Store. vi. The minimum Rear Yard setback for a Residential Use shall be 1.5 m. 		



15.3.6 NC-6h

Zoning By-law Section	Exception No.	By-law No.
15.3.6	NC-6h	B/L 8110-200813; Revised B/L 8445-2011; Revised B/L 10101-2019
Property Location: 2 Gould Street		
Standards		
<ul style="list-style-type: none"> i. Dwelling Units on any floor of a building with commercial uses or in a building with Multiple Dwelling Units shall be permitted. ii. Residential uses shall be permitted on the ground floor provided no commercial uses exist within any portion of a storey located directly above a Dwelling Unit and subject to the provisions below. iii. Except for a building entry, the first storey floor area abutting the wall of a building facing or oriented to Elmsley Street North and constructed within 60 m of said street, shall be allocated or leased for non-residential uses and shall include a minimum of 20% of the Gross Leasable Floor Area of that storey. iv. The minimum building setback from Elmsley Street North shall be 10 m but may be reduced to 4.5 m for a single-storey building where no parking area is placed in the Yard abutting Elmsley Street North v. In a building occupied by residential and non-residential uses, the residential uses shall have independent and separate access to the exterior of the building and exclusive use of any hallway used to access one or more Dwelling Units. vi. The minimum number of Dwelling Units in a building used only for residential purposes shall be four (4). vii. The maximum residential density shall be 50 units per gross hectare. viii. Where more than one building is constructed on a lot in the DF-3 Zone, the minimum building separation requirement shall be 3 m for multi-residential buildings of two storeys or less and shall be 6 m for mixed use buildings or any building, or any part of a building, exceeding two (2) storeys. 		

Zoning By-law Section	Exception No.	By-law No.
15.3.6	NC-6h	B/L 8110-200813; Revised B/L 8445-2011; Revised B/L 10101-2019
Property Location: 2 Gould Street		
Standards		
<p>ix. On the lands zoned NC-6h on Gould Street, the holding zone shall prohibit the construction of any new Building or expansion of any Building existing at the date the amending by-law was passed. The holding zone shall only be lifted upon completion of the following:</p> <ul style="list-style-type: none"> a. Heritage impacts are appropriately assessed in accordance with the applicable provisions of the Official Plan. b. The adequacy of municipal water and sanitary sewer connections, the public road access and stormwater management for the proposed construction has been confirmed or assured to the satisfaction of the Town. c. The construction design is approved under Site Plan Control. 		



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16 Corridor Commercial (CC) Zone

The Corridor Commercial (CC) Zone is intended to implement the policies of the Corridor Commercial designation in the Official Plan. This Zone generally permits a wide range of automobile-oriented commercial Uses that do not detract from the permitted Uses in the GC Zone, such as serve residential neighbourhoods, such as automobile and Recreational Vehicle Sales, Shopping Centres, and Warehouses.

No person shall within any CC Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance within the following provisions.

16.1 Permitted Uses

16.1.1 Non-Residential Uses

- Adult Entertainment
- Animal Hospital
- Assembly Hall
- Automobile Body Shop
- Automobile Care
- Automobile Gas Bar
- Automobile Sales
- Automobile Service Station
- Automobile Washing Establishment
- Automobile Rental
- Building Supply Outlet
- Commercial School
- Convenience Store
- Custom Workshop
- Dry Cleaning Plant
- Farm Implement Sales
- Farm Supply Sales
- Full-Service Restaurant
- Funeral Home
- Financial Institution
- Greenhouse
- Laundromat
- Hotel
- Office
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Printing Shop
- Recreational Vehicle Sales
- Retail Food Store

- Retail Store
- Retail Propane / Compressed Natural Gas Transfer Facility
- Shopping Centre
- Take-Out Restaurant
- Warehouse
- Wholesale Outlet
- Other Uses in accordance with Section 4

16.2 Zone Provisions

16.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 16-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	15 m
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	3 m except where the Yard abuts a Residential Zone, the minimum shall be 6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	6 m
g. Maximum Building Height	22 m
h. Minimum Landscaped Open Space	30% which shall include a solid fence a minimum of 1.5 m in height constructed of wood, metal or equivalent material along any Lot Line that abuts a Lot in a Residential, Open Space or Institutional Zone
i. Minimum Gross Leasable Area	250 m ² per Unit
j. Accessory Uses, Parking, Etc.	In accordance with Section 4



16.2.2 Additional Provisions

1. Fuel Pump Island Location

In accordance with Section 4.

2. Retail Propane / Compressed Natural Gas Transfer and Handling Facilities

In accordance with the above Zone provisions or the licensing provisions of The Energy Act, R.S.O 1980, C.139, whichever are the more restrictive.

3. Open Storage Area

- a. Open Storage Area shall be permitted in all Yards in accordance with the provisions of Section 4.25.
- b. Garbage shall be stored within metal containers in a fenced area (s) designed expressly for that purpose.

4. Special Provision – Lombard Street

Notwithstanding the requirement for municipal water supply and sanitary sewer services in the preamble, on the CC lands abutting Lombard Street, development is permitted on private wells and septic systems, subject to the approval of the Ministry of the Environment, Conservation and Parks or the Health Unit, as the case may be. Further such private services shall be identified in the Site Plan Agreement which shall require that the development connect to municipal water supply and sanitary sewer services when available.

5. Accessory Dwelling

An Accessory Dwelling shall be so located on the Lot so that there is a Private Amenity Area abutting each exterior wall which is measured as though the Dwelling is located on a separate Lot, in accordance with the Zone provisions for the Residential Type 1 (R1) Zone.

16.3 Exception Zones

16.3.1 CC-1

Zoning By-law Section	Exception No.	By-law No.
16.3.1	CC-1	N/A
Property Location: Properties with Frontage on Soper Drive		

Zoning By-law Section	Exception No.	By-law No.
16.3.1	CC-1	N/A
Standards		
<ul style="list-style-type: none"> i. On the lands located at Queen Street (Highway 43) and Hershey Drive, the following uses shall not be permitted: Adult Entertainment, Beverage Room, Guest House, and Retail Store. ii. The following additional uses shall be permitted: Accessory Retail Store, Industrial or Business Service, Kennel, Personal Service Shop, Repair Service Shop, Sample and Showroom, Taxi Station, Gas Cylinder Handling Facility. 		

16.3.2 CC-2

Zoning By-law Section	Exception No.	By-law No.
16.3.2	CC-2	N/A
Property Location: 63 Church Street West		
Standards		
<ul style="list-style-type: none"> i. On the lands located at Church and James Street, the following uses shall not be permitted: Adult Entertainment, Bar, Guest House, and Retail Store. ii. The following additional uses shall be permitted: Accessory Retail Store, Industrial or Business Service, Kennel, Personal Service Shop, Repair Service Shop, Sample and Showroom, Taxi Station, Gas Cylinder Handling Facility. 		

16.3.3 CC-3

Zoning By-law Section	Exception No.	By-law No.
16.3.3	CC-3	7413-98
Property Location: 91 Cornelia West		
Standards		



Zoning By-law Section	Exception No.	By-law No.
16.3.3	CC-3	7413-98
<p>i. The permitted uses shall include all of the permitted uses listed in Sections 16.1 or 19.1. In addition, a Retail Store and Personal Service Shop are permitted in an Industrial and/or Highway Commercial Mall, provided:</p> <p>a. that the total Gross Leasable Floor Area of all such uses does not exceed 25% of the total Gross Leasable Floor Area of the Building in which those uses are located; and</p> <p>b. that the Gross Leasable Floor Area of individual uses is not less than 205 m² and not more than 1,555 m².</p>		

16.3.4 CC-4

Zoning By-law Section	Exception No.	By-law No.
16.3.4	CC-4	7878-2005 & 7880-05
Property Location: West Side of Ferrara Drive		
Standards		
<p>i. Lots may have their Frontage on and access over the snowmobile trail which is adjacent to Ferrara Drive.</p>		

16.3.5 CC-5

Zoning By-law Section	Exception No.	By-law No.
16.3.5	CC-5	8166-2008
Property Location: 72 Lombard Street		
Standards		
<ul style="list-style-type: none"> i. The following additional uses are permitted: Shopping Centre. ii. The following uses shall not be permitted: Automobile Body Shop, Automobile Care, Automobile Gas Bar, Automobile Sales, Automobile Service Station, Automobile Washing Establishment, Automobile Rental, Building Supply Outlet, Commercial Storage, Contractors’ or Tradesmans’ Establishment, Dry Cleaning Plant, Farm Implement Sales, Farm Supplies Dealership, Greenhouse, Recreational Vehicle Sales, Retail Propane/Compressed Natural Gas Transfer Facility, Warehouse, Wholesale. iii. A 30 m buffer shall be established and maintained in its natural state within 30m of the boundary of the Swale Wetland. 		

16.3.6 CC-6

Zoning By-law Section	Exception No.	By-law No.
16.3.6	CC-6	8786-2015
Property Location: 159 Lombard Street		
Standards		
<ul style="list-style-type: none"> i. The additional permitted uses are permitted: Medical Clinic. 		



16.3.7 CC-7

Zoning By-law Section	Exception No.	By-law No.
16.3.7	CC-7	9916-2018
Property Location: 275 Brockville Street (Settlers Ridge Centre)		
Standards		
<p>i. The additional permitted uses are permitted to permit the adaptive reuse of the site: Bar, Catering Establishment, Office, Community Centre, Day Care Centre, Food Production Facility, Religious Institution, Retail Store, Sample and Show Room, and Taxi Station.</p> <p>ii. The following additional provisions apply:</p> <ul style="list-style-type: none">i. Minimum Lot Area: 1,000 m²;ii. Lot Frontage: 30 m;iii. Minimum Front Yard: 10 m; andiv. Minimum Gross Floor Area: 150 m².		



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17 Community Shopping Centre (SC) Zone

The Community Shopping Centre (SC) Zone is intended to implement the policies of the Neighbourhood Serving Commercial designation in the Official Plan. This Zone permits commercial Uses, limited to Shopping Centres.

No person shall within any SC Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

17.1 Permitted Uses

17.1.1 Residential Uses

- None

17.1.2 Non-Residential Uses

- Shopping Centre
- Other Uses in accordance with Section 4

17.2 Zone Provisions

17.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 17-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	1,000 m ²
b. Minimum Lot Frontage	15 m
c. Minimum Front Yard	15 m
d. Minimum Interior Side Yard	3 m except where the Yard abuts a Residential Zone, the minimum shall be 6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	6 m

Provision	Requirement
g. Maximum Building Height	11 m
h. Minimum Landscaped Open Space	30% which shall include a solid fence a minimum of 1.5 in height constructed of wood, metal or equivalent material along any Lot Line that abuts a Lot in a Residential, Open Space or Institutional Zone
i. Maximum Gross Floor Area	20,000 m ² per Building
j. Maximum Floor Space Index	0.45
k. Open Storage Area	No Open Storage Area is permitted. Garbage shall be stored with metal containers or in a fenced area (s) designed expressly for that purpose
l. Accessory Uses, Parking, Etc.	In accordance with Section 4.

17.3 Exception Zones

17.3.1 SC-1

Zoning By-law Section	Exception No.	By-law No.
17.3.1	SC-1	B/L 7878-2005
Property Location: 123 & 129 Lombard Street		
Standards		
i. The minimum Gross Leasable Area for each commercial Use in the Shopping Centre shall be 205 m ² .		

17.3.2 SC-2

Zoning By-law Section	Exception No.	By-law No.
17.3.2	SC-2	B/L 10301-2022
Property Location: 143 Lombard Street		
Standards		
i. The minimum Gross Leasable Area for each commercial Use in the Shopping Centre shall be 205 m ² .		

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18 Business Park (M1) Zone

The Business Park (M1) Zone is intended to implement the policies of the Industrial designation in the Official Plan. This Zone generally permits a wide range of light industrial Uses. Light industrial Uses are Uses where a product is produced, manufactured, assembled or stored, and that have a low probability of fugitive emissions (e.g. noise, odour, dust and vibration). Such industries operate primarily in the daytime with infrequent movement of products and minimal outside storage. Examples include: manufacturing and food processing. Other commercial and servicing Uses that are intended to serve the immediate area are permitted in this Zone.

No person shall within any M1 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

18.1 Permitted Uses

18.1.1 Residential Uses

- None
-

18.1.2 Non-Residential Uses

Only those Uses which are able to comply with The Health Protection and Promotion Act 1982 and are not likely to be obnoxious and dangerous by reason of fire, explosion, noise, smoke, or odour. Subject to this qualification, the following non-residential Uses are permitted:

- Accessory Retail Store
- Animal Hospital
- Assembly Hall
- Automobile Gas Bar
- Building Supply Outlet
- Cannabis Production and Processing Facility
- Commercial School
- Communication Facility
- Convenience Store
- Custom Workshop
- Dry Cleaning Plant
- Financial Institution
- Food Production Facility
- Full-Service Restaurant

- Hotel
- Industrial Mall
- Industrial or business service
- Kennel
- Laundromat
- Manufacturing, excluding abattoirs, rendering plants, slaughter houses and similar operations
- Office
- Parking Lot
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Printing Shop
- Recreational Vehicle Sales
- Repair Service Shop
- Retail Propane Transfer Facility
- Retail Store
- Retail Food Store
- Sample and Showroom
- Self-Storage Facility
- Take-Out Restaurant
- Taxi Station
- Warehouse
- Wholesale Outlet
- Other Uses in accordance with Section 4

18.2 Zone Provisions

18.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 18-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	3 m except where the Yard abuts a Residential Zone, the minimum shall be 6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m



Provision	Requirement
g. Maximum Building Height	22 m
h. Minimum Landscaped Open Space	30% which shall include a solid fence a minimum of 1.5 m in height constructed of wood, metal or equivalent material along any Lot Line that abuts a Lot in a Residential, Open Space or Institutional Zone
i. Maximum Floor Space Index	1.5
j. Accessory Uses, Parking, Etc.	In accordance with Section 4.

18.2.2 Additional Provisions

1. Compatibility Between Industrial Facilities

All development (Class I, II, III) shall comply with the minimum separation distances required by the D-6 Compatibility between Industrial Facilities, as amended from time to time.

2. Automobile Gas Bar

In accordance with the provisions of the Highway Commercial (C3) Zone.

3. Retail Propane Transfer Facility

In accordance with the provisions of the Highway Commercial (C3) Zone or the licensing provisions of The Energy Act, whichever is the more restrictive.

4. Accessory Retail Uses

The maximum gross floor area for Accessory retail Uses shall be 30% of the total gross floor area of the Building.

5. Accessory Dwelling

An Accessory Dwelling shall be located on the Lot so that there is a Private Amenity Area abutting each exterior wall which is measured as though the Dwelling is located on a separate Lot in accordance with the Zone provisions for the Residential Type 1 (R1) Zone.

6. Open Storage Area

No Open Storage Area shall be permitted. Garbage shall be stored within metal containers in a fenced area(s) designed expressly for that purpose.

7. Site Plan Control

For all development, the Site Plan Control Agreement may serve to reduce the minimum number of Loading Spaces and Parking Spaces required by Section 4.

8. Retail Store

A Retail Store shall be permitted provided the Lot on which the Retail Store is located has frontage on Lombard Street.

18.3 Exception Zones

Reserved for future Use.



19 Light Industrial (M2) Zone

The Light Industrial (M2) Zone is intended to implement the employment policies of the Industrial designation in the Official Plan. This Zone generally permits a wide range of light industrial Uses.

No person shall within any M2 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

19.1 Permitted Uses

19.1.1 Residential Uses

- None
-

19.1.2 Non-Residential Uses

Only those Uses which are able to comply with the Health Protection and Promotion Act and are not likely to be obnoxious or dangerous by reason of fire, explosion, noise, smoke, or odor. Subject to this qualification, the following non-residential Uses are permitted:

- Accessory Retail Store
- Animal Hospital
- Assembly Hall
- Automobile Body Shop
- Automobile Care
- Automobile Gas Bar
- Automobile Sales
- Automobile Service Station
- Automobile Washing Establishment
- Building Supply Outlet
- Cannabis Production and Processing Facility
- Commercial School
- Communication Facility
- Consumer Outlet
Propane/Compressed Natural Gas
Transfer Facility
- Convenience Store
- Custom Workshop
- Dry Cleaning Plant
- Financial Institution
- Food Production Facility
- Full-Service Restaurant
- Funeral Home

- Gas Cylinder Handling Facility
- Industrial Mall
- Industrial or Business Service
- Kennel
- Laundromat
- Manufacturing, excluding abattoirs, rendering plants, slaughter houses and similar operations
- Office
- Open Storage Area
- Parking Lot
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Printing Shop
- Recreational Vehicle Sales
- Repair Service Shop
- Retail Propane Transfer Facility
- Sample and Showroom
- Self-Storage Facility
- Small-Scale Brewery
- Small-Scale Distillery
- Take-Out Restaurant
- Taxi Station
- Warehouse
- Wholesale Outlet
- Other Uses in accordance with Section 4

19.2 Zone Provisions

19.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 19-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	3 m except where the Yard abuts a Residential Zone, the minimum shall be 8 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m



Provision	Requirement
g. Maximum Building Height	22 m
h. Minimum Landscaped Open Space	20% which shall include a solid fence a minimum of 1.5 m in height constructed of wood, metal or equivalent material along any Lot Line that abuts a Lot in a Residential, Open Space or Institutional Zone
i. Maximum Floor Space Index	1.5
j. Accessory Uses, Parking, Etc.	In accordance with Section 4.

19.2.2 Additional Provisions

1. Compatibility Between Industrial Facilities

All development (Class I, II, III) shall comply with the minimum separation distances required by the D-6 Compatibility between Industrial Facilities, as amended from time to time.

2. Gatehouse

A gatehouse shall be permitted within any required Yard.

3. Automobile Gas Bar

In accordance with the provisions of the Corridor Commercial (CC) Zone.

4. Retail Propane Transfer Facility

In accordance with the provisions of the Corridor Commercial (CC) Zone or the licensing provisions of The Energy Act, whichever is the more restrictive.

5. Accessory Retail Uses

The maximum gross floor area for Accessory retail Uses shall be 30%.

6. Accessory Dwelling

An Accessory Dwelling shall be located on the Lot so that there is a Private Amenity Area abutting each exterior wall which is measured as though the Dwelling is located on a separate Lot in accordance with the Zone provisions for the Residential Type 1 (R1) Zone.

7. Open Storage Area

- a. The Open Storage Area of goods shall be permitted only to the rear of the main Building provided that such Open Storage Area:
 - i. is Accessory to the Use of the main Building;
 - ii. complies with the Yard and setback requirements of this by-law;
 - iii. does not cover more than 40% of the Lot Area; and
 - iv. any portion of the area used for Open Storage Area is enclosed by a fence or landscaping which may include the required fence pursuant to Section 19.2.1(h).
- b. Garbage shall be stored within metal containers in a fenced area(s) designed expressly for that purpose.

8. Site Plan Control

For all development, the Site Plan Control Agreement may serve to reduce the minimum number of Loading Spaces and Parking Spaces required by Section 4.28, respectively.

19.3 Exception Zones

19.3.1M2-1

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
19.3.1	M2-1	N/A
Property Location: N/A		
Standards		
i. Development may take place on private wells and septic systems subject to the approval of the Health Unit and/or Ministry of the Environment and Energy.		



19.3.2M2-2h

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
19.3.2	M2-2h	N/A
Property Location: 42 James Street		
Standards		
<p>i. The holding provision is lifted insofar as to permit all of the permitted Uses listed on the M2-3h zone at 42 James Street except the following Uses: Assembly Hall, Commercial School, Place of Entertainment, Place of Recreation, Full-Service Restaurant, Retail Store, Take Out Restaurant.</p> <p>ii. The holding provision is further lifted insofar as to permit the Uses listed in (i) above, provided that the maximum Gross Leasable Floor Area for each such permitted Use does not exceed 500 m² and provided that the total Gross Leasable Floor Area all such permitted Uses does not exceed 2,000 m².</p>		

19.3.3M2-3

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
19.3.3	M2-3	N/A
Property Location: 110-112 Lorne Street		
Standards		
<p>i. Notwithstanding the permitted use provisions of Section 19.1, on the lands zoned M2-4, existing residential uses are permitted as a principal use on existing lots until such time as a permitted non-residential use is established, at which time any residential use on a lot shall conform to the Accessory Dwelling provisions of Section 19.2.2.6.</p>		

19.3.4M2-4

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
19.3.4	M2-4	N/A
Property Location: 46-52 Abbott Street		
Standards		
i. The following additional Uses are permitted: Medical Clinic, Office Use.		



20 General Industrial (M3) Zone

The General Industrial (M3) Zone is intended to implement the employment policies of the Industrial designation in the Official Plan. This Zone generally permits a wide range of light to heavy industrial Uses. Heavy industrial Uses are characterized as having regular emissions such as noise, smoke, odour, fumes and/or vibrations. Such industries may operate continuously with frequent movement of products and extensive outside storage. Examples include: manufacturing and food processing. Special attention shall be given to the buffering of such industries from other Uses, and to the accommodation of industrial traffic flows.

No person shall within any M3 Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

20.1 Permitted Uses

20.1.1 Residential Uses

- None

20.1.2 Non-Residential Uses

Only those Uses which are able to comply with The Health Protection and Promotion Act 1982 and are not likely to be obnoxious or dangerous by reason of fire, explosion, noise, smoke or odor. Subject to this qualification, the following non-residential Uses are permitted:

- Accessory Retail Store
- Animal Hospital
- Assembly Hall
- Automobile Body Shop
- Automobile Care
- Automobile Gas Bar
- Automobile Sales
- Automobile Service Station
- Automobile Washing Establishment
- Building Supply Outlet
- Bulk Propane Storage Depot
- Cannabis Production and Processing Facility
- Commercial School
- Communication Facility

- Consumer Outlet
Propane/Compressed Natural Gas
Transfer Facility
- Convenience Store
- Custom Workshop
- Dry Cleaning Plant
- Financial Institution
- Food Production Facility
- Full-Service Restaurant
- Funeral Home
- Gas Cylinder Handling Facility
- Industrial Mall
- Industrial or Business Service
- Kennel
- Laundromat
- Manufacturing
- Office
- Open Storage Area
- Parking Lot
- Personal Service Shop
- Place of Entertainment
- Place of Recreation
- Printing Shop
- Recreational Vehicle Sales
- Repair Service Shop
- Retail Propane Transfer Facility
- Salvage Yard
- Sample and Showroom
- Self-Storage Facility
- Small-Scale Brewery
- Small-Scale Distillery
- Take-Out Restaurant
- Taxi Station
- Transportation Terminal
- Warehouse
- Wholesale Outlet
- Other Uses in accordance with
Section 4

20.2 Zone Provisions

20.2.1 Lot and Building Requirements for Permitted Non-Residential Uses

Table 20-1: Lot and Building Requirements for Permitted Non-Residential Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None



Provision	Requirement
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	3 m except where the Yard abuts a Residential Zone, the minimum shall be 8 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m
g. Maximum Building Height	22 m
h. Minimum Landscaped Open Space	10%
i. Maximum Floor Space Index	1.5
j. Accessory Uses, Parking, Etc.	In accordance with Section 4.

20.2.2 Additional Provisions

1. Compatibility Between Industrial Facilities

All development (Class I, II, III) shall comply with the minimum separation distances required by the D-6 Compatibility between Industrial Facilities, as amended from time to time.

2. Gatehouse

A gatehouse shall be permitted within any required Yard.

3. Automobile Service Station and Gas Bar

In accordance with the provisions of the Corridor Commercial (CC) Zone.

4. Retail Propane Transfer Facility

In accordance with the provisions of the Corridor Commercial (CC) Zone or the licensing provisions of The Energy Act, whichever is the more restrictive.

5. Accessory Retail Uses

The maximum gross floor area for Accessory Retail Uses shall be 30%.

6. Accessory Single-Detached Dwelling

An Accessory Single-Detached Dwelling shall be located on the Lot so that there is a Private Amenity Area abutting each exterior wall which is measured as though the Dwelling is located on a separate Lot, in accordance with the Zone provisions for the Residential Type 1 (R1) Zone.

7. Open Storage Area

- a. The Open Storage Area of goods shall be permitted only to the rear of the main Building provided that such Open Storage Area:
 - i. is Accessory to the Use of the main Building;
 - ii. complies with the Yard and setback requirements of this By-law;
 - iii. does not cover more than 40% of the Lot Area; and
 - iv. any portion of the area used for Open Storage Area is enclosed by a fence or landscaping which may include the required fence pursuant to Section 20.2.1(h).
- b. Garbage shall be stored within metal containers in a fenced area (s) designed expressly for that purpose.

8. Site Plan Control

For all development, the Site Plan Control Agreement may serve to reduce the minimum number of Loading Spaces and Parking Spaces required by Section 4.28.

20.3 Exception Zones

Reserved for future use.

21 Open Space (OS) Zone

The Open Space (OS) Zone is intended to implement the policies of the Open Space designation in the Official Plan. This Zone generally permits passive and active recreational Uses, including recreational and community-serving developments, conservation Uses, and Public and Private Parks, as well as some Accessory commercial Uses.

No person within any OS Zone shall Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

21.1 Permitted Uses

21.1.1 Residential Uses

- None

21.1.2 Non-Residential Uses

- Accessory Full-Service Restaurant
- Accessory Take-Out Restaurant, including a food truck, food stand
- Assembly Hall
- Community Centre
- Conservation
- Golf Course
- Marina
- Private Park
- Public Park
- Other Uses in accordance with Section 4

21.2 Zone Provisions

21.2.1 Lot and Building Requirements for Permitted Uses

Table 21-1: Lot and Building Requirements for Permitted Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	6 m

Provision	Requirement
d. Minimum Interior Side Yard	6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m
g. Maximum Building Height	15 m
h. Minimum Landscaped Open Space	30%
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.

21.3 Exception Zones

Reserved for future Use.



22 Institutional (I) Zone

The Institutional (I) Zone is intended to implement the policies of the Major Institutional designation in the Official Plan. This Zone generally permits a wide range of institutional Uses such as major health care, government Uses, education, cultural, and community and recreational Uses. Supportive Accessory commercial Uses are also permitted in this Zone.

No person shall within any I Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

22.1 Permitted Uses

22.1.1 Residential Uses

- None
-

22.1.2 Non-Residential Uses

- Accessory Office, Full-Service Restaurant, Personal Service Shop and Retail Store
- Assembly Hall
- Community Centre
- Home for the Aged
- Hospital
- Institution
- Medical Clinic
- Museum
- Nursing Home
- Place of Worship
- Public Use
- Religious Institution
- School
- Other Uses in accordance with Section 4

22.2 Zone Provisions

22.2.1 Lot and Building Requirements for Permitted Uses

Table 22-1: Lot and Building Requirements for Permitted Uses

Provision	Requirement
a. Minimum Lot Area	None
b. Minimum Lot Frontage	None
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m
g. Maximum Building Height	22 m
h. Minimum Landscaped Open Space	10%
i. Accessory Uses, Parking, Etc.	In accordance with Section 4

22.3 Exception Zones

22.3.1I-1h

Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
I-1(h)	I-1(h)	10066-2019
Property Location: Pearl Street		
Standards		
On the lands zoned I-1h adjacent to Pearl Street, the holding zone shall only be lifted upon completion of the following:		



Zoning By-law Section	Exception No. / Zoning Map Reference	By-law No.
I-1(h)	I-1(h)	10066-2019
<p>a. Permanent legal access to the I-1 zoned lands is obtained via closure and acquisition or development of one of the existing undeveloped public road allowances; and,</p> <p>b. Execution of a Site Plan Control Agreement that implements the appropriate engineering, design and environmental work, to the satisfaction of the Town of Smiths Falls, to accommodate the development on the site.</p>		



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23 Future Development (FD) Zone

No person shall within any FD Zone Use any Lot or Erect, Alter or Use any Building or Structure unless serviced by municipal water supply and sanitary sewers and except in accordance with the following provisions.

23.1 Permitted Uses

- Existing Uses
- Other Uses in accordance with Section 4

23.2 Zone Provisions

23.2.1 Lot and Building Requirements for Permitted Uses

Table 23-1: Lot and Building Requirements for Permitted Uses

Provision	Requirement
a. Minimum Lot Area	Existing
b. Minimum Lot Frontage	Existing
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	6 m
e. Minimum Exterior Side Yard	3.5 m
f. Minimum Rear Yard	8 m
g. Maximum Building Height	11 m
h. Minimum Landscaped Open Space	10%
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.

23.3 Exception Zones

Reserved for future Use.



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24 Wetland (W) Zone

The Wetland (W) Zone is intended to implement the policies of the Wetland designation in the Official Plan. This Zone is established to be consistent with the limits of Provincially Significant Wetlands as classified by the Ministry of Natural Resources and Forestry.

No person shall within any W Zone Use any Lot or Erect, Alter or Use any Building or Structure except in accordance with the following provisions.

24.1 Permitted Uses

24.1.1 Non-Residential Uses

- Conservation
- Existing Uses

24.1.2 Residential Uses

- Existing Uses

24.2 Zone Provisions

24.2.1 Lot and Building Requirements for Permitted Uses

Table 24-1: Lot and Building Requirements for Permitted Uses

Provision	Requirement
a. Minimum Lot Area	Existing
b. Minimum Lot Frontage	Existing
c. Minimum Front Yard	6 m
d. Minimum Interior Side Yard	3 m
e. Minimum Exterior Side Yard	6 m
f. Minimum Rear Yard	6 m
g. Maximum Building Height	11 m
h. Minimum Landscaped Open Space	10%

Provision	Requirement
i. Accessory Uses, Parking, Etc.	In accordance with Section 4.

24.2.2 Additional Provisions

1. No Building or Structure shall be Erected or enlarged and no change of Use shall be permitted. Where any land is located within 120 m of the boundary of the Wetland (W) Zone as shown on the Schedules by the suffix “(W)” (e.g. R4 (W)), the provisions of the Zone in which the land is located shall apply, except that no building or structure including septic systems shall be erected or enlarged, and no change in the use of the land shall be permitted other than in accordance with an Environmental Impact Study as approved by the Municipality and the Ministry of Northern Development, Mines, Natural Resources and Forestry and/or the Conservation Authority.
2. The need for an Environmental Impact Study will be determined by the local Conservation Authority.

24.3 Exception Zones

Reserved for future Use.

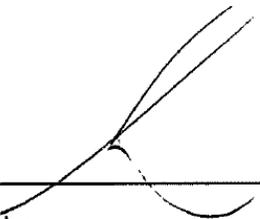
25 Schedules

26 Approval

This By-law shall become effective on the date of passing hereof, subject to the approval of the Ontario Land Tribunal or following the last date for filing objections, as the case may be.

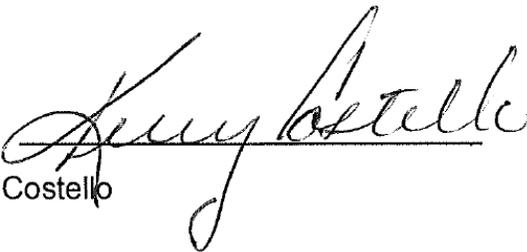
READ A FIRST AND SECOND TIME THIS 22ND DAY OF AUGUST, 2022.

READ A THIRD TIME AND FINALLY PASSED THIS 22ND DAY OF AUGUST, 2022.



Shawn Pankow

Mayor



Kerry Costello

Clerk