

**CITY OF WATERLOO**  
**ZONING BY-LAW NO. 1108**  
**AS AMENDED**

**OFFICE CONSOLIDATION**

This composite edition of By-Law No. 1108  
is prepared for purposes of convenience only,  
and for accurate reference recourse should  
be had to the original and amending by-laws.

**Date of Consolidation: August 23, 2012**

# CITY OF WATERLOO

## ZONING BY-LAW 1108 - AS AMENDED

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# *Section 1*

## **SHORT TITLE**

### **CITY OF WATERLOO ZONING BY-LAW NO. 1108**

A BY-LAW TO REGULATE AND RESTRICT THE USE OF LAND AND THE USE, LOCATION, HEIGHT AND BULK OF BUILDINGS AND THE OCCUPANCY OF LOTS WITHIN THE CITY OF WATERLOO, FOR THE DIVISION OF THE SAID CITY INTO ZONES OR DISTRICTS FOR SUCH PURPOSES AND TO REPEAL BY-LAWS NUMBERED 172, 250, 323, 461, 472, 512, 551, 631, 632, 633, 885 AND 974 OF THE CITY OF WATERLOO.

1. This By-Law may be cited as the "Restricted Area Zoning By-Law for the City of Waterloo."

# Section 2

## DEFINITIONS

2. Certain definitions may include permitted uses and regulations which shall be observed in addition to those contained in other sections of this By-Law.

In this By-Law:

- 2.0.1 “**abutting or abut**” means having a common lot line in the side yard or rear yard with an adjacent property.
- 2.1 “**accessory**” when used to describe a use or building means a use or building incidental, subordinate and exclusively devoted to the main use or building located on the same lot as such use or building but not used for human habitation. A service station and gasoline pumps are not an accessory.
- 2.1.1 “**architectural entrance projection**” means an enclosed projection that has been architecturally designed and constructed in conjunction with the entire building and site landscape standards to visually enhance the prominence of the main entrance to the building and overall site design.
- 2.1.1.1 “**Assembly/Processing (Industrial)**” means an industrial operation that requires specialized machinery, equipment and/or expertise to substantially put together, build or create a final product from individual parts, which may be manufactured on-site, and the majority of the final product is distributed off-site and may include ancillary retailing to the primary assembly or processing. The installation of minor components or small parts that require minimal expertise or equipment and are incidental to the product being sold on-site shall not be considered as an industrial assembly or processing operation.
- 2.1.2 “**auditorium**” means a building or part thereof where facilities are provided for athletic, civic, education, recreational, political, religious or social events including but not so as to limit the generality of the foregoing, an arena, community centre, assembly hall, a banquet hall, a gymnasium, a stadium, a cinema, a theater or a playhouse.
- 2.1.3 An “**automobile service station**” means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs, and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or have their ignition adjusted, tires inflated or batteries charged, or where only minor running repairs essential to the actual operation of motor vehicles are executed or performed. This does not include a car wash establishment.
- 2.1.4 “**bake shop**” means an establishment where products of a bakery are sold or offered for sale. Baking shall be permitted but shall not exceed 30 percent of the gross floor area and shall not take place in the front of an establishment. A bake shop shall not include a take-out food establishment.
- 2.2 “**basement**” means that portion of a building between two floor levels which is partly underground, but which has at one-half its height from finished floor to finished ceiling above the average adjacent ground level.
- B/L No. 2715, O.M.B. Approval Dec. 18/67

- 2.2.1 **“Body-Rub Parlour”** shall mean any premises or part thereof where a body-rub is performed, offered, or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- 2.2.2 **“Body-Rub”** shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- 2.2.3 **“Bed and Breakfast Establishment”** is a single detached dwelling, not containing an accessory apartment, in which the owner/proprietor resides and no greater than three (3) guest rooms are rented or hired out for the purposes of providing rooms are rented or hired out for the purposes of providing temporary overnight accommodation for the travelling or vacationing public. A Bed and Breakfast Establishment does not include a hotel, motel, group home, lodging house or restaurant.
- 2.3 Repealed by By-Law No. 93-76.
- 2.3.1 Repealed by By-Law No. 93-76.
- 2.3.2 Repealed by By-Law No. 93-76.
- 2.3.2.3 **“brewing on premise establishment”** means a commercial establishment where persons produce beer, wine and/or cider, for personal use and consumption off the premises; and where beer, wine and/or cider ingredients and materials are purchased, equipment and storage area is used for a fee by the same persons.
- 2.4 **“building”** means any structure used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels other than a boundary wall or fence.
- 2.5 **“Building By-Law”** means the Building By-Law of the Corporation of the City of Waterloo in force from time to time.
- 2.5.1 **“Building Façade Length”**: means the total length of the building as measured horizontally parallel between the two furthest points on the building façade adjacent to the street
- 2.6 **“building floor area”** means the gross floor area of the building measured from the outside walls, including:
- a) a basement
  - b) portions of a cellar used for commercial or industrial purposes other than storage
  - c) an attic with a clear ceiling height of two hundred and fifteen (215) centimeter for at least fifty (50) percent of the floor area.

- 2.7 **"building height"** means the vertical distance between the finished average ground level at the front of the building and
- a) in the case of a flat roof, the highest point of the floor's surface, or parapet, whichever is higher.
  - b) in the case of a mansard roof, the roof deck line.
  - c) in the case of a gable, cottage or gambrel roof, the average height between the eaves and the ridges.

Provided however chimneys, towers, spires, cupolas, grain elevators, or other similar structures or necessary equipment, shall be disregarded in calculating the height of the building.

2.8 **"Building Inspector"** means the building inspector of the City of Waterloo.

2.9 **"building line"** means the line regulating the distance of a building or structure on a lot from the street line in accordance with the provisions of this by-law.

2.10 **"car wash"** means a business establishment the primary function of which is to wash, clean and/or wax motor vehicles.

B/L No. 2902, S.2, O.M.B. Approval Oct. 17/68

2.11 **"cellar"** means that portion of a building between two floor levels which is partly underground but which has at least one-half its height from finished floor to finished ceiling below the average adjacent ground level.

2.12 **"Church"** means a building or buildings set aside by any religious organization for public worship including rectories and other church related functions.

2.12.1 **"Coffee Shop or Tea Room"** shall mean an establishment in which light refreshments are sold for consumption on the premises and the total seating of such an establishment is not in excess of fifteen (15) seats, and coffee shop or tea room shall not include a full service restaurant.

2.13 **"commercial recreation"** means a business establishment whose purpose is to refresh mind and body through physical sporting activities such as health spa, judo, racquets, bowling, billiards, mini golf, dance studios and any other similar sporting activity but shall not include dance halls, bingo halls, pinball arcades, and adult entertainment parlours.

2.13.1 **"commercial recreation (freestanding)"** means a "commercial recreation" use within a building or structure which contains no other uses.

2.13.2 **"commercial recreation (outdoor)"** means a "commercial recreation" use not carried on within an enclosed building or structure.

2.13.2.1 **"commercial vehicle"** means any motor vehicle exceeding 2800 kg gross vehicle weight having permanently or temporarily attached thereto a truck box or any other form of delivery body, and shall include but not be limited to tow trucks, tilt/n/load trucks, buses exceeding 10 passenger seats, tractor trailers or semi-trailers and any component thereof.

2.13.3 **"common recreational area"** means a contiguous outdoor landscaped open space area to be used for recreational purposes.



- 2.14 **"converted dwelling house"** means an existing building designed for residential occupancy that is converted within the building as it existed on January 1, 1993 for up to three (3) dwelling units in accordance with the regulations in this by-law.
- 2.15 **"coverage"** means that percentage of the area of the lot covered by the buildings situated thereon.
- 2.16 **"custom service shop"** shall mean a building where goods are stored, produced, assembled, or repaired to consumer specifications and sold at retail on the premises and shall be restricted to the following:
- Flooring and Tile Contractors
  - Paint and Wallpaper Contractors
  - Electrical, Plumbing and Heating Contractors
  - Custom Woodworking, (kitchen/bathroom cupboards and vanities)
  - Ornamental Iron
  - Food Provision Services - Canteen Services  
- Catering Services
  - Swimming Pool - Steam Bath Sauna
  - Furniture Re-Upholstering and Covering
  - Auto Glass and Trim
  - Glass & Aluminum Sales and Service
  - Aluminum Siding
  - Carpet Cleaning
  - Sales & Service of Domestic Appliances

Except in the Industrial "I" Zone, the display and retail area of such permitted uses shall not exceed 25% of the building floor area of the building.

- 2.16.1 **"daycare (private home)"** means the temporary care of five (5) children or less which such care is provided in a private residence for a continuous period not exceeding twenty-four (24) hours.
- 2.16.1.1 **"deck"** means a raised platform that:
- (i) is independent of the ground supported by a joist and beam system;
  - (ii) is more than 0.6 metres above the ground surface (measured from the ground surface to the top of the raised platform), excluding any supporting joist and beam;
  - (iii) is unenclosed (excluding hand railing and trellis) and open to the air; and
  - (iv) for the purposes of this by-law, a gazebo shall not be deemed an accessory structure and not a deck.
- 2.16.2 **"domestic appliance store"** means a retail store specializing in appliances normally used within a dwelling unit and without limiting the generality of the foregoing may include refrigerators, freezers, stoves, micro-wave ovens, washers, dryers, humidifiers, and de-humidifiers, televisions, video cassette recorders, video games, home computers, radios, record players, sewing machines, stereo components, vacuum cleaners and accessories thereto and may include the servicing of such appliances.
- 2.17 *Deleted by By-law No. 06-120*
- 2.17.1 **"Drug Store"** means a store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies and nonprescription medicines but where ancillary nonmedical convenience commercial goods may be sold.

2.18 **"dwelling"** means a building, or a portion thereof designed exclusively for residential occupancy, but not including hotels or motels whether public or private.

2.19 **"dwelling unit"** means two or more rooms designed or intended to be occupied by and for the use of an individual, household or lodging house class two with separate cooking and sanitary facilities.

B/L No. 78-40, O.M.B. Approval May 18/78

2.20 **"dwelling (single detached)"** means any building used or intended for one dwelling unit.

2.21 **"dwelling (semi-detached)"** means a pair of attached single detached dwellings.

2.22 **"dwelling (duplex)"** means a building divided horizontally into two dwelling units.

2.23 **"dwelling (triplex)"** means three dwelling units with a maximum of two of the three units being attached side by side.

2.24 Deleted by B/L 05-151

2.24.1 **"dwelling (terrace)"** means a building containing a minimum of three dwelling units, the dwelling units of which may be horizontally and/or vertically separated in a split level or stacked manner. Each unit shall have a separate entrance at grade level or access to an interior corridor system with exit at grade level.

2.25 **"dwelling (town house)"** shall mean a building containing a minimum of 3 or more dwelling units separated by a common wall, under a common roof and having common exterior walls. Each unit shall have a separate entrance at grade level, and shall be separated from its neighbour by a continuous vertical party wall without opening from basement to roof.

B/L No. 76-38, O.M.B. Approval November 14, 1977

2.26 **"dwelling (apartment)"** means a building containing four (4) or more dwelling units, where units and floors are horizontally separated and where each dwelling unit has access to an interior common corridor system with shared exit and entrance at grade level. Where reference is made in this by-law to "multiple dwelling" the provisions relating to an apartment dwelling shall apply.

2.27 **"dwelling (townhouse-linear)"** means a building containing a minimum of three (3) and up to a maximum of ten (10) dwelling units having a continuous vertical party wall without opening from basement to roof between each two adjacent dwelling units and fronting on a public highway.

B/L No. 74-165, S.3, O.M.B. Approval December 12, 1974

- 2.28            **"erect"** means to build, construct, reconstruct and relocate and shall include:
- 2.28.1           any preliminary operation such as excavating, filling or drainage.
- 2.28.2           altering any existing building or structure by an addition, enlargement, extension, or other structural change.
- 2.28.3           any work necessitating a building permit as required by the Building By-Law of the City of Waterloo.
- 2.29            **"existing"** means existing on the date of the final passing of this by-law.
- 2.30            Repealed by By-Law No. 93-76.
- 2.30.1           Repealed by By-Law No. 93-76.
- 2.30.2           Repealed by By-Law No. 93-76.
- 2.30.3           **"floor area ratio"** means the building floor area of all buildings on a lot divided by the lot area.
- 2.30.4           **"food store"** means a retail store specializing in food products and without limiting the generality of the foregoing includes, a grocery store, meat market, fish market, fruit store, bake shop, candy store, confectionery, nut shop, pet food store, milk store but does not include a butcher shop where animals are slaughtered, or any class of restaurant as defined in this by-law.
- 2.30.5           **"façade bay"** means a projecting division or feature of the exterior of the primary building façade and shall include a bay window as measured horizontally parallel between the furthest points on the building façade adjacent to the street.
- 2.31            Deleted by By-law No. 06-120
- 2.31.1           **"front building façade"** means the wall of the main building most closely parallel to the front lot line.
- 2.31.2           **"foster child"** means a person or group of siblings under the control and supervision of a society as defined in the Child and Family Services Act, R.S.O. 1990, c. C11, as amended.
- 2.32            **"garage (private)"** means an accessory building or portion of a dwelling which is used by the residents of the dwelling for the shelter of motor vehicles.
- 2.33            **"garage (service)"** means a building other than a private garage which is used for the care and repair of motor vehicles, or which such vehicles are parked or stored for compensation or hire or sale but shall not include the installation of outside gasoline pumps for retail sales.
- B/L No. 1183, S.1, O.M.B. Approval October 28, 1959  
B/L No. 1555, S.1, O.M.B. Approval June 12, 1962
- 2.33.1           "gas bar" means a building, structure or place where gasoline, diesel or propane fuel is available for sale along with minor vehicular accessory items such as oil, windshield cleaner, or anti-freeze but shall not include the repair and maintenance of motor vehicles nor a car wash establishment.

*Inserted by By-law No. 03-144*

- 2.34            **"grade"** means the level of the crown of the road adjacent to a lot or the level of the sidewalk adjacent to a lot whichever shall be the highest.
- 2.34.1        **"group home"** means a single housekeeping unit in a residential dwelling which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason or their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being. The home is licensed or approved for funding under an Act of the Parliament of Canada or the Province of Ontario.
- 2.34.1.1      **"class A group home"** means a group home having 3 to 6 residents and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:
- 2.34.1.1.1    accommodation services for the mentally retarded including a home for retarded persons approved under the authority of the Homes for Retarded Persons Act, R.S.O. 1980, C. 201, and an approved children's home approved under the authority of the Development Services Act, R.S.O. 1980, C. 118;
- 2.34.1.1.2    a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, C. 203;
- 2.34.1.1.3    a children's residence licensed under the authority of the Child and Family Services Act.
- 2.34.1.1.4    a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, C. 202.
- 2.34.1.1.5    a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act.
- 2.34.1.2      **"class B group home"** means a group home having 3 to 8 residents and shall include and be limited to the following residential facilities provided for in any general or specific Act (as amended from time to time) and regulations made thereunder:
- 2.34.1.2.1    accommodation services for the mentally retarded including a home for retarded persons approved under the authority of the Homes for Retarded Persons Act, R.S.O. 1980, C. 201, and an approved children's home approved under the authority of the Development Services Act, R.S.O. 1980, C. 118;
- 2.34.1.2.2    a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, C. 203;
- 2.34.1.2.3    a children's residence licensed under the authority of the Child and Family Services Act;
- 2.34.1.2.4    a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, C. 202;
- 2.34.1.2.5    an approved home licensed under the authority of the Mental Hospitals Act, R.S.O. 1980, C. 263;
- 2.34.1.2.6    a community resource centre approved under the authority of the Ministry of Correctional Services Act, R.S.O. 1980, C. 275;

- 2.34.1.2.7 a halfway house approved under the authority of the Charitable Institutions Act, R.S.O. 1980, C. 64.
- 2.34.1.2.8 a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act.
- 2.35 **"Gross Leasable Retail Commercial Space"** means that area in which tenants pay rent for what are commonly referred to as stalls, and which is exclusive to tenant occupancy including basement, mezzanines, upper floors, measured from the centre line of joint partitions and from outside wall faces. It includes department stores, restaurants, cocktail bars, banks and other financial establishments, barbers, beauty salons, cleaners, art studios, liquor and beer stores and travel agencies and other uses not specifically excluded below. It excludes service stations, auto centres, offices, banquet halls, hotels, motels, entertainment areas, theaters, residential uses, outside garden centre displays, shoe repair stores, medical and dental clinics and offices, billiard parlours, bowling alleys, libraries, car washes, any public assembly areas, parking areas, sidewalks, landscaped areas, private and public washrooms, truck and service facilities, loading and unloading areas, halls, boiler rooms, mechanical and electrical rooms, maintenance rooms, tenant storage areas and employee rest rooms.
- 2.35.1 **"ground floor area"** means the maximum area of the ground floor of a building measured to the outside of all outside walls.
- 2.35.2 excluding in the case of a dwelling any private garage, porch, verandah or sunroom unless the sunroom is intended to be habitable during all seasons of the year, and
- 2.35.3 where a dwelling does not have a basement or cellar of twenty-eight metres squared (28.0 m<sup>2</sup>) or more in area and facilities for heating, mechanical equipment, storage and laundry, which are normally in a basement or cellar, are provided in an area on the ground floor such area on the ground floor shall be excluded up to a maximum exclusion of fourteen metres squared (14.0m<sup>2</sup>).
- B/L No. 2657, O.M.B. Approval June 27, 1967
- 2.36 **"habitable room"** shall mean a bedroom, living room, dining room, family room, finished recreation room, study, den or kitchen which is combined with one of the above rooms.
- 2.36.1 **"Health Food Store"** means a type of food store that primarily sells natural or organic foods, and may include some ancillary retail of nutritional supplements. A Health Food Store is considered to be a Food Store for the purpose of this By-law.
- 2.37 **"hotel"** means any tavern, inn or public house in one building, or in two or more connected or adjacent buildings used principally for the purpose of catering to the needs of the public by supplying food and furnishing sleeping accommodation of not less than ten bedrooms, and shall include a hotel within the meaning of The Liquor License Act and The Tourist Establishment Act, but does not include lodging houses or motels.
- 2.37.1 **"household"** means one or more persons living together as a single non-profit, independent housekeeping unit, sharing all areas of the dwelling unit.

2.38.01        **"Health Practitioner"** shall mean a professional engaged in providing health related services to individuals rendered by a person who is licensed or registered to do so under the laws of the Province of Ontario and shall include but not be limited to a physician, dentist, chiropractor, osteopath, registered massage therapist and a naturopath, but shall not include individuals employed in a body rub parlour or any adult entertainment parlour.

2.38.1        **"Home Improvement Store"** means a retail store specializing in products which are used for the renovation, repair or improvement of the interior of, and are generally attached to, residential buildings and without limiting the generality of the foregoing includes paint, wallpaper, carpets, floor covering, lighting fixtures, draperies, blinds and plumbing fixtures but shall not include furniture, appliances or lumber.

2.38.2        **"Home Occupations"** means the use of a part of a dwelling unit for a service or profession by at least one of the permanent residents of such dwelling unit and which is clearly secondary to the main use of the dwelling unit. The two classes of Home Occupations allowed in the residential area are:

Class One – This type of Home Occupation is permitted in all residential zones. Home Occupations that are permitted in a Class One would be a Home Office.

Class Two – This type of Home Occupation is only permitted in a Single detached dwelling. Class Two Home Occupations are limited to Home Personal Service and Teacher.

2.38.2.1.1    **"home office"** means an office located within a the dwelling as a Home Occupations used for conducting the affairs of a business, profession or service and where clerical duties may be performed but shall not include, a Personal Service Shop, Veterinarian Clinic, Animal Hospital, or Shelter".

2.38.2.2        **"home personal service"** means a service being provided within a home occupation involving the care of a person or apparel and shall include but not limited to: a hair dresser, manicurist, a tailor, and photographic studio.

2.39.1        **"Impervious Area"** means the area of a lot which is covered by an impervious or impermeable material. This shall include, but is not necessarily limited to the following material:

- (i) asphalt;
- (ii) wood;
- (iii) concrete;
- (iv) clay;
- (v) metal; and,
- (vi) stone.

2.39.1.1        **"industrial mall"** means a building or group of buildings, designed, developed, owned and managed as a unit in which each building contains two (2) or more separated spaces for lease or occupancy.

2.39.1.2        **"institution"** means a building used for a non-commercial purpose by an organized body or society for promoting a particular object.

- 2.39.2 “**landscaped buffer**” means a predominantly vegetated landscaped area between a lot line and any building, structure, parking area, driveway or impervious area. **Buildings**, structures, enclosures, parking areas, driveways and impervious areas shall be prohibited within the Landscaped Buffer.
- 2.40 “**landscaped open space**” means that portion of a lot which is used for the growth and maintenance of grass, flowers, trees and shrubs and other landscaping including a surfaced walk, patio, pool or similar outdoor recreational amenity but excluding:
- 2.40.1 *buildings, structures, enclosures;*
  - 2.40.2 *parking or loading areas;*
  - 2.40.3 *driveways leading to parking areas;*
  - 2.40.4 *decks over any parking structure where the deck is more than one metre (1.0 m) above grade;*
  - 2.40.5 *covered or enclosed bicycle locking facilities and associated structures;*
  - 2.40.6 *curbs and retaining walls;*
  - 2.40.7 *covered or enclosed garbage enclosures; and*
  - 2.40.8 *ramps.*
- 2.41.0 “**lane**” means a public highway which affords a secondary means of access to the lots abutting thereon, and for the purposes of establishing setbacks within this by-law shall be defined as a street.
- 2.41 “**loading space**” means an off-street space on the same lot with a building or on a lot contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, such space to abut upon a street, lane or other appropriate means of access.
- 2.41.1 “**Lodging House**”
- A building, or portion thereof, designed or used for residential occupancy where a proprietor offers lodging units for hire or gain directly or indirectly to more than three other persons with or without meals. A lodging house shall not include a hotel, motel, bed and breakfast, nursing home, group home, institutional or other similar use that is licensed, approved or supervised under any general or special Act.
- 2.41.2 “**Lodging House Class One**”
- A lodging house which is located in the whole of a building and:
- (i) occupied by four or more persons in addition to the proprietor and his/her household; or
  - (ii) occupied by 6 or more persons without a proprietor and his/her household.
- 2.41.3 “**Lodging House Class Two**”
- A lodging house located within a dwelling unit occupied by 4 or 5 persons without a proprietor and his/her household.
- 2.41.4 “**Lodging Unit**”
- Living accommodation which does not include the exclusive use of both a kitchen and a bathroom.

- 2.42            **"lot"** means a parcel of land occupied or to be occupied by one main building, structure, or use, with any accessory buildings or uses, and includes all yards and open spaces required by this by-law. A lot may or may not be the land shown as a lot on a registered plan of subdivision.
- B/L No. 3922, S.3,O.M.B. Approval June 1, 1973
- 2.43            **"lot area"** means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or marsh.
- 2.44            **"lot corner"** means a lot situated at the intersection of and abutting upon two streets or upon two parts of the same street the adjacent sides of which street or streets (or in the case where a corner lot has a curve the tangent at the street extremities of the side lines) contain an angle of not more than one hundred and thirty-five (135) degrees. Where a corner lot has a curve, the front yard will be distinguished from the flankage yard at that point on the streetline nearest to the point of intersection of the said tangents. In addition, all structures on a corner lot must meet both the front yard and flankage yard setback. (see regulations in each zone).
- 2.45            **"lot depth"** means the horizontal distance between the front and rear lot lines or in the case of a triangular lot, between the front lot line and the apex of the triangle formed by the intersection of the side lot lines.
- 2.45.1          **"lot frontage"** means the width of the lot measured at the front lot line, except in the case of a corner lot or where the side lot lines are not parallel, frontage shall mean the width of the lot measured at the front building line.
- 2.46            **"lot interior"** means a lot other than a corner lot.
- 2.47            **"lot line (front)"** means the lot line that divides a lot from the street provided that in the case of a corner lot, the shorter lot line that abuts the street shall be deemed to be the front lot lines and the longer line that abuts a street shall be deemed the flankage. In the case of a "lot through" both of the lot lines abutting a street shall be deemed front lot lines.
- 2.48            **"lot line (rear)"** means the lot line opposite the front lot line.
- 2.49            **"lot line (side)"** means a lot line other than the front and rear lot lines.
- 2.49.1          **"lot line (flankage)"** means in the case of a corner lot, the longer lot line that abuts the street shall be deemed to be the flankage.
- 2.50            **"lot through"** means a lot bounded on two opposite sides by a street but not a corner lot.
- 2.51            **"lot width"** means the distance measured between the side lot lines at right angle. In the case of an irregular lot, it shall be measured between the side lot lines at the intersection of the building line.



- 2.51.1 “**Low Rise Residential Area**” means any lands which are zoned:
- Single Residence One ‘SR1’
  - Single Residence One-Ten ‘SR1-10’
  - Single Residence One A ‘SR1A’
  - Single Residence Two ‘SR2’
  - Single Residence Two A ‘SR2A’
  - Single Residence Three ‘SR3’
  - Single Residence Four ‘SR4’
  - Single Residence Township One ‘SRT-1’
  - Single Residence Township Two ‘SRT-2’
  - Residential ‘R’
  - General Residence Two A ‘GR2A’
  - Semi Detached ‘SD’
  - Semi Detached One ‘SD 1’
  - Medium Density ‘MD’
  - Medium Density One ‘MD-1’
  - Medium Density Two ‘MD-2’
  - Medium Density Three ‘MD-3’
  - Flexible Residential ‘FR’
- 2.51.2 “**massage establishment**” means any premises or part thereof where massages are given, offered or solicited in pursuance of a trade or calling, business or occupation provided that the service is rendered by a person who is duly qualified, licensed or registered so to do under the laws of the Province of Ontario. A massage establishment shall not include a Body-Rub Parlour.
- 2.51.3 “**maximum designed capacity**” means the maximum number of persons for which the building and/or structure or part thereof was designed, as determined by the Ontario Building Code.
- 2.51.4 “**mixed use**” means the presence of two or more different uses within the same complex or same building.
- 2.52 “**motel**” means a building or buildings designed to be used for twelve (12) months of each year for the purpose of catering to the needs of the public by furnishing sleeping accommodation with or without supplying food, and shall include all such buildings operated under "Tourist Establishments Act", R.S.O. 1950, Chapter 393.
- 2.52.0.1 “**occasional use**” shall mean an event within a City-owned facility or on City-owned land which is temporary in duration and which may include one or more of the following uses: specialty sales and services, concerts, festivals, trade shows, fairs, auctions, recreational competitions or other similar uses. For the purposes of this definition, “temporary” shall mean “established for an identified period of time with the intent to discontinue upon the expiration of the time period.”
- 2.52.1 “**office**” means a building or part thereof used for conducting the affairs of a business profession, service, industry, or government and where clerical duties are performed but shall not include, a Personal Service Shop, Veterinarian Clinic, Animal Hospital or Shelter, Optician, the teller section of a bank or trust company or retail sales.
- 2.52.2 “**outdoor storage**” shall mean the storage of equipment, goods or materials outside of any building or structure, including storage in unenclosed portions of buildings which are open to the air on the sides.

- 2.53            **"nursing", "Senior Citizens" or "convalescent home"** means any building or portion of a building other than a private or public hospital where persons are housed or lodged and furnished with meals and nursing care for compensation.
- 2.53.1        **"parking facility"** means a lot, solely used for the temporary parking of motor vehicles in the open air or within a structure. For the purpose of the preceding sentence, "temporary" shall mean not more than twenty-four (24) successive hours.
- 2.53.2        **"personal service shop"** means a building or part thereof used in the provision of services involving the care of a person, pet or apparel and shall include a dressmaker, a tailor, and a photographic studio but shall not include a hospital within the meaning of the Private Hospitals Act or similar institutional establishment, a veterinarian's establishment, an animal hospital, a kennel, or similar uses conducted outdoors, a body rub parlour or any adult entertainment parlour.
- 2.54            **"persons"** means and includes any association, partnership, corporation, municipal corporation, agent, or trustee and their heirs, executors and assigns, or other legal representatives or a person to whom the context can apply according to law.
- 2.54.0.1      **"porch"** means a roofed open structure projecting from the exterior wall of a building and having at least fifty percent (50%) of the total area of the vertical planes forming its perimeter unobstructed in any manner except by insect-screening between floor and ceiling.
- 2.54.1        **"portable living unit for a senior"** means a portable living unit provided to a landowner by the Province of Ontario Ministry of Housing under the Portable Living Units for Seniors Demonstration Project. The portable living unit is provided to the landowner for temporary use on the owner's lot for occupancy by a parent or parents of either the owner or the owner's spouse.
- 2.55            **"public parking area"** means an open area other than a street used for the temporary parking of more than four motor vehicles and available for public use.
- 2.55.1        **"Quonset Huts"** means a Prefabricated shelter consisting of corrugated steel or other material fabricated to form a self-supporting structure. The structure may or may not be anchored by a foundation system, and used as storage or weather protection of vehicles or other large material goods.
- 2.56            **"restaurant"** means a business establishment within an enclosed building in which adequate facilities are provided for the preparation, serving and consuming of food and drink.
- 2.56.1        **"restaurant (take-out)"** means a business establishment within an enclosed building in which adequate facilities are provided for the preparation and sale of food and drink, which are not normally consumed on the premises, and which shall not provide more than fifteen (15) seats.
- 2.56.2        **"restaurant (drive-in)"** means a business establishment which provides facilities or services that enables customers to order and/or consume food and drink in their automobiles.

- 2.57        **"retail store"** means a building or part thereof in which goods, wares, merchandise, substances, articles or things are stored, offered, displayed or kept for the sale or rent to the ultimate consumer and where services incidental to such sale or rental are provided but shall not include the sale, rent or storage of motor vehicles.
- 2.58        **"school"** means an educational establishment.
- 2.58.1      **"school (commercial)"** means a school operated by one or more persons for gain or profit where instruction is given to four (4) or more persons at one time.
- 2.59        **"school (nursery)"** means a facility that receives six (6) or more children for the purpose of providing temporary care and/or guidance for a continuous period not to exceed twenty-four (24) hours.
- 2.60        **"school (private)"** means an educational establishment other than a public school or separate school. A private school shall not include a commercial school.
- 2.61        **"school (public)"** means an authorized school under the jurisdiction of the Waterloo County Board of Education, or any successor thereof.
- 2.62        **"school (separate)"** means an authorized school under the jurisdiction of the Waterloo County Separate School Board or any successor thereof.
- 2.63        **"specialty shops"** means commercial stores for the display and sale of small articles which shall consist of one or more of the following: antiques, art books, clothing, crafts, fabrics, flowers, glassware, health foods, (but not take out food or restaurants) jewellery, novelties, musical instruments, sheet music and plants.
- 2.64        **"storey"** means that portion of a building between any floor and the roof or ceiling next above such floor, provided that any portion of a building partly below the ground shall be deemed a storey if its ceiling height is one-point-eight metres (1.8m) above the average adjacent ground level.
- 2.65        **"storey (one-half)"** means that portion of a building situated wholly or in part within the roof or having its floor level not lower than one-point-four metres (1.4m) below the line where the roof and outer walls meet, and having a roof not steeper than forty-five (45) degrees above the horizontal ceiling height shall be at least two-point-three metres (2.3m) for fifty (50) percent of the floor area.
- 2.66        **"street"** means a public highway having a minimum width of twelve metres (12m) which affords a principal means of access to abutting lots.
- 2.67        **"street line"** means the dividing line between a lot and a street.
- 2.68        **"structure"** means any erection, permanent or temporary, fixed to or supported by the soil but shall not include signs, fences, retaining walls, gasoline pump islands and light standards.
- 2.68.0.1    **"stacked parking space"** means one or more parking spaces which do not have immediate access to a street or lane and which are immediately behind another parking space which has direct access to a street or lane.

- 2.68.0.1.1      **"take-out food establishment"** means a business establishment which provides food, refreshments, dairy products, or beverages that are offered for sale or sold to the public for their consumption at a location not on the premises at which the food is offered for sale or sold.
- 2.68.0.2      **"tandem parking space"** means a parking space which has immediate access to a street or lane and which is immediately behind another parking space which does not have direct access to a street or lane.
- 2.68.0.3      **"textile store"** means a retail commercial establishment where fabric and material such as cloth, silk, cotton, and lace are typically sold by the metre or yard, and may include accessory items used in the production of finished textile products, such as ribbons, buttons and zippers.
- 2.68.0.4      **"teacher"** means a person who instructs a specific topic such as but not limited to: music, voice training, math or french to another persons within his/her residential dwelling as a Home Occupation, subject to the Class Two Home Occupation regulations.
- 2.68.1      **"teaching area"** means any area which is designed to be for teaching a group, either on a full time or part time basis.
- 2.68.2      **"transportation service"** means as establishment which provides transportation services for goods and passengers using vehicles with a maximum capacity of one tonne or smaller.
- 2.68.3      **"truck depot"** means an establishment which provides transportation services for goods and passengers using a vehicle or vehicles with a greater maximum capacity than one tonne.
- 2.69      **"use"** means the purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, intended, occupied or maintained, and "used" shall have a corresponding meaning.
- 2.69.0.1      **"variety store"** shall mean a retail commercial establishment in which a wide variety of convenience goods or materials such as tobacco products, confectionery, soft drinks, ice, reading materials, souvenirs and similar goods and ancillary services including videotape rentals, postal services, an automated banking machine or similar services are offered to the general public, and may include the sale of lottery tickets, greeting cards, stationery, convenience grocery and dairy products but shall not include household furnishings (including appliances and electronics), apparel and accessories, computers, luggage, jewelry, sporting goods, hardware, paint, and other similar durables/semi-durables.
- 2.69.1      **"video/pinball game amusement centre"** means an establishment, which contains three or more video or pinball game machines are available for use and does not contain video lottery terminals. Up to two video or pinball game machines are deemed to be permitted as an ancillary use to any establishment in any Commercial Zone or to a "Commercial Recreation" use in any zone permitting said use.
- 2.69.2      **"video cassette outlet"** means an establishment where video cassette tapes are rented or sold and where only equipment necessary for the viewing or recording of such tapes may be rented as well, but shall not include the sale, rental, or service of such equipment as televisions, stereos, computer or other similar electronic equipment.

2.69.3 **"video lottery terminal"** means a machine or device, including slot machines, that allows a person to play a lottery scheme upon payment of money or tokens where that play may result in the receipt of credit that can be redeemed for further play or money.

2.69.4 **"wholesale outlet"** means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to:  
a) retail uses;  
b) industrial uses;  
c) commercial uses;  
d) institutional uses; or  
e) wholesale uses.

A wholesale outlet shall not include a Membership Warehouse Club or a retail store.

2.70 **"yard"** means a space open to the sky exclusive of eaves up to sixty centimeters (60cm) on the same lot with a building unoccupied except for such accessory buildings as are specially permitted elsewhere in this by-law.

2.71 **"yard (front)"** means a yard extending across a full width of a lot between the front line and the nearest main wall of the main building on the lot.

2.72 **"yard (rear)"** means a yard extending across the width of the lot between the rear lot line or in the case of a triangular lot between the apex of the triangle formed by the intersection of the side lot lines and the nearest wall of the main building.

2.73 **"yard (side)"** means a yard extending from the front yard to the rear yard between the side lot line and the nearest main wall of the main building, exclusive of any chimney breast.

2.74 **"yard (flankage)"** means the yard extending from the front yard to the rear yard between the street and the nearest main wall of the main building, excluding any chimney breast.

# Section 3

## CLASSIFICATION

3. The City of Waterloo is hereby divided into zones as hereinafter set out for the purpose of ensuring the health, safety, welfare, adequate light and air, and the freedom from noise and fumes and dirt and to reduce fire hazards for the inhabitants of the City and to regulate and restrict the locations of residences, businesses, trades industries, yards and open spaces. The said zones shall be known as follows:

C1	Commercial One
C2	Commercial Two
C4	Neighbourhood Commercial
C5	Commercial Five
AC	Arterial Commercial
C6	Commercial Six
C7	Commercial Seven
C8	Commercial Eight
C9	Commercial Nine
G	Green Area
G1	Green One
G2	Green Two
PGC	Park-Golf Course
BI	Universities
IN	Institutional
GB	General Business
GR	General Residence
MR	Multiple Residence
MD	Medium Density
GR1	General Residence One
GR2	General Residence Two
GR3	General Residence Three
GR4	General Residence Four
MD-1	Medium Density One
MD-2	Medium Density Two
MD-3	Medium Density Three
SD	Semi-Detached
I	Industrial
I1	Industrial One
LI	Light Industrial
RB	Retail Business
SS	Service Station (B/L 76-38 S.19, O.M.B. Nov. 14/77)
S	Suburban
SC	Shopping Centre
CC1	Convenience Commercial One (B/L 3180, S.1, O.M.B. Feb. 21/74)
CC	Convenience Commercial (B/L 4048, S.1, O.M.B. Feb. 21/74)
SR1	Single Residence One (B/L 3173, O.M.B.)

Oct. 31/69)  
SR2 Single Residence Two  
(B/L 3173, O.M.B.  
Oct. 31/69)  
SR2A Single Residence Two A  
(B/L 3173, O.M.B.  
Oct. 31/69)  
SR3 Single Residence Three  
(B/L 3173, O.M.B.  
Oct. 31/69)  
SR1-10 Single Residence One-Ten  
(B/L 3767, S.1, O.M.B.  
Feb. 17/72)  
SR1A Single Residence One A  
(B/L 74-34, S.2, O.M.B.  
April 26/74)  
GR-5 General Residence Five

# *Section 4*

## **BOUNDARIES**

4. Where any uncertainty exists as to the location of a boundary of any one of the said zones as shown on the Zoning Maps the following rules shall apply:
  - 4.1 Where the boundaries are indicated as following approximately the centre line of streets, lanes or railway rights-of-way or their productions, such centre lines shall be deemed to be the boundary.
  - 4.2 Where the zone boundaries are indicated as approximately following lot lines such lot lines shall be deemed to be the said boundaries.
  - 4.3 Where the zone boundaries are indicated as approximately parallel to any street and the distance of the zone boundary from such street is not indicated, such zone boundary shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scales of the zoning maps.



# *Section 5*

## **ZONING MAPS**

5. The extent of the boundaries of all the zones are shown on the zoning maps hereunto annexed as Appendix "A" which zoning maps and the Key Map attached hereto together with all notations, references and other information shown thereon are hereby incorporated in and declared to form part of this by-law to the same extent as if fully described herein.

# *Section 6*

## **SYMBOLS**

6. The Symbols listed in Section 3 of this By-Law may be used to refer to buildings and structures and the uses of buildings and structures permitted by this By-Law in the said zone; and, 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 City of Waterloo within the scope of this By-Law delineated on a zoning map and designated thereon by the said symbol.

B/L 1183, S.4, O.M.B. Approval Oct. 28, 1959

# *Section 7*

## **CERTIFICATE**

7. No change shall be made in the type of use of any land or the physical structure or use of any building within the City of Waterloo without a certificate of occupancy being first issued by the Building Inspector to the effect that the proposed use thereof is not contrary to this By-Law.

# Section 8

## GENERAL PROVISIONS

8. No building or structure shall hereafter be erected or altered or rebuilt and no change in the use of any building, structure, or land shall hereafter be made in whole or in part by and person except in conformity with the provisions of this By-Law. Service Stations that were owned and used as service stations in the "RB" zone and "GB" zone at the date of the passing of this By-Law shall be exempt from the provisions of the preceding sentence as long as they are operated as service stations.

B/L 1183, S.5, O.M.B. Approval October 28,1959

B/L 1931, S.3, O.M.B. Approval April 6, 1964

### 8.1 Reduction Minimum Lot Areas Prohibited

No lot area shall be so diminished that the yards or other open space shall be smaller than prescribed in this by-law. For any part of a lot which is required for this by-law to be reserved as a yard or other open space it shall continue to be so used regardless of changes in ownership of such land or part thereof and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

### 8.2 Regulations for Accessory Structures

In a zone which permits residential uses or for a property used solely for residential purposes, no person shall erect any accessory building any part of which is within two point-five metres (2.5m) of any part of a main building on an adjoining lot and in no case shall any accessory building be located:

- (a) closer than sixty centimeters (60cm) from any rear lot line or side lot line in the rear yard of any interior lot;
- (b) within a flankage yard Setback;
- (c) is expressly prohibited within the front yard;
- (d) the base of the accessory structure shall not be more than zero-point six (0.6) metres above existing grade at any point;
- (e) The maximum height of any accessory building in all zones except the Industrial zones shall be four metres (4.0m) and the lot coverage of accessory building or buildings shall be not more than ten (10) percent of the lot area; and
- (f) Notwithstanding anything else in this By-law, where a semi-detached dwelling is located on a single lot, accessory structures not exceeding 5% of the lot area shall be permitted for each dwelling unit.

### 8.3 Accessory Building

*Deleted by By-law No. 09-158*

#### 8.3.0 *Deleted by By-law No. 09-158*

8.3.1

**Body-Rub Parlour**

A Body-Rub Parlour, as defined herein, shall not be recognized as a permitted use or activity in any zoning category within the Zoning By-Law.

8.4

**Projections**

In any yard there may be erected or maintained the usual projections of window sills, chimney breasts, belt courses, cornices, eaves and other architectural features provided however, that no such feature shall project more than sixty centimeters (60.0cm) into any required yard except for open iron or steel fire escapes one or more of which may be erected or maintained.

B/L 1931, S.5, O.M.B. Approval April 6, 1964

8.4.1 Notwithstanding Section 8.4 the following Table shall apply to Architectural Feature Projections:

Table 1 - Architectural Feature Projections for Select Zone Categories

Projection	Architectural Feature	Zone							
		MD	MR 4	MR 6	MR12	MR25	C2/C6 (apartment dwellings)	C2/C6 (mixed use)	I
0.0m-0.6m									
a)	bay windows; belt course; chimney breast, columns; cornice; friezes; hoods; panels; window boxes; window sills; and other architectural features	*	*	*	*	*	*	*	*
b)	awnings; balconies; cantilevered elements; collonades; porticos	*	*					*	
c)	a <i>façade bay</i> or <i>façade bays</i> may not occupy more than 30% of the total <i>building façade length</i> adjacent to the street	*	*	*					
0.0m-1.0m									
d)	balconies			*	*		*		*
e)	a <i>façade bay</i> or <i>façade bays</i> may not occupy more than 40% of the total <i>building façade length</i> adjacent to the street.				*	*	*	*	*
0.0m-1.5m									
f)	awnings; cantilevered elements; collonades			*	*	*	*		*
g)	balconies					*			
h)	porticos			*	*		*		*
i)	sun screen/shades	*	*	*	*		*		*
0.0m-2.0m									
j)	cantilevered rooftop elements				*	*	*		*
k)	porticos					*			
l)	sun screens/shades					*			

8.4.1.2 An Architectural Entrance Projection shall be permitted into the Front and/or Flankage Yard setback subject to the following:

Table 2 – Unenclosed Architectural Entrance Projections for Select Zone Categories

	Zoning	Maximum Encroachments	Minimum Required Setback for an Unenclosed Architectural Entrance Projection from Property Line (front and/or flankage yard)
<b>Residential</b>			
a)	MD – Only applies to Apartment dwellings	3.0m	4.0m
b)	MR4	2.0m	3.0m
c)	MR6	3.0m	2.0m
d)	MR12	4.0m	1.0m
e)	MR25	4.0m	1.0m
<b>Commercial</b>			
f)	C2	3.0m	2.0m
g)	C3	3.0m	2.0m
h)	C6	3.0m	0.0m

- i) Notwithstanding Section 8.4.1.2, the maximum encroachment for any porch structure shall be two metres (2.0m) from the required front and flankage yard setback.
- ii) The maximum encroachment for any enclosed Architectural Entrance Projection Feature shall be one metre (1.0m) from the required front and flankage yard setback.

8.5 Deleted

8.6 Deleted

B/L 76-92, S.1, O.M.B. Approval September 14, 1976

8.7 **Public Services and Utilities**

The provisions of this by-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of a public service or services by The Corporation of the City of Waterloo, The Regional Municipality of Waterloo, any department or ministry of the Dominion or Provincial Government or by any local board as defined in the Municipal Affairs Act to any railway, power commission, telephone or gas company or other public utility providing public services provided that any building and lands used or occupied shall be in substantial compliance with the regulations prescribed in the zone in which any such building and lands are located. In addition, no goods, material or equipment shall be stored in the open, except as permitted in the zone where the lands are located and the provisions of the zone within which the use is located shall be complied with.

B/L 74-169, O.M.B. Approval October 17, 1974

8.7.1 In addition to the above, Occasional Uses may be permitted in a facility or on a site owned by the Corporation of the City of Waterloo.

8.8 **Frontage on Public Streets**

No lot shall be used in whole or in part, nor shall any building or structure be erected thereon or used for any purpose in any zone unless the front lot line of such lot abuts a public street other than a lane or private right-of-way, and unless such street has a minimum width throughout the block (or if a cul-de-sac or blind street throughout its length with the block) of twelve metres (12M).

8.9 **Building Line Setback**

The building line set back on the streets hereinafter mentioned within the City of Waterloo are hereby established as follows:

8.9.1 Regina Street on the east side from William Street to Noecker Street seven-point-nine metres (7.9m) measured at right angles to the easterly limit of the street line as it existed on the first day of January, 1954.

8.9.2 Caroline Street on the east side from William Street to Erb Street seven-point-nine metres (7.9m) measured at right angles to the easterly limit of the street line as of January 1, 1954.

8.9.3 King Street on both sides from William Street northerly to the City limits. The building line set back is as applicable in the various zones between William Street and the said City limits and shall be measured from the street lines as shown on Deposited Plan No. 482, deposited in the Registry Office of the County of Waterloo.

8.10 **Street Lines**

The building line set back on the street hereinafter set forth as required in the applicable zones, shall be measured from the street line which is hereby fixed for the purposes of this by-law as follows:

<b><u>Street</u></b>	<b><u>Street Line Measured from Centre of Street</u></b>
Belmont Avenue	10.5 m
Bricker Avenue	10.0 m
Columbia Street	10.0 m
Dupont Street	9.0 m
Elgin Crescent	10.0 m
Erb Street	12.0 m
Herbert Street	9.0 m
Hughes Lane	3.5 m
Bridgeport Road between Albert Street & Laurel Street	10.0 m
Lodge Street	9.0 m
Noecker Street	10.0 m
Park Street	10.5 m



Princess Street	9.0 m
Regina Street (east side only)	7.9 m
Spring Street	9.0 m
Union Street	12.0 m
University Avenue	12.0 m
William Street	12.0 m
Young Street	9.0 m

B/L 1183, S.6, O.M.B. Approval October 28, 1959

B/L 2919, S. 1 & 2, O.M.B. Approval January 23, 1969

### **Off-Street Loading**

- 8.11 No building or structure other than a private residence to which regular delivery service would normally be required or from which regular delivery service would normally be provided shall be erected or used unless there is provided and maintained in connection with such building or structure off-street space for standing, loading and unloading services, with adequate ingress and egress to and from the street or land sufficient to avoid undue interference with the public use of streets and lands and so that it will not be necessary at any time for vehicles to remain parked in the public right-of-way. Such off-street space shall be at least three metres (3m) by twelve metres (12m) with a height clearance of four-point-five metres (4.5m) for each place of business where delivery service is required and provided, and in conformity with the following table:

<b><u>Gross Floor Area</u></b>	<b><u>Required Spaces</u></b>
0 to 2,500 sq. metres	1 space
2,501 to 4,000 sq. metres	2 spaces
4,001 to 10,000 sq. metres	3 spaces
For each additional 5,000 sq. metres	1 additional space

- 8.12 Deleted.
- 8.12.1 Except as otherwise provided there shall be for every building erected, structurally altered, or enlarged, permanent automobile parking space or spaces with adequate provision for direct ingress and egress to the street from the same lot on which the parking is situated.
- 8.12.2 Each off-street parking space must be a minimum of two hundred and eighty (280cm) centimeters by five hundred and fifty (550cm) centimeters and have direct access to a driveway or maneuvering aisle.
- 8.12.3 Parking requirements shall be provided on the same lot as the related use.
- 8.12.4 In all residential zones, or for any building used solely for residential purposes, all parking shall be provided behind the building line or lines in accordance with the following:
- 8.12.4.1 where the parking is in the side yard, the side yard shall have a minimum width of three (3m) metres;
- 8.12.4.2 the driveway shall lead directly to the parking;

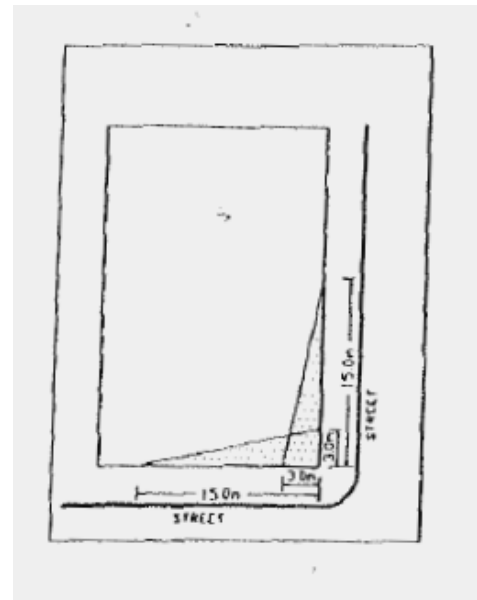
- 8.12.4.3 no person shall locate or provide vehicular parking in front of any building in a residential zone or in front of any building used solely for residential purposes within the City of Waterloo;
- 8.12.4.3.1 no person shall park or permit to park a vehicle in the front yard landscaped open space of any property located within the City of Waterloo;
- 8.12.4.4 notwithstanding subsection 18.12.4.3 above, a parking area located in a recessed area, or within a building, designed and used exclusively for parking, and a driveway leading directly to said parking area, shall be permitted;
- 8.12.4.5 where parking is to be provided in a recessed area or rear yard, the minimum width of the driveway shall be three (3m) metres;
- 8.12.4.6 the driveway shall not exceed seven (7m) metres in width, and the driveway shall not be less than two hundred and eighty (280cm) centimeters in width;
- 8.12.4.7 the driveway may be used for additional parking, but shall not be used for calculating the parking requirements as set forth in this by-law.
- 8.12.5 Notwithstanding subsection 8.12.4.3 above, parking for multiple dwellings and townhouses may be provided in front of the habitable ground floor area of the building, provided that such parking is behind the building line.
- 8.12.6 In zones where a parking facility is a permitted use, and the parking is to be provided within a structure, such a structure shall be subject to all requirements of the zone, except for parking provisions.
- 8.12.6.1 All underground parking structures shall be permitted to extend to the property line in the side and rear yards only, in the case of the front yard and flankage setback, the regulations of the zone shall apply, but in any case underground parking structures shall be subject to the impervious coverage limits of the zone.
- 8.12.7 Where the parking requirement is related to building floor area and the calculated building floor area used to determine the parking is not a multiple of one hundred (100) (ie. square metres) then the required parking shall be determined by the product of the parking requirement and a factor produced by dividing the total building floor area by one hundred.
- 8.12.8 Where the required parking is determined by a ratio of spaces to any person, object, or building floor area, any fraction of a parking space shall be rounded to the next highest whole number.
- 8.12.9 Notwithstanding anything contained elsewhere in this by-law, for any one of the uses listed below parking shall be provided as follows;
- |          |                       |   |
|----------|-----------------------|---|
| 8.12.9.1 | funeral home          | three (3) spaces per one hundred(100) square metres of building floor area (must have a minimum of twenty (20) spaces)            |
| 8.12.9.2 | private clubs, lodges | eight (8) spaces per one hundred(100) square metres of building floor area  |
| 8.12.9.3 | hotel, motels         | one (1) space for each sleeping unit plus five (5) spaces per one hundred (100) square metres for all other building floor areas. |

8.12.9.4	hospitals (public and private nursing homes, home for the aged)	one (1) space for every three (3) beds maximum designed capacity
8.12.9.5	churches, church halls	eight (8) spaces per one hundred (100) square metres of building floor area
8.12.9.6	service stations	seven (7) spaces per one hundred (100) square metres of building floor area
8.12.9.7	nursery schools	two (2) spaces per one hundred (100) square metres of building floor area
8.12.9.8	schools (public and separate)	two (2) spaces for each teaching area
8.12.9.9	offices of a health practitioner, a beauty salon or a barber shop when permitted as a use within a residential unit occupied by the practitioner	three (3) spaces for each practitioner, operator or employee
8.12.9.10	Deleted by By-Law No. 91-158.	

- 8.13 On a corner lot within the triangular spaces formed by street lines for a distance of (3m) from the intersection of the street line to the point on the opposite street line

measured a distance of (15.0m) from the intersection of the street lines, no fence shall be erected, and no shrubs or foliage shall be maintained in a manner which would obstruct the vision of the driver of a passenger vehicle approaching the intersection and in no case shall such fence, shrub or foliage be provided or maintained at a height of more than fifty centimetres (50 cm) above the sidewalk grade.

#### Obstructions on Corners



By-Law No. 92-41, O.M.B. Order November 12, 1993

- |      |   |                 |
|------|---|-----------------|
| 8.14 | Apartments, triplexes, semi-detached dwellings, duplexes must have available municipal sanitary sewers and water before a building permit will be issued. | Sewer and Water |
| 8.15 | Outdoor Storage shall be prohibited in all Commercial Zones but shall not include outdoor sales associated with a permitted commercial use.               |                 |

- 8.16 There shall be no building within thirty metres (30m) on each side of the centre line of Laurel Creek downstream from Marshall Street and upstream from Dearborn Street West. Restriction along Laurel Creek
- 8.17 Deleted by By-Law No. 82-31.
- 8.18 On a corner lot in any residential zone the rear yard setback requirement shall be satisfied if the sum of the side yard and rear yard setbacks equals the required rear yard setback provided that neither such side yard nor rear yard is less than three metres (3.0 m). For the purposes of this regulation, the Multiple Residence 'MR' zone shall not be considered a "residential zone".
- 8.19 **Non-conforming Properties**
- 8.19.1 Nothing in this by-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by this by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose.
- 8.19.2 Nothing in this by-law shall apply to prevent the erection or use for a purpose prohibited by this by-law of any building or structure for which a permit has been issued under Section 5 of The Building Code Act, prior to the day of passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of The Building Code Act.
- 8.19.3 Nothing in this by-law shall apply to prevent the strengthening, altering or restoration to a safe condition, of a building or structure or any part thereof which is used for a purpose or in a manner not conforming or complying with this by-law, so long as such strengthening, restoration or alteration does not increase the height, size or volume of the building or structure.
- 8.19.4 Where the use of a building or structure or the intended use of a building or structure conforms to this by-law and the size of the lot for such use or intended use conforms to this by-law and the parking requirements of this by-law for such use or intended use are satisfied or capable of being satisfied, and the location of the building on the lot is such that it does not conform to the requirements of the zone in which the property is located, such property shall be deemed to conform to the by-law.
- 8.19.5 For a single-detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling house, lodging house class one or triplex dwelling, where the use of the building conforms to this by-law, but such property does not conform to the provision of this by-law with respect to the location of the building on the lot, lot area, or lot frontage, an accessory building or buildings may be permitted provided all other regulations pertaining to accessory buildings can be satisfied.
- 8.19.6 When the intensity of use of any building or structure is increased through the addition of dwelling units, gross floor area, seating capacity or when the existing use of a building or structure is changed to a new use, off-street parking for such intensified or new use shall be provided for the whole building or buildings or structure or structures in accordance with the parking requirements of this by-law.

- 8.19.7 Where, as a result of a taking of land by the City of Waterloo or the Regional Municipality of Waterloo a building or structure becomes non-conforming to this by-law with respect to the front yard, flankage, sideyard, rear yard frontage, lot area or lot coverage, such property shall be deemed to conform to this by-law with respect to the regulations pertaining to the front yard, flankage, sideyard, rear yard frontage, lot area or lot coverage.
- 8.19.8 When a building or structure which is lawfully non-conforming is involuntarily damaged, it may be replaced if the damage is less than 50% of the value of the building or structure as determined by the Chief Building Official. Notwithstanding the above, where a building or structure is located on lands zoned Multiple Residence 'MR' which is lawfully non-conforming and involuntarily damaged, it may be replaced if the damage is greater than 50% of the value of the building or structure. Any new building constructed under this regulation shall be subject to the minimum yard setbacks of the damaged non-conforming building.
- 8.20 Deleted by By-law No. 01-65
- 8.20.1 Deleted by By-law No. 01-65
- 8.20.2 Deleted by By-law No. 01-65
- B/L No. 1949, S.1, O.M.B. Approval May 4, 1964
- 8.21 Where a combination of permitted uses results in conflicting regulations, the most restrictive regulations shall apply.
- B/L No. 2063, S.1, O.M.B. Approval October 1, 1964
- 8.22 B/L No. 2515, O.M.B. Approval July 4, 1967  
Deleted by B/L No. 79-53, O.M.B. Approval August 21, 1979
- 8.22.1 B/L No. 2515, O.M.B. Approval July 4, 1967  
Deleted by B/L No. 79-53, O.M.B. Approval August 21, 1979
- 8.22.2 B/L No. 2515, O.M.B. Approval July 4, 1967  
Deleted by B/L No. 79-53, O.M.B. Approval August 21, 1979
- 8.22.3 B/L No. 2515, O.M.B. Approval July 4, 1967  
Deleted by B/L No. 79-53, O.M.B. Approval August 21, 1979
- 8.23 Deleted by B/L No. 76-92, O.M.B. Approval September 14, 1976
- 8.23.1 Deleted by B/L No. 76-92, O.M.B. Approval September 14, 1976
- 8.24 "The making or establishment of pits or quarries is hereby prohibited within the lands restricted by By-Law No. 1108 and more particularly shown on Appendix "A" annexed to the said By-Law No. 1108."

B/L No. 76-141, O.M.B. Approval January 17, 1977

8.25 “A swimming pool shall be considered as an accessory structure for any residential use in a residential zone and it shall be permitted within any rear, side or flankage yard provided that it does not have a roof and it is not closer than sixty (60) centimetres to any lot line. A swimming pool shall not be considered a building or structure for the purposes of calculating lot coverage but it shall be subject to any provisions governing ‘obstructions on corners’ and the impervious coverage limits of the zone.”

“An above ground swimming pool shall be permitted to have an attached raised platform, which shall not be considered a deck as defined in this by-law, subject to:

- (a) the said platform shall be located between the swimming pool and the dwelling on the lands;
- (b) the said platform shall not exceed one-point-eight (1.8m) metres in width, excluding stairs;
- (c) the said platform shall not exceed four-point-five (4.5m) metres in length, excluding stairs;
- (d) the said platform shall not exceed one-point-five (1.5) metres in height, measured from the ground surface to the top of the raised platform; and
- (e) the said platform shall be unenclosed (excluding hand railing), open to the air, and unroofed.”

8.25.1 "Except where expressly permitted in the by-law, not more than one (1) main building shall be erected on any lot in a registered plan or assembly of part-lots in any zone established by the by-law."

B/L No. 80-36, O.M.B. Approval May 13, 1980

8.26 Private home daycare shall be permitted in any residential dwelling.

## 8.27 Reserves

### 8.27.1 Reserves at the Side Lot Line

Where a lot abuts a street along the side lot line of such lot, such lot shall be deemed to abut said street but the reserve shall not be considered in the satisfaction of any yard requirement of this by-law for such lot, and further, this provision shall not be construed as permitting access from such lot to said street.

### 8.27.2 Reserves at the Rear Lot Line

Where a lot abuts a reserve which abuts a street at the rear lot line of such lot, it shall be deemed that such lot does not abut the street and such yard shall be deemed to be a rear yard, and further, this provision shall not be construed as permitting access from such lot to said street.

## 8.28 Group Homes

Group Homes shall comply with the requirements for residential buildings within the zoning category in which the group home is located unless otherwise specified by the by-law or amendments to the by-law.

8.28.1 A group home is limited to and shall occupy the whole of:

- 8.28.1.1 a single detached dwelling
- 8.28.1.2 a semi-detached dwelling
- 8.28.1.3 a duplex
- 8.28.1.4 a triplex
- 8.28.1.5 a converted dwelling house
- 8.28.2 A group home shall be located at least 300 metres (300m) from any other group home.
- 8.28.3 A group home shall be located a least 100 metres (100m) from any municipal boundary.
- 8.28.4 No persons shall operate or permit to operate a group home without registering the group home with the City Clerk in accordance with the City of Waterloo Group Home Registration By-Law, approved under the authority of the Municipal Act, R.S.O. 1980, C.302 as amended.
- 8.29 **Phasing Condominium Registration**
- Where a project has been approved as a condominium in accordance with Section 50 of The Condominium Act, 1980 and amendments thereto, and with Section 50 of the Planning Act, 1983, and amendments thereto, individual parcels of land created for the purpose of phasing the registration of the condominium shall be exempt from Section 8.8 and the requirements for yard setbacks, landscaped open space, amenity area and parking provided however, that the whole of the project is in full compliance with this by-law including the requirements for yard setbacks to adjacent properties, landscaped open space, amenity area, and parking.
- 8.30 **Lodging Houses**
- 8.30.1 Within the following zone categories, a lodging house class two shall be located at least **one hundred and fifty** metres (150 m.) from any other lodging house class two located within the following zone categories:
- General Residence One ‘GR1’
- General Residence Two A ‘GR2A’
- Semi-Detached ‘SD’
- Single Residence One ‘SR1’
- Single Residence One A ‘SR1A’
- Single Residence One Ten ‘SR1-10’
- Single Residence Two ‘SR2’
- Single Residence Two A ‘SR2A’
- Single Residence Three ‘SR3’
- 8.30.2 No person shall operate or permit to operate a lodging house class one or lodging house class two without first obtaining a licence as required under the City of Waterloo Lodging House Licensing By-law, approved under the authority of the Municipal Act.

8.30.3 Within the following zone categories, a lodging house class two shall be located at least **seventy five** metres (75 m.) from any other lodging house class two located within the following zone categories:

Medium Density 'MD'

Medium Density One 'MD-1'

Medium Density Two 'MD-2'

Medium Density Three 'MD-3'

8.31 **Bed and Breakfast Establishments**

Bed and Breakfast Establishments shall comply with the requirements for single-detached dwellings within the zoning category in which the Bed and Breakfast Establishment is located unless otherwise specified by some special provision of this Zoning By-Law.

8.31.1 A minimum of one (1) parking space shall be provided for each guest room in a Bed and Breakfast Establishment in addition to the parking as required in that particular zone for the single-detached dwelling.

8.31.2 Notwithstanding Sections 8.12.1 and 8.12.4, for every required parking space provided behind the building line, one (1) tandem parking space may be provided to satisfy a parking requirement.

8.32 **Holding Zone**

Where a zoning symbol shown on the zoning map attached to and forming part of this by-law, has the prefix (H), no land thereby affected shall be used, except for the following purposes, until the prefix (H) has been removed by by-law:

(a) uses existing at the date of passing of the Holding By-law unless otherwise specified in the Site Specific By-law applying to the lands denoted by the Site Specific By-law Number shown on the Zoning Map, Appendix "A" to this By-law.

(b) Other uses listed in the Site Specific By-law applying to the lands denoted by the Site Specific By-law number shown on the Zoning Map, Appendix "A" to this By-law.

8.32.1 Prior to the removal of the holding symbol (H), Council shall be satisfied that all requirements or conditions of the City and/or the Region, as set out in the Official Plan and identified as applying to the lands shown on the Zoning Map, Appendix "A" to this By-law have been met as identified in a Site Specific Zoning By-law.

8.33.1 **PROHIBITION**

Notwithstanding anything else in this By-law, a private water well shall not be permitted as a use of lands within the limits of the City of Waterloo where a municipal water distribution system is available within the public highway abutting the property. This regulation shall not apply to a:

- i) water well that exists prior to the date of the passing of this By-law (03-144);
- ii) a water well that is installed for the purposes of contaminated site investigation and remediation; or for groundwater monitoring during geotechnical and environmental studies; or for site de-watering;
- iii) property used for non-residential purposes that, as of the date of passing of this By-law (03-144), relies upon a private water well for purposes other than human consumption such as irrigation, cooling, or manufacturing.



8.33.1.1 A Quonset Hut, as defined herein shall not be recognized as a permitted structure in any zoning category within the Zoning By-law

8.33.2 **ABANDONMENT**

Any water well that is not being used or maintained shall be decommissioned in accordance with Ontario Regulation 903 of the Ontario Water Resources Act, and any future amendments thereto.

8.34 **DECKS**

8.34.1 Decks shall be attached to the dwelling. Decks that are freestanding structures from the dwelling, regardless of location, shall be expressly prohibited.

8.34.2 Decks shall be attached to the rear building façade of the dwelling, and shall not extend into a side yard or flankage yard setback.

8.34.3 Decks shall be permitted to extend into the required rear yard setback by a maximum three (3.0) metres, excluding stairs. Notwithstanding the foregoing, Decks shall not be permitted within four (4.0) metres of the rear lot line.

8.34.4 Decks shall not exceed three (3.0) metres in height, measured from the ground surface to the top of the raised platform, and excluding any roof in compliance of the by-law.

8.34.5 Notwithstanding 2.16.1.1 of By-law 1108 the portion of the deck below the platform may be enclosed.

8.34.6 Decks may be roofed provided the roof is not located in the rear yard setback.

8.34.7 Notwithstanding anything to the contrary in this By-law, decks shall be permitted on lands with impervious area zoning regulations subject to the said deck being constructed with at least 0.003 metre spaces between the boards, the deck is not roofed, and there are not impervious materials underneath the deck.

8.35 Class One - Home Occupation shall include:

a) home office

Provided that:

- a) the resident/occupant of the dwelling must reside in the dwelling associated with the home occupation;
- b) it does not change the external character of the dwelling unit as a private residence;
- c) there is no external storage of goods or materials;
- d) it does not create or become a public nuisance with respect to noise, odour, fumes, vibration, dust, glare, traffic or parking which is evident outside the dwelling unit.
- e) it does not occupy more than twenty five percent (25%) of the gross floor area of the dwelling.
- f) it does not employ more than two persons, full or part time, including residents of the dwelling;
- g) Home Occupation shall not be permitted in a building containing a lodging house license
- h) the sale of goods or materials are not permitted unless such goods or materials are made on the premises;
- i) not more than two (2) clients or customers to be serviced at any one time;
- j) No more than one (1) home occupation shall be permitted per dwelling unit;

- k) One parking space in addition to the parking space or spaces required for the residential use shall be provided on-site and may include a tandem parking space, or a parking space located in front of the building line within the driveway provided the vehicle does not encroach into the right of way or over public sidewalk.
- l) the following are prohibited as a home occupation: the repair and service of motor vehicles or internal combustion engines or manufacturing or a body massage or body rub parlour.
- m) prior to the establishment of any home occupation use the occupant shall obtain any required Business License from the City of Waterloo.

Class Two – Home Occupation shall include:

- a) Home Personal Services,
- b) Teacher.

Provided that:

- a) the owner of the dwelling must reside in the dwelling associated with the home occupation;
- b) it does not change the external character of the dwelling unit as a private residence;
- c) there is no external storage of goods or materials;
- d) it does not create or become a public nuisance with respect to noise, odour, fumes, vibration, dust, glare, traffic or parking which is evident outside the dwelling unit;
- e) it does not occupy more than twenty five percent (25%) of the gross floor area of the dwelling;
- f) The home occupation shall be conducted only by one (1) person who is residing in the dwelling unit;
- g) Home occupation shall not be permitted in a dwelling unit containing a lodging house license;
- h) the sale of goods or materials are not permitted unless such goods or materials are made on the premises;
- i) Not more than two (2) clients, students or customers be serviced at any one time;
- j) No more than one (1) home occupation shall be permitted per dwelling unit;
- k) One parking space in addition to the parking space or spaces required for the residential use shall be provided on-site and may include a tandem parking space, or a parking space located in front of the building line within the driveway provided that the vehicle does not encroach into the right of way or over public sidewalk
- l) The following are prohibited as a home occupation: the repair and service of motor vehicles or internal combustion engines, offensive trade business or manufacturing and a massage or body rub parlour;
- m) Prior to the establishment of any home occupation use the occupant shall obtain any required Business License from the City of Waterloo.

# Section 9

## "C1" COMMERCIAL ONE

### 9. COMMERCIAL ONE 'C1'

9.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or land or *Structure* in whole or in part, nor use any land in whole or in part within the Commercial One 'C1' zone for any purpose other than one or more of the *Uses* herein set out:

- *Apartment Dwelling*
- Art Gallery, Museum
- Bank or Trust Company
- Barber Shops, Beauty Parlours, Steam Baths
- Business Machines (sales and service)
- *Clinics*, (medical, dental, therapeutic)
- *Churches*, College and University
- Dental Laboratories and Supplies
- Funeral Homes
- *Hotel*
- Hospitals
- *Massage Establishment, Motel*
- Newspaper or Commercial Printing *Office*, Engravers
- *Office* Services, *Offices*, business and professional
- Personal Service Shop
- Private Clubs, Lodges
- Photographic Studios
- *Parking Facility*
- Radio or Television Studios
- *Schools* (public or commercial, but not trade *School*)
- Travel Agency
- Wholesale Showrooms, but only where no warehousing, manufacture or retail sale is conducted

### 9.2 Accessory Uses

9.2.1 An *Accessory Building* or *Structure*, the height of which shall not exceed four-point-five metres (4.5 m) nor be located within two-point-five metres (2.5 m) of any *Existing Dwelling* on the same or adjoining *Lot*.

9.2.2 *Accessory Uses* to a *Motel*, parking *Lot* or *Building* shall not include a service station, gasoline pumps, public *Garage* or *Retail Store*.

9.3 The following regulations shall apply to every *Lot*, *Building* and *Structure* as the case may be in the Commercial One 'C1' Zone:

### 9.3.1 **Yard Requirements**

9.3.1.1 ***Front Yard*** – There shall be a minimum ***Front Yard*** setback of five metres (5.0 m) except as provided in Section 8.10.

9.3.1.2 ***Flankage Yard*** – There shall be a minimum ***Flankage Yard*** setback of five metres (5.0 m) except as provided in Section 8.10.

9.3.1.3 ***Side Yard*** – There shall be a minimum ***Side Yard*** setback of one-point-five metres (1.5 m).

9.3.1.4 ***Rear Yard*** - There shall be a minimum ***Rear Yard*** setback of seven-point-five metres (7.5m).

9.3.1.5 “***Low Rise Residential Area Yard Setback***” – There shall be a minimum ***Low Rise Residential Area Yard Setback*** of ½ the height of the building and in no case less than 7.5 m. to any ***Lot Line Abutting a Low Rise Residential Area***.

9.3.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) ***Landscaped Buffer*** adjacent to any ***Lot*** line ***Abutting a Low Rise Residential Area*** which shall be maintained in healthy condition and good repair by the owner.

9.3.1.5.2 The ***Landscaped Buffer*** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

9.3.1.5.3 The ***Landscaped Buffer*** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

9.3.1.5.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.

### 9.3.2 **Parking Provisions**

9.3.2.1 For each ***Use*** which is not a residential ***Use***, parking shall be provided at the rate of five and one-half spaces (5.5) for every one hundred square metres (100sq.m) of ***Building Floor Area***.

9.3.2.2 Parking structures shall be permitted on the ground floor provided that:

- 25% of the ground floor area is useable space;
- ground floor useable space is located at the front of the building for the entire length of the building frontage; and
- for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 9.1 except for a parking facility.

### 9.3.3 **Off-Street Loading**

Section 8.11 of the General Provisions of this by-law shall apply.

- 9.3.4 “**Building Height**” – The following height regulations shall apply:
- 9.3.4.1 The maximum height in metres of any **Building** within the Commercial One ‘C1’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 9.3.4.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix as shown on the Zoning Map attached as Appendix “A” to the said By-law.
- 9.3.4.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable space or **Building Floor Area**.
- 9.3.5 **Residential Uses in a ‘C1’ Zone**
- 9.3.5.1 Notwithstanding any other provisions contained in the Commercial One ‘C1’ zone, one or more **Dwelling Units** may be located in stories above the first **Storey** subject to the following regulations:
- 9.3.5.1.1 The regulations of 9.3.1 and 9.3.4 shall apply.
- 9.3.5.1.2 Each **Dwelling Unit** shall be provided with fifteen square metres (15 sq.m.) of amenity area. For the purposes of this section, amenity area shall mean areas used for recreational purposes and includes **Landscaped Open Space**, balconies, indoor recreational areas but does not include lobbies, washrooms, laundries, storage area (including garbage and bicycle), reception areas or roof-top decks.
- 9.3.5.1.3 Each **Dwelling Unit** shall be provided with off-**Street** parking at the rate of one parking space for every unit.
- 9.3.5.1.4 Four (4) off-**Street** parking spaces provided to satisfy a requirement for residential **Uses** may be considered to equal one (1) parking space required to satisfy a parking requirement for a commercial or institutional **Use**.
- 9.3.5.2 The regulations of the Multiple Residence “MR” zone (Section 18A) shall apply to all **Apartment Dwellings**.
- 9.3.5.2.1 For the purposes of determining the numerical suffix referred to in 18A.3 for **Apartment Dwelling Buildings** constructed on lands zoned Commercial One ‘C1’, the numerical suffix applied to the Commercial One ‘C1’ designation shown on the Zoning Map attached as Appendix “A” to the said By-law shall apply. Where no numerical suffix is provided, the maximum height of any **Apartment Dwelling Building** shall be twelve metres (12.0 m).
- 9.3.6 Notwithstanding any other provision in this by-law, more than one main **Building** or **Accessory Buildings** shall be permitted on any **Lot** in the zone.

# Section 10

## "C2"

### 10 COMMERCIAL TWO 'C2'

10.1 No *Person* shall *Erect*, alter, enlarge or *Use* any *Building* or *Structure* or land in whole or in part, within the Commercial Two 'C2' zone for any purpose other than one or more of the following:

#### 10.1.1 Commercial Uses

- Bank or Trust Company
- *Bed and Breakfast Establishment*
- Business Machines - Sales & Service
- *Commercial School*
- Funeral Home
- Laboratories
- *Nursery School*
- *Office*
- *Parking Facility*
- *Personal Service Shop*
- Private Club or Lodge

#### 10.1.2 Residential Uses

- All residential *Dwelling* types permitted in the General Residence Two Zone
- *Dwelling Units* within a *Building* used for Commercial or Institutional *Uses*
- *Apartment Dwelling*

#### 10.1.3 Institutional Uses

- Art Gallery
- Community Centre
- Library
- Museum
- *Nursery School*
- Park Playground
- Post Office
- Religious *Use*

## 10.2 **Performance Standards**

### 10.2.1 **Yard Requirements and Height Regulations**

10.2.1.1 ***Front Yard*** - A minimum ***Front Yard*** of five metres (5.0 m) shall be required except as provided in Section 8.10;

10.2.1.2 ***Flankage Yard*** - A minimum ***Flankage*** setback of five metres (5.0 m) shall be required except as provided in Section 8.10;

10.2.1.3 ***Side Yard*** - A minimum ***Side Yard*** of one-point-five metres (1.5 m) shall be required;

10.2.1.4 ***Rear Yard*** - A minimum ***Rear Yard*** of seven-point-five metres (7.5 m) shall be provided except for ***Corner Lots*** where a minimum of one-point-five metres (1.5 m) shall be required.

10.2.1.5 “***Low Rise Residential Area Yard Setback***” – There shall be a minimum ***Low Rise Residential Area Yard Setback*** of ½ the height of the building and in no case less than 7.5 m. to any ***Lot Line Abutting a Low Rise Residential Area***.

10.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) ***Landscaped Buffer*** adjacent to any ***Lot*** line ***Abutting a Low Rise Residential Area*** which shall be maintained in healthy condition and good repair by the owner.

10.2.1.5.2 The ***Landscaped Buffer*** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

10.2.1.5.3 The ***Landscaped Buffer*** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

10.2.1.5.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.

10.2.1.6 “***Building Height***” – The following height regulations shall apply:

10.2.1.6.1 The maximum height in metres of any ***Building*** within the Commercial Two ‘C2’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any ***Building*** shall be twelve metres (12.0 m) and shall not exceed four (4) ***Storeys***.

10.2.1.6.2 The number of ***Storeys*** within a ***Building*** shall not exceed the number of the numerical suffix as shown on the Zoning Map attached as Appendix “A” to the said By-law.

10.2.1.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or ***Building Floor Area***.

### 10.2.2 **Off-Street Parking**

10.2.2.1 Off-***Street*** Parking - shall be provided at the rate of three (3) spaces for every one hundred (100) square metres of ***Building Floor Area*** except as required in Section 8.12.9.

- 10.2.2.2 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 10.1 except for a parking facility.
- 10.2.3 **Regulations for Residential Uses (Non-Apartment Dwelling)**
- 10.2.3.1 For those *Uses* which are permitted in the General Residence Two ‘GR2’ Zone, the regulations of the General Residence Two ‘GR2’ zone shall apply.
- 10.2.4 **Regulations for Apartment Dwellings**
- 10.2.4.1 The regulations of the Multiple Residence ‘MR’ zone (Section 18A) shall apply to all *Apartment Dwellings*.
- 10.2.4.2 For the purposes of determining the numerical suffix referred to in 18A.3 for *Apartment Dwelling Buildings* constructed on lands zoned Commercial Two ‘C2’, the numerical suffix applied to the Commercial Two ‘C2’ designation shown on the Zoning Map attached as Appendix “A” to the said By-law shall apply. Where no numerical suffix is provided, the maximum height of any *Apartment Dwelling Building* shall be six (6) *Storeys*.
- 10.2.5 **Regulations for Dwelling Units in a Mixed-use Building**
- 10.2.5.1 Each *Dwelling Unit* shall be provided with twenty-five (25) square metres of amenity area. For the purpose of this section, amenity area shall mean areas used for recreational purposes and include *Landscaped Open Space*, balconies, indoor recreational area, but does not include lobbies, washrooms, laundries, storage areas, reception areas or roof-top decks.
- 10.2.5.2 Each *Dwelling Unit* shall be provided with off-*Street* parking at the rate of one parking space for every unit.
- 10.2.5.3 Four (4) off-*Street* parking spaces provided to satisfy a requirement for residential *Uses*, may be considered to equal one parking space required to satisfy a parking requirement for a commercial or institutional *Use*.
- 10.2.5.4 Notwithstanding Section 2.19, a *Dwelling Unit* may also be occupied by a *Lodging House Class One*, provided that:
- 10.2.5.4.1 Amenity area shall be provided at the rate of five (5) square metres per *Person*.
- 10.2.5.4.2 Deleted by By-law No. 93-32.
- 10.2.5.4.3 Off-*Street* parking shall be provided at the rate of one parking space for every five (5) *Persons*.



10.2.6 Notwithstanding anything to the contrary, more than one main *Building* shall be permitted on any *Lot* in this zone.

10.2.7 The maximum number of Dwelling Units permitted shall be determined in accordance with the maximum density provisions of Section 18A.3.1(j) of the Multiple Residence zone.

# Section 11

## "C4"

### COMMERCIAL FOUR

11

11.1 No *Persons* shall *Erect*, alter, enlarge or *Use* any *Building* or *Structure* in whole or in part, nor use any land in whole or in part within the Commercial Four 'C4' zone for any purpose other than one or more of the following:

- *Automobile Service Station*
- Bank or Trust Company
- Beer, Liquor or Wine Store
- Book Store
- Camera Store
- *Commercial Recreation*
- *Commercial School*
- Computer Software Store
- *Domestic Appliance Store*
- Drug Store
- Florist Store
- *Food Store*
- Gift Store
- Hardware Store
- Hobby Store
- *Home Improvement Store*
- Library
- *Nursery School*
- *Office*
- Optical Goods Store
- *Personal Service Shop*
- Photographic Film Sales and Processing
- Picture Framing
- Post Office
- Record Store
- *Restaurant* (including take-out but not drive-in)
- Sporting Goods Store
- *Variety Store*
- *Video Cassette Outlet*

11.2

#### Performance Standards

11.2.1.1

*Front Yard* - A minimum *Front Yard* of five metres (5.0 m) shall be provided, measured from the *Street Line* as set out in Section 8.9 and 8.10 where applicable.

- 11.2.1.2 **Side Yard** - A minimum **Side Yard** of six metres (6.0 m) shall be provided except where a **Lot Abuts** a residential zone where a minimum **Side Yard** of seven-point-five (7.5 m) metres shall be provided.
- 11.2.1.3 **Flankage Yard** - A minimum **Flankage** of five metres (5.0 m) shall be provided.
- 11.2.1.4 **Rear Yard** - A minimum **Rear Yard** of seven-point-five metres (7.5m) shall be provided.
- 11.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 11.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 11.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 11.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 11.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 11.2.2 **Set "A" Yard Requirements**
- Where the designation of the Zoning Map appears as ‘C4-A’, the following **Yard** requirements shall apply:
- 11.2.2.1 **Front Yard** - A minimum **Front Yard** of five metres (5.0 m) shall be provided.
- 11.2.2.2 **Side Yard** - A minimum **Side Yard** of three metres (3.0 m) shall be provided.
- 11.2.2.3 **Flankage** - A minimum **Flankage** of five metres (5.0 m) shall be provided.
- 11.2.2.4 **Rear Yard** - A minimum **Rear Yard** of seven-point-five metres (7.5m) shall be provided.
- 11.2.2.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 11.2.2.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.

11.2.2.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

11.2.2.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

11.2.2.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.

### 11.2.3 **Floor Area**

The maximum **Building Floor Area** shall not exceed thirteen thousand five hundred square metres (13,500sq.m).

### 11.2.4 **Building Height**

11.2.4.1 The maximum height in metres of any **Building** within the Commercial Four 'C4' zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix "A" to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.

11.2.4.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix as shown on the Zoning Map attached as Appendix "A" to the said By-law.

11.2.4.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable or **Building Floor Area**.

### 11.2.5 **Parking Provisions**

A minimum of four-point-five spaces (4.5) shall be provided for every one hundred square metres (100sq.m) of **Building Floor Area** except:

Where a **Building** or **Buildings** contain less than one thousand square metres (1,000sq.m) of **Building Floor Area** parking requirements for the following specific **Uses** shall apply:

11.2.5.1 **Restaurant** - 1 space for every 4 seats of the designed maximum capacity.

11.2.5.2 **Take-Out Restaurant** - 15 spaces per one hundred square metres (100sq.m) of **Building Floor Area**.

11.2.5.3 Parking structures shall be permitted on the ground floor provided that:

- 25% of the ground floor area is useable space;
- ground floor useable space is located at the front of the building for the entire length of the building frontage; and
- for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 11.1.

11.2.6 **Off-Street Loading**

The General Provisions shall apply.

11.2.7 **Automotive Service Station**

Notwithstanding the regulations referred to above, automotive service stations shall be subject to the same regulations as the regulations for automotive service stations set out in the Industrial 'I' Zone.

11.2.8 **Buildings on a Lot**

Notwithstanding any other provision in this by-law more than one main ***Building*** shall be permitted on any ***Lot*** in this zone.

# Section 11A

## "C5"

11A

### **COMMERCIAL FIVE ZONE**

11A.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or *Structure* in whole or in part, nor use any land in whole or in part within the Commercial Five 'C5' zone for any purpose other than one or more of the following:

11A.1.1

#### **Commercial Uses**

- *Auditorium*
- *Automobile Service Station* and Repair and Service Centre
- Bank or Trust Company
- *Commercial Recreation*
- *Commercial School*
- *Motel/Hotel*
- *Nursery School*
- *Office*
- *Parking Facility*
- *Personal Service Shop*
- Private Club or Lodge
- *Restaurant* (including take-out and drive-in)
- *Retail Store*
- Taxi Stand
- *Video/Pinball Game Amusement Centre*

11A.1.2

#### **Institutional Uses**

- Art Gallery
- Government *Use*
- Library
- Museum
- *Nursery School*
- Post Office
- Park
- Religious *Use*

11A.2

#### **Performance Standards**

11A.2.1

##### **Yard Requirements and Height Regulations**

11A.2.1.1

*Front Yard* - A minimum *Front Yard* of five metres (5.0 m) shall be provided.

11A.2.1.2

*Flankage Yard* - a minimum *Flankage Yard* of five metres (5.0 m) shall be provided.

11A.2.1.3

*Side Yard* - A minimum *Side Yard* of five metres (5.0 m) shall be provided except where a *Lot Abuts* a residential zone where a minimum *Side Yard* of seven-point-five (7.5 m) metres shall be provided.

- 11A.2.1.4 **Rear Yard** - a minimum **Rear Yard** of seven-point-five metres (7.5 m) shall be provided.
- 11A.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 11A.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 11A.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 11A.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 11A.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 11A.2.1.6 **Building Height** – The following height regulations shall apply:
- 11A.2.1.6.1 The maximum height in metres of any **Building** within the Commercial Five ‘C5’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 11A.2.1.6.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 11A.2.1.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable room or **Building Floor Area**.
- 11A.2.2 **Floor Area**
- Gross Leasable Retail Commercial Space** for any contiguous area similarly zoned shall not exceed thirty-six thousand square metres (36,000sq.m).
- 11A.2.3 **Off-Street Parking Requirements**
- 11A.2.3.1 A minimum of 5 spaces shall be provided for every one hundred square metres (100sq.m) of Gross Retail Commercial Space.
- 11A.2.3.2 for **Uses** which are not included in the definition of **Gross Leasable Retail Commercial Space**, off-**Street** parking shall be required at the following rate:
- 11A.2.3.2.1 for **Office** space on the ground floor, 3 spaces per one hundred square metres (100sq.m) of **Building Floor Area**.

- 11A.2.3.2.2 for *Office* space above the ground floor.
- 11A.2.3.2.2.1 no additional parking shall be required where the *Office* space is less than 10% of the total *Gross Leasable Retail Commercial Space*.
- 11A.2.3.2.2.2 one (1) space for every one hundred square metres (100sq.m) of *Building Floor Area* where the *Office* space is greater than 10% but less than 50% of the total *Gross Leasable Retail Commercial Space*.
- 11A.2.3.2.2.3 three (3) spaces for every one hundred square metres (100sq.m) of *Building Floor Area* which the *Office* space is 50% or greater of the *Gross Leasable Retail Commercial Space*.
- 11A.2.3.2.3 for entertainment areas, *Personal Service Shops*, *Commercial Recreation* and libraries, 5 spaces for every one hundred square metres (100sq.m) of *Building Floor Area*.
- 11A.2.3.2.4 for *Automobile Service Station* and repair and service centres, 5 spaces for every one hundred square metres (100sq.m) of *Building Floor Area*.
- 11A.2.3.2.5 for an *Auditorium*, 5 spaces for every one hundred square metres (100sq.m) of *Building Floor Area*.
- 11A.2.3.2.6 for *Motel*, *Hotel*, private clubs or lodges or a religious *Use*, the parking requirements set out in Section 8, the General Provision Section, shall apply.
- 11A.2.3.3 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 11A.1 except for a parking facility.
- 11A.2.4 **Off-Street Loading**
- The off-*Street* loading set out in Section 8 shall apply.
- 11A.2.5 Notwithstanding any other provision in this by-law more than one *Building* shall be permitted on any *Lot* in this zone.
- 11A.2.6 **Regulations for Automobile Service Stations**
- The regulations for *Automobile Service Station* set out in the Industrial "I" Zone shall apply.



# Section 12

"C3"

## COMMERCIAL THREE

12

12.1

No *Person* or *Persons* shall *Erect*, alter enlarge or use any *Building* or *Structure* in whole or in part, nor use any land in whole or in part, within the Commercial Three 'C3' zone for any purpose other than one or more of the following *Uses*:

- *Bake Shop*
- Bank and Trust Company
- Beer, Liquor and Wine Store
- *Building* material Supplies and Sales but *Outdoor Storage* of *Building* materials is not permitted
- Catering Services
- *Church*
- *Office*
- *Commercial Recreation*
- *Commercial Recreation (outdoor)*
- *Commercial School*
- Carpet, Wall and Floor Coverings and Draperies Sales and Service
- *Custom Service Shop*
- Dog Obedience *School* (but not to include animal runs)
- *Domestic Appliance Store*
- Electronic Equipment
- Equipment Rental
- Film Processing Depot
- Furniture Store
- Funeral Home
- Hardware Store
- Heating and Plumbing Equipment Sales and Service
- *Hotel*
- Institution
- Laboratory
- Marine Equipment Sales and Service
- Medical *Clinic*
- *Motel*
- Nursery and Garden Centre
- *Nursery School*
- *Office* Equipment and Supplies
- Optician/Optometrlist
- *Personal Service Shop*
- Photograph Studio
- Picture Framing
- Printing Shop
- Private Club and Lodge
- Private *School*
- *Parking Facility*
- *Restaurant* including drive-in and *Take-Out Restaurant*

- Specialty *Food Store* in conjunction with a *Restaurant* (Specialty *Food Store* not to exceed a maximum 50% of *Building Floor Area* of the combined Specialty *Food Store* use and the Specialty *Food Store* not to exceed two hundred and forty square metres (240 sq. m) *Building Floor Area* when combined with a *Restaurant*)
- Swimming Pool, Steam Baths and Saunas Sales and Service
- *Textile Store*
- Veterinarian
- *Video Cassette Outlet*
- Vehicle and Vehicle Supplies and Accessories Sales and Storage, Service, Repair, Wholesaling, Distribution and Rental including *Uses* such as Service Station, Gasbar, *Car Wash*, or any combination thereof.

12.1.0 **PUBLIC FACILITIES OPERATED BY A MUNICIPAL, PROVINCIAL, FEDERAL GOVERNMENT**

- Arena
- Art Gallery
- Community *Building*
- Fire Station
- Government *Building*
- Library
- Museum
- Park
- Police Station
- Recreational Facility

12.1.1 **Commercial Recreation (outdoor)**

12.1.1.1 The *Building Floor Area* for a *Commercial Recreation (outdoor) Use* shall be deemed to be the area used for recreational purposes, which shall include related facilities such as rental, or retail outlets, and lounge or seating areas, but shall not include parking areas, driveways, loading areas, sidewalks or landscaped areas.

12.1.1.2 The *Building Floor Area* of a *Commercial Recreation (outdoor) Use* shall be located a minimum of one hundred and fifty metres (150 m) from any residential zone.

12.1.1.3 **Liquor Licensed Establishments**

12.1.1.3.1 The *Building Floor Area* and the "outdoor patio area" of a liquor licensed establishment shall not be closer than thirty-five metres (35 m) to a residential zone.

12.1.1.3.2 The required parking for the property occupied by a liquor licensed establishment shall not be closer than six metres (6.0 m) to a residential zone.

12.2 The following regulations shall apply to all *Uses* in the Commercial Three 'C3' Zone except service stations:

- 12.2.1 **Yard Requirements and Height Regulations**
- 12.2.1.1 There shall be a minimum *Front Yard* setback of five metres (5.0 m).
- 12.2.1.2 *Flankage Yard* – There shall be a minimum *Flankage Yard* setback of five metres (5.0 m).
- 12.2.1.3 There shall be a minimum *Side Yard* of one and one-half metres (1.5 m) on one side and three and one-half metres (3.5 m) on the other side of each property except where the property *Abuts* any residential zone in which case the *Side Yard* shall be a minimum of five metres (5.0 m).
- 12.2.1.4 There shall be a minimum *Rear Yard* of seven and one-point-five metres (7.5 m).
- 12.2.1.5 “*Low Rise Residential Area Yard Setback*” – There shall be a minimum *Low Rise Residential Area Yard Setback* of ½ the height of the building and in no case less than 7.5 m. to any *Lot Line Abutting a Low Rise Residential Area*.
- 12.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) *Landscaped Buffer* adjacent to any *Lot* line *Abutting a Low Rise Residential Area* which shall be maintained in healthy condition and good repair by the owner.
- 12.2.1.5.2 The *Landscaped Buffer* shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 12.2.1.5.3 The *Landscaped Buffer* shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 12.2.1.5.4 *Buildings, Structures*, enclosures, parking areas, driveways, retaining walls and *Impervious Areas* shall be prohibited within the *Landscaped Buffer*.
- 12.2.1.6 *Building Height* – The following height regulations shall apply:
- 12.2.1.6.1 Notwithstanding anything to the contrary, the maximum height in metres of any *Building* within the Commercial Three ‘C3’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any *Building* shall be twelve metres (12.0 m) and shall not exceed four (4) *Storeys*.
- 12.2.1.6.2 Notwithstanding anything to the contrary, the number of *Storeys* within a *Building* shall not exceed the number of the numerical suffix.
- 12.2.1.6.3 Notwithstanding anything to the contrary, a roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or *Building Floor Area*.

- 12.2.2 **Parking Provisions**
- 12.2.2.1 For each *Use*, there shall be provided a minimum of four (4) parking spaces for every one hundred square metres (100 sq. m) of ***Building Floor Area***.
- 12.2.2.2 Notwithstanding subsection 2.2.1 above, in ***Buildings*** under two thousand square metres (2,000 sq. m) of ***Building Floor Area***, the following parking requirements shall apply:
- 12.2.2.2.1 ***Restaurant***- one (1) space for every four (4) seats in the designed maximum capacity.
- 12.2.2.2.2 ***Take-Out Restaurant*** or ***Drive-In Restaurant*** - fifteen (15) spaces for one hundred square metres (100 sq. m) of ***Building Floor Area***.
- 12.2.2.3 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12.1 except for a parking facility.
- 12.2.3 Notwithstanding any other provision in this by-law, more than one main ***Building*** or ***Accessory Buildings*** shall be permitted on any ***Lot*** in this zone.
- 12.3 Service Stations shall be required to comply with the regulation established in Section 23.6 of By-law No. 1108.

# Section 12A

## "C6"

### **COMMERCIAL SIX**

12A

12A.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or *Structure* in whole or in part within the Commercial Six 'C6' zone for any purpose other than one or more of the following:

12A.1.1

#### **Commercial Uses**

- *Auditorium*
- Bank or Trust Company
- *Commercial Recreation*
- *Commercial School*
- Funeral Home
- *Hotel*
- *Nursery School*
- *Office*
- *Personal Service Shop*
- Private Club or Lodge
- *Restaurant* (including take-out but not drive-in)
- *Retail Store*
- Taxi Dispatch (*Office* only)
- *Video/Pinball Game Amusement Centre*
- Picture Framing

12A.1.2

#### **Residential Uses**

- *Dwelling Units* in *Storeys* above the first *Storey*
- *Apartment Dwelling*.

12A.1.3

#### **Institutional Uses**

- Art Gallery
- Government *Use*
- Library
- Museum
- *Nursery School*
- Park
- Post Office
- Religious *Use*

12A.2

#### **Performance Standards**

12A.2.1

#### **Yard Requirements**

12A.2.1.1 *Front Yard* - A minimum *Front Yard* of three metres (3.0 m) shall be provided.

- 12A.2.1.2 **Side Yard** - A minimum **Side Yard** of one-point-five metres (1.5 m) shall be provided except where the **Lot Abuts** a residential zone where a minimum **Side Yard** of five metres (5.0m) shall be provided.
- 12A.2.1.3 **Flankage** - A minimum **Flankage Yard** of three metres (3.0 m) shall be provided-
- 12A.2.1.4 **Rear Yard** - A minimum **Rear Yard** of seven-point-five metres (7.5m) shall be provided.
- 12A.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 12A.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 12A.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 12A.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 12A.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 12A.2.2 **Height**
- 12A.2.2.1 **Building Height** – The following height regulations shall apply:
- 12A.2.2.1.1 The maximum height in metres of any **Building** within the Commercial Six ‘C6’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 12A.2.2.1.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 12A.2.2.1.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.
- 12A.2.3 **Off-Street Parking Requirements (Non-Residential)**
- 12A.2.3.1 A minimum of four (4) spaces shall be provided for every one hundred square metres (100sq.m) of **Building Floor Area** except:
- 12A.2.3.1.1 For **Uses** included in Section 8.12.9 where parking shall be provided as prescribed.

12A.2.3.1.2 Deleted.

12A.2.3.1.3 Where a **Building** contains less than one thousand square metres (1,000 sq.m) of **Building Floor Area** used for commercial or institutional purposes, parking requirements for the following specific **Uses** shall apply:

12A.2.3.1.3.1 **Restaurant** - 1 space for every four seats in the designed maximum capacity.

12A.2.3.1.3.2 **Take-Out Restaurant** - 15 spaces per one hundred square metres (100sq.m) of **Building Floor Area**.

12A.2.3.1.4 For **Office** space above the ground floor, 3 parking spaces shall be provided for every one hundred square metres (100sq.m) of **Building Floor Area**.

12A.2.3.2 Parking structures shall be permitted on the ground floor provided that:

- 25% of the ground floor area is useable space;
- ground floor useable space is located at the front of the building for the entire length of the building frontage; and
- for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12A.1 except for a parking facility.

#### 12A.2.4 **Off-Street Loading**

Section 8.11 shall apply.

#### 12A.2.5 **Density**

The maximum **Floor Area Ratio** for commercial or institutional **Uses** is 1.0.

#### 12A.2.6 **Regulations for Apartment Buildings**

12A.2.6.1 The regulations of the Multiple Residence ‘MR’ zone (Section 18A) shall apply to all **Apartment Dwellings**.

12A.2.6.2 For the purposes of determining the numerical suffix referred to in 18A.3 for **Apartment Dwelling Buildings** constructed on lands zoned Commercial Six ‘C6’, the numerical suffix applied to the Commercial Six ‘C6’ designation shown on the Zoning Map attached as Appendix “A” to the said By-law shall apply. Where no numerical suffix is provided, the maximum height of any **Apartment Dwelling Building** shall be six (6) **Storeys**.

#### 12A.2.7 **Buildings on a Lot**

Notwithstanding any other provision in this by-law more than one main **Building** shall be permitted on any **Lot** in this zone.

## 12A.2.8 **Regulations for Mixed Use Buildings**

- 12A.2.8.1 Each ***Dwelling Unit*** shall be provided with twenty-five square metres (25sq.m) of amenity area. For the purposes of this section, amenity area shall mean areas used for recreational purposes and includes ***Landscaped Open Space***, balconies, indoor recreational areas but does not include lobbies, washrooms, laundries, storage areas, reception areas or roof-top decks.
- 12A.2.8.2 One parking space shall be provided for each ***Dwelling Unit***. Notwithstanding the above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of the site, parking shall be provided for each ***Dwelling Unit*** at the rate prescribed by such number.
- 12A.2.8.3 Four off-***Street*** parking spaces provided to satisfy a requirement for residential ***Uses***, may be considered to equal one parking space required to satisfy a parking requirement for a commercial or institutional ***Use***.
- 12A.2.8.3.1 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12A.1 except for a parking facility.
- 12A.2.8.4 Notwithstanding Section 2.19, a ***Dwelling Unit*** may also be occupied by a ***Lodging House Class One***, provided that:
- 12A.2.8.4.1 Any amenity area required under Section 12A.2.8.1 shall be provided at the rate of five square metres (5.0 sq. m) per ***Person***.
- 12A.2.8.4.2 Deleted by By-law No. 93-32.
- 12A.2.8.4.3 Notwithstanding Section 12A.2.3.1.2, off-***Street*** parking shall be provided at the rate of one parking space for every five ***Persons***.
- 12A.2.8.5 The maximum number of ***Dwelling Units*** permitted shall be determined in accordance with the maximum density provisions of Section 18A.3.1(j) of the Multiple Residence zone.
- 12A.2.8.5.1 For the purposes of determining the numerical suffix referred to in 18A.3 for Mixed Use Buildings constructed on lands zoned Commercial Six 'C6', the numerical suffix applied to the Commercial Six 'C6' designation shown on the Zoning Map attached as Appendix "A" shall apply. Where no numerical suffix is provided, the maximum density shall be 150 units per hectare.



# Section 12B

"C7"

## COMMERCIAL SEVEN

12B

12B.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or *Structure* in whole or in part, within the Commercial Seven 'C7' zone for any purpose other than one or more of the following:

12B.1.1

### Commercial Uses

- Animal Hospital
- *Auditorium*
- Bank or Trust Company
- *Commercial Recreation*
- *Commercial School*
- Funeral Home
- *Hotel*
- *Nursery School*
- *Office*
- *Parking Facility*
- *Personal Service Shop*
- Picture Framing
- Private Club or Lodge
- *Restaurant* (including take-out but not drive-in)
- *Retail Store*
- Taxi-Dispatch (*Office* only)
- Video/Pinball Amusement Centre

12B.1.2

### Residential Uses

- *Dwelling Units* in *Storeys* above the first *Storey*.

12B.1.3

### Institutional Uses

- Art Gallery
- Government *Use*
- Library
- Museum
- *Nursery School*
- Park, Playground
- Post Office
- Religious *Use*

12B.2

### Performance Standards

12B.2.1

#### Yard Requirements and Height Regulations

12B.2.1.1

*Front Yard* - No *Front Yard* shall be required except as provided in Section 8.9 and 8.10.

- 12B.2.1.2 **Flankage Yard** – No **Flankage** setback is required, except as provided in Section 8.9 and 8.10.
- 12B.2.1.3 **Side Yard** - A minimum **Side Yard** of one-point-five metres (1.5 m) shall be provided except where a side **Lot Line** is a boundary of a Residential Zone or a Municipal Park where a minimum **Side Yard** of five metres (5.0 m) shall be provided.
- 12B.2.1.4 **Rear Yard** – A minimum **Rear Yard** of seven-point-five metres (7.5m) shall be provided.
- 12B.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 12B.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 12B.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 12B.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 12B.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 12B.2.1.6 **Building Height** – The following height regulations shall apply:
- 12B.2.1.6.1 The maximum height of any **Building** within the Commercial Seven ‘C7’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 12B.2.1.6.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 12B.2.1.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.
- 12B.2.2 **Off-Street Parking**
- Off-**Street** parking shall be provided at the rate of 3 spaces for every one hundred square metres (100sq.m) of **Building Floor Area** except as required in Section 12B.2.5.3 and 8.12.9.

- 12B.2.2.1 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12B.1 except for a parking facility.
- 12B.2.3 **Off-Street Loading**
- Section 8.11 shall apply.
- 12B.2.4 **Density**
- The maximum *Floor Area Ratio* for commercial or institutional *Uses* shall be 1.0.
- 12B.2.5 **Regulations for Residential Dwellings in Mixed Use Buildings**
- 12B.2.5.1 Each *Dwelling Unit* shall be provided with fifteen square metres (15 sq.m) of amenity area. For the purposes of this section, amenity area shall mean areas used for recreational purposes and includes *Landscaped Open Space*, balconies, indoor recreational areas but does not include lobbies, washrooms, laundries, storage areas, reception areas or roof-top decks.
- 12B.2.5.2 Each *Dwelling Unit* shall be provided with off-*Street* parking at the rate of one parking space for every unit. Notwithstanding the above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of the site, parking shall be provided for each *Dwelling Unit* at the rate prescribed by such number.
- 12B.2.5.3 Four off-*Street* parking spaces provided to satisfy a requirement for residential *Uses*, may be considered to equal one parking space required to satisfy a parking requirement for a commercial or institutional *Use*.
- 12B.2.5.3.1 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 9.1 except for a parking facility.
- 12B.2.5.4 Notwithstanding Section 2.19, a *Dwelling Unit* may also be occupied by a *Lodging House Class One*, provided that:
- 12B.2.5.4.1 Any amenity area required under Section 12B.2.5.1 shall be provided at the rate of three square metres (3.0 sq. m.) per *Person*
- 12B.2.5.4.2 Deleted by By-law No. 93-32.

- 12B.2.5.4.3 Any off-street parking required by Section 12B.2.5.2 shall be provided at the rate of one parking space for every five **Persons**
- 12B.2.5 Notwithstanding anything to the contrary, more than one main **Building** shall be permitted on any **Lot** in this zone.
- 12B.2.6 The maximum number of **Dwelling Units** permitted shall be determined in accordance with the maximum density provisions of Section 18A.3.1(j) of the Multiple Residence zone.
- 12B.2.6.1 For the purposes of determining the numerical suffix referred to in 18A.3 for Mixed Use Buildings constructed on lands zoned Commercial Seven 'C7', the numerical suffix applied to the Commercial Seven 'C7' designation shown on the Zoning Map attached as Appendix "A" shall apply. Where no numerical suffix is provided, the maximum density shall be 150 units per hectare.

# Section 12C

## "C8"

### COMMERCIAL EIGHT

12C

12C.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or *Structure* in whole or in part, within Commercial Eight 'C8' Zone for any purpose other than one or more of the following:

12C.1.1

#### Commercial Uses

- *Auditorium*
- Bank or Trust Company
- *Commercial Recreation*
- *Commercial School*
- Funeral Home
- *Hotel*
- *Nursery School*
- *Office*
- *Parking Facility*
- *Personal Service Shop*
- Picture Framing
- Private Club or Lodge
- *Restaurant* (including take-out but not drive-in)
- *Retail Store*
- Taxi-Dispatch (*Office* only)
- Video/Pinball Amusement Centre

12C.1.2

#### Residential Uses

- *Dwelling Units* in *Storeys* above the first *Storey*.

12C.1.3

#### Institutional Uses

- Art Gallery
- Government *Use*
- Library
- Museum
- *Nursery School*
- Park, Playground
- Post Office
- Religious *Use*

12C.2

#### Performance Standards

12C.2.1

#### Yard Requirements and Height Regulations

12C.2.1.1

*Front Yard* - No *Front Yard* shall be required except as provided in Section 8.9 and 8.10.

12C.2.1.2

*Flankage Yard* – No *Flankage Yard* shall be required except as provided in Section 8.9 and 8.10.

- 12C.2.1.3 **Side Yard** - No **Side Yard** shall be required except:
- 12C.2.1.3.1 Where a side **Lot Line** is a boundary of a residential zone or a Municipal Park, a minimum **Side Yard** of five metres (5.0 m) shall be provided.
- 12C.2.1.3.2 Where a side **Lot Line Abuts** a public **Lane**, a **Side Yard** of two-point-five metres (2.5 m) shall be provided.
- 12C.2.1.3.3 As provided for in Sections 8.9 and 8.10.
- 12C.2.1.4 **Rear Yard** - A **Rear Yard** of four-point-five metres (4.5 m) shall be required except where the rear **Lot Line Abuts** a public **Lane**, a **Rear Yard** of two-point-five metres (2.5m) shall be provided, in addition to any requirements set out in Section 8.10.
- 12C.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 12C.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot line Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 12C.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 12C.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 12C.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 12C.2.1.6 **Building Height** – The following height regulations shall apply:
- 12C.2.1.6.1 The maximum height in metres of any **Building** within the Commercial Eight ‘C8’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 12C.2.1.6.2 Notwithstanding 12C.2.1.6.1 or anything to the contrary in By-law No. 1108, the minimum height of any **Building** or **Structure** within thirty metres (30.0 m) of the **Street Line** of **King Street** between **William Street** and **Young Street** shall be two (2) **Storeys** and shall not be less than seven metres (7.0 m) in height, and the maximum height of any **Building** or **Structure** within thirty metres (30.0 m) of the **Street Line** of **King Street** between **William Street** and **Young Street** shall be four (4) **Storeys** and shall not exceed sixteen metres (16.0 m) in height.
- 12C.2.1.6.2 Structured, above ground level parking shall not be permitted within fifteen metres (15.0 m) of the **Street Line** of **King Street** between **William Street** and **Young Street**.

12C.2.1.6.3 Notwithstanding anything to the contrary in By-law 1108, surface parking *Lots* shall not comprise more than twenty-five percent (25 %) of the *Lot Frontage* within fifteen metres (15.0 m) of the *Street Line* of King *Street* between William *Street* and Young *Street*.

12C.2.1.6.4 The number of *Storeys* within a *Building* shall not exceed the number of the numerical suffix.

12C.2.1.6.5 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or *Building Floor Area*.

## 12C.2.2 Off-Street Parking Requirements

12C.2.2.1 For commercial and institutional *Uses*, off-*Street* parking shall be provided at the rate of 2.15 spaces for every 100 square metres of floor area, except as provided for in Sections 12C.2.5.3 and 12C.2.5.4. Notwithstanding the above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of the site, parking shall be provided for each *Dwelling Unit* at the rate prescribed by such number.

12C.2.2.2 Notwithstanding section 12C.2.2.1:

- (a) any new floor area exceeding the amount in existence November 4, 1991 shall be subject to the parking requirement noted in Section 12C.2.2.1 above.
- (b) off-*Street* parking on a *Lot* shall be deemed to satisfy the parking requirements for the *Existing Building Floor Area* that exists on November 4, 1991.
- (c) notwithstanding (a) above, should a partial or complete demolition occur of the *Building* as it exists on November 4, 1991, that *Building Floor Area* removed shall be deemed to have satisfied the parking requirements provided by a *Building* Permit for the construction of the new replacement floor area is issued within two (2) years of the date of the demolition permit and the parking provided has not been reduced.

12C.2.2.3 Parking structures shall be permitted on the ground floor provided that:

- 25% of the ground floor area is useable space;
- ground floor useable space is located at the front of the building for the entire length of the building frontage; and
- for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12C.1 except for a parking facility.

## 12C.2.3 Off-Street Loading Requirements

Section 8.11 shall not apply.

## 12C.2.4 Density

The maximum *Floor Area Ratio* shall be four point zero (4.0).

## 12C.2.5 Regulations for Residential Dwellings in Mixed Use Buildings

- 12C.2.5.1 Each *Dwelling Unit* to be constructed in a new *Building* or in an addition to an *Existing Building* after January 1, 1982 shall be provided with five square metres (5 sq.m) of amenity area. For the purpose of this section, amenity area shall mean areas used for recreational purposes and includes *Landscaped Open Space*, balconies, indoor recreational areas but does not include lobbies, washrooms, laundries, storage areas, reception areas, roof-top decks, or *Building Floor Area* on the first *Storey*.
- 12C.2.5.2 Each *Dwelling Unit* to be constructed in a new *Building* or in an addition to an *Existing Building* after January 1, 1982 shall be provided with off-*Street* parking at the rate of one parking space for every unit.
- 12C.2.5.2.1 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12C.1 except for a parking facility.
- 12C.2.5.3 Where *Dwelling Units* exist prior to January 1, 1982 or are newly created within a *Building* that existed prior to January 1, 1982, off-*Street* parking shall be required at the rate of one space per unit up to the amount of parking spaces being provided on the *Lot* as of January 1, 1982. Where the number of *Existing Dwelling Units* or proposed *Dwelling Units* exceed the amount of parking provided on the *Lot*, the additional *Dwelling Units* shall be exempt from the parking requirements.
- 12C.2.5.4 Notwithstanding Section 2.19, a *Dwelling Unit* may also be occupied by a *Lodging House Class One*, provided that:
- 12C.2.5.4.1 Any amenity area required under Section 12C.2.5.1 shall be provided at the rate of one square metre (1.0 sq. m.) per *Person*.
- 12C.2.5.4.2 Deleted by By-law No. 93-32.
- 12C.2.5.4.3 Any off-*Street* parking required by either Section 12C2.5.2 or Section 12C.2.5.3 shall be provided at the rate of one parking space for every five *Persons*
- 12C.2.5.5 The maximum number of *Dwelling Units* permitted shall be determined in accordance with the maximum density provisions of Section 18A.3.1(j) of the Multiple Residence zone.
- 12C.2.5.5.1 For the purposes of determining the numerical suffix referred to in 18A.3 for Mixed Use Buildings constructed on lands zoned Commercial Eight ‘C8’, the numerical suffix applied to the Commercial Eight ‘C8’ designation shown on the Zoning Map attached as Appendix “A” shall apply. Where no numerical suffix is provided, the maximum density shall be 150 units per hectare.



12C.2.6 **Number of Buildings Per Lot**

Notwithstanding any other provisions in this by-law, more than one main ***Building*** or ***Accessory Building*** shall be permitted on any ***Lot*** in this zone.

# Section 12D

## "C9"

### COMMERCIAL NINE

12D

12D.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or *Structure* in whole or in part, within the 'C9' Zone for any purpose other than one or more of the following:

12D.1.1

#### Commercial Uses

- Bank or Trust Company
- *Bed and Breakfast Establishment*
- *Commercial School*
- *Nursery School*
- *Office*
- *Parking Facility*
- *Personal Service Shop*
- Picture Framing
- Private Club or Lodge
- *Restaurant* (but not including take-out or drive-in)
- *Retail Store*

12D.1.2

#### Residential Uses

- All residential *Uses* permitted in the General Residence Two 'GR2' Zone

12D.1.3

#### Institutional Uses

- Art Gallery
- Library
- Museum
- *Nursery School*
- Park, Playground

12D.2

#### Performance Standards for the Commercial Nine Zone

The following regulations shall apply to a 'C9' Zone:

12D.2.1

#### Yard Requirements and Height Regulations

12D.2.1.1

*Front Yard* - A minimum *Front Yard* of three metres (3m) shall be required except as provided in Section 8.9 and 8.10.

12D.2.1.2

*Flankage* - A minimum *Flankage* setback of three metres (3m) shall be provided except as provided in Section 8.9 and 8.10.

12D.2.1.3

*Side Yard* - A minimum *Side Yard* of one-point-five metres (1.5m) shall be required.

12D.2.1.4

*Rear Yard* - A minimum *Rear Yard* of seven-point-five metres (7.5m) shall be provided except for *Corner Lots* where a minimum of one-point-five metres (1.5m) shall be provided.

- 12D.2.1.5 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 12D.2.1.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 12D.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 12D.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 12D.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 12D.2.1.6 **Building Height** – The following height regulations shall apply:
- 12D.2.1.6.1 The maximum height in metres of any **Building** within the Commercial Nine ‘C9’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
- 12D.2.1.6.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 12D.2.1.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.
- 12D.2.2 **Off-Street Parking**
- 12D.2.2.1 Off-**Street** parking shall be provided at the rate of 3 spaces for every one hundred square metres (100sq.m) of **Building Floor Area** except as required in Section 12D.2.6.3 and 8.12.9. Notwithstanding the above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of the site, parking shall be provided for each **Dwelling Unit** at the rate prescribed by such number.
- 12D.2.2.2 No parking shall be permitted in the **Front Yard** or **Flankage Yard**.

- 12D.2.2.3 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12D.1 except for a parking facility.

12D.2.3 **Off-Street Loading**

Section 8.11 shall not apply.

12D.2.4 **Density**

The maximum Floor Area for commercial and institutional *Uses* shall not exceed 50% of the *Lot Area*.

12D.2.5 **Regulations for Residential Dwellings**

For those *Uses* which are permitted in the General Residence Two "GR2" Zone, the regulations of the General Residence Two 'GR2' zone shall apply.

12D.2.6 **Regulations for Residential Dwellings in Mixed Use Buildings**

- 12D.2.6.1 Each *Dwelling Unit* shall be provided with fifteen square metres (15 sq.m) of amenity area. For the purposes of this section, amenity area shall mean areas used for recreational purposes and includes *Landscaped Open Space*, balconies, indoor recreational areas but does not include lobbies, washrooms, laundries, storage areas, reception areas or roof-top decks.

- 12D.2.6.2 Each *Dwelling Unit* shall be provided with off-*Street* parking at the rate of one parking space for every unit.

- 12D.2.6.2.1 Parking structures shall be permitted on the ground floor provided that:
- 25% of the ground floor area is useable space;
  - ground floor useable space is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 12D.1 except for a parking facility.

- 12D.2.6.3 Four off-*Street* parking spaces provided to satisfy a requirement for residential *Uses*, may be considered to equal one parking space required to satisfy a parking requirement for a commercial or institutional *Use*.

- 12D.2.6.4 Notwithstanding Section 2.19, a *Dwelling Unit* may also be occupied by a *Lodging House Class One*, provided that:

- 12D.2.6.4.1 Any amenity area required under Section 12D.2.6.1 shall be provided at the rate of three square metres (3.0 sq. m.) per *Person*.

- 12D.2.6.4.2 Deleted by By-law No. 93-32.
- 12D.2.6.4.3 Any off-*Street* parking required by Section 12D.2.6.2 shall be provided at the rate of one parking space for every five *Persons*.
- 12D.2.6.5 The maximum number of **Dwelling Units** permitted shall be determined in accordance with the maximum density provisions of Section 18A.3.1(j) of the Multiple Residence zone.
- 12D.2.6.5.1 For the purposes of determining the numerical suffix referred to in 18A.3 for Mixed Use Buildings constructed on lands zoned Commercial Nine ‘C9’, the numerical suffix applied to the Commercial Nine ‘C9’ designation shown on the Zoning Map attached as Appendix “A” shall apply. Where no numerical suffix is provided, the maximum density shall be 150 units per hectare.
- 12D.2.6.6 Notwithstanding anything to the contrary, more than one main *Building* shall be permitted on any *Lot* in this zone.

# Section 13

## "G"

### GREEN ZONE

13

13.1 No person shall erect, alter, enlarge, or use any building or structure in whole or in part, nor use any land in whole or in part within the "G" Zone for any purpose other than one or more of the following uses:

13.1.1 Institutions, public schools, sewage treatment plant, separate schools, private schools, nursery schools, hospitals, private hospitals under the meaning of The Private Hospitals Act, churches, church halls and Sunday School.

13.1.2 The following recreational uses: parks, playgrounds, operated by the City of Waterloo, community centre, tennis courts, bowling greens, stadia, swimming pools, golf courses.

13.1.3 Private garages, greenhouses, or buildings for the packing or storing of products raised on the premises.

13.1.4 Private recreation centres.

B/L No. 76-199, S.1, O.M.B. April 22/77

13.2 Deleted

B/L No. 76-92, S.1, O.M.B. Sept. 14/76

13.3 The following regulations shall apply to private recreation centres in the Green Zone:

13.3.1 "Lot Area" - The minimum lot area shall be two thousand square metres (2,000sq.m).

13.3.2 "Lot Frontage" - The minimum lot frontage shall be twenty-five metres (25m).

13.3.3 The regulations contained in Sections 13.4, 13.4.1, 13.4.2, 13.4.6 13.4.7 and 13.4.8 shall also apply to private recreation buildings or structures.

13.3.4 Deleted by By-Law No. 81-56.

13.4 The following regulations shall apply to each use in the "G" Zone:

13.4.1 No building or structure shall be erected closer than seven-point-five metres (7.5m) to the street line.

13.4.2 No building or structure shall be erected closer than seven-point-five metres (7.5m) to the boundary of any other zone under this by-law.

13.4.3 **Parking Provisions**

13.4.3.1 For each use, there shall be provided a minimum of 3 parking spaces for every one hundred square metres (100sq.m) of building floor area.

13.4.4 "Lot Area" - The minimum lot area shall be four thousand square metres (4,000sq.m).

13.4.5 "Lot Frontage" - The minimum lot frontage shall be fifty metres (50m).

- 13.4.6 There shall be a minimum side yard of seven-point-five metres (7.5m) or half the height of the building whichever is larger.
- 13.4.7 There shall be a minimum rear yard of seven-point-five metres (7.5m).
- 13.4.8 The maximum coverage of the lot by the main building shall be 15% of the lot area.

# *Section 13A*

"G1"

## **GREEN ONE**

13A

13A.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part or use any land in whole or in part within the Green One 'G1' zone for any purpose other than one or more of the following uses:

13A.1.1 The following Open Space Uses: conservation lands, natural resource areas including, but not limited to, woodlots, wetlands, water courses, vegetative buffers.

13A.1.2 The following Recreational Uses: Community trail, linear parks.

13A.1.3 Buildings or structures associated with flood and erosion control, or related to a conservation project administered by the Grand River Conservation Authority or other applicable agency.

13A.1.4 Trail/pedestrian shelters.

By-Law 93-46, Clerk's Declaration May 10, 1993



# *Section 13B*

## "G2"

### **GREEN TWO**

13B

13B.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part or use any land in whole or in part within the Green Two "G2" zone for any purpose other than one or more of the following uses:

13B.1.1 The following Recreational Uses: active recreation, public parks, community trail, linear parks, playgrounds, play fields, court games (lighting permitted with basketball and tennis courts), outdoor rinks (lighting permitted), horticulture.

13B.1.2 Accessory buildings for storage, utilities, washrooms or change rooms.

13B.1.3 Trail/Pedestrian shelters.

13B.2 The following regulations shall apply to buildings or structures in the "G2" zone:

13B.2.1 **Yard Requirements**

13B.2.1.1 "Front Yard" - A minimum front yard setback of 7.5 metres shall be provided.

13B.2.1.2 "Side Yard" - A minimum side yard of 7.5 metres shall be provided.

13B.2.1.3 "Rear Yard" - A minimum rear yard of 7.5 metres shall be provided.

13B.2.1.4 No building or structure shall be erected closer than 7.5 metres to the boundary of any other zone under this by-law.

# Section 13C

## "G3"

### GREEN THREE ZONE

13C

13C.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part or use any land in whole or in part within the Green Three "G3" Zone for any purpose other than one or more of the following uses:

13C.1.1 The following Recreational uses: active recreation, amusement park, arenas, bowling green, camp grounds, community centre, community trail, linear park, court games (lighted), curling rink, golf course (public), play fields (lighted), playgrounds, petting zoo, public parks, stadia (not including a tract for the racing of automobiles, horses, or dogs), swimming pools, sports complex, sports park, track and field facilities, botanical gardens, wildlife display, fair grounds, horticulture, library

13C.1.2 The following Open Space uses: Cenotaph, Memorials, Cemetery (may include crematorium or mausoleum).

13C.1.3 Accessory uses shall be permitted, including but not limited to, the following:

Concessions, picnic shelter/pavilions, meeting/banquet facilities, trail/pedestrian shelters, and buildings or media, change rooms and storage.

13C.2 The following regulations shall apply to buildings or structures in the "G3" zone:

13C.2.1 **Lot Frontage**

A minimum lot frontage of 30 metres shall be provided.

13C.2.2 **Lot Area**

A minimum lot area of 4,000 square metres shall be provided.

13C.2.3 **Yard Requirements**

13C.2.3.1 "Front Yard" - A minimum front yard setback of 10 metres shall be provided.

13C.2.3.2 "Side Yard" - A minimum side yard of 7.5 metres shall be provided.

13C.2.3.3 "Rear Yard" - A minimum rear yard of 7.5 metres shall be provided.

13C.2.3.4 No building structure shall be erected closer than 7.5 metres to the boundary of any other zone under this by-law.

13C.2.4 **Off-Street Parking Requirements**

13C.2.4.1 Minimum parking spaces for specific uses shall be provided as follows:

13C.2.4.1.1 For arenas, auditoriums, stadia, community centres, swimming pools, sports complex, sports parks, track and field facilities and any other similar recreational places of assembly, 1 parking space for every 5 seats.

- 13C.2.4.1.2 For bowling greens, curling rinks, court games, library, fairgrounds, amusement parks, camp grounds, club houses and any other similar recreational places of activity, 4 parking spaces for every 100 square metres of Building Floor Area.
- 13C.2.4.1.3 For golf courses, 10 parking spaces for each golf course hole.

# Section 14

## "PGC"

### PARK-GOLF COURSE ZONE

14

14.1

No person shall use any land or erect or use any building or structures in any Park-Golf Course Zone for any purpose other than one of more of the following purposes:

- A golf course which shall not include miniature golf courses or par three courses:

- Deleted

B/L No. 76-92, S.1, O.M.B. Sept. 14/76

- A curling rink;
- A tennis court;
- A clubhouse which may include a lounge with facilities for dining and entertaining;
- A swimming pool;
- Any other recreational facility other than an outdoor sports stadium or a track for the racing of automobiles, horses or dogs.

14.2

#### Minimum Lot Size Setback

In the Park-Golf Course Zone following minima apply:

Minimum Lot Width	-	450.0m
Minimum Lot Depth	-	400.0m
Minimum setback of any buildings from any residential property line	-	23.0m
Minimum distance between buildings	-	as required by National Building Code as adopted in the City of Waterloo Building By-Law.

14.3

#### Off-Street Parking

There shall be provided 10 parking spaces for each Golf Course hole.

# Section 15

## "BI"

### UNIVERSITIES

15

15.1 No *Person* shall *Erect*, alter, enlarge, or use any *Building* or *Structure* in whole or in part nor use any lands in whole or in part within the Universities 'BI' zone for any purpose other than one or more of the following *Uses*:

15.1.1 University and affiliated or Federated Colleges and *Uses* associated with or required to service a University or College and without restricting the generality of the foregoing a bank, *Variety Store*, *Restaurant*, barber shop and other similar commercial *Uses* required to service a university or college.

15.1.2 Student Residences.

15.1.3 Indoor and Outdoor Recreational facilities associated with a University or College.

15.2 Notwithstanding any other provision in By-law No. 1108, more than one main *Building* and *Accessory Building* shall be permitted on any *Lot* in this zone.

15.3 Deleted

B/L No. 76-92, S.1, O.M.B. Sept. 14/76

15.4 **Off-Street Parking**

15.4.1 There shall be one parking space provided for every two *Persons* employed full time by the University or College plus one parking space for every ten students enrolled full time.

15.5 The following regulations shall apply in respect to *Building* clearances from public *Streets* and *Abutting* property:

15.5.1 "*Building Line* Setback" - No *Building* or part of a *Building* shall be less than five metres (5.0 m) from any public *Street* or highway.

15.5.2 "*Yard* adjacent to an *Abutting* property boundary other than the *Building Line* setback" - No *Building* or part of a *Building* shall have a *Yard Abutting* a property boundary of less than five metres (5.0 m).

15.5.3 "*Low Rise Residential Area Yard* Setback" – There shall be a minimum *Low Rise Residential Area Yard* Setback of ½ the height of the building and in no case less than 7.5 m. to any *Lot Line Abutting* a *Low Rise Residential Area*.

15.5.3.1 Within the *Low Rise Residential Area Yard* Setback there shall be a minimum three metre (3.0 m) *Landscaped Buffer* adjacent to any *Lot* line *Abutting* a *Low Rise Residential Area* which shall be maintained in healthy condition and good repair by the owner.

15.5.3.2 The *Landscaped Buffer* shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

- 15.5.3.3 The ***Landscaped Buffer*** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 15.5.3.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.
- 15.5.4 **Building Height**
- 15.5.4.1 The maximum height in metres of any ***Building*** within the Universities ‘BI’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any ***Building*** shall be eighteen metres (18.0 m) and shall not exceed six (6) ***Storeys***.
- 15.5.4.2 The number of ***Storeys*** within a ***Building*** shall not exceed the number of the numerical suffix.
- 15.5.4.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or ***Building Floor Area***.
- 15.6 Where the prefix ‘(wlu)’ is attached to the Universities ‘BI(wlu)’ zone, the following regulations shall apply:
- 15.6.1 Notwithstanding Section 15.4.1 of By-law No. 1108, the following parking regulations shall apply to all lands zoned Universities “BI(wlu):
- (a) there shall be one parking space for every 1.75 full-time employees, plus one parking space for every 8.75 full-time students;
  - (b) this parking regulation shall be calculated using all University buildings and all University parking facilities zoned “BI(wlu)” within 650 metres of the Main Campus (municipally known as 75 University Avenue West and bounded by Albert Street, University Avenue, King Street and Bricker Avenue);
  - (c) the parking regulation in (a) may include leased parking provided:
    - i.) such parking is within 650 metres of the Main Campus;
    - ii.) such parking is long-term, being 12 months or more;
    - iii.) such parking is only leased to Wilfrid Laurier University;
    - iv.) such parking is continually available to Wilfrid Laurier University, excluding church parking;
    - v.) such parking does not exceed twenty-five percent (25%) of the total parking required by the Zoning By-law.
  - (d) the parking regulation in (a) shall be calculated using adjusted annual fall full-time employee numbers and full-time student enrollments numbers;
  - (e) for any lot zoned “BI(wlu)” or group of lots which are contiguous and zoned “BI(wlu)”, there shall be:
    - i. a minimum 500 parking spaces provided on the Main Campus (municipally known as 75 University Avenue West and bounded by Albert Street, University Avenue, King Street and Bricker Avenue);
    - ii. for lands located beyond the Main Campus (municipally known as 75 University Avenue West and bounded by Albert Street, University Avenue, King Street and Bricker Avenue):

- iii. for residential buildings, a minimum of one (1) on-site parking space per one-point-five (1.5) units or one (1) on-site parking space per seven (7) beds, whichever is greater;
- iv. for non-residential buildings, a minimum of one (1) on-site parking space per two hundred (200) square metres of gross building floor area.

## 15.6.2

Notwithstanding anything contained in Zoning By-law No. 1108, the following regulations shall apply to all lands zoned Universities "BI(wlu)" beyond 75 University Avenue West (Wilfrid Laurier University's Main Campus as shown on Schedule 'B' attached);

(a) **Lot Area:**

- (i) a minimum 360 square metres of *Lot Area* shall be provided per *Single-detached Dwellings*;
- (ii) a minimum 540 square metres of *Lot Area* per residential *Lot*, or a minimum 135 square metres per residential unit, whichever is greater, shall be provided for all University residential *Dwellings* or *Apartment Dwellings*.

(b) **Frontage :**

- (i) a minimum 12.0 metres of *Lot Frontage* shall be provided for University residential *Buildings* with less than 3 *Dwelling Units*.
- (ii) A minimum 18.0 metres of *Lot Frontage* shall be provided for University residential *Buildings* with 3 to 8 *Dwelling Units*.
- (iii) A minimum 25.0 metres of *Lot Frontage* shall be provided for University residential *Buildings* with more than 8 *Dwelling Units*.
- (iv) A minimum 15.0 metres of *Lot Frontage* shall be provided for University non-residential *Buildings*.

(c) **Front Yard Setback:**

- (i) a minimum 7.5 metres *Front Yard* setback shall be provided.
- (ii) Notwithstanding (I) above, for stories above the fourth *Storey*, the *Building Line* setback along a public *Street* shall be setback a further 3.0 metres from the *Building* face of the fourth *Storey*. For stories above the eighth *Storey*, the *Building Line* setback along a public *Street* shall be setback a further 3.0 metres from the *Building* face of the eighth *Storey*.

(d) **Side Yard Setback:**

- (i) a minimum 1.2 metre plus 0.6 metre for each additional *Storey* or half *Storey*
- (ii) a minimum 3.0 metres *Side Yard* setback, or a minimum "one-fourth the *Building Height*" *Side Yard* setback, whichever is greater, shall be provided for the non-residential *Buildings*.

(e) **Flankage Setback:**

- (i) a minimum 6.0 metre flankage setback shall be provided.
- (ii) Notwithstanding (i) above, for stories above the fourth *Storey*, the *Building Line* setback along a public *Street* shall be setback a further 3.0 metres from the *Building* face of the fourth *Storey*. For stories above the eighth *Storey*, the *Building* line setback along a public *Street* shall be setback a further 3.0 metres from the *Building* face of the eighth *Storey*.

(f) **Residential Setback:**

- (i) a minimum 7.5 metre residential setback, or a minimum “one-third the *Building Height*” residential setback, whichever is greater, shall be provided.
- (ii) For the purposes of the Universities "BI(wlu)" zone, a “residential setback” shall be defined as a *Side Yard* or *Rear Yard* setback from a residential zone boundary. A residential zone boundary shall be defined as the boundary between a residential zone and Universities "BI(wlu)" zone.

(g) **Rear Yard Setback:**

- (i) a minimum 7.5 metre *Rear Yard* setback shall be provided.

(h) **Open Space:**

- (i) a minimum 20% of the *Lot Area* shall be provided for *Landscaped Open Space* area located behind the *Building Line*.

(i) **Parking Lot Setback:**

- (i) a minimum 3.0 metre parking *Lot* setback shall be provided.
- (ii) For the purposes of the Universities "BI(wlu)" zone, a “parking *Lot* setback” shall be defined as the setback from the *Street Line* to the boundary of the parking *Lot* surface.

15.6.3 Section 15.5.1 shall not apply to all lands zoned Universities "BI (wlu)", being a provision to regulate the *Building* setback from a public *Street* or highway.

15.6.4 Section 15.5.2 shall not apply to all lands zoned Universities "BI(wlu)" being a provision to regulate the *Building* setback from an *Abutting* property boundary.

15.6.4.1 Notwithstanding anything contained in Zoning By-law No. 1108, the following height restrictions shall apply to lands zoned Universities "BI(wlu)":

- (a) Notwithstanding anything contained in Zoning By-law No. 1108 for lands illustrated as “Maximum Height shall be ten (10) *Storeys* for University *Uses*” on Schedule ‘C’ attached, the maximum height of any *Building* or *Structure* shall be ten (10) *Storeys* except for mechanized roof top equipment such as air conditioning and heating units, chimneys, and elevator penthouses.
- (b) notwithstanding anything contained in Zoning By-law No. 1108 for lands illustrated as “Maximum Height shall be six (6) *Storeys* for University *Uses*” on Schedule ‘C’ attached, the maximum height of any *Building* or *Structure* shall be six (6) *Storeys* except for mechanized roof top equipment such as air conditioning and heating units, chimneys, and elevator penthouses.
- (c) notwithstanding anything contained in Zoning By-law No. 1108 for lands illustrated as “Maximum Height shall be three (3) *Storeys* for University *Uses*” on Schedule ‘C’ attached, the maximum height of any *Building* or *Structure* shall be three (3) *Storeys* except for mechanized roof top equipment such as air conditioning and heating units, chimneys, and elevator penthouses.
- (d) Notwithstanding (ii) above, the maximum height of the *Existing* Library *Building* as it existed on the day of the passing of this by-law shall be seven (7) *Storeys*. Should the *Existing* Library *Building* be removed or demolished, the maximum height of any new *Structure* shall be six (6) *Storeys* except for mechanized roof top equipment such as air conditioning and heating units, chimneys, and elevator penthouses.



# Section 16

## "IN" INSTITUTIONAL

16

16.1 No *Person* shall *Erect*, alter, enlarge or use any *Buildings* or *Structure* in whole or in part nor use any lands in whole or in part within the 'Institutional' Zone for any purpose other than one or more of the following *Uses*:

- Art Gallery
- Community *Building*
- A day care centre operated by a public organization
- Fire Hall
- Government *Building*
- Hospital
- Hospitals Act
- Library
- Museum
- Monastery, Nunnery
- *Nursery School*
- *Private School*
- *Public School*
- A private hospital under the meaning of The Private Hospitals Act
- Police Station
- A religious *Use*
- The following recreation *Uses*: parks, playgrounds, community centre, athletic complex, gymnasium, tennis courts, bowling greens, stadium, stadium bleachers, swimming pools, golf courses
- *Separate School*
- A sanatorium, Senior Citizen Home, Y.M.C.A., Y.W.C.A.
- Any use *Accessory* to the foregoing.

16.1.2 A *Building* or *Buildings* which are *Accessory* to the foregoing permitted *Uses* shall have the following regulations:

16.1.2.1 The maximum height of any *Accessory Building* shall be four-point-five metres (4.5 m). No *Accessory Building* shall be used for human habitation. No *Accessory Building* shall be located closer than three metres (3.0 m) to a main *Building* on an adjacent *Lot* nor shall an *Accessory Building* be located within sixty centimeters (60 cm) of any *Lot Line*.

16.2 Notwithstanding any other provision contained in this by-law more than one main *Building* and *Accessory Building* shall be permitted on any *Lot* in this zone.

16.3 **Parking Provisions**

16.3.1 For each *Use*, there shall be provided a minimum of three parking spaces for every one hundred square metres (100 sq.m) of *Building Floor Area*.

16.4 The following regulations shall apply to all *Uses* in the ‘Institutional’ Zone:

16.4.1 **Lot Area**

There shall be a minimum *Lot Area* of nine hundred square metres (900 sq.m).

16.4.2 **Lot Frontage**

There shall be a minimum *Lot Frontage* of thirty metres (30 m).

**Yard Requirements**

16.4.3 *Front Yard* - There shall be a minimum *Front Yard* setback of five metres (5.0 m).

16.4.4 *Flankage Yard* – No part of any *Building* or *Structure* shall be *Erected* within five metres (5.0 m) of the *Street Line Flankage* of the *Lot*.

16.4.5 *Side Yard* - There shall be provided a minimum *Side Yard* of 10% of the total width of *Lot* on both sides, not to be less than three metres (3m).

16.4.6 *Rear Yard* - There shall be a minimum *Rear Yard* set-back of seven point five metres (7.5 m).

16.4.7 “*Low Rise Residential Area Yard Setback*” – There shall be a minimum *Low Rise Residential Area Yard Setback* of ½ the height of the building and in no case less than 7.5 m. to any *Lot Line Abutting a Low Rise Residential Area*.

16.4.7.1 Within the *Low Rise Residential Area Yard Setback* there shall be a minimum three metre (3.0 m) *Landscaped Buffer* adjacent to any *Lot* line *Abutting a Low Rise Residential Area* which shall be maintained in healthy condition and good repair by the owner.

16.4.7.2 The *Landscaped Buffer* shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

16.4.7.3 The *Landscaped Buffer* shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

16.4.7.4 *Buildings, Structures*, enclosures, parking areas, driveways, retaining walls and *Impervious Areas* shall be prohibited within the *Landscaped Buffer*.

16.4.8 **Height**

16.4.8.1 Notwithstanding anything to the contrary, the maximum height in metres of any *Building* within the Institutional ‘IN’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any *Building* shall be eighteen metres (18.0 m) and shall not exceed six (6) *Storeys*.

16.4.8.2 Notwithstanding anything to the contrary, the number of *Storeys* within a *Building* shall not exceed the number of the numerical suffix.

16.4.8.3 Notwithstanding anything to the contrary, a roof may be permitted to exceed the maximum height requirement so long as it is not habitable room or *Building Floor Area*.

16.4.9 **Coverage**

The maximum *Coverage* of the *Lot* by all *Buildings* shall be 35%.

# Section 17

## "GB"

### GENERAL BUSINESS

17

17.1 No *Person* shall *Erect*, alter, enlarge, or use any *Building* or *Structure* in whole or in part or use any land in whole or in part within the 'GB' Zone for any purpose other than one or more of the following *Uses* and then only if municipal water and sanitary sewers are available to service such *Use*:

17.1.1 The *Uses* permitted in the 'GB' Zone are as follows:

- Antique Shops
- Automotive Supplies but not an automobile or motor sales
- Bakery or Confectionery
- Banks and Trust Companies
- Barber Shops
- ***Bed and Breakfast Establishment***
- Billiards and Bowling
- Book Stores
- Brewer's Retail Store
- All Classes, or an ***Office*** or a Coal Company, or similar business where the materials are stored or processed in another zone
- Candy Stores
- China and Glassware Stores
- Clothing Stores
- ***Commercial School***
- Curling Rinks provided the *Use* is below ***Street*** level
- An ***Office*** for receiving and delivery of Dry Cleaning or Laundry
- Dairy Bar or Stores but not a dairy
- Department Stores
- Drapery Stores
- Domestic Appliances
- Drug Stores
- Dry Cleaning Class IV provided that the entire ***Frontage*** is used as a receiving ***Office*** with a show window or windows
- Dry Goods
- Fish Market
- Florist Shop
- Fruit Store
- Furniture Stores
- Fur Store
- Gift Shops
- Grocery Stores
- Hairdressers
- Hardware Stores
- Hat Cleaning & Blocking
- ***Hotel***
- Insurance ***Office***
- Interior Decorating
- Jewellery
- Ladies Wear
- Liquor Stores

- Meat Markets
- Men's Furnishings
- Millinery
- Motion Pictures Theatres
- Music Shops
- Nut Shops
- **Offices**, Business and Professional
- Opticians and Optometrists
- Paint and Wallpaper Stores
- Personal Service Shop
- Pet Shops
- Photography Studio
- Picture Framing
- Plumbing and Heating
- Private Clubs and Private Lodges
- **Parking Facility**
- Store or Repair Shop
- Service Station
- Seed Stores
- Shoe Repair Stores
- Shoe Stores
- Shoe Shine Stores
- Sporting Goods
- Stationery and **Office** Equipment
- Steam Baths and **Massage Establishment**
- Taxi Stands
- Tailor Shops
- Theatres
- Tobacco Stores
- **Variety Store**
- **Video/Pinball Game Amusement Centre**
- Wallpaper Stores
- Wine Sales Stores or Retail outlets of a similar nature

17.1.2 The following additional *Uses* shall be permitted:

17.1.2.1 Beauty Salons and Barber Shops provided only one operator is employed and not more than twenty-five percent (25%) of the **Ground Floor Area** of the **Building** is used for this purpose.

17.1.2.2 Institutions, private **Schools**, hospitals, private hospitals under the meaning of The Private Hospitals Acts, **Public School**, **Separate School**, **Nursery School**, **Churches**, **Church** halls, Sunday **Schools**, parks and playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges, miniature courses and similar *Uses* operated for commercial purposes.

17.1.2.3 **Offices** and **Clinics** for a physician, dentist, osteopath or chiropractor provided that such **Office** is situated within a **Dwelling** used by such **Person** as a private residence and that not more than three such **Persons** practice in such **Office** and use a floor area not to exceed fifty percent (50%) of the **Ground Floor Area**.

- 17.1.2.4 “Recreation” – parks, playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges, miniature courses and similar uses operated for commercial purposes.
- 17.1.2.5 Section 18.4 of the General Residence Zone shall apply to every single detached dwelling and Section 18.5 of the General Residence Zone shall apply to every semi-detached and duplex dwelling.
- 17.1.2.6 *Apartment Dwellings* and *Lodging House Class Ones* subject to the provisions of the Multiple Residence ‘MR’ zone as amended. For the purposes of determining the numerical suffix referred to in 18A.3 for *Apartment Dwelling Buildings* constructed on lands zoned General Business ‘GB’, the numerical suffix applied to the General Business “GB” designation shown on the Zoning Map attached as Appendix “A” to the said By-law shall apply. Where no numerical suffix is provided, the maximum height of any *Apartment Dwelling Building* shall be six (6) *Storeys* and the maximum number of units will be 150 units per hectare .
- 17.1.3           Undertakers                   *Motel*  
*Clinics*                               Charitable Organizations  
Taxi Stands                         Animal Hospitals
- 17.2               Deleted
- B/L No. 76-92, S.1, O.M.B. Sept. 14/76
- 17.3               The following regulations shall apply to every *Lot, Building* and *Structure* as the case may be in the General Business ‘GB’ Zone.
- 17.3.1            **Lot Area**
- There shall be a minimum *Lot Area* of five hundred and sixty square metres (560 sq.m).
- 17.3.2            **Lot Frontage**
- There shall be a minimum *Lot Frontage* of fifteen metres (15 m).
- 17.3.3            **Yard Requirements**
- 17.3.3.1         *Front Yard* - No *Building* or *Structure* or part thereof is permitted within three metres (3.0 m) of any *Street Line* in this zone.
- 17.3.3.2         *Flankage Yard* - No part of any *Building* or *Structure* is permitted within five metres (5.0 m) of the *Street Line Flankage*.
- 17.3.3.3         *Side Yards* - There shall be a minimum *Side Yard* of three-point-five metres (3.5 m) on one side and a minimum of one-point-five metres (1.5 m) on the opposite side. Where access is available from a public *Lane*, then a *Side Yard* of one-point-five metres (1.5 m) on both sides is permitted.
- 17.3.3.5         *Rear Yard* - Each *Lot* shall have a *Rear Yard* with a minimum depth of seven-point-five metres (7.5 m).

17.3.3.6 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.

17.3.3.6.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot line Abutting a Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.

17.3.3.6.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

17.3.3.6.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

17.3.3.6.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.

17.3.4 Deleted by By-law No. 93-32.

### 17.3.5 **Height**

17.3.5.1 **Building Height** – The following height regulations shall apply:

17.3.5.1.1 The maximum height in metres of any **Building** within the General Business ‘GB’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law.. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.

17.3.5.1.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.

17.3.5.1.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable room or **Building Floor Area**.

17.3.6 Deleted, By-law No. 80-158, S.7.

### 17.3.7 **Parking Provisions**

17.3.7.1 For each **Use** which is not a residential **Use**, there shall be provided a minimum of 4 parking spaces for every one hundred square metres (100sq.m) of **Building Floor Area**. Notwithstanding the above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of the site, parking shall be provided for each **Dwelling Unit** at the rate prescribed by such number.

17.3.7.2 Parking structures shall be permitted on the ground floor provided that:

- 25% of the ground floor area is useable space;
- ground floor useable space is located at the front of the building for the entire length of the building frontage; and
- for the purposes of this by-law useable space shall include lobbies, sitting areas, hallways and any of the permitted uses listed in section 17.1 except for a parking facility.

- 17.3.8 Deleted
- 17.3.9 Deleted, By-law No. 81-65.
- 17.3.10 Deleted, By-law No. 81-65.
- 17.3.11 Notwithstanding any other provisions in this by-law, more than one main *Building* or *Accessory Buildings* shall be permitted on any *Lot* in this zone.
- 17.3.12 **Off-Street Loading**
- Section 8.11 of the General Provisions of this By-law shall apply.



# Section 18

## "GR"

### GENERAL RESIDENCE

18

18.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "GR" Zone for any purpose other than one or more of the following uses:

18.1.1 "Beauty Salons" and "Barber Shops" provided only one operator is employed and not more than 25% of the ground floor area or basement floor area of the building is used for this purpose.

B/L No. 1931, S.13, O.M.B. April 6/64

18.1.2 Institutions, public schools, separate schools, private schools, nursery schools, hospitals, private hospitals, under the meaning of The Private Hospitals Act, churches, church halls and Sunday Schools.

18.1.3 "Office" and "Clinics" for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.

18.1.4 "Recreational" - parks, playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges, miniature courses and similar uses operated for commercial purposes.

18.1.5 The following residential uses: Single detached dwellings, duplexes, triplexes, semi-detached dwellings, apartment dwellings, lodging houses class one, class A group homes, class B group homes. Bed and Breakfast Establishment. Townhouse dwellings are not permitted in this zone.

B/L No. 3173, S.12, O.M.B. Oct. 31/69

B/L No. 79-53, O.M.B. Approval Aug. 21/79

18.2 Deleted.

B/L No. 76-92, S.1, O.M.B. Sept. 14/76

18.3 The following accessory uses are permitted: Private garages - a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one ton and to be for the use of the owner or tenant of the premises. In case of multiple dwellings one garage unit may be provided for each dwelling unit.

18.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

18.4.1 **Lot Area**

18.4.1.1 Where municipal water and sanitary sewers exist there shall be a minimum lot area of three hundred and sixty square metres (360sq.m).

18.4.1.2 Corner lots shall have a minimum lot area of four hundred and ninety-five square metres (495sq.m).

18.4.2 **Lot Frontage**

18.4.2.1 Where municipal water and sanitary sewers are available to service land, buildings or structures there shall be a minimum lot frontage of twelve metres (12m) for internal lots and sixteen-point-five metres (16.5m) for corner lots.

B/L No. 79-33, O.M.B. Approval June 22/79

18.4.2.2 Deleted.

B/L No. 79-33, O.M.B. Approval June 22/79

18.4.3 **Yard Requirements**

18.4.3.1 "Front Yard" - No building, structure, or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

B/L No. 1931, S.25, O.M.B. Approval April 6/64

18.4.3.2 "Side Yard" - There shall be a minimum side yard of one hundred and twenty centimeters (120cm) on both sides of the lot plus sixty centimeters (60cm) for each additional storey or half storey except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

B/L No. 76-38, S.9, O.M.B. Nov. 14/77

18.4.3.3 "Rear Yards" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

18.4.4 Deleted by By-Law No. 93-32.

18.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

18.4.6 **Coverage**

"Main Building" - the maximum coverage of the lot by the main building shall be 35% of the lot area.

18.4.7 **Parking Provisions**

18.4.7.1 A minimum of one parking space shall be provided for each dwelling unit.

18.5 **The following regulations shall apply to all DUPLEX AND SEMI-DETACHED DWELLINGS:**

B/L No. 1183, S.10, O.M.B. Oct. 28/59

18.5.1 Semi-Detached dwellings and duplex dwellings must have available municipal sanitary sewers and water before a building permit will be issued.

B/L No. 1183, S.11, O.M.B. Oct. 28/59

18.5.2 **Lot Area**

18.5.2.1 Where municipal water and sanitary sewers exist there shall be a minimum lot area of five hundred and forty square metres (540sq.m).

18.5.3 **Lot Frontage**

18.5.3.1 Where municipal water and sanitary sewers are available to service land, buildings or structures, there shall be a minimum lot frontage of fifteen metres (15m) for internal lots and eighteen metres (18m) for corner lots.

B/L No. 79-33, O.M.B. Approval June 22/79

18.5.4 **Yard Requirements**

18.5.4.1 "Front Yard" - No building, structure, or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

18.5.4.2 "Side Yards" - There shall be a minimum side yard of one-point-eight metres (1.8m) on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building. Where a carport or garage is not included as part of the main building in a duplex dwelling, one side yard shall have a minimum width of three metres (3m) to provide access to the rear yard. Where a carport or garage is not included as part of the main building in a semi-detached dwelling, both side yards shall be a minimum of three metres (3m) in width. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

B/L No. 1931, S.17, O.M.B. Approval April 6/64

18.5.4.3 "Rear Yards" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

18.5.5 Deleted by By-Law No. 93-32.

18.5.6 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

18.5.7 **Coverage**

"Main Building" - the maximum coverage of the lot by the main building shall be 25% of the lot area.

18.5.8 **Parking Provisions**

18.5.8.1 A minimum of one parking space shall be provided for each dwelling unit.

**18.6 In the case of semi-detached dwellings, where each of the two dwelling units is held under separate and distinct ownership, the following regulations shall apply to each such dwelling unit:**

18.6.1 There shall be a minimum lot area of two hundred and sixty square metres (260sq.m).

B/L No. 78-125, O.M.B. Approval Aug. 9/78

- 18.6.2 There shall be a minimum lot frontage of seven-point-five metres (7.5m) for internal lots and ten metres (10m) for corner lots.

B/L No. 78-125, O.M.B. Approval Aug. 9/78

B/L No. 79-33, O.M.B. Approval June 22/79

- 18.6.3 No building, structure or part thereof shall be permitted within seven-point-five metres (7.5m) of the street line.

- 18.6.4 Attached garages and carports shall be included as part of the main building and where there is an attached garage or carport, the minimum side yard shall be one hundred and twenty centimeters (120cm) plus sixty centimeters (60cm) for each additional storey. No side yard is required on the common wall side of the dwelling unit in the original building. Any addition must have a side yard of one hundred and twenty centimeters (120cm) plus sixty centimeters (60cm) for each additional storey unless the addition is also built with a common wall in which case no side yard shall be required on the common wall side of the dwelling unit.

- 18.6.5 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

- 18.6.6 No part of any structure or building shall be erected within six metres (6.0m) of the street line flankage of the lot.

B/L No. 76-38, O.M.B. Approval Nov. 14/77

18.6.7 **Parking Provisions**

- 18.6.7.1 A minimum of one parking space shall be provided for each dwelling unit.

18.6A **The following regulations shall apply to all TRIPLEX DWELLINGS:**

- 18.6A.1 Municipal sanitary sewers and water must be available prior to the issuance of a building permit.

18.6A.2 **Lot Area**

Where municipal water and sanitary sewers exist there shall be a minimum lot area of five hundred and forty square metres (540 sq.m.).

18.6A.3 **Lot Frontage**

Where municipal water and sanitary sewers are available to service land, buildings or structures, there shall be a minimum lot frontage of fifteen metres (15 m) for internal lots and eighteen metres (18 m) for corner lots.

18.6A.4 **Yard Requirements**

- 18.6A.4.1 "Front Yard" - No building structure, or part thereof is permitted within six metres (6.0 m) of the street line.

18.6A.4.2 "Side Yard" - There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot plus sixty centimetres (60 cm) for each additional storey or half storey except as hereinafter provided. Attached garages and carports shall be included as part of the main building. Where a carport or garage is not included as part of the main building, one side yard shall have a minimum width of three metres (3 m) to provide access to the rear yard. No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.

18.6A.4.3 "Rear Yards" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

18.6A.5 **Floor Area**

18.6A.5.1 The gross floor area of a triplex dwelling measured from the outside walls shall not exceed two hundred and eighty square metres (280 sq. m) plus 20% of the lot area.

18.6A.5.2 For the purpose of this section, where a triplex dwelling is created through an addition to an existing dwelling, the basement or cellar of the existing dwelling shall not be included in the gross floor area.

18.6A.6 **Height**

18.6A.6.1 The maximum height of any portion of a building or structure shall be nine-point-five metres (9.5 m), subject to the following:

18.6A.6.1.1 Where an existing dwelling is enlarged to create a triplex or where an existing triplex is enlarged, the height of the addition shall be a maximum of one storey and vertically attached to the existing structure towards the rear yard.

*Amended by By-law No. 03-144*

18.6A.1.2 The maximum height of any newly constructed triplex shall be two storeys.

18.6A.7 **Coverage**

The maximum coverage of the lot by all buildings (main building and accessory buildings) shall be 30% of the lot area, except as hereinafter provided. Where a triplex dwelling is created through an addition to an existing dwelling, the maximum coverage of the lot by all buildings shall be 35% of the lot area.

18.6A.8 **Parking Provisions**

18.6A.8.1 A minimum of four parking spaces shall be provided for a triplex dwelling.

18.7 **The following regulations shall apply to all APARTMENT DWELLINGS:**

B/L No. 1183, S.12, O.M.B. Approval Oct. 28/59

B/L No. 1931, S.19, O.M.B. Approval April 6/64

18.7.1 Apartment dwellings must have available municipal sewers and water before a building permit will be issued.

B/L No. 1183, S.13, O.M.B. Approval Oct. 28/59  
 B/L No. 1931, S.19, O.M.B. Approval April 6/64

18.7.2 Deleted, By-Law No. 80-158, S.2.

18.7.2.1 **Lot Area**

18.7.2.1.1 There shall be a minimum of ninety square metres (90sq.m) of landscaped area of improved public area, or a combination thereof, for each dwelling unit, save and except the lands shown cross-hatched on Schedule "A" attached hereto and forming a part hereof, which said lands shall have a minimum lot area requirements of fifty-five square metres (55sq.m) of landscaped open space or improved public area, or a combination thereof, for each dwelling unit.

B/L No. 76-38, S.7, O.M.B. Nov. 14/77

18.7.2.1.2 For the purposes of this by-law, "improved public area" shall mean

- balconies
- indoor recreation area

B/L No. 3778, S.1, O.M.B. Jan. 25/73

18.7.2.1.3 For the purposes of calculating "landscaped open space" the following area shall be excluded

- areas covered by building or buildings
- parking areas
- driveways leading to parking areas

B/L No. 3288, S.1, O.M.B. Nov. 30/71

B/L No. 76-38 S.7, O.M.B. Nov. 14/77

18.7.2.1.4 For the purpose of calculating "landscaped open space" and "improved public area", balconies and indoor recreation area shall constitute not more than 20% of the total by-law requirements for landscaped open spaces and/or improved public areas.

B/L No. 74-170, S.3, O.M.B. Oct. 30/74

B/L No. 76-38, S.7, O.M.B. Nov. 14/77

18.7.2.1.5 Indoor recreation areas shall mean those areas used for recreational purposes excluding lobbies, washrooms, laundries and reception areas.

B/L No. 74-170, S.4, O.M.B. Oct. 30/74

18.7.3 **Lot Frontage**

Where municipal water and sanitary sewers exist, there shall be a minimum lot frontage of eighteen metres (18m) for four dwelling units, a minimum of twenty metres (20m) for five dwelling units, a minimum of twenty-one-point-five metres (21.5m) for six dwelling units, a minimum of twenty-three metres (23m) for seven dwelling units and a minimum of twenty-five metres (25m) for eight or more dwelling units.

B/L No. 1931, S.21, O.M.B. April 6/64

18.7.4 **Yard Requirements**

18.7.4.1 "Front Yard" - No building, structure, or part thereof is permitted within ten-point-five metres (10.5m) of the street line.

18.7.4.2 "Side Yards" - There shall be a side yard on both sides of the building equal to half the height of the building, but in no case less than three metres (3m) except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

B/L No. 1931, S.22, O.M.B. April 6/64

18.7.4.3 "Rear Yards" - There shall be a rear yard on each lot equal to one-half the height of the building but in no case less than a minimum average depth of ten-point-five metres (10.5m).

B/L No. 76-38, S.11, O.M.B. Nov. 14/77

18.7.5 Deleted by By-Law No. 93-32.

18.7.6 **Parking Provisions**

18.7.6.1 A minimum of one-point-five (1.5) parking spaces shall be provided for each dwelling unit.

18.7.6.2 Notwithstanding subsection 18.7.6.1 above, in the hatched area shown on Schedule "A" attached to By-Law No. 2119, the minimum parking requirement shall be one parking space for each dwelling unit.

18.7.6.3 Where the required parking for 18.7.6.1 above is to be underground or enclosed within the building, a minimum of one parking space for every six dwelling units, shall be provided on surface, and outside of the building.

18.7.7 **Coverage**

"Main Building" - the maximum coverage of the lot by the main building shall be 35% of the lot area.

B/L No. 1921, S.23, O.M.B. April 6/64

18.7.8 Deleted by By-Law No. 81-56.

18.7.9 Deleted by By-Law No. 81-56.

18.7.10 Notwithstanding any other provisions in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.

18.8 **The following regulations shall apply to all NON-RESIDENTIAL BUILDINGS:**

18.8.1 **Coverage**

18.8.1.1 The maximum coverage of the lot by all buildings shall be 35%.

18.8.2 **Yard Requirements**

18.8.2.1 "Front Yard" - The front yard shall be no less than seven-point-five metres (7.5m).

18.8.2.2 "Side Yards" - A minimum side yard of 10% of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.

18.8.2.3 "Rear Yards" - An average depth of no less than seven-point-five metres (7.5m) shall be maintained in the rear yard.

18.8.3 **Parking Provisions**

18.8.3.1 For all other permitted non-residential buildings, which do not have parking requirements prescribed elsewhere in this by-law, there shall be provided a minimum of three parking spaces for every one hundred square metres (100sq.m) of building floor area.

18.8.4 Notwithstanding any other provision in this by-law, more than one main building or accessory building shall be permitted on any lot in this zone.

18.9 **The following regulations shall apply to LODGING HOUSES CLASS ONE:**

18.9.1 **Lot Area**

There shall be a minimum lot area of three hundred and sixty square metres (360sq.m) plus,

18.9.1.1 Fifty square metres (50sq.m) for each occupant of a lodging unit greater than three (3) where a proprietor resides with his/her household.

18.9.1.2 Fifty square metres (50sq.m) for each occupant greater than five (5) where a proprietor and his/her household do not reside.

18.9.2 **Yard Requirements**

18.9.2.1 "Front Yard" - No building, structure, or part thereof shall be permitted within seven-point-five metres (7.5m) of the street line.

18.9.2.2 "Side Yard" - There shall be a minimum side yard of one hundred and twenty centimeters (120cm) on both sides of the lot plus a minimum of sixty centimeters (60cm) for each additional storey or half storey except as hereinafter provided. Where parking is to be provided in the rear yard, one side yard shall have a minimum width of three metres (3m). No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

18.9.2.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

18.9.3 Deleted by By-Law No. 93-32.

18.9.4 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).



18.9.5        **Parking Provisions**

There shall be a parking area provided, behind the building line, to accommodate one vehicle for every two lodging unit occupants, plus one vehicle for the proprietor and his/her household if the proprietor resides therein.

18.9.6        **Landscaped Open Space**

18.9.6.1      Twenty (20%) percent of the lot area shall be landscaped open space, and for the purpose of computing same, the following areas shall be excluded,

18.9.6.1.1    Areas covered by building or buildings

18.9.6.1.2    Parking areas

18.9.6.1.3    Driveways leading to parking areas

18.9.7        **Conversions**

Where a residential building in a zone permitting lodging houses class one existed on January 1, 1979, it may be converted to a lodging house class one without compliance to paragraphs 18.9.1, 18.9.2, 18.9.4 and 18.9.6 above, but any additions thereto must be in compliance with said paragraphs.

B/L No. 79-53, O.M.B. Approval Aug. 21/79

# Section 18A

## "MR"

### MULTIPLE RESIDENCE

18A

#### 18A.1 Permitted Uses

1. No person shall **Erect**, alter, enlarge or use any **Building** or land in whole or in part within the Multiple Residence 'MR' zone for any purpose other than the following **Uses**:
  - *Single detached dwelling;*
  - *Semi-detached dwelling;*
  - *Duplex dwelling;*
  - *Triplex Dwelling;*
  - *Apartment Dwelling;*
  - *Lodging House Class One;*
  - *Class A Group Homes;*
  - *Class B Group Homes;*
  - *Beauty Salons and Barber Shops;*
  - *Offices and clinics for a Health Practitioner;* and
  - *Non-residential uses including: Nursery Schools, Churches, church halls, Sunday schools, Public Schools, Separate Schools, Nursing Homes and Recreational parks and playgrounds operated by the City of Waterloo.*

Use Permitted	Zone				
	MR-4	MR-6	MR-8	MR-12	MR-25
a) Single detached dwelling	*				
b) Semi-detached dwelling	*				
c) Duplex dwelling	*				
d) Triplex dwelling	*	*	*	*	*
e) Apartment dwelling	*	*	*	*	*
f) Lodging House Class One	*	*	*	*	*
g) Class A Group Home	*	*	*	*	*
h) Class B Group Home	*	*	*	*	*
i) Beauty salons and barber shops	*	*	*	*	*
j) Offices and clinics for a health practitioner	*	*	*	*	*
k) Non-residential uses	*	*	*	*	*

#### 18A.2 The following regulations shall apply to all uses permitted within each zone:

##### 1. Yards

1. For the purposes of measuring **Yard** setbacks for new **Buildings**, additions or alterations within this By-law, the most restrictive of the following shall apply:
  - Section 8.9 (Building Line Setback) of By-law 1108 as amended;
  - Section 8.10 (Street lines) of By-law 1108 as amended; or
  - the property line adjacent to a **Street**, measured from the property line established by any required road widening by the municipality

2. An **Architectural Entrance Projection** shall be permitted to project into the **Front Yard** or **Flankage Yard** setback provided the **Architectural Entrance Projection** is not located within four metres (4.0 m) of the **Front Lot Line or Flankage lot line**.
  - a) Notwithstanding Section 18A.2.1.2 the Architectural Entrance Projection regulations provided within Section 8.4.1 shall apply.
3. A minimum of seventy-five percent (75%) of the **Front Building Façade** shall be provided between five metres (5.0 m) and ten metres (10.0 m) of the **Front Lot Line**.
  - a) In the case of a **Through Lot**, the **Building** shall only be required to comply with Section 18A.2.1.3, the **Front Yard Streetline Buildout** regulation on one (1) of the two (2) **Front Lot Lines**.
  - b) In the case of multiple **Buildings** per **Lot**, only the first main **Building** constructed shall be required to comply with Section 18A.2.1.3, the **Front Yard Street Line Buildout** regulation.
4. A **Low Rise Residential Area** Yard Setback shall apply to any **Lot** line **Abutting** a **Low Rise Residential Area**. Refer to Section 18A.3.1 (f) for the size of the setback.

## **2. Landscaped Buffer**

1. There shall be **Landscaped Buffer** adjacent to any **Lot** line **Abutting** a **Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
  - a) Regulation 18A2.2.1 shall not apply to single detached, semi-detached or duplex dwellings in the Multiple Residence Four (MR-4) zone.
2. The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres
3. The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
4. **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls, ramps and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.

## **3. Parking and Driveways**

1. With the exception of underground parking, parking shall be prohibited within the **Front Yard** and the **Flankage Yard**.
  - a) Notwithstanding anything to the contrary, provision 8.12.5 of By-law No. 1108 shall not apply
2. Where parking is provided underground or enclosed within the **Building** or **Structure**, a minimum of ten percent (10%) of the required parking shall be provided as surface parking outside of the **Building** or **Structure** on the lands.
3. A 6.1 metre wide driveway shall be required for all development with 10 or more required parking spaces.

4. Parking structures shall be permitted on the ground floor provided that:
  - 25% of the ground floor area is habitable room;
  - ground floor habitable room is located at the front of the building for the entire length of the building frontage; and
  - for the purposes of this by-law habitable room shall include lobbies, sitting areas, and hallways.

#### 4. Height Control

1. The maximum height in metres of any **Building** within the Multiple Residence ‘MR’ zone shall be determined as three (3) times the numerical suffix as shown on the Zoning Map attached as Appendix “A” to By-law No. 1108. Where no numerical suffix is provided, the maximum height of any **Building** shall be twelve metres (12.0 m) and shall not exceed four (4) **Storeys**.
2. The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix as shown on the Zoning Map Attached as Appendix “A” to By-law No. 1108.
3. A roof may be permitted to exceed the maximum height requirement provided the roof does not contain *Habitable room* or **Building Floor Area**.

#### 5. General

1. Notwithstanding anything to the contrary, a **Group Home** may occupy the whole of a **Dwelling Unit** within a **Building** permitted by 18A.1.1.
2. Attached **Garages** and carports shall be included as part of the main **Building**. Where parking is to be provided in the **Rear Yard**, one **Side Yard** shall have a minimum width of 3.0 metres.
3. Every building shall have a front entrance at grade facing the street. In the case of buildings on corner lots, the front entrance may be on the flankage street.
4. No garbage storage shall be permitted in the front yard and no garbage storage shall be permitted in the side yard or rear yard unless it is screened from view from the street.
5. More than one building shall be permitted on a lot.

### 18A.3 The following regulations shall apply to APARTMENT DWELLINGS:

#### 1. Site Regulations

	MR-4	MR-6	MR-8	MR-12	MR-25
a) Minimum Frontage	15.0 m.	None	None	None	None
b) Minimum Front Yard	5.0 m.	5.0 m.	5.0 m.	5.0 m.	5.0 m.
c) Minimum Flankage Yard	5.0 m.	5.0 m.	5.0 m.	5.0 m.	5.0 m.
d) Minimum Side Yard	1.2 m. plus 0.6 m. for each additional storey above the first	3.0 m.	10.0 m. combination of both side yards. 3.0 m. minimum	10.0 m. combination of both side yards. 3.0 m. minimum	10.0 m. combination of both side yards. 3.0 m. minimum

e) Minimum Rear Yard	7.5 m.	7.5 m.	7.5 m.	7.5 m.	7.5 m.
f) Minimum Low Rise Residential Setback	1/2 ht of building; 7.5 m. minimum	1/2 ht of building; 7.5 m. minimum	1/2 ht of building; 7.5 m. minimum	1/2 ht of building; 7.5 m. minimum	1/2 ht of building; 7.5 m. minimum
g) Minimum Landscaped Area	30% of lot area	30% of lot area	30% of lot area	30% of lot area	30% of lot area
h) Minimum Parking Spaces	1.5 spaces per unit	1.25 spaces per unit	1.25 spaces per unit	1.25 spaces per unit	1.0 spaces per unit
i) Maximum Height	12.0 m.	18.0 m.	24.0 m.	36 m.	75 m.
j) Maximum Density	100 units per ha.	150 units per ha.	200 units per ha.	200 units per ha.	250 units per ha.
k) Minimum Density					100 units per ha.

**18A.4 The following regulations shall apply to all TRIPLEX DWELLINGS and LODGING HOUSES CLASS ONE:**

**1. Site Regulations**

	Triplexes		Class One Lodging Houses	
	MR-4	All other MR zones	MR-4	All other MR zones
a) Minimum Frontage	15.0 m.			
b) Minimum Front Yard	5.0 m.	5.0 m.	5.0 m.	5.0 m.
c) Minimum Flankage Yard	5.0 m.	5.0 m.	5.0 m.	5.0 m.
d) Minimum Side Yard	1.2 m. plus 0.6 m. for each additional storey	3.0 m.	1.2 m. plus 0.6 m. for each additional storey	3.0 m.
e) Minimum Rear Yard	7.5 m.	7.5 m.	7.5 m.	7.5 m.
f) Minimum Low Rise Residential Setback	1/2 ht of building; 7.5 min	1/2 ht of building; 7.5 min	1/2 ht of building; 7.5 min	1/2 ht of building; 7.5 min
g) Front yard street line build out		75% of front façade must be within 5-10 m. of front lot line		75% of front façade must be within 5-10 m. of front lot line
h) Minimum Landscaped Area	30% of lot area	30% of lot area	30% of lot area	30% of lot area
i) Minimum Parking Spaces	4 spaces	4 spaces	1 space for every two (2) lodgers plus one (1) space per proprietor if the proprietor or his/her household resides therein.	1 space for every two (2) lodgers plus one (1) space per proprietor if the proprietor or his/her household resides therein.
j) Maximum Height	12.0 m.	18.0 m.	12.0 m	18.0 m

**2. Notwithstanding anything to the contrary, a *Lodging House Class One* shall occupy the whole of a *Building***

**18A.5 Section 18.4 of the General Residence Zone shall apply to every single detached dwelling and Section 18.5 of the General Residence Zone shall apply to every semi-detached and duplex dwelling.**

**18A.6 The following regulations shall apply to all NON-RESIDENTIAL USES:**

**1. Site Regulations**

	<b>All MR zones</b>
a) Minimum Frontage	None
b) Minimum Front Yard	5.0 m.
c) Minimum Flankage Yard	5.0 m.
d) Minimum Side Yard	3.0 m. for MR-6 and MR-4 and 10 m. both yards combined for MR-8, MR-12 and MR-25
e) Minimum Rear Yard	7.5 m.
f) Minimum Low Rise Residential Setback	1/2 ht of building; 7.5 m. minimum
g) Minimum Landscaped Area	30% of lot area
h) Minimum Parking Spaces	3 spaces per 100 m <sup>2</sup> of Building Floor Area or as required by Section 8.12
i) Maximum Height	3 times the suffix as shown on Schedule A

2. Beauty Salons and Barber Shops shall be permitted subject to the following provisions:
- a) **there shall be a maximum of one (1) operator or employee;**
  - b) the *Use* shall only be permitted on the ground floor or ***Basement*** subject to the following:
    - the *Use* shall not occupy more than twenty-five percent (25%) of the ground floor or ***Basement***; and
    - the *Use* shall not exceed one hundred square metres (100 sq.m.) of ***Building Floor Area*** in size.
3. ***Offices*** and clinics for a ***Health Practitioner*** shall be permitted subject to the following provisions:
- a) **the *Use* shall only be permitted in a dwelling unit used by such person as a private residence;**
  - b) **the *Use* shall only be permitted on the ground floor or *Basement*;**
  - c) the *Use* shall not exceed one hundred square metres (100 sq.m.) of ***Building Floor Area*** in size; and
  - d) not more than three (3) ***Persons*** shall practice in such ***Office*** or ***Clinic***.

# Section 19

## "MD"

### MEDIUM DENSITY

19

19.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the zone for any purpose other than the following use:

19.1.1 "Residential" – single detached dwellings, semi-detached dwellings, duplexes, townhouses, apartments, townhouse-linear, class A group homes, Bed and Breakfast Establishment.

19.1.2 The following accessory uses are permitted for single detached, semi-detached and duplex dwellings:

"Accessory Buildings" - a private garage with a maximum of three cars or two cars and one light commercial vehicle not to exceed one tonne maximum capacity.

19.1.3 Deleted. B/L No. 76-92, S.1, O.M.B. Approval Sept. 14/76

19.1.4 Notwithstanding anything to the contrary in this by-law, the regulations contained in the Multiple Residence – "MR" zone shall be deemed to be the "most restrictive regulations" for the purposes of section 8.21 of By-Law 1108 in relation to all apartment dwellings on properties with more than one zoning category and therefore the regulations contained in the Multiple Residence – "MR" zone shall apply to all apartment dwellings on properties with more than one zoning category.

19.2 **The following regulations shall apply to all SINGLE DETACHED DWELLINGS:**

19.2.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.

19.2.2 **Lot Area**

19.2.2.1 There shall be a minimum lot area of two hundred and forty five square metres (245 sq. m) for internal lots and three hundred and forty square metres (340 sq. m) for corner lots.

19.2.3 **Lot Frontage**

19.2.3.1 There shall be a minimum frontage of nine metres (9 m) for internal lots and twelve-point-five metres (12.5 m) for corner lots.

19.2.4 **Yard Requirements**

19.2.4.1 "Front Yard" - No building, structure or part thereof is permitted within seven metres (7 m) of the street line.

19.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 19.2.4.1 above, any residential building, structure, or part thereof, excluding garages or carports, may be permitted to encroach one metre (1 m) onto the front yard.

- 19.2.4.2 "Side Yards" - There shall be a minimum side yard of one hundred and twenty centimetres (120 cm) on both sides of the lot.
- 19.2.4.2.1 Notwithstanding the provisions of Subsection .2.4.2 above, one side yard may be reduced to zero, provided the other side yard is minimum of two hundred and fifty centimetres (250 cm).
- 19.2.4.2.2 Notwithstanding anything to the contrary, in the case where one side yard is reduced to zero, more than one main building may be permitted on a lot subject to the other provisions of the zone.
- 19.2.4.2.3 In no case shall there be less than two hundred and forty centimetres (240 cm) distance between two main buildings on separate lots.
- 19.2.4.2.4 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimetres (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimetres (350 cm).
- 19.2.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.
- 19.2.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120 cm).
- 19.2.4.3 "Street Line Flankage" - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.
- 19.2.4.4 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).
- 19.2.5 **Height**
- The maximum height of any building or structure shall be nine-point-five (9.5 m).
- 19.2.6 **Coverage**
- The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.
- 19.2.7 **Parking Provisions**
- One (1) parking space shall be provided for each dwelling unit.
- 19.2.8 Deleted by By-law No. 99-132
- 19.2.8.1 Deleted by By-law No. 99-132
- 19.2.8.2 Deleted by By-law No. 99-132
- 19.2.8.3 Deleted by By-law No. 99-132



19.3 **The following regulations shall apply to all DUPLEX AND SEMI-DETACHED DWELLINGS:**

19.3.1 **Lot Area**

19.3.1.1 There shall be a minimum lot area of five hundred and forty square metres (540sq.m) for internal lots and six hundred and thirty square metres (630sq.m) for corner lots.

19.3.2 **Lot Frontage**

19.3.2.1 There shall be a minimum lot frontage of eighteen metres (18m) for internal lots and twenty-one metres (21m) for corner lots.

19.3.3 **Yard Requirements**

19.3.3.1 "Front Yard" - No building, structure or part thereof is permitted within six metres (6m) of the street line.

19.3.3.2 "Side Yards" - There shall be a minimum side yard of one hundred and twenty centimeters (120cm) plus sixty centimeters (60cm) for each additional storey on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building. Where a carport or garage is not included as part of the main building in a semi-detached dwelling both side yards shall be a minimum of three metres (3m) in width. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

19.3.3.3 "Rear Yard" - There shall be a rear yard on each lot with a maximum average depth of seven-point-five metres (7.5m).

19.3.4 Deleted by By-Law No. 93-32.

19.3.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

19.3.6 **Coverage**

"Main Building" - The maximum coverage of the lot by the main building shall be 35% of the lot area.

19.3.7 **Parking Provisions**

A minimum of one parking space shall be provided for each dwelling unit.

19.4 When each of the two dwelling units in a semi-detached building is owned by a different person or persons the following regulations shall apply to each such dwelling unit. Except as amended by the regulations in this paragraph, all other regulations set out in Section 3 shall apply:

19.4.1 There shall be a minimum lot area of two hundred and sixty square metres (260sq.m) for internal lots or three hundred and fifty square metres (350sq.m) for corner lots.

19.4.2 There shall be a minimum lot frontage of eight-point-five metres (8.5m) for internal lots and eleven-point-five metres (11.5m) for corner lots.

- 19.4.3 No building, structure or part thereof shall be permitted within six metres (6m) of the street line.
- 19.4.4 Attached garages and carports shall be included as part of the main building and where there is an attached garage or carport, the minimum side yard shall be one hundred and twenty centimeters (120cm) plus sixty centimeters (60cm) for each additional storey. Where a garage or carport is not included as part of the main building, the side yard shall have a minimum width of three metres (3m) to provide access to rear yard. No side yard is required on the common wall side of the dwelling unit in the original building. Any additions must have a side yard of one hundred and twenty centimeters (120cm) plus sixty centimeters (60cm) for each additional storey unless the addition is also built with a common wall in which case no side yard shall be required on the common wall side of the dwelling unit.
- 19.4.5 "Rear Yards" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).
- 19.4.6 No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.
- 19.4.7 **Parking Provisions**
- 19.4.7.1 A minimum of one parking space shall be provided for each dwelling unit.
- 19.5 **The following regulations shall apply to every TOWN HOUSE DWELLING UNIT:**
- 19.5.1 **Yard Requirement**
- 19.5.1.1 "Building Line Setback" - No building or part of a building shall be less than six metres (6m) from the street line except where any wall of a building facing the street does not contain windows to a habitable room there shall be a minimum building line setback of three metres (3m).
- 19.5.1.2 Yard adjacent to an abutting property boundary other than the building line setback" - no building or part of a building shall have a yard abutting a property boundary of less than seven-point-five metres (7.5 m) except where the building wall facing such property boundary does not contain windows to a habitable room, there shall be minimum of three metres (3 m).
- 19.5.1.3 Notwithstanding any other provisions of this by-law no side yard is required on the common wall side or sides of a dwelling unit or units of a town house dwelling.
- B/L No. 3676, S.5, O.M.B Approval Feb. 17/72
- 19.5.2 **Landscaped Open Space Requirement**
- 19.5.2.1 One hundred and eighty-five square metres (185sq.m) of landscaped open space shall be provided for each town house unit where property has direct access to a park or school.
- 19.5.2.2 Two hundred and twenty-five square metres (225sq.m) of landscaped open space shall be provided for each town house unit where the property does not have direct access to a park or school.

- 19.5.2.3 The landscaped open space requirement shall be reduced to twenty square metres (20sq.m) for every underground parking space or parking space enclosed within the residential building.
- 19.5.2.4 The landscaped open space requirement shall be reduced by twenty-five square metres (25sq.m) for every underground parking space or parking space enclosed within the residential building when 50% or more of the parking requirement is underground or enclosed within the residential building.
- 19.5.2.5 The landscaped open space requirement shall be reduced by thirty square metres (30sq.m) for every underground parking space or parking space enclosed within the residential building when 80% or more of the parking requirement is underground or enclosed within the residential building.

B/L No. 76-38, O.M.B. Approval Nov. 14/77

19.5.3 Deleted by By-Law No. 93-32.

19.5.4 **Parking Provision**

19.5.4.1 A minimum of one-point-six (1.6) parking spaces shall be provided for each dwelling unit.

19.5.5 Notwithstanding any other provision in this by-law, more than one main building or accessory building shall be permitted on any lot in this zone.

19.5.6 "Townhouse-Linear Dwellings"- shall be subject to the same zoning regulations that apply to "Townhouses-Linear" in the Medium Density-One "MD-1" Zone of this zoning by-law as amended.

19.6 **The following regulations shall apply to every APARTMENT DWELLING:**

19.6.1 **Height**

No building may be over ten-point-five metres (10.5m).

19.6.2 **Landscaped Open Space**

19.6.2.1 Eighty-five square metres (85sq.m) of landscaped open space shall be provided for each apartment unit where the property has direct access to a park.

19.6.2.2 Ninety square metres (90sq.m) of landscaped open space shall be provided for each apartment unit where the property does not have direct access to a park.

19.6.2.3 The landscaped open space requirement shall be reduced by twice the area of the balcony up to a maximum dedication of ten square metres (10sq.m) for every unit.

B/L No. 76-38 , O.M.B. Nov. 14/77

19.6.3 **Yard Requirements**

19.6.3.1 "Building Line Setback" - No building or part of a building shall be less than seven-point-five metres (7.5m) from the street line except where any wall of a building facing the street does not contain windows to a habitable room there shall be a minimum yard of four-point-five metres (4.5m).

19.6.3.2 "Yard adjacent to an abutting property boundary other than the building line setback" - no building or part of a building facing the street shall have a yard abutting a property boundary of less than nine metres (9m) except where any wall of a building does not contain windows to a habitable room there shall be a minimum yard of four-point-five metres (4.5m).

19.6.4 Deleted by By-Law No. 93-32.

19.6.5 **Parking Provision**

19.6.5.1 A minimum of one and one-half (1.5) parking spaces shall be provided for each dwelling unit.

19.6.5.2 Where the required parking from 19.6.5.1 above, is to be underground or enclosed within the building, a minimum of one parking space for every six units shall be provided on surface.

19.6.5.3 The landscaped open space requirement shall be reduced by twenty-four square metres (24sq.m) for every underground parking space or parking space enclosed within the residential building when 50% or more of the parking requirement is underground or enclosed within the residential building.

19.6.5.4 The landscaped open space requirement shall be reduced by twenty-eight square metres (28sq.m) for every underground parking space or parking space enclosed within the residential building when 80% or more of the parking requirement is underground or enclosed within the residential building.

19.6.5.5 There shall be no parking lot or parking of vehicles closer than six metres (6m) from any wall containing windows to a habitable room.

19.6.5.6 There shall be no sidewalk closer than four-point-five metres (4.5m) from any wall containing windows to a habitable room except for a sidewalk entrance or sidewalk entrances which are perpendicular to the building at the point of entrance.

B/L No. 3173, S.4, O.M.B. Oct. 31/69  
B/L No. 76-38, S.6,

19.6.5.7 Deleted B/L 05-151, s.47

19.6.5.8 Notwithstanding any other provision in this by-law, more than one main building or accessory building shall be permitted on any lot in this zone.

19.6.6 **Landscaped Open Space Reduction**

19.6.6.1 The landscaped open space requirement shall be reduced by twenty square metres (20sq.m) for every underground parking space or parking space enclosed within the residential building, or project.

19.6.6.2 The landscaped open space requirement shall be reduced by twenty-five square metres (25sq.m) for every underground parking space or parking space enclosed within the residential building, or project, when 50% or more of the parking requirement is underground or enclosed within the residential building, or project.

19.6.6.3 The landscaped open space requirement shall be reduced by thirty square metres (30sq.m) for every underground parking space or parking space enclosed within the residential building, or project when 80% or more of the parking requirement is underground or enclosed within the residential building, or project.

19.6.7 **Minimum Lot Area**

19.6.7.1 Apartment dwellings may be erected in this zone on lots containing one or more hectares. The number of apartment dwellings that may be erected shall not exceed 40% of the total number of all dwelling units present on the lands.

# Section 20

## "GR1"

### **GENERAL RESIDENCE ONE**

20

20.1 No person shall erect, alter, enlarge, or use any building or structure in whole or in part nor use any land in whole or in part within the "GR-1" Zone for any purpose other than one or more of the following uses:

20.1.1 The following residential uses: single detached dwelling, duplex dwelling, semi-detached dwelling, class A group home, Bed and Breakfast Establishment.

20.1.2 "Offices" and "Clinics" for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.

20.1.3 Deleted by By-Law No. 97-118.

20.1.4 Institutions, public schools, separate schools, private schools, nursery schools, Sunday schools, churches, church halls and libraries.

20.2 Deleted.

20.3 The following accessory uses are permitted: private garages - a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one ton and to be for the use of the owner or tenant of the premises.

20.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

20.4.1 **Lot Area**

20.4.1.1 There shall be a minimum lot area of three hundred and sixty square metres (360 sq.m) for interior lots and four hundred and ninety-five square metres (495sq.m) for corner lots.

20.4.2 **Lot Frontage**

20.4.2.1 There shall be a minimum lot frontage of twelve metres (12m) for internal lots and sixteen-point-five metres (16.5m) for corner lots.

B/L No. 79-33, O.M.B. Approval June 22/79

20.4.3 **Yard Requirements**

20.4.3.1 "Front Yard" - No building, structure, or part thereof shall be permitted within seven-point-five metres of the street line.

20.4.3.2 "Side Yard" - The minimum side yard shall be one-point- two metres (1.2 m) for one storey plus zero-point-six metres (0.6 m) for each additional storey or half storey. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot. Attached garages and carports shall be included as part of the main building.

20.4.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

20.4.4 Deleted by By-Law No. 93-32.

20.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

20.4.6 **Coverage**

"Main Building" - The maximum coverage of the lot by the main building shall be 35% of the lot area.

20.4.7 **Parking Provisions**

20.4.7.1 At least one parking space shall be provided for each dwelling unit.

20.4.7.2 In the case of "offices" and "clinics" in addition to the parking requirements of sub-paragraph 20.4.7.1 above, there shall be provided two additional parking spaces for each physician, dentist, osteopath, or chiropractor carrying on business therein.

20.4.8 **Minimum Municipal Services**

The use of buildings or structures are prohibited unless the following municipal services are available to service the buildings or structures:

20.4.8.1 Municipal sanitary sewers

20.4.8.2 Municipal water

20.5 **The following regulations shall apply to all DUPLEX AND SEMI-DETACHED DWELLINGS:**

20.5.1 **Lot Area**

There shall be a minimum lot area of five hundred and forty square metres (540sq.m).

20.5.2 **Lot Frontage**

20.5.2.1 There shall be a minimum lot frontage of fifteen metres (15m) for internal lots and eighteen metres (18m) for corner lots.

B/L No. 79-33, O.M.B. Approval June 22/79

20.5.3 **Yard Requirements**

20.5.3.1 "Front Yard" - No building, structure or part thereof shall be permitted within seven-point-five metres (7.5m) of the street line.

20.5.3.2 "Side Yard" - There shall be a minimum side yard of one hundred and eighty centimeters (180cm) on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building.

Where a carport or garage is not included as part of the main building in a duplex dwelling, one side yard shall have a minimum width of three metres (3.0m) to provide access to the rear yard. No part of any structure or building shall be erected within six metres (6.0m) of the street line flankage of the lot.

20.5.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

20.5.4 Deleted by By-Law No. 93-32.

20.5.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

20.5.6 **Coverage**

20.5.6.1 "Main Building" - The maximum coverage of the lot by the main building shall be 25% of the lot area.

20.5.7 **Parking Provisions**

20.5.7.1 At least one parking space shall be provided for each dwelling unit.

20.5.8 **Minimum Municipal Services**

The use of buildings or structures are prohibited unless the following municipal services are available to service the buildings or structures:

20.5.8.1 Municipal sanitary sewers

20.5.8.2 Municipal water

20.6 In the case of semi-detached dwellings, where each of the two dwelling units is held under separate and distinct ownership, the regulations contained in Section 18.6 of By-Law No. 1108 shall apply.



# Section 20.7

## "GR2"

### GENERAL RESIDENCE

20.7

Section 18.8 of the General Residence Zone shall apply to all non-residential buildings.

20.7.1

No person shall erect, alter, enlarge, or use any building or structure in whole or in part, nor use any land in whole or in part within the GR-2 Zone for any purpose other than one or more of the following uses:

20.7.1.1

Institutions, public schools, separate schools, private schools, nursery schools, hospitals, private hospitals under the meaning of The Private Hospitals Act, churches, church halls and Sunday schools.

20.7.1.2

"Offices" and "Clinics" for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.

20.7.1.3

Recreational - parks, playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges, miniature courses and similar uses operated for commercial purposes.

20.7.1.4

The following residential uses: single detached dwelling, duplexes, triplexes, semi-detached dwellings, lodging houses class one, converted dwelling houses, class A group homes, class B group homes, Bed and Breakfast Establishment.

20.8

The following accessory use is permitted for each residential dwelling unit:

Private garage - a private garage for a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one tonne and to be for the use of the owner or tenant of the premises.

20.9

Section 18.4 of the General Residence Zone shall apply to every SINGLE DETACHED DWELLING.

20.9.1

#### **Minimum Municipal Services**

The use of land or the erection or use of buildings or structures are prohibited unless the following municipal services are available to service the land, buildings or structures.

20.9.1.1

Municipal sanitary sewers;

20.9.1.2

Municipal water.

20.10

Section 18.5 of the General Residence Zone shall apply to all DUPLEX AND SEMI-DETACHED DWELLINGS.

20.10.1

#### **Minimum Municipal Services**

The use of land or the erection or use of buildings or structures are prohibited unless the following municipal services are available to service the land, buildings, or structures:

- 20.10.1.1 Municipal sanitary sewers.
- 20.10.1.2 Municipal water.
- 20.10.2 In the case of semi-detached dwellings, where each of the two dwelling units is held under separate and distinct ownership, the regulations contained in Section 18.6 of By-Law No. 1108 shall apply.
- 20.10A Section 18.6A of the General Residence Zone shall apply to all TRIPLEX DWELLINGS.
- 20.11 **The following regulations shall apply to CONVERTED DWELLING HOUSES:**
- 20.11.1 There shall be a maximum of three dwelling units.
- 20.11.2 Deleted by By-Law No. 93-32.
- 20.11.3 That there shall be no more than one dwelling unit for each one hundred and thirty-five square metres (135sq.m) of lot.
- 20.11.4 One (1) parking space shall be provided for each dwelling unit.
- 20.11.5 Converted dwelling houses may be enlarged subject to compliance with the following requirements:
- 20.11.5.1 "Front Yard" - No building, structure, or part thereof shall be permitted within seven-point-five metres (7.5m) of the street line.
- 20.11.5.2 "Side Yard" - There shall be a minimum side yard of one-point-seven-five metres (1.75m) on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building. Where a carport or garage is not included as part of the main building, one side yard shall have a minimum width of three metres (3m) to provide access to the rear yard.
- 20.11.5.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).
- 20.11.5.4 "Lot Frontage" - There shall be a minimum lot frontage of twelve metres (12m) except for corner lots which shall have a minimum lot frontage of eighteen-point-five metres (18.5m).
- 20.11.5.5 **Coverage**
- The maximum coverage of the lot by the main building shall be 25% of the lot area.
- 20.11.6 **The following regulations shall apply to every LODGING HOUSE CLASS ONE:**
- The provisions of Section 18.9 of By-Law No. 1108.
- 20.11.7 Section 18.8 of the General Residence Zone shall apply to all non-residential buildings.

# *Section 20.12*

## "GR3"

### **GENERAL RESIDENCE THREE**

- 20.12
- 20.12 No person shall erect, alter, enlarge, or use any building or structure in whole or in part, nor use any land in whole or in part within the "GR-3" Zone for any purpose other than one or more of the following uses:
- 20.12.1 Institutions, public schools, separate schools, private schools, nursery schools, hospitals, private hospitals under the meaning of The Private Hospitals Act, churches, church halls and Sunday schools.
- 20.12.1.1 "Offices" and "Clinics" for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.
- 20.12.1.2 Recreational - parks, playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges, miniature courses and similar uses operated for commercial purposes.
- 20.12.1.3 The following residential uses: single detached dwellings, duplexes, semi-detached dwellings, triplexes, apartment dwellings, townhouses, lodging houses class one and converted dwelling houses, class A group homes and class B group homes, Bed and Breakfast Establishment.
- 20.13 The following accessory use is permitted for each residential dwelling unit:
- 20.14 "Private Garage" - a private garage for a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one tonne and to be for the use of the owner or tenant of the premises.
- 20.15 Section 18.4 of the General Residence Zone shall apply to all SINGLE DETACHED HOME in the "GR-3" Zone.
- 20.15.1 Section 18.5 of the General Residence Zone shall apply to all DUPLEX AND SEMI-DETACHED HOME in the "GR-3" Zone.
- 20.15.2 Section 18.6 of the General Residence Zone shall apply to all SEMI-DETACHED DWELLINGS in the "GR-3" Zone.
- 20.15.3 Section 20.7 subsection 20.11 of the "GR-2" Zone shall apply to all CONVERTED DWELLING HOUSES in the "GR-3" Zone.
- 20.15.4 Section 18.6A of the General Residence Zone shall apply to all TRIPLEX DWELLINGS.
- 20.16 Section 18.9 of the General Residence Zone shall apply to LODGING HOUSES CLASS ONE:

20.17 The following regulations shall apply to every APARTMENT DWELLINGS:

20.17.1 **Lot Area Per Dwelling Unit**

There shall be a minimum lot area per dwelling unit of one hundred and thirty-five square metres (135sq.m).

20.17.2 **Minimum Lot Frontage**

There shall be a minimum lot frontage as follows:

- 18.5 metres for 4 dwelling units;
- 20.0 metres for 5 dwelling units;
- 21.5 metres for 6 dwelling units;
- 23.0 metres for 7 dwelling units;
- 24.5 metres for 8 or more dwelling units;

20.17.3 **Minimum Front Yard**

There shall be a minimum front yard of seven-point-five metres (7.5m).

20.17.4 **Minimum Rear Yard**

There shall be a minimum rear yard of ten-point-five metres (10.5m).

20.17.5 **Minimum Side Yard**

There shall be a minimum side yard of one-half the height of the building, but not less than three metres (3m), except on corner lots where the flankage shall be no less than six metres (6m).

20.17.6 **Maximum Lot Coverage**

The maximum lot coverage shall be 30% of the lot area for the main building.

20.17.7 **Maximum Height**

The maximum height permitted shall be four stories.

20.17.8 Deleted by By-Law No. 93-32.

20.17.9 **Minimum Landscaped Open Space**

There shall be a minimum landscaped open space area of thirty square metres (30sq.m) per dwelling unit or 35% of the lot whichever is greater.

20.18 Subject to paragraph 20.19 of the "GR-3" Zone, the following regulations shall apply to every townhouse and maisonette:

20.18.1 **Building On A Lot**

More than one building on a lot shall be permitted.

20.18.2 **Minimum Lot Area Per Dwelling**

There shall be a minimum lot area of two hundred square metres (200sq.m) per dwelling unit.

20.18.3 **Minimum Lot Area Per Dwelling Unit With Underground Parking**

With at least 50% of the required parking spaces provided underground or within a building, the minimum lot area per dwelling unit may be reduced to one hundred and fifty square metres (150sq.m) per dwelling unit.

20.18.4 **Minimum Lot Frontage**

There shall be a minimum lot frontage of thirty metres (30m).

20.18.5 **Minimum Front Yard**

There shall be a minimum front yard of seven-point-five metres (7.5m).

20.18.6 **Minimum Rear Yard**

There shall be a minimum rear yard of seven-point-five metres (7.5m).

20.18.7 **Minimum Side Yard**

There shall be a minimum side yard of one-half of the height of the building, but not less than three metres (3m), except on corner lots where the flankage shall be no less than six metres (6m).

20.18.8 **Minimum Distance Between Buildings**

20.18.8.1 Between two exterior walls which contain no windows to habitable rooms - three metres (3m).

20.18.8.2 Between two exterior walls, one of which contains windows to habitable rooms - six metres (6m).

20.18.8.3 Between two exterior walls, both of which contain windows to habitable rooms - nine metres (9m).

20.18.9 **Maximum Height**

The maximum height of buildings shall be ten-point-five metres (10.5m).

20.18.10 Deleted by By-Law No. 93-32.

20.18.11 **Minimum Landscaped Open Space**

There shall be a minimum area of landscaped open space of forty-five square metres (45sq.m) per dwelling unit.

20.19 Section 21.2 of the "MD-1" Zone shall apply to every LINEAR TOWNHOUSE:

20.20        **Parking Provisions**

20.20.1       For multiple dwellings and townhouses a minimum of one-point-five (1.5) parking spaces for every dwelling unit shall be provided.

20.20.2       Where the required parking for 20.20.1 above, is to be provided underground, or enclosed within the building a minimum of one parking space for every six dwelling units shall be provided on surface.

20.21        Section 18.8 of the General Residence Zone shall apply to all non-residential buildings.

# *Section 20.22*

## **“GR4”**

### **GENERAL RESIDENCE FOUR**

20.22

20.22.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the “GR-4” Zone for any purpose other than one or more of the following uses:

20.22.1.1 All uses permitted in the “GR-2” Zone pursuant to Section 20.7.1.

20.22.1.2 Specialty shops

20.22.1.3 Business, professional offices

20.23 The regulations contained in Section 20.7 paragraphs 20.7.1 to 20.11.7 inclusive, shall apply to the above permitted uses with the following additions:

20.23.1 In the case of business, professional offices and specialty shops, the maximum commercial floor space permitted shall be 50% of the total floor area, exclusive of basement or cellar of the building.

20.23.2 **Parking**

One (1) parking space is required for each eighteen-point-five square metres (18.5sq.m) of commercial floor space within the building.

# Section 20.24

## "GR5"

### GENERAL RESIDENCE FIVE

20.24.

20.24.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "GR-5" Zone for any purpose other than one or more of the following uses:

20.24.1.1 "Beauty Salons" and "Barber Shops" provided only one operator is employed and not more than 25% of the ground floor area or basement floor area of the building is used for this purpose.

20.24.1.2 Institutions, public schools, separate schools, private schools, nursery schools, hospitals, private hospitals, under the meaning of The Private Hospitals Act, churches, church halls and Sunday Schools.

20.24.1.3 "Offices" and "Clinics" for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.

20.24.1.4 "Recreational" parks, playgrounds operated by the City of Waterloo, golf courses, but not including driving tees or ranges, miniature courses and similar uses operated for commercial purposes.

20.24.1.5 The following residential uses: Single detached dwellings, duplexes, triplexes, semi-detached dwellings, apartment dwellings, lodging houses class one, class A group homes, class B group homes, Bed and Breakfast Establishment. Townhouse dwellings are not permitted in this zone.

20.24.2 The following accessory uses are permitted: Private garages - a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one ton and to be for the use of the owner or tenant of the premises. In case of multiple dwellings one garage unit may be provided for each dwelling unit.

20.24.3 All permitted uses in the General Residence Five "GR-5" Zone, other than apartment dwellings shall be subject to the regulations in the General Residence "GR" Zone.

20.24.4 **The following regulations shall apply to all APARTMENT DWELLINGS:**

20.24.4.1 Apartment dwellings must have available municipal sewers and water before a building permit will be issued.

20.24.4.2 **Lot Area for Apartment Dwellings**

20.24.4.2.1 There shall be a minimum of fifty-five (55) square metres of landscaped area or improved public area, or a combination thereof, for each dwelling unit.

20.24.4.2.2 For the purposes of this by-law, "improved public area" shall mean - balconies or indoor recreation area.



20.24.4.2.3 For the purposes of calculated "landscaped open space" the following area shall be excluded - areas covered by building or buildings, parking areas, driveways leading to parking areas.

20.24.4.2.4 For the purpose of calculating "landscaped open space" and "improved public area", balconies and indoor recreation area shall constitute not more than 20% of the total by-law requirements for landscaped open spaces and/or improved public areas.

20.24.4.2.5 Indoor recreation areas shall mean those areas used for recreational purposes excluding lobbies, washrooms, laundries and reception areas.

#### 20.24.4.3 **Yard Requirements**

20.24.4.3.1 "Front Yard" - No building, structure, or part thereof is permitted within ten and one-half (10.5) metres of the street line.

20.24.4.3.2 "Side Yards" - There shall be a side yard on both sides of the building equal to half the height of the building, but in no case less than three (3) metres except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within six (6) metres of the street line flankage of the lot.

20.24.4.3.3 "Rear Yards" - There shall be a rear yard on each lot equal to one-half the height of the building but in no case less than a minimum average depth of ten and one-half (10.5) metres.

#### 20.24.4.4 **Parking Provisions**

20.24.4.4.1 A minimum of one and one-quarter (1.25) parking spaces shall be provided for each dwelling unit.

20.24.4.4.2 Where the required parking for .4.4.1 above is to be underground or enclosed within the building, the minimum of one parking space for every six dwelling units shall be provided on surface, and outside of the building.

#### 20.24.4.5 **Height**

20.24.4.5.1 The maximum height of any building or structure shall be four (4) storeys.

20.24.4.6 Notwithstanding any other provisions in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.

# *Section 20.25*

## “GR2A”

### **GENERAL RESIDENCE TWO A**

20.25

20.25.1

No person shall erect, alter, enlarge, or use any building or structure in whole or in part, nor use any land in whole or in part within the GR2A Zone for any purpose other than one or more of the following uses:

20.25.1.1

Institutions, public schools, separate schools, private schools, nursery schools, hospitals, private hospitals under the meaning of The Private Hospitals Act, churches, church falls and Sunday schools.

20.25.1.2

“Offices” and “Clinics” for a health practitioner provided that such office or clinic is situated within a dwelling used by such a person as a private residence and provided that not more than three persons practice in such office or clinic and use a floor area not to exceed 50% of the ground floor area.

20.25.1.3

Recreational - parks, playgrounds operated by the City of Waterloo, golf courses but not including driving tees or ranges or miniature golf courses or similar uses operated for commercial purposes.

20.25.1.4

The following residential uses: single family detached dwelling, duplex dwellings, semi-detached dwellings, converted dwelling houses, Class A group homes, Class B group homes, Bed and Breakfast Establishment.

20.25.2

The following accessory use is permitted for each residential dwelling unit:

Private garage - a private garage for a maximum of three cars or two passenger vehicles and one light commercial vehicle the latter to have a maximum capacity of one tonne and to be for the use of the owner or tenant of the premises.

20.25.3

#### **Minimum Municipal Services**

The use of land or the erection or use of buildings or structures are prohibited unless municipal sanitary sewers and municipal water are available to service the land, buildings or structures.

20.25.4

Section 18.4 of the General Residence Zone shall apply to every SINGLE FAMILY DWELLING.

20.25.5

Section 18.5 of the General Residence Zone shall apply to all DUPLEX AND SEMI-DETACHED DWELLINGS.

20.25.6

In the case of semi-detached dwellings, where each of the two dwelling units is held under separate and distinct ownership, the regulations contained in Section 18.6 of By-Law No. 1108 shall apply.

20.25.7 **Converted Dwelling Houses**

20.25.7.1 For the purpose of this Section, “converted dwelling house” means an existing building designed for residential occupancy that is designed for residential occupancy that is converted within the building as it existed on January 1, 1993 for up to three (3) dwelling units in accordance with the following:

20.25.7.1.1 There shall be a maximum of three dwelling units.

20.25.7.1.2 That there shall be no more than one dwelling unit for each one hundred and thirty-five square meters (135 sq. m) of lot area.

20.25.7.1.3 One (1) parking space shall be provided for each dwelling unit.

20.25.8 Section 18.8 of the General Residence Zone shall apply to all NON-RESIDENTIAL DWELLINGS.

# Section 21

## "MD1"

### MEDIUM DENSITY ONE

21

21.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the MD-1 Zone for any purpose other than the following uses:

21.1.1 Townhouses - linear

21.1.2 A private garage or carport provided that such garage or carport is attached and forms part of the main building.

21.1.3 Deleted. B/L No. 76-92, S.1, O.M.B. Approval Sept. 14/76

21.1.4 An accessory building provided that such accessory building does not exceed a lot coverage of 5% nor a height of three-point-five metres (3.5m).

21.1.5 Notwithstanding anything to the contrary in this by-law, the regulations contained in the Multiple Residence – "MR" zone shall be deemed to be the "most restrictive regulations" for the purposes of section 8.21 of By-Law 1108 in relation to all apartment dwellings on properties with more than one zoning category and therefore the regulations contained in the Multiple Residence – "MR" zone shall apply to all apartment dwellings on properties with more than one zoning category.

21.2 **The following regulations shall apply to every TOWNHOUSE-LINEAR:**

21.2.1 **Lot Area**

21.2.1.1 There shall be a minimum lot area of one hundred and eighty-five square metres (185sq.m) except corner lots which shall have a minimum lot area of four hundred square metres (400sq.m).

B/L No. 78-124, O.M.B. Approval Aug. 9/78

21.2.2 **Lot Frontage**

21.2.2.1 There shall be a minimum lot frontage of five-point-five metres (5.5m) for internal lots and eleven-point-five metres (11.5m) for corner lots.

B/L No. 78-124, O.M.B. Approval Aug. 9/78

B/L No. 79-33, O.M.B. Approval June 22/79

21.2.3 **Yard Requirements**

21.2.3.1 "Front Yard" - No building, structure or part thereof is permitted within six metres (6m) of the street line.

21.2.3.2 "Side Yard" - No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot. Side yards other than the street line flankage shall be a minimum of one hundred and eighty centimeters (180cm).

21.2.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum depth of seven-point-five metres (7.5m).

B/L No. 78-124, O.M.B. Approval Aug. 9/78

21.2.4 Deleted by By-Law No. 93-32.

21.2.5 **Building Height**

21.2.5.1 The maximum height of any building or structure shall be ten-point-five metres (10.5m).

21.2.6 **Coverage**

21.2.6.1 The maximum coverage of the lot by the dwelling unit shall be forty per cent (40%).

21.2.7 **Parking Provisions**

21.2.7.1 For each dwelling unit there must be provided one parking space, not less than three metres (3m) by six metres (6m) in size, and that parking space must be provided to the rear of the front building line.

B/L No. 74-165, S.2, O.M.B. Dec. 12/74

# Section 21A

## "MD2"

### MEDIUM DENSITY TWO

21A

21A.1 No person shall erect, alter, enlarge, or use any building or structure in whole or in part, nor use any land in whole or in part within the "MD-2" Zone for any purpose other than one or more of the following uses:

21A.1.1 Residential Uses – single detached dwelling, semi-detached dwelling, duplex, triplex, converted dwelling house, lodging house class one, townhouse-linear, townhouse, terrace dwelling, Bed and Breakfast Establishment.

21A.1.2 The following accessory use is permitted for each residential unit: private garages - a maximum of three cars or two cars and one light commercial vehicle not to exceed one tonne maximum capacity.

21A.1.3 Notwithstanding anything to the contrary in this by-law, the regulations contained in the Multiple Residence – “MR” zone shall be deemed to be the "most restrictive regulations" for the purposes of section 8.21 of By-Law 1108 in relation to all apartment dwellings on properties with more than one zoning category and therefore the regulations contained in the Multiple Residence – “MR” zone shall apply to all apartment dwellings on properties with more than one zoning category.

21A.2 Section 18.4 of the General Residence Zone shall apply to every SINGLE DETACHED DWELLING in the "MD-2" Zone.

21A.3 Section 18.5 of the General Residence Zone shall apply to all DUPLEX, SEMI-DETACHED AND TRIPLEX DWELLINGS in the "MD-2" Zone.

21A.4 Section 18.6 of the General Residence Zone shall apply to all semi-detached dwellings where each of the two dwelling units is held under separate and distinct ownership, in the "MD-2" Zone.

21A.5 Subsections 20.11.1 to 20.11.5.5 of the General Residence Two Zone shall apply to all converted dwelling houses in the "MD-2" Zone.

21A.6 Section 18.9 of the General Residence Zone shall apply to all LODGING HOUSES CLASS ONE in the "MD-2" Zone.

21A.7 Section 21 of the Medium Density-One Zone shall apply to all TOWNHOUSE LINEAR.

21A.8 **The following regulations shall apply to every TOWNHOUSE and TERRACE DWELLING:**

21A.8.1 **Yard Requirement**

21A.8.1.1 "Building Line and Flankage Setback" - No building or part of a building shall be less than six metres (6m) from the street line. On corner lots no building or part of a building shall be less than six metres (6m) from the street line flankage of the lot.

- 21A.8.1.2 "Yard Adjacent to an Abutting Property Boundary Other Than the Building Line or Flankage Setback" - no building or part of a building shall have a yard abutting such property boundary of less than seven-point-five metres (7.5m). Where any wall does not contain windows to a habitable room, and faces such property boundary which abuts a non-residential zone, there shall be a minimum yard of three metres (3m).
- 21A.8.1.3 Notwithstanding any other provisions of this by-law no side yard is required on the common wall side or sides of a dwelling unit or units of a townhouse or terrace dwelling.
- 21A.8.2 **Landscaped Open Space Requirement**
- 21A.8.2.1 One hundred and twenty-five square metres (125sq.m) of landscaped open space shall be provided for each townhouse or terrace unit where property has direct access to a park or school.
- 21A.8.2.2 One hundred and seventy-five square metres (175sq.m) of landscaped open space shall be provided for each townhouse or terrace unit where the property does not have direct access to a park or school.
- 21A.8.2.3 The landscaped open space requirement shall be reduced by twenty square metres (20sq.m) for every underground parking space or parking space enclosed within the residential building.
- 21A.8.2.4 The landscaped open space requirement shall be reduced by twenty-five square metres (25sq.m) for every underground parking space or parking space enclosed within the residential building when 50% or more of the parking requirement is underground or enclosed within the residential building.
- 21A.8.2.5 The landscaped open space requirement shall be reduced by thirty square metres (30sq.m) for every underground parking space or parking space enclosed within the residential building when 80% or more of the parking requirement is underground or enclosed within the residential building.
- 21A.8.3 **Minimum Landscaped Open Space Lot Area Requirement**
- 21A.8.3.1 In no case shall the landscaped open space area required in subsection 8.2 equal less than 50% of the total lot area.
- 21A.8.4 Deleted by By-Law No. 93-32.
- 21A.8.5 **Height**
- 21A.8.5.1 For townhouse dwellings, no building may be over ten-point-five metres (10.5m) in height.
- 21A.8.5.2 For terrace dwellings, the maximum height of any building at the minimum setback from any lot line that abuts a residential zone except the General Residence "GR" and Multiple Residence "MR" Zones shall be ten-point-five metres (10.5m). Any building face in excess of ten-point-five metres (10.5m) in height shall be subject to an additional setback provided at the ratio of two metres (2m) additional setback for each one metre (1m) increase in height. In no case shall any building exceed thirteen-point-five metres (13.5m) in height.

21A.8.5.3 For terrace dwellings, the maximum height of any building at the minimum setback from any lot line that abuts a non-residential zone including the General Residence "GR" and Multiple Residence "MR" Zones shall be thirteen-point-five metres (13.5m).

21A.8.5.4 Notwithstanding Section 2.7, which measures building height at the front of the building, for terrace dwellings building height will be measured at the face of the building closest to the minimum setback from any lot line.

21A.8.6 **Parking Provision**

21A.8.6.1 A minimum of one and four-tenths (1.4) parking spaces shall be provided for each dwelling unit.

21A.8.6.2 Notwithstanding Section 21A.8.6.1 above, where the letter "P" followed by a number is shown on the Zoning Map as a suffix to the identification of the zoning of a site, parking shall be provided for each dwelling unit at the rate prescribed by such number.

21A.8.7 **Building On A Lot**

Notwithstanding any other provision in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.



# Section 21B

## "MD3"

### MEDIUM DENSITY THREE

21B

21B.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "MD-3" zone for any purpose other than one or more of the following uses:

21B.1.1

#### Residential Uses

Townhouse-linear, townhouse, terrace dwelling, apartment.

21B.1.2

The following accessory uses are permitted:

21B.1.2.1

For each residential dwelling unit private garages - a maximum of three (3) cars or two (2) cars and one (1) light commercial vehicle not to exceed one (1) tonne maximum capacity.

21B.1.2.2

Buildings or structures for freestanding parking, laundry or recreational uses.

21B.2

The regulations contained in the Medium Density - One zone shall apply to all townhouse-linear dwellings. Except as otherwise designated the following regulations shall apply to townhouse, terrace dwellings or apartment uses.

21B.2.1

Notwithstanding anything to the contrary in this by-law, the regulations contained in the Multiple Residence – “MR” zone shall be deemed to be the "most restrictive regulations" for the purposes of section 8.21 of By-Law 1108 in relation to all apartment dwellings on properties with more than one zoning category and therefore the regulations contained in the Multiple Residence – “MR” zone shall apply to all apartment dwellings on properties with more than one zoning category.

21B.3

#### Yard Requirements:

21B.3.1

"Building Line and Flankage Setback" - No building or part of a building shall be less than six metres (6m) from the street line. On corner lots no building or part of a building shall be less than six metres (6m) from the street line flankage of the lot.

21B.3.2

"Yard Adjacent to an Abutting Property Boundary Other Than the Building Line or Flankage Setback" no building or part of a building shall have a yard abutting such property boundary of less than seven-point-five metres (7.5m). Where any wall does not contain windows to a habitable room, and faces such property boundary there shall be a minimum yard of three metres (3m).

21B.3.3

Notwithstanding any other provisions of this by-law no sideyard is required on the common wall side or sides of any dwelling unit.

21B.4

#### Landscaped Open Space Requirement:

21B.4.1

In no case shall the landscaped open space area be less than fifty percent (50%) of the total lot area.

21B.5            **Common Recreational Area**

21B.5.1        A common recreational area which is included in the Landscaped Open Space Requirement shall be provided which is not less than ten percent (10%) of the total lot area.

21B.6            Deleted by By-Law No. 93-32.

21B.7.           **Height**

21B.7.1        For townhouse dwellings, no building may be over ten-point-five metres (10.5m) in height.

21B.7.2        For terrace dwelling uses or apartment uses, the maximum height of any building at the minimum setback from any lot line that abuts a residential zone except the General Residence "GR" and Multiple Residence "MR" zone shall be ten-point-five metres (10.5m). Any building face in excess of ten-point-five metres (10.5m) in height shall be subject to an additional setback provided at the ratio of two metres (2m) additional setback for each one (1) metre increase in height.

21B.7.3        For terrace dwelling uses or apartment uses, the maximum height of any building at the minimum setback from any lot line that abuts a non-residential zone including the General Residence "GR" and Multiple Residence "MR" zones shall be thirteen-point-five metres (13.5m).

21B.7.4        Notwithstanding the definition of building height which measures building height at the front of the building, for terrace dwellings or apartment dwellings, building height will be measured at the face of the building closest to the minimum setback from any lot line.

21B.7.5        In no case shall any building exceed thirteen-point-five metres (13.5m) in height.

21B.8            **Parking Provisions**

21B.8.1        A minimum of one and six-tenths (1.6) parking space shall be provided for each dwelling unit.

21B.8.2        Every four (4) stacked parking spaces within a garage or carport associated with a townhouse unit will equal one (1) parking space for purposes of satisfying the parking requirement.

21B.9            **Maximum Density**

21B.9.1        A maximum density of thirty-six (36) units per hectare shall be permitted.

21B.10         More than one (1) main building or accessory buildings shall be permitted on any lot or block in this zone, save and except a lot or block containing townhouse - linear dwellings.

# Section 22

## "SD"

### **SEMI-DETACHED**

22

22.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the zone for any purposes other than the following uses:

22.1.1 "Residential" - semi-detached dwelling, duplex, and single detached dwelling, class A group home, Bed and Breakfast Establishment.

22.1.2 "Institutions" - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

22.1.3 The following accessory uses are permitted:

Private garage with a maximum of three (3) cars or two (2) cars and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity.

22.2 **The following regulations shall apply to all SINGLE DETACHED DWELLINGS:**

22.2.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.

22.2.2 **Lot Area**

22.2.2.1 There shall be a minimum lot area of two hundred and forty-five square metres (245 sq.m) for internal lots and three hundred and forty square metres (340 sq.m) for corner lots.

22.2.3 **Lot Frontage**

22.2.3.1 There shall be a minimum frontage of nine metres (9 m) for internal lots and twelve-point-five metres (12.5 m) for corner lots.

22.2.4 **Yard Requirements**

22.2.4.1 "Front Yard" - There shall be a minimum front yard of seven metres (7 m) for all buildings, structures or parts thereof.

22.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 22.2.4.1 above, any residential building, structure or part thereof, excluding garages and carports, may be permitted to encroach one metre (1 m) onto the front yard.

22.2.4.2 "Side Yard" - There shall be a minimum side yard of one (1) hundred and twenty centimetres (120 cm) on both sides of the lot.

22.2.4.2.1 Notwithstanding the side yard requirement referred to in Subsection 22.2.4.2 above, one side yard may be reduced to zero, provided the other side yard is a minimum of two hundred and fifty centimetres (250 cm).

- 22.2.4.2.2 Notwithstanding anything to the contrary, in the case where one side yard is reduced to zero, more than one main building may be permitted on a lot subject to the other provisions of this zone.
- 22.2.4.2.3 In no case shall there be less than two hundred and forty centimetres (240 cm) distance between two main buildings on separate lots.
- 22.2.4.2.4 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimetres (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimetres (350 cm).
- 22.2.4.2.5 Except where a side yard is one hundred and twenty centimetres (120 cm) or greater, there shall be no opening on any adjacent wall.
- 22.2.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120 cm).
- 22.2.4.3 "Street Line Flankage" - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.
- 22.2.4.4 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).
- 22.2.5 **Height**
- The maximum height of any building or structure shall be nine-point-five metres (9.5m).
- 22.2.6 **Coverage**
- The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.
- 22.2.7 **Parking Provisions**
- One (1) parking space shall be provided for each dwelling unit.
- 22.2.8 Deleted by By-law No. 99-132
- 22.2.8.1 Deleted by By-law No. 99-132
- 22.2.8.2 Deleted by By-law No. 99-132
- 22.2.8.3 Deleted by By-law No. 99-132
- 22.3 **The following regulations shall apply to every DUPLEX AND SEMI-DETACHED DWELLINGS:**
- 22.3.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.
- 22.3.2 **Lot Area**
- 22.3.2.1 There shall be a minimum lot area of three hundred and sixty square metres (360 sq. m) for internal lots and four hundred and fifty square metres (450 sq. m) for corner lots.

22.3.3 **Lot Frontage**

22.3.3.1 There shall be a minimum frontage of twelve metres ( 12 m) for internal lots and fifteen metres (15 m) for corner lots.

22.3.4 **Yard Requirements**

22.3.4.1 "Front Yard" - There shall be a minimum front yard of seven metres (7 m) for all buildings, structures, or parts thereof.

22.3.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 22.3.4.1 above, any residential building, structure or part thereof, excluding garages or carports, may be permitted to encroach one metre (1 m) onto the front yard.

22.3.4.2 **Side Yards**

22.3.4.2.1 **For DUPLEX DWELLINGS:**

22.3.4.2.1. There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot.

22.3.4.2.1.2 Notwithstanding the provisions of Subsection 22.3.4.2.1.1 above, one side yard may be reduced to zero, provided the other side yard is minimum of two hundred and fifty centimeters (250 cm).

22.3.4.2.1.3 Notwithstanding anything to the contrary, in the case where one side yard is reduced to zero, more than one main building may be permitted on a lot subject to the other provisions of this zone.

22.3.4.2.2 **For SEMI-DETACHED DWELLINGS:**

22.3.4.2.2.1 There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) for the side yard which is not the common wall side lot line.

22.3.4.2.3 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

22.3.4.2.4 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimeters (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimeters (350 cm).

22.3.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.

22.3.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).

22.3.4.3 "Street Line Flankage" - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.

22.3.4.4 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

22.3.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

22.3.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

22.3.7 **Parking Provisions**

One (1) parking space shall be provided for each dwelling unit.

22.3.8 Deleted by By-law No. 99-132

22.3.8.1 Deleted by By-law No. 99-132

22.3.8.2 Deleted by By-law No. 99-132

22.3.8.3 Deleted by By-law No. 99-132

22.4 In the case of semi-detached dwellings, where each of the two dwelling units is held under separate and distinct ownership, the following regulations shall apply to each such dwelling unit.

22.4.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.

22.4.2 **Lot Area**

There shall be a minimum lot area of two hundred and forty-five square metres (245 sq. m) for internal lots and three hundred and forty square metres (340 sq. m) for corner lots.

22.4.3 **Lot Frontage**

There shall be a minimum of seven-point-five metres (7.5 m) for internal lots and ten metres (10 m) for corner lots.

22.4.4 **Yard Requirements**

22.4.4.1 "Front Yard" - There shall be a minimum front yard of seven metres (7 m) for all buildings, structures or parts thereof.

22.4.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 22.4.4.1 above any residential building, structure or part thereof, excluding garages and carports, may be permitted to encroach one metre (1 m) onto the front yard.

22.4.4.2 **Side Yards**

22.4.4.2.1 The following regulations shall apply to the side yard which is not the common wall side lot line:

22.4.4.2.1.1 There shall be a minimum side yard of one hundred and twenty centimeters (120 cm).

- 22.4.4.2.1.2 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.
- 22.4.4.2.1.3 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimeters (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimeters (350 cm).
- 22.4.4.2.1.4 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.
- 22.4.4.2.1.5 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).
- 22.4.4.3 "Street Line Flankage" - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.
- 22.4.4.4 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).
- 22.4.5 **Height**
- The maximum height of any building or structure shall be nine-point-five metres (9.5 m).
- 22.4.6 **Coverage**
- The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.
- 22.4.7 **Parking Provisions**
- One (1) parking space shall be provided for each dwelling unit.
- 22.4.8 Deleted by By-law No. 99-132
- 22.4.8.1 Deleted by By-law No. 99-132
- 22.4.8.2 Deleted by By-law No. 99-132
- 22.4.8.3 Deleted by By-law No. 99-132
- 22.5 Section 18.8 of the General Residence "GR" Zone shall apply to all NON-RESIDENTIAL BUILDINGS.

# Section 23

**N.B.** USES DELETED FROM INDUSTRIAL ZONE - PHILLIP STREET, COLUMBIA STREET AND ALBERT STREET AREA.  
By-Law No. 3503.

"I"

23

## **INDUSTRIAL**

23.1

No person shall erect, alter, enlarge or use any building or structure in whole or in part or use any land in whole or in part, within the Industrial Zone for any purpose other than one or more of the following uses:

- manufacturing, processing or assembly
- automobile service stations
- animal hospital or veterinarian (but not to include animal runs)
- brewing on premise establishment
- offices
- commercial recreation (outdoor)
- commercial recreation
- commercial recreation (freestanding)
- communications facilities
- custom service shops
- dry cleaning and laundry plants
- dog obedience school (but not to include animal runs)
- industrial or construction equipment suppliers (rental or sales)
- laboratories
- lumber and building materials
- office supplies or office service establishment
- parking facility
- printing and/or publishing
- service and repair operations
- transportation service
- union or workers halls
- vehicle and equipment (auto, trucks, marine and all-terrain) sales, rental, service and repair
- warehousing and storage (no retail)
- wholesale outlet (no retail)

23.2

More specifically, and notwithstanding the generality of paragraph 23.1 above, no person shall use any lands or erect, alter, enlarge or use any buildings or structures in whole or in part within the Industrial "I" Zone for any of the following uses:

- abattoir
- ammonia, bleaching powder or chlorine manufacturing
- asphalt, manufacturing or refining
- blood boiling, bone boiling, tripe boiling, tallow melting or soap boiling
- Cement, gypsum, lime or plaster of Paris manufacturing, gravel crushing or a ready-mix concrete plant
- Coal Yards
- Distillation of bones, coal or wood
- Dehydrating plants



- Extraction of oil from fish
- Fats refining or rendering
- Fertilizer manufacturing
- Gelatin, glue or size manufacturing
- Incineration or reduction of dead animals, garbage or offal
- Linoleum or oil cloth manufacturing
- Metal or ore reduction or smelting
- Oil, shellac or turpentine manufacturing or refining
- Petroleum or coal oil refining
- Salvage, scrap, junk or wrecking yards, dump or car pounds
- Stockyards or the slaughter of animals, fish or fowl
- Storage, transportation or manufacturing of explosives or fire works
- Storage of tanning of hides or skins
- Tar distillation, roofing or waterproofing manufacturing
- Textile dyeing plants

By-law No. 79-25, O.M.B. Approval, July 26, 1979.

### 23.3 **Ancillary Uses**

23.3.1 Notwithstanding anything to the contrary, up to twenty- five percent (25%) of the building floor area occupied by any one of the uses permitted in paragraph 23.1 above (except for wholesaling and warehousing) may be permitted to be used for display and retail purpose.

23.3.2 Deleted B/L 05-151 s. 53

23.4 Notwithstanding any other provision in this by-law, more than one main building and an accessory building or accessory buildings shall be permitted on any lot in this zone.

By-Law No. 2117, S.1, O.M.B. Approval, June 12/61.

### 23.4.1 **Commercial Recreation (outdoor)**

23.4.1.1 The "building floor area" for a "commercial recreation (outdoor)" use shall be deemed to be the area used for recreational purposes, which shall include related facilities such as rental or retail outlets, and lounge or seating areas, but shall not include parking areas, driveways, loading areas, sidewalks, or landscaped areas.

23.4.1.2 The building floor area of a "commercial recreation (outdoor)" use shall be located a minimum of one hundred and fifty metres (150m) from any residential zone.

23.5 The following regulations shall apply to all uses in "I" Zone except automobile service stations:

By-Law No. 1555, S.6, O.M.B. Approval, June 12/62.

### 23.5.1 **Lot Frontage**

Where municipal water and sanitary sewers exist there shall be a minimum lot frontage of thirty metres (30m).

- 23.5.2 Yard Requirements and Height Regulations
- 23.5.2.1 “Front Yard” – no building or structure, or part thereof, is permitted within five metres (5.0 m.) of the street line
- 23.5.2.2 “Side Yards” – There shall be a minimum side yard of three metres (3 m.) on both sides of the lot.
- 23.5.2.3 “Rear Yards” – there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m.)
- 23.5.2.4 “**Low Rise Residential Area Yard Setback**” – There shall be a minimum **Low Rise Residential Area Yard Setback** of ½ the height of the building and in no case less than 7.5 m. to any **Lot Line Abutting a Low Rise Residential Area**.
- 23.5.2.4.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting** a **Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 23.5.2.4.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 23.5.2.4.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 23.5.2.4.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 23.5.2.5 **Building Height** – The following height regulations shall apply:
- 23.5.2.5.1 The maximum height in metres of any **Building** within the Industrial ‘I’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be eighteen metres (18.0 m) and shall not exceed six (6) **Storeys**.
- 23.5.2.5.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 23.5.2.5.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.

### 23.5.3 **Parking Provisions**

23.5.3.1 The minimum parking requirement for single occupancy buildings and buildings which are not industrial malls, shall be as follows:

23.5.3.1.1	<b><u>Building Floor Area (b.f.a.)</u></b>	<b><u>Parking Requirement</u></b>
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23.5.3.1.1.1	For the first 1,000 square metres of b.f.a.	2.5 spaces for every 100 square metres of b.f.a.
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23.5.3.1.1.2	For additional b.f.a. above 1,000 square metres but not more than 5,000 square metres	1.0 spaces for every 100 square metres of b.f.a.
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23.5.3.1.1.3	For an additional b.f.a greater than 5,000 square metres	75 spaces for every 100 square metres of b.f.a.
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23.5.3.1.2 For industrial malls, for each use there shall be a minimum of two and one-half (2.5) parking spaces for every one hundred square metres (100sq.m) of building floor area.

23.5.3.2 Notwithstanding 23.5.3.1 above, minimum parking for specific uses shall be provided as follows:

23.5.3.2.1	vehicle and equipment sales, service and repairs	- 5 spaces per one hundred (100) square metres of floor area
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23.5.3.2.2	commercial recreation (freestanding), commercial recreation (outdoor)	- 4.5 spaces per one hundred (100) square metres of building floor area
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### 23.5.4 **Off-Street Loading**

Section 8.11 of the General Provisions of this by-law shall apply.

23.5.5 In an industrial mall, where there are three and one-half (3.5) off-street parking spaces or more for every one hundred square metres (100sq.m) of building floor area the following uses are permitted:

i) all of the uses permitted in paragraph 23.1 above except:

- a) foundry,
- b) lumber & building materials

ii) ambulance dispatch

iii) banks or trust companies

iv) catering services with ancillary restaurant

v) coffee shops

vi) display and retail sales of hardware, home improvement materials and accessories.

- vii) Where the Industrial Mall is greater than five thousand square metres (5,000sq.m) in building area, one restaurant shall be permitted, provided said restaurant is no greater than five hundred square metres (500sq.m) in building floor area. Where the construction of the Industrial Mall is to be phased, and the ultimate approved size is five thousand square metres (5,000sq.m) of building floor area or greater, one restaurant shall be permitted provided the said restaurant occupies no greater than 10% of the building floor area in the Industrial Mall and said Industrial Mall consists of two thousand five hundred square metres (2,500sq.m) of floor area or greater.

#### 23.5.5.2

##### **Ancillary Uses**

Notwithstanding anything to the contrary, up to fifty percent (50%) of the building floor area occupied by any one use may be permitted to be used for display and retail purposes.

By-Law No. 79-35, O.M.B. Approval July 26/79.

#### 23.5.6

##### **Outdoor Storage**

No outdoor storage shall be permitted within the front yard and further no outdoor storage shall be permitted within a side or rear yard unless it is fenced and screened from view from the street.

By-Law No. 79-35, O.M.B. Approval July 26/79.

#### 23.5.7

As condition of development or redevelopment of land or buildings within the areas zoned Industrial "I" the Council of the Corporation of the City of Waterloo may prohibit or require the provision, maintenance and use of the facilities and matters, or any of them, set out in Section 35a (2) of the Planning Act, or any amendments thereto, and may regulate the maintenance and use of such facilities and matters.

#### 23.5.7.2

The facilities and matters required as referred to in paragraph 23.5.7.1 above shall be provided and maintained by the owner of the land at its sole risk and expense and to the satisfaction of the municipality, and in default thereof the provisions of Section 469 of the Municipal Act shall apply.

#### 23.5.7.3

The owner of the lands described herein shall enter into one or more agreements with The Corporation of the City of Waterloo dealing with the facilities and matters referred to in paragraph 23.5.7.1.

#### 23.5.7.4

No building permit shall be issued in respect to the lands described herein until the plans referred to in paragraphs 11 and 12 of Section 35a (2) of The Planning Act have been approved by The Corporation of the City of Waterloo and until the agreement or agreements referred to in paragraph 23.5.7.1 above have been entered into.

By-Law No. 79-35, O.M.B. Approval July 26/79.

23.6                    **The following regulations shall apply to AUTOMOBILE SERVICE STATIONS:**

By-Law No. 1555, S.7, O.M.B. Approval June 12/62.

23.6.1                **Regulations**

23.6.1.1             **Lot Size**

23.6.1.2             On corner lots the minimum frontage shall be forty-five metres (45.0m) and the minimum depth forty-five metres (45.0m).

23.6.1.3             On interior lots the minimum frontage shall be forty- five metres (45.0m) and the minimum depth of 35 metres (35.0m).

23.6.2                **Yard Requirements**

23.6.2.1             There shall be a minimum front yard of ten-point-five metres (10.5m).

23.6.2.2             There shall be a minimum yard (on each side) of seven- point-five metres (7.5m)

23.6.2.3             There shall be minimum rear yard of seven-point-five metres (7.5m).

23.6.3                **Service Pumps**

Service pumps shall not be located closer than three metres (3.0m) to any street line or within a radius of fifteen metres (15.0m) of the corner of intersecting streets.

23.6.4                **Storage Tanks**

Storage tanks shall not be placed closer than four-point-five metres (4.5m) to a street, side lot line, and rear lot line.

23.6.5                **Entrance and Driveways**

23.6.5.1             No entrance or driveway shall exceed nine metres (9m) in width measured at the lot line.

23.6.5.2             No entrance or driveway shall be located closer than three metres (3.0m) from any side or rear lot line to be measured at the lot line.

23.6.5.3             No entrance or driveway shall be located closer than fifteen metres (15m) from the intersection of street lines on any corner lot.

23.6.5.4             The surface of all entrances, driveways, service areas, off street parking and loading areas, if not paved shall be properly levelled, drained and treated to prevent the escape of dust.

23.6.6 **Lights and Signs**

23.6.6.1 Lights and signs shall be erected and maintained in such a manner as to avoid any confusion on the part of those using public highways with traffic control lights.

By-Law No. 1640, S.2, O.M.B. June 12/62.

23.6.6.2 Any lights used to illuminate the premises or a sign shall be so arranged that the light will deflect away from adjacent premises or streets.

23.6.6.3 Deleted.

By-Law No. 76-92, S.1, O.M.B. Sept 14/76.

23.6.7 **Off-Street Parking**

There shall be provided behind the building line or lines four (4) parking spaces for each service bay. Each such parking space shall have a minimum size of three metres (3.0m) by six metres (6.0m).

23.6.8 **Site Plans**

Before a building permit is issued for the erection of any building to be used as an automobile service station a site plan in triplicate, accurately drawn to scale, shall be submitted to the Building Inspector for the City of Waterloo.

Such site plan shall show the entire area to be used for the automobile service station and shall include the following:

By-Law No. 1640, S.3, O.M.B. June 12/62

23.6.8.1 All existing and proposed buildings and structures, including the location of all service pumps, sign standards and storage tanks.

23.6.8.2 All existing and proposed off-street parking and loading space.

23.6.8.3 All existing and proposed entrances from and exits to the adjoining street or streets.

23.6.9 **Sidewalks**

Where a sidewalk does not exist on the public right-of-way adjacent to the frontage and/or flankage of the lot to be used for an automobile service station, such sidewalk must be constructed and paid for by the owner at the time of construction of the automobile service station. The location, level and specifications for the construction of this sidewalk must be approved by the City Engineer.

By-Law No. 1640, S.4, O.M.B. June 12/62.

# Section 23A

## 'I1'

### INDUSTRIAL ONE ZONE

23A

23A.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part or use any land in whole or in part within the Industrial One 'I1' Zone for any purpose other than on or more of the following uses:

23A.1.1

#### Industrial Uses

- brewing on premise establishment
- communication facilities including studios
- computer software production
- contractors
- custom service shops
- dry cleaning and laundry plants
- food and beverage products manufacturing which shall be limited to "meat and poultry products", "bakery products" and "beverages"
- industrial or construction equipment suppliers
- laboratories
- manufacturing
- printing or publishing
- product assembly
- product processing
- service and repair establishments
- warehousing and storage (no retail)
- wholesaling (no retail)
- transportation services

23A.1.2

#### Ancillary Uses

23A.1.2.1

For any use listed in Section 23A.1.1 except warehousing and storage and wholesaling, up to twenty-five (25) percent of the building floor area occupied by said use may be used for the display and retailing of products produced, assembled or repaired on the site

23A.1.2.2

For any use listed in Section 23A.1.1 except warehousing and storage and wholesaling where said use is in an Industrial mall where there are three and one-half parking spaces or more for every one hundred square metres (100sq.m) of building floor area, up to fifty (50) percent of the building floor area occupied by said use may be used for the display and retailing of products produced, assembled or repaired on the site.

23A.1.2.3

Deleted B/L 05-151 s.54

23A.1.3

#### Complementary Commercial Uses

- automotive service station
- ambulance dispatch
- commercial recreation (including free standing and outdoor)
- dog obedience school (but not to include animal runs)
- lumber and building materials sales
- offices
- office supplies or office service establishment

- parking facility
- trade school
- union or workers' hall
- vehicle and vehicle supplies and accessories, sales, storage, service, repair, distribution and rental but not to include car washes
- veterinarian

## 23A.1.4

**Additional Uses**

In an Industrial Mall, where there are three and one-half parking spaces or more for every one hundred square metres (100sq.m) of building floor area, the following additional uses are permitted:

- bank or trust company
- catering services with ancillary restaurant
- coffee shops
- display and retail sales of hardware and home improvement materials and accessories

## 23A.1.4.1

In an Industrial Mall where there are three and one-half parking spaces or more for every one hundred square metres (100sq.m) of building floor area and said Industrial Mall contains five thousand square metres (5,000sq.m) of building floor area or greater, one restaurant shall be permitted, provided said restaurant occupies no greater than five hundred square metres (500sq.m) of building floor area. Where the construction of the Industrial Mall is to be phased and the ultimate approved size is five thousand square metres (5,000sq.m) of building floor area or greater, one restaurant shall be permitted provided that said restaurant occupies no greater than 10% of the building floor area and the said Industrial Mall consists of two thousand five hundred square metres (2,500sq.m) of building floor area or greater.

## 23A.1.5

**Recreational Uses**

- A park or playground

## 23A.1.6

**Prohibited Uses**

Notwithstanding Section 23A.1.1, 23A.1.2, 23A.1.3 and 23A.1.4 no persons shall use any land or erect, alter, enlarge or use any buildings or structures in whole or in part within the Industrial One 'I1' Zone for any of the following uses:

- abattoir
- abrasive manufacturing
- agricultural chemical processing
- ammonia manufacturing
- animal food products manufacturing
- asbestos manufacturing
- asphalt manufacturing or refining
- asphalt roofing or shingles manufacturing
- automotive firewall manufacturing
- automotive leaf spring manufacturing
- blast furnace
- bleaching powder manufacturing
- boiler works
- boiling of blood, bones, tripe or tallow melting
- bottle or glass manufacturing



- brass ingot production
- car pounds
- cement, gypsum, lime or plaster of Paris manufacturing
- cereal products manufacturing
- chemical plant
- chlorine manufacturing
- citric acid manufacturing
- coal yard
- coated paper manufacturing
- corn drying
- concrete ready-mix plant
- creosote manufacturing or treatment
- dairy product manufacturing
- dehydrating plants
- distillation of bones or coal
- explosive or fireworks manufacturing, storage or transportation
- extraction of oil from fish fats refining or rendering
- fertilizer manufacturing
- fiberglass manufacturing
- fish products manufacturing
- flour manufacturing
- food casing, cellulose, and PVC film manufacturing
- foundry
- fruit products manufacturing
- gelatin, glue or size manufacturing
- gravel crushing
- grease blending or formulating
- incineration or reduction of dead animals, garbage or offal
- insulation manufacturing
- linoleum or oil cloth manufacturing
- metal ore reduction or smelting
- non-ferrous metal manufacturing, smelting or refining oil, shellac or turpentine manufacturing
- oil recovery plant
- organic chemical manufacturing
- paint and varnish manufacturing
- pallet manufacturing
- pesticide manufacturing
- petroleum or coal oil refining
- phthalic anhydride manufacturing
- pickle manufacturing
- rail yards
- resin manufacturing
- salvage, scrap, junk or wrecking yards
- sawmill
- sandblasting (outdoors)
- slaughter of animals, fish or fowl
- soap or detergent manufacturing
- soda and compounds manufacturing
- solvent recovery plant
- stock yards
- tanning or storage of hides or skins
- tar distillation
- textile dyeing

- truck depot
- tobacco processing
- toxic acid manufacturing
- vegetable oil and margarine manufacturing
- vegetable products manufacturing
- vinegar manufacturing
- wire strapping manufacturing

#### 23A.1.7 **Prohibited Uses Within 100 metres of a Residential Zone**

Notwithstanding Sections 23A.1.1., 23A.1.2, 23A.1.3 and 23A.1.4, no person shall use any land or erect, alter, enlarge or use any buildings or structures in whole or in part within the Industrial One 'I1' Zone where such lot is within one hundred metres (100m) from lands zoned for a residential purpose for any of the following uses:

- animal hospital
- bakery products manufacturing
- beverage products manufacturing or bottling
- dry cleaning and laundry plant
- glass stamping, shearing or grinding
- marine equipment, sales, service and repair
- meat and poultry products manufacturing
- motorcycle equipment, sales, service or repair
- petroleum oil or compressed gases storage
- truck (greater than one tonne) sales, service and repair.

#### 23A.2 **Performance Standards**

##### 23A.2.1 **Lot Frontage**

A minimum lot frontage of 30 metres shall be provided.

##### 23A.2.2 Yard Requirements and Height Regulations

23A.2.2.1 “Front Yard” – no building or structure, or part thereof, is permitted within five metres (5.0 m.) of the street line

23A.2.2.2 “Flankage” – there shall be a minimum flankage yard of five metres (5.0 m.)

23A.2.2.3 “Side Yards” – There shall be a minimum side yard of three metres (3 m.) on both sides of the lot.

23A.2.2.4 “Rear Yards” – there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m.)

23A.2.2.5 “***Low Rise Residential Area Yard*** Setback” – There shall be a minimum ***Low Rise Residential Area Yard*** Setback of ½ the height of the building and in no case less than 7.5 m. to any ***Lot Line Abutting a Low Rise Residential Area.***

- 23A.2.2.5.1 Within the Low Rise Residential Area Yard Setback there shall be a minimum three metre (3.0 m) **Landscaped Buffer** adjacent to any **Lot** line **Abutting** a **Low Rise Residential Area** which shall be maintained in healthy condition and good repair by the owner.
- 23A.2.2.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 23A.2.2.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 23A.2.2.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 23A.2.2.6 **Building Height** – The following height regulations shall apply:
- 23A.2.2.6.1 The maximum height in metres of any **Building** within the Industrial One ‘I1’ zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix “A” to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be eighteen metres (18.0 m) and shall not exceed six (6) **Storeys**.
- 23A.2.2.6.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 23A.2.2.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.

23A.2.3 **Off-Street Parking Requirements**

23A.2.3.1 **Industrial Mall**

There shall be a minimum of two and one-half parking spaces for every one hundred square metres (100sq.m) of building floor area in an Industrial Mall.

23A.2.3.2 **Single Occupancy Buildings**

For buildings which are not industrial malls, parking shall be provided according to the following schedule:

<b><u>Building Floor Area (b.f.a.)</u></b>	<b><u>Parking Requirement</u></b>
For the first 1,000 square metres of b.f.a.	2.5 spaces per 100 sq.m./b.f.a.
For additional b.f.a. over 1,000 square metres but less than 5,000 sq.m. b.f.a.	1.0 spaces per 100 sq.m./b.f.a.
For additional b.f.a. greater than 5,000 sq.m. sq.m./b.f.a.	0.75 spaces per 100

23A.2.3.3 Notwithstanding Sections 23A.2.3.1 and 23A.2.3.2, minimum parking for specific uses shall be provided as follows:

Vehicle and equipment sales, service and repairs	5 spaces per 100 sq.m./b.f.a.
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Commercial recreation	4.5 spaces per 100 sq.m./b.f.a. (freestanding and outdoor)
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23A.2.5 **Commercial Recreation**

23A.2.5.1 The 'building floor area' for a commercial recreation (outdoor) use shall be deemed to be the area used for recreational purposes, which shall include related facilities such as rental or related outlets, and lounge or seating areas but shall not include parking areas, driveways, sidewalks or landscaped areas.

23A.2.5.2 The 'building floor area' portion of a 'commercial recreation (outdoor)' use shall be located a minimum of 150 metres from any residential zone.

23A.2.6 **Outdoor Storage**

No outdoor storage shall be permitted within the front yard or minimum flankage setback and further no outdoor storage shall be permitted within a side or rear yard unless it is fenced and screened from view from the street.

23A.2.7 **Automotive Service Stations**

The regulations of Section 23 shall apply to Automotive Service Stations.

23A.2.8 Notwithstanding anything to the contrary, more than one main building or accessory building or buildings may be permitted on a lot.

# Section 24

## "L1"

### LIGHT INDUSTRIAL

24.

24.1

No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "L1" Zone for any purpose other than one or more of the following uses:

- Automobile Service Station
- Animal Hospital
- Bakery
- Billiard Parlors
- Bedding Works
- Bottling Works
- Bowling Alleys
- Banks, Trust Companies
- Brewing on premise establishment
- Car Equipment Sales or Rental Rooms Wholesale Office & Warehouses
- Offices
- Contractors Equipment & Supplies
- Curling Rinks
- Custom Service Shop
- Dairies
- Dog Obedience School (but not to include animal runs)
- Dry Cleaning & Laundry
- Marine Equipment Sales or Rental New and Used Motor Vehicle Sales or Rental
- Offices
- Parking Facility
- Painters Shops & Offices

24.1.1

Light manufacturing and without limiting the generality of the words "light manufacturing" the uses permitted in the "L1" Zone which are in fact light manufacturing uses.

B/L No. 1183, S.17, O.M.B. Oct. 28/59

24.1.2

Railway trackage is allowed including industrial spurs and supporting tracks, as may be deemed necessary.

B/L No. 1931, S.28, O.M.B. Apr. 6/64

24.2

#### Outdoor Storage

No outside storage shall be permitted within the front yard or minimum flankage setback and further no outdoor storage shall be permitted within a side or rear yard unless it is fenced and screened from view from the street. In the case of marine equipment sales, contractor's equipment and supplies (sales and rentals) and new and used motor vehicle sales, no outside storage shall be permitted within three metres (3.0 m) of any street line or zone boundary.

### 24.2.1 **Yards and Parking Areas**

All yards and parking areas are to be brought to finished grade and treated in such a manner as to prevent the escape of dust.

B/L No. 1183, S.18, O.M.B. Oct. 28/59

24.3 Notwithstanding any other provision in this by-law, more than one main building and an accessory building or accessory buildings shall be permitted on any lot in this zone.

B/L No. 2117, S. 2, O.M.B. Dec. 3/64

24.4 The following regulations shall apply to all uses in the “L1” Zone except automobile service stations:

B/L No. 1555, S. 9, O.M.B. June 12/62

### 24.4.1 **Lot Frontage**

The minimum lot frontage shall be fifteen metres (15.0m)

### 24.4.2 Yard Requirements and Height Regulations

24.4.2.1 “Front Yard” – no building or structure, or part thereof, is permitted within five metres (5.0 m.) of the street line

24.4.2.2 “Flankage” – there shall be a minimum flankage yard of five metres (5.0 m.)

24.4.2.3 “Side Yards” – There shall be a minimum side yard of three metres (3 m.) on both sides of the lot.

24.4.2.4 “Rear Yards” – there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m.)

24.4.2.5 “***Low Rise Residential Area Yard*** Setback” – There shall be a minimum ***Low Rise Residential Area Yard*** Setback of ½ the height of the building and in no case less than 7.5 m. to any ***Lot Line Abutting a Low Rise Residential Area***.

24.4.2.5.1 Within the ***Low Rise Residential Area Yard*** Setback there shall be a minimum three metre (3.0 m) ***Landscaped Buffer*** adjacent to any ***Lot*** line ***Abutting*** a ***Low Rise Residential Area*** which shall be maintained in healthy condition and good repair by the owner.

24.4.2.5.2 The ***Landscaped Buffer*** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.

24.4.2.5.3 The ***Landscaped Buffer*** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.

24.4.2.5.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.

24.4.2.6 ***Building Height*** – The following height regulations shall apply:

- 24.4.2.6.1 The maximum height in metres of any **Building** within the Light Industrial 'LI' zone shall be defined as three (3) times the numerical suffix shown on the Zoning Map attached as Appendix "A" to the said By-law. Where no numerical suffix is provided, the maximum height of any **Building** shall be eighteen metres (18.0 m) and shall not exceed six (6) **Storeys**.
- 24.4.2.6.2 The number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 24.4.2.6.3 A roof may be permitted to exceed the maximum height requirement so long as it is not habitable space or **Building Floor Area**.

#### 24.4.3 **Parking Provisions**

- 24.4.3.1 The minimum parking requirement for single occupancy buildings and buildings which are not industrial malls, shall be as follows:

24.4.3.1.1	<b><u>Building Floor Area (b.f.a.)</u></b>	<b><u>Parking Requirement</u></b>
24.4.3.1.1.1	For the first 1,000 square metres of b.f.a.	2.5 spaces for every 100 square metres of b.f.a.
24.4.3.1.1.2	For additional b.f.a. above 1,000 square metres but not more than 5,000 square metres of b.f.a.	1.0 spaces for every 100 square metres of b.f.a.
24.4.3.1.1.3	For additional b.f.a. greater than 5,000 square metres	0.75 spaces for every 100 square metres of b.f.a.
24.4.3.1.2	<u>For industrial malls, for each use there shall be a minimum of two and one-half (2.5) parking spaces for every one hundred square metres (100sq.m) of building floor area.</u>	
24.4.3.2	Notwithstanding 24.4.3.1 above, parking for specific uses shall be provided as follows:	
24.4.3.2.1	Service Garage -	5 spaces per one hundred (100) square metres of b.f.a.
24.4.3.2.2	Billiard Parlours -	7 spaces per one hundred (100) square metres of b.f.a.
24.4.3.2.3	Bowling Alleys -	4 spaces for each bowling lane in a bowling alley.

#### 24.4.4 **Off-Street Loading**

Section 8.11 of the General Provisions of this by-law shall apply.

- 24.5 The following regulations shall apply to automobile service stations:

24.5.1 **Lot Size**

24.5.1.1 On corner lots the minimum frontage shall be forty-five metres (45m) and the minimum depth forty-five metres (45m).

24.5.1.2 On interior lots the minimum frontage shall be forty-five metres (45m) and the minimum depth of thirty-five metres (35m).

24.5.2 **Yard Requirements**

24.5.2.1 There shall be a minimum front yard of ten-point-five metres (10.5m).

24.5.2.2 There shall be a minimum side yard (on each side) of even-point-five metres (7.5m).

24.5.2.3 There shall be a minimum rear yard of seven-point-five metres (7.5m).

24.5.3 **Service Pumps**

Service pumps shall not be located closer than three metres (3.0m) to any street line or within a radius of fifteen metres (15.0m) of the corner of intersecting streets.

24.5.4 **Storage Tanks**

Storage tanks shall not be placed closer than four-point-five metres (4.5m) to a street, side lot line, and rear lot line.

24.5.5. **Entrance and Driveways**

24.5.5.1 No entrance or driveway shall exceed four metres (4m) in width measured at the lot line.

24.5.5.2 No entrance or driveway shall be located closer than three metres (3m) from any side or rear lot line to be measured at the lot line.

24.5.5.3 No entrance or driveway shall be located closer than fifteen metres (15m) from the intersection of street lines on any corner lot.

24.5.5.4 The surface of all entrances, driveways, service areas, off-street parking and loading areas if not paved shall be properly levelled, drained and treated to prevent the escape of dust.

24.5.6 **Light and Signs**

24.5.6.1 Lights and signs shall be erected and maintained in such a manner as to avoid any confusion on the part of those using public highways with traffic control lights.

B/L No. 1640, S.5, O.M.B. June 12, 1962

24.5.6.2 Any lights used to illuminate the premises or a sign shall be so arranged that the light will deflect away from adjacent premises or streets.

24.5.6.3 Deleted.

B/L No. 76-92, S.1, O.M.B. September 14, 1976



24.5.7      **Off-Street Parking**

There shall be provided behind the building line or lines four (4) parking spaces for each service bay. Each such parking space shall have a minimum size of three metres (3m) by six metres (6m).

24.5.8      **Site Plans**

Before a building permit is issued for the erection of any building to be used as an automobile service station a site plan in triplicate, accurately drawn to scale, shall be submitted to the Building Inspector for the City of Waterloo. Such site plan shall show the entire area to be used for the automobile service station and shall include the following:

B/L No. 1640, S.6, O.M.B. June 12, 1962

24.5.8.1      All existing and proposed buildings and structures, including the location of all service pumps, sign standards and storage tanks.

24.5.8.2      All existing and proposed off-street parking and loading space.

24.5.8.3      All existing and proposed entrances from, and exits to the adjoining street or streets.

24.5.9      **Sidewalks**

Where a sidewalk does not exist on the public right-of-way adjacent to the frontage and/or flankage of the lot to be used for an automobile service station, such sidewalk must be constructed and paid for by the owner at the time of construction of the automobile service station. The location, level and specifications for the construction of this sidewalk must be approved by the City Engineer.

B/L No. 1555, S.10, O.M.B. June 12, 1962

# Section 25

## "RB"

### RETAIL BUSINESS

25.

25.1

No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "RB" Zone for any purpose other than one or more of the uses herein set out:

Not more than fifty (50) percent of the street level storey (of which no part is to be frontage) may be used for uses accessory to the uses herein permitted and for such purposes, frontage shall be construed as every side of a building adjacent to a street.

25.1

The following retail uses only are permitted:

- All classes, or an office of a Coal Company, or similar business, where the materials are stored or processed in another zone
- Antique Shops
- Automotive Supplies (**BUT NOT an Automobile or Motor Sales Store or Rental or Repair Shop or Service Station**)
- Bakery or Confectionery
- Banks and Trust Companies
- Barber Shops
- Billiards and Bowling
- Book Stores
- Brewer's Retail Store
- Candy Stores
- China & Glassware Stores
- Clothing Stores
- Coin-Operated Dry Cleaning
- Coin-Operated Laundries
- Commercial School
- Curling Rinks (provided the use is below street level)
- Dairy Bar or Stores (**BUT NOT a Dairy**)
- Department Stores
- Drapery Stores
- Domestic Appliances
- Drug Stores
- Dry Cleaning Class IV (provided that the entire frontage is used as a receiving office with show window or windows)
- Dry Goods
- Fish Market
- Florist Shop
- Fruit Store
- Furniture Stores
- Fur Store
- Gift Shops
- Grocery Store
- Hairdressers
- Hardware Store
- Hat Cleaning and Blocking
- Hotels

- Insurance Offices
- Interior Decorating
- Jewellery
- Ladies Ware
- Liquor Stores
- Meat Markets
- Men's Furnishings
- Millinery
- Motion Picture Theatres
- Music Shops
- Nut Shops
- Offices – Business and Professional
- Office for receiving and delivery of Dry Cleaning or Laundry
- Opticians and Optometrists
- Paint and Wallpaper Stores
- Personal Service Shop
- Pet Shops
- Private Clubs and Private Lodges
- Photography Studio
- Picture Framing
- Plumbing and Heating
- Parking Facility
- Restaurants
- Seed Stores
- Shoe Repair Stores
- Shoe Stores
- Shoe Shine Stores
- Sporting Goods
- Stationery & Office Equipment
- Steam Baths & Massage Establishments
- Take-Out Restaurants
- Tailor Shops
- Taxi Stands
- Theatres
- Tobacco Stores
- Variety Stores
- Video/Pinball Game Amusement Centre
- Wallpaper Stores
- Wine Sales or Retail Outlets of similar nature

25.2 Deleted.

B/L No. 76-92, S.1, O.M.B. September 14, 1976

25.3 **Yard Requirements**

25.3.1 "Front Yard" - No front yard shall be required except as provided in other sections of this by-law.

25.3.2 "Side Yard" - There shall be a minimum side yard of seven-point-five metres (7.5m) if the side yard is the boundary of any residential zone or municipal park, otherwise no side yard shall be necessary.

25.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of four-point-five metres (4.5m).

Rear Yard Exemption for Theatre Holding Corporation Ltd. lands King Street North - By-Law No. 1183, S. 19. Above exemption repealed by By-Law No. 82-108, S. 13.

25.4 Repealed by By-Law No. 1183, S.30, O.M.B. October 28, 1959.

25.5 **Parking Provisions**

25.5.1 For each use, there shall be provided a minimum of six (6) parking spaces for every one hundred square metres (100sq.m) of building floor area.

25.6 **Off-Street Loading**

Section 8.11 of the General Provisions of this by-law shall apply.

25.7 Notwithstanding any other provision in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.

# *Section 26*

"SS"

26.

## **SERVICE STATION**

26.1

No person or persons shall erect, alter, enlarge or use any building or structure, in whole or in part, nor use any land in whole or in part, within the "SS" Zone for any purposes other than for the use of an automobile service station.

26.1

### **Regulations for Automobile Service Stations**

The regulations set out in paragraph 23.6 of By-Law No. 1108 shall apply to Automobile Service Stations in a Service Station Zone.

B/L No. 76-38, S.20, O.M.B. November 14, 1977

# Section 27

## "SC"

### SHOPPING CENTRE

27.

27.1 No person or persons shall erect, alter, enlarge or use any building or structure, in whole or in part, nor use any land in whole or in part, within the "SC" Zone for any purpose other than a retail establishment which is conducted wholly within an enclosed building and which comes within one or more of the following categories:

27.1 Uses permitted in the "RB" Zone Section 25.1 and automobile service stations, service garages and drive-in restaurants.

B/L No. 1183, S.21, O.M.B. October 28, 1959

B/L No. 1909, S.2, O.M.B. January 14, 1964

B/L No. 76-38, S.21, O.M.B. November 14, 1977

27.2

Deleted.

B/L No. 76-92, S.1, O.M.B. September 14, 1976

27.3

The following regulations shall apply in the "SC" Zone:

27.3.1

#### **Minimum Lot Frontage and Minimum Lot Depth**

There shall be thirty metres (30m) of street frontage and a depth of forty metres (40m) used or reserved exclusively for one or more of the uses permitted in the zone.

27.3.2

#### **Yard Requirements**

27.3.2.1

"Front Yard" - There shall be no building or structure within ten-point-five metres (10.5m) of the street line.

27.3.2.2

"Side Yard" - At zone boundaries there shall be a minimum of four-point-five metres (4.5m) except where buildings exceed ten-point-five metres (10.5m) in height, then the side yard shall be increased by thirty centimetres (30cm) for each additional thirty centimetres (30cm) in height above ten-point-five metres (10.m).

27.3.2.3

"Rear Yard" - There shall be a minimum average depth of seven-point-five metres (7.5m). Where the rear yard is a zone boundary the rear yard depth shall be increased by thirty centimetres (30cm) for each additional thirty centimetres (30cm) in height above ten-point-five metres (10.5m).

B/L No. 1183, S.22, O.M.B. October 28, 1959

27.3.3

#### **Building Floor Area**

There shall be a maximum main floor area including all accessory buildings of thirty (30) percent of the lot area.

27.3.4

#### **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m) in zone areas of less than one-fourth hectare (.4h).

27.3.5 **Parking Provisions**

27.3.5.1 For each use, there shall be provided a minimum of six (6) parking spaces for every one hundred square metres (100sq.m) of building floor area.

27.3.5.2 For business and professional offices, located on other than the ground floor, there shall be provided a minimum of three and one-half (3.5) spaces for every one hundred square metres (100sq.m) of building floor area.

27.3.6 **Off-Street Loading**

Section 8.11 of the General Provisions of this by-law shall apply.

27.3.7 **Automobile Service Stations**

Notwithstanding the regulations referred to above, automobile service stations shall be subject to the same regulations as the regulations for automobile service stations set out in Section 23.6 of said By-Law No. 1108.

B/L No. 76-38, S.22, O.M.B. November 14, 1977

27.3.8 Notwithstanding any other provision in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.

# Section 28

## "CC1"

### **CONVENIENCE COMMERCIAL ONE**

28

28.1 No person or persons shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part, within the "CC1" Zone for any purpose other than the following uses:

- Barber Shop
- Beauty Salon
- Billiard Parlour
- Business, Banking, Trust or Professional Office
- Candy Store
- Coin operated dry cleaning
- Coin operated laundry
- Dentist's Office
- Doctor's Office
- Drug Store
- An office for receiving and delivery of dry cleaning and laundry
- Flower Shop
- Grocery Store
- Parking Facility
- Personal Service Shop
- Restaurant (not including take-outs or drive-ins)
- Shoe Repair
- Variety Store

28.2 The following regulations shall apply in the "CC1" Zone:

#### 28.2.1 **Yard Requirements**

28.2.1.1 There shall be no building or structure within three metres (3m) of the street line.

28.2.1.2 There shall be a minimum side yard of one-point-five metres (1.5m).

28.2.1.3 There shall be a minimum rear yard of one-point-five metres (1.5m).

28.2.1.4 Where the property boundary of a Convenience Commercial One Zone abuts a suburban, agriculture or any residential zone, the side and rear yards must be at least one-point-five metres (1.5m) - half the height of the building whichever is greater and there must be a one-point-five metre (1.5m) buffer or planting strip maintained between the abutting zones.

#### 28.2.2 **Height**

There shall be a maximum height of any building or structure of ten-point-five metres (10.5m).

#### 28.2.3 **Parking Provisions**

28.2.3.1 For each use, there shall be provided a minimum of four and one-half (4.5) parking spaces for every one hundred square metres (100sq.m) of building floor area.



- 28.2.3.2 Notwithstanding subsection 28.2.3.1, where a building contains less than nine hundred square metres (900sq.m) of building floor area, parking for a restaurant shall be provided at the rate of one (1) space for every four (4) seats in the designed maximum capacity.
- 28.2.3.3 Notwithstanding any other provision in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.
- 28.3 Section 8.11 of the General Provisions of this by-law shall not apply to the Convenience Commercial One Zone.

B/L No. 3180, S.2, O.M.B. November 25, 1969

# Section 29

## "CC"

### CONVENIENCE COMMERCIAL

29

29.1 No person or persons shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part, within the "CC" Zone for any purpose other than one or more of the following uses:

- Barber Shop
- Beauty Salon
- Bank or Trust Offices
- Business, professional offices
- Book Shops
- Chiropractors
- Candy Stores
- Coffee Shops and Tea Rooms
- Commercial Training or Education Facilities
- Clinics - medical, dental and therapeutic
- Dry Cleaning
- Drug Store
- Flower Shop
- Grocery Store
- Gift Shops
- Hardware Stores
- Institutions
- Laundry
- Office for receiving and delivery of dry cleaning and laundry
- Opticians and optometrists
- Offices for dentists, doctors, osteopaths and chiropractors
- Personal Service Shop
- Photography Studios
- Picture Framing
- Parking Facility
- Restaurants (not including drive-ins)
- Shoe Repair
- Take-Out Restaurants
- Variety Stores
- Video Cassette Outlet

29.2 The following regulations shall apply in the "CC" Zone:

#### 29.2.1 Yard Requirements

29.2.1.1 There shall be no building or structures within three metres (3m) of the street line.

29.2.1.2 No structure or building shall be erected within six metres (6m) of the street line flankage on corner lots.

29.2.1.3 Where the property boundary of a Convenience Commercial Zone abuts a suburban, agricultural or any residential zone, a one and one-half metre (1.5m) planting strip must be maintained between the abutting zones.

29.2.1.4 There shall be a minimum rear yard of seven-point-five metres (7.5m).

29.2.2 **Height**

There shall be a maximum height of any building or structure of ten-point-five metres (10.5m).

29.2.3 **Parking Provisions**

29.2.3.1 For each use, there shall be provided a minimum of four and one-half (4.5) parking spaces for every one hundred square metres (100sq.m) of building floor area.

29.2.3.2 Notwithstanding subsection 29.2.3.1, where a building contains less than one thousand square metres (1,000sq.m) of building floor area, the following parking requirements shall apply for the following specific uses:

29.2.3.2.1 Restaurant 1 space for every four (4) seats in the designed maximum capacity

29.2.3.2.2 Take-Out Restaurant 15 spaces per one hundred (100) square metres of building floor area

29.2.4 **Building Floor Area**

29.2.4.1 Each permitted occupancy shall be restricted to not more than two hundred and eighty (280) square metres of building floor area.

29.2.4.2 **Lot Coverage**

Not more than twenty-five (25) percent of the total lot area shall be used for all buildings on a lot in this zone.

B/L No. 78-81, O.M.B. July 6, 1978

29.2.4.3 Twenty-five (25) percent of the total lot area shall consist of "Landscaped Open Space" as defined in this by-law.

B/L No. 78-81, O.M.B. July 6, 1978

29.2.4.4 The maximum size of any lots in the Convenience Commercial Zone shall not exceed one (1) hectare in size.

B/L No. 78-81, O.M.B. July 6, 1978

29.2.4.5 Section 8.11 of the General Provisions of this by-law shall not apply to the Convenience Commercial Zone.

B/L No. 78-81, O.M.B. July 6, 1978

29.2.5 Notwithstanding any other provision in this by-law, more than one main building or accessory buildings shall be permitted on any lot in this zone.

# Section 30

## "S"

### SUBURBAN

30

30.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "S" Zone for any purpose other than one or more of the following uses:

#### Agricultural

Including market gardening nurseries, the sale of products or commodities raised on the premises if no retail stand or commercial structure is maintained. This use shall permit the erection of a residence and the usual accessory buildings, required for agricultural purposes. Nothing herein shall permit slaughter houses and packing plants.

The following recreational uses: parks, playgrounds operated by the City of Waterloo, community centre, tennis courts, bowling greens, stadia, swimming pools, and golf courses.

30.2 Deleted.

B/L No. 76-92, S.1, O.M.B. September 14, 1976

30.3 The following are permitted for accessory uses: private garages, greenhouses, barns or buildings for the packing or storing of products raised on the premises.

30.4 The following regulations shall apply to all uses in the "S" Zone:

#### 30.4.1 Lot Area

There shall be a minimum lot area of .4 hectare.

#### 30.4.2 Lot Frontage

There shall be a minimum lot frontage of ten-point-five metres (10.5m).

#### 30.4.3 Yard Requirements

30.4.3.1 "Front Yard" - No building, structure or part thereof is permitted within three metres (3m) of the street line.

30.4.3.2 "Side Yards" - There shall be a minimum side yard of three metres (3m) on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building. Accessory buildings may be erected to within sixty centimetres (60cm) of a side or rear lot line but not closer to a dwelling than two-point-five metres (2.5m).

30.4.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of ten-point-five metres (10.5m).

30.4.4 Deleted by By-Law No. 93-32.

30.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

30.4.6 **Coverage**

30.4.6.1 "Main Building" - The maximum coverage of the lot by the main building shall be fifteen (15) percent of the lot area.

30.4.6.2 "Accessory Buildings" - The maximum coverage of the lot by accessory buildings shall be ten (10) percent of the lot area.

30.5 **Parking Provisions**

30.5.1 For each use, there shall be provided a minimum of three (3) parking spaces for every one hundred square metres (100sq.m) of building floor area.

30.5.2 In addition to 30.5.1 above, for residential uses, there shall be provided a minimum of one (1) parking space for each dwelling unit.

# Section 31

## "SR1"

### **SINGLE RESIDENCE ONE**

31

31.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part with the "SR-1" Zone for any purpose other than one or more of the following uses:

31.1.1 Public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

31.1.2 Offices" and "Clinics" for a health practitioner provided that such office is situated within a single detached dwelling used by such a person as a private residence, and provided that not more than two (2) such persons practice in such office or clinic and that space so used does not exceed twenty-five (25) percent of the ground or basement floor area.

31.1.3 Recreational parks or playgrounds operated by the City of Waterloo.

31.1.4 "Residential" - single detached dwelling, Class A Group Home, Bed and Breakfast Establishment.

31.2 Deleted.

B/L No. 76-92, S.1, O.M.B. September 14, 1976

31.3 The following are permitted as accessory uses:

Private Garage - with a maximum of three (3) cars or two (2) passenger and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity.

31.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

31.4.1 **Lot Area**

31.4.1.1. Where municipal and sanitary sewers exist there shall be a minimum lot area of four hundred and five square metres (405sq.m.). Corner lots shall have a minimum of five hundred and forty square metres (540sq.m.).

31.4.2 **Lot Frontage**

31.4.2.1 Where municipal water and sanitary sewers are available to service land, buildings or structures, there shall be a minimum lot frontage of thirteen-point-five metres (13.5m) for internal lots and eighteen metres (18m) for corner lots.

B/L NO. 79-33, O.M.B. June 22, 1979

### 31.4.3 **Yard Requirements**

31.4.3.1 "Front Yard" - There shall be no building or structure within seven-point-five metres (7.5m) of the street line.

31.4.3.2 "Side Yards" - There shall be a minimum side yard of one hundred and twenty centimetres (120cm) on both sides of the lot and sixty centimetres (60cm) for each additional storey or half storey except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

B/L No. 1931, S.34, O.M.B. April 6, 1964

31.4.3.3 "Rear Yards" - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

31.4.4 Deleted by By-Law No. 93-32.

### 31.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

### 31.4.6 **Coverage**

31.4.6.1 "Main Building" - The maximum coverage of the lot by the main building shall be thirty-three (33) percent of the lot area.

31.4.6.2 "Accessory Buildings" - The maximum coverage of the lot by accessory buildings shall be ten (10) percent of the lot area.

### 31.4.7 **Parking Provisions**

31.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

## 31.5 **The following regulations shall apply to all NON-RESIDENTIAL BUILDINGS:**

### 31.5.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35) percent.

### 31.5.2 **Yard Requirements**

31.5.2.1 "Front Yard" - The front yard shall be no less than seven-point-five metres (7.5m).

31.5.2.2 "Side Yards" - A minimum side yard of ten (10) percent of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.

31.5.2.3 "Rear Yards" - An average depth of no less than seven-point-five metres (7.5m) shall be maintained in the yard.

31.5.3 Deleted by By-law No. 81-56.

# Section 32

## "SR2"

### **SINGLE RESIDENCE TWO**

32

32.1 No person or persons shall erect, alter, enlarge or use any building or structure in whole or in part nor use any land in whole or in part within the "SR 2" Zone, except in conformity with the following uses:

32.1.1 "Institutions" - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

32.1.2 "Offices" and "Clinics" for a health practitioner provided that such office is situated within a single detached dwelling used by such a person as a private residence, and provided that not more than two (2) such persons practice in such office or clinic and that space so used does not exceed twenty-five (25) percent of the ground or basement floor area.

32.1.3 "Recreational" - which shall be confined to parks or playgrounds operated by the City of Waterloo.

32.1.4 "Residential" - single detached dwellings, class A group home, Bed and Breakfast Establishment.

32.2 Deleted

B/L No. 76-92, S.1, O.M.B. Sept. 14, 1976.

32.3 The following accessory uses are permitted:

Private garages, maximum three (3) cars or two (2) passenger and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity for the use of the owner or tenant of the premises.

32.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING in this zone:**

32.4.1 **Lot Area**

There shall be a minimum lot area of four hundred and fifty square metres (450sq.m) for interior lots and five hundred and eighty-five square metres (585sq.m) for corner lots.

32.4.2 **Lot Frontage**

Where municipal and sanitary sewers are available to service land, buildings or structures, there shall be a minimum lot frontage of fifteen metres (15m) for internal lots and nineteen-point-five metres (19.5m) for corner lots.

B/L NO. 79-33, O.M.B. Approval June 22, 1979

32.4.3 **Yard Requirements**

32.4.3.1 "Front Yard" - There shall be no building or structure within seven-point-five metres (7.5m) of the street line.



32.4.3.2 "Side Yards" - There shall be a minimum of one-point-two metres (1.2m) on both sides plus sixty centimetres (60cm) for each additional storey or half storey. Attached garages and carports shall be included as part of main building. On corner lots no structure or building may be erected within six metres (6m) of the street line flankage of the lot.

B/L No. 1931, S.39, O.M.B. Approval April 6, 1964

32.4.3.3 "Rear Yards" - There shall be a minimum average depth of nine metres (9m).

32.4.4 Deleted by By-Law No. 93-32.

32.4.5 **Height**

There shall be a maximum height of ten-point-five metres (10.5m).

32.4.6 **Coverage**

Coverage of the lot by all buildings shall not exceed thirty-three (33) percent of the lot area.

32.4.7 **Parking Provisions**

A minimum of one (1) parking space shall be provided for each dwelling unit.

32.5 **The following regulations shall apply to all NON-RESIDENTIAL BUILDINGS:**

32.5.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35) percent.

32.5.2 **Yard Requirements**

32.5.2.1 "Front Yard" - The front yard shall be no less than seven-point-five metres (7.5m).

32.5.2.2 "Side Yards" - A minimum side yard of ten (10) percent of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of street line flankage of the lot.

32.5.2.3 "Rear Yards" - An average depth of no less than seven-point-five metres (7.5m) shall be maintained in the rear yard.

32.5.3 Deleted by By-Law No. 81-56.

# Section 33

## "SR2A"

### **SINGLE RESIDENCE TWO A**

33

33.1 No person or persons shall erect, alter, enlarge or use any building or structure in whole or in part nor use any land in whole or in part within the "SR-2A" Zone except in conformity with the following uses:

33.1.1 "Institutions" - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

33.1.2 "Offices" and "Clinics" for a health practitioner provided that such office is situated within a single detached dwelling used by such a person as a private residence, and provided that not more than two (2) such persons practice in such office or clinic and that space so used does not exceed twenty-five (25) percent of the ground or basement floor area.

33.1.3 "Recreational" - which shall be confined to parks or playgrounds operated by the City of Waterloo.

33.1.4 "Residential" - single detached dwellings, Class A Group Home, Bed and Breakfast Establishment.

33.2 Deleted.

B/L No. 76-92, S.1, O.M.B. Appr. September 14, 1976

33.3 The following accessory uses are permitted:

Private garages, maximum three (3) cars or two (2) passenger and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity for the use of the owner or tenant of the premises.

33.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING in this zone:**

33.4.1 **Lot Area**

There shall be a minimum lot area of four hundred and fifty square metres (450sq.m) for interior lots and five hundred and eighty-five square metres (585sq.m) for corner lots.

33.4.2 **Lot Frontage**

There shall be a minimum lot frontage of fifteen metres (15m) for internal lots and nineteen-point-five metres (19.5m) for corner lots.

B/L No. 79-33, O.M.B. Appr. June 22, 1979

33.4.3 **Yard Requirements**

33.4.3.1 "Front Yard" - No building, structure or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

- 33.4.3.2 "Side Yard" - There shall be a minimum of one hundred and twenty centimetres (120cm) on both sides plus sixty centimetres (60cm) for each additional storey or half storey. Attached garages and carports shall be included as part of the main building. On corner lots no structure or building may be erected within six metres (6m) of the street line flankage of the lot.
- 33.4.3.3 "Rear Yard" - There shall be a minimum average depth of nine metres (9m).
- 33.4.4 Deleted by By-Law No. 93-32.
- 33.4.5 **Height**
- There shall be a maximum height of ten-point-five metres (10.5m).
- 33.4.6 **Coverage**
- Coverage of the lot by all buildings shall not exceed thirty-three (33) percent of the lot area.
- 33.4.7 **Parking Provisions**
- A minimum of one (1) parking space shall be provided for each dwelling unit.
- 33.5 **The following regulations shall apply to all NON-RESIDENTIAL BUILDINGS:**
- 33.5.1 **Coverage**
- The maximum coverage of the lot by all buildings shall be thirty-five (35) percent.
- 33.5.2 **Yard Requirements**
- 33.5.2.1 "Front Yard" - The front yard shall not be less than seven-point-five metres (7.5m).
- 33.5.2.2 "Side Yards" - A maximum side yard of ten (10) percent of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.
- 33.5.2.3 "Rear Yards" - An average depth of not less than seven-point-five metres (7.5m) shall be maintained in the rear yard.
- 33.5.3 Deleted by By-Law No. 81-56.

# Section 34

## "SR3"

### **SINGLE RESIDENCE THREE**

34

34.1 No person or persons shall erect, alter, enlarge or use any building or structure in whole or in part nor use any land in whole or in part within the "SR-3" Zone except in conformity with the following uses:

34.1.1 "Institutions" - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

34.1.2 "Recreational" - which shall be confined to parks, playgrounds operated by the City of Waterloo, golf courses (but not driving tees or ranges or miniature courses).

34.1.3 "Residential" - single detached dwellings, Class A Group Home, Bed and Breakfast Establishment.

34.2 Deleted.

B/L No. 76-92, S.1, O.M.B. Appr. September 14, 1976

34.3 The following accessory uses are permitted:

Single family private garages, maximum three (3) cars or two (2) passenger and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity only for the use of the owner or tenant of the premises.

34.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

34.4.1 **Lot Area**

34.4.1.1 Where municipal water and sanitary sewers exist, there shall be a minimum lot area of seven hundred and fifty square metres (750sq.m).

34.4.1.2 Where municipal water only exists, there shall be a minimum lot area of nine hundred square metres (900sq.m).

34.4.1.3 Where municipal water or sanitary sewers do not exist there shall be a minimum lot area of fourteen hundred square metres (1400sq.m).

34.4.2 **Lot Frontage**

34.4.2.1 Where municipal water and sanitary sewers exist, there shall be a minimum lot frontage of nineteen-point-five metres (19.5m) for internal lots and twenty-two-point-five metres (22.5m) for corner lots.

B/L No. 1931, S.42, O.M.B. Appr. April 6, 1964

B/L No. 79-33, O.M.B. Appr. June 22, 1979

34.4.2.2 Where municipal water only exists there shall be a minimum of thirty-five metres (35m). Corner lots shall have a minimum lot frontage of fifty-five metres (55m).

34.4.2.3 Where municipal water or sanitary sewers do not exist there shall be a minimum of fifty metres (50m). Corner lots shall have a minimum lot frontage of fifty-five metres (55m).

34.4.3 **Yard Requirements**

34.4.3.1 "Front Yard" - There shall be no building or structure within thirteen-point-five metres (13.5m) of the street line.

34.4.3.2 "Side Yards" - There shall be a minimum side yard of three metres (3m) on both sides of the lot except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.

B/L No. 1931, S.43, O.M.B. Appr. April 6, 1964

34.4.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of thirteen-point-five metres (13.5m).

34.4.4 Deleted by By-Law No. 93-32.

34.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

34.4.6 **Coverage**

Coverage of the lot by all buildings shall not exceed thirty-three (33) percent of the lot area.

34.4.7 **Parking Provisions**

There shall be a minimum of one (1) parking space for each dwelling unit.

34.5 **The following regulations shall apply to all NON-RESIDENTIAL BUILDINGS:**

34.5.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35) percent.

34.5.2 **Yard Requirements**

34.5.2.1 "Front Yard" - The front yard shall be no less than seven-point-five metres (7.5m).

34.5.2.2 "Side Yards" - A minimum side yard of ten (10) percent of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.

34.5.2.3 "Rear Yard" - An average depth of no less than seven-point-five metres (7.5m) shall be maintained in the rear yard.

34.5.3 Deleted by By-Law No. 81-56.

# Section 35

## "SR1-10"

### **SINGLE RESIDENCE ONE TEN**

35

35.1 No persons shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "SR1-10" Zone for any purposes other than one or more of the following uses:

35.1.1 Recreation parks or playgrounds.

35.1.2 "Residential" - single detached dwelling, Class A Group Home, Bed and Breakfast Establishment.

35.2 Deleted.

B/L No. 76-92, S.1, O.M.B. Appr. September 14, 1976

35.3 The following accessory uses are permitted:

Private garage with a maximum of two (2) cars or one (1) ca and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity.

35.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

35.4.1 **Lot Area**

There shall be a minimum lot area of three hundred and sixty square metres (360sq.m). Corner lots shall have a minimum of four hundred ninety-five square metres (495sq.m).

35.4.2 **Lot Frontage**

There shall be a minimum lot frontage of twelve metres (12m) for internal lots and sixteen-point-five metres (16.5m) for corner lots.

B/L No. 79-33, O.M.B. Appr. June 22, 1979

35.4.3 **Yard Requirements**

35.4.3.1 "Front Yard" - There shall be a minimum front yard of seven-point-five metres (7.5m) for all buildings, structures and parts thereof.

35.4.3.1.1 Notwithstanding the front yard requirement referred to in Section 35.4.3.1 any residential building, structure or part thereof, excluding garages and carports, may be permitted to encroach one-point-five metres (1.5m) onto the front yard.

35.4.3.2 "Side Yards" - There shall be a minimum side yard of ninety centimetres (90cm) on both sides of the lot plus sixty centimetres (60cm) for each additional storey or half storey except as hereinafter provided.

Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within four-point-five metres (4.5m) of the street line flankage of the lot.

35.4.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of nine metres (9m).

35.4.4 Deleted by By-Law No. 93-32.

35.4.5 **Height**

The maximum height of any building or structure shall be nine metres (9m).

35.4.6 **Coverage**

35.4.6.1 The maximum coverage of the lot by all buildings shall be forty (40%) percent.

35.4.7 **Parking Provisions**

A minimum of one (1) parking space shall be provided for each dwelling unit.

# Section 36

## "SR1A"

### **SINGLE RESIDENCE ONE A**

36

36.1 No person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the "SR-1A" Zone for any purpose other than one or more of the following uses:

36.1.1 Public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

36.1.2 "Office - Physician, Dentist, Chiropractor and Osteopath" - provided that such office is situated within a single dwelling used by such physician, dentist, chiropractor or osteopath as his private residence, and provided that not more than two (2) such physicians, dentists, chiropractors or osteopaths practice in any such office and the space so used does not exceed twenty- five (25) percent of the ground floor area or basement floor area.

36.1.3 Recreational parks or playgrounds operated by the City of Waterloo.

36.1.4 "Residential" - single detached dwelling, Class A Group Home, Bed and Breakfast Establishment.

36.2 Deleted.

B/L No. 76-92, S.1, O.M.B. Appr. September 14, 1976

36.3 The following accessory uses are permitted:

Private garage with a maximum of three (3) cars or two (2) cars and one (1) light commercial vehicle not to exceed one (1) ton maximum capacity.

36.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

36.4.1 **Lot Area**

There shall be a minimum lot area of four hundred and five square metres (405sq.m). Corner lots shall have a minimum of five hundred and forty square metres (540sq.m).

36.4.2 **Lot Frontage**

There shall be a minimum lot frontage of thirteen-point- five metres (13.5m) for internal lots and eighteen metres (18m) for corner lots.

B/L No. 79-33, O.M.B. Appr. June 22, 1979



### 36.4.3 **Yard Requirements**

36.4.3.1 "Front Yard" - No building, structure or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

36.4.3.2 "Side Yards" - There shall be a minimum side yard of one hundred and twenty centimetres (120cm) on both sides of the lot plus sixty centimetres (60cm) for each additional storey or half storey except as hereinafter provided. Attached garages and carports shall be included as part of the main building. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

36.4.3.3 "Rear Yard" - There shall be a rear yard on each lot with a minimum average depth of nine metres (9m).

36.4.4 Deleted by By-Law No. 93-32.

### 36.4.5 **Height**

The maximum height of any building or structure shall be ten-point-five metres (10.5m).

### 36.4.6 **Coverage**

36.4.6.1 "Main Building" - The maximum coverage of the lot by the main building shall be thirty-three (33) percent of the lot area.

36.4.6.2 "Accessory Buildings" - The maximum coverage of the lot by the accessory buildings shall be ten (10) percent of the lot area.

### 36.4.7 **Parking Provisions**

A minimum of one (1) parking space shall be provided for each dwelling unit.

36.4.8 **The following regulations shall apply to every NON-RESIDENTIAL BUILDING in this zone:**

#### 36.4.8.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35) percent.

#### 36.4.8.2 **Yard Requirements**

36.4.8.2.1 "Front Yard" - No building or structure or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

36.4.8.2.2 "Side Yards" - A minimum side yard of ten (10) percent of the total width of the lot shall be required on both sides. No part of any building or structure shall be erected within seven-point-five metres (7.5m) of the street line flankage of the lot.

36.4.8.2.3 "Rear Yard" - An average depth of no less than seven-point-five metres (7.5m) shall be maintained in the rear yard.

# Section 36A

## “R”

### RESIDENTIAL

36A

36A.1 No person shall erect, alter, enlarge or use any building or structure in whole in part, nor use any land in whole or in part within the zone for any purpose other than the following use:

36A.1.1 “Residential” - Duplex dwelling, single detached dwelling, class A group home.

36A.1.2 “Institutions” - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

36A.1.3 The following accessory uses are permitted:

Private garage with a maximum of three (3) cars or two (2) cars and (1) light commercial vehicle not to exceed one (1) ton maximum capacity.

36A.2 **The following regulations shall apply to all SINGLE DETACHED DWELLINGS:**

36A.2.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.

36A.2.2 **Lot Area**

36A.2.2.1 There shall be a minimum lot area of two hundred and forty-five square metres (245 sq.m.) for internal lots and three hundred and forty square metres (340 sq. m.) for corner lots.

36A.2.3 **Lot Frontage**

36A.2.3.1 There shall be a minimum frontage of nine metres (9 m) for internal lots and twelve-point-five metres (12.5 m) for corner lots.

36A.2.4 **Yard Requirements**

36A.2.4.1 “Front Yard” - No building, structure or part thereof is permitted within seven metres (7 m) of the street line.

36A.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 36A.2.4.1 above, any residential building, structure, or part thereof, excluding garages or carports, may be permitted to encroach one metre (1 m) onto the front yard.

36A.2.4.2 “Side Yards” - There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot.

36A.2.4.2.1 Notwithstanding the provisions of Subsection 36A.2.4.2 above, one side yard may be reduced to zero, provided the other side yard is minimum of two hundred and fifty centimeters (250 cm).

36A.2.4.2.2 Notwithstanding anything to the contrary, in the case where one side yard may be reduced to zero, more than one main building may be permitted on a lot subject to the other provisions of this zone.

36A.2.4.2.3 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

36A.2.4.2.4 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimeters (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimeters (350 cm).

36A.2.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.

36A.2.4.2.6 Where a lot forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).

36A.2.4.3 “Street Line Flankage” - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.

36A.2.4.4 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of seven-point-five (7.5 m).

#### 36A.2.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

#### 36A.2.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

#### 36A.2.7 **Parking Provisions**

One (1) parking space shall be provided for each dwelling unit.

36A.2.8 Deleted by By-law No. 99-132

36A.2.8.1 Deleted by By-law No. 99-132

36A.2.8.2 Deleted by By-law No. 99-132

36A.2.8.3 Deleted by By-law No. 99-132

36A.3 **The following regulations shall apply to all DUPLEX DWELLINGS:**

36A.3.1 No building or structure shall be erected unless a municipal sewer system and water system are available to service the said building or structure.

36A.3.2 **Lot Area**

36A.3.2.1 There shall be a minimum lot area of three hundred and sixty square metres (360 sq. m) for internal lots and four hundred and fifty square metres (450 sq. m) for corner lots.

36A.3.3 **Lot Frontage**

36A.3.3.1 There shall be a minimum frontage of twelve metres (12 m) for internal lots and fifteen metres (15 m) for corner lots.

36A.3.4 **Yard Requirements**

36A.3.4.1 “Front Yard” - There shall be a minimum front yard of seven metres (7 m) for all buildings, structures, or parts thereof.

36A.3.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 36A.3.4.1 above, any residential building, structure or part thereof, excluding garages or carports, may be permitted to encroach one metre (1 m) onto the front yard.

36A.3.4.2 “Side Yards” - There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot.

36A.3.4.2.1 Notwithstanding this side yard requirement referred to in Section 36A.3.4.2, one side yard may be reduced to zero, provided the other side yard is a minimum of two hundred and fifty centimeters (250 cm).

36A.3.4.2.2 Notwithstanding anything to contrary, in the case where one side yard is reduced to zero, more than one main building may be permitted on a lot subject to the other provisions of this zone.

36A.3.4.2.3 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

36A.3.4.2.4 Where a required parking space is provided in a side yard adjacent to a dwelling unit with a side yard of less than one hundred and twenty centimeters (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimeters (350 cm).

36A.3.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.

36A.3.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).

36A.3.4.3 “Street Line Flankage” - No part of any structure or building shall be erected within six metres (6 m) of the street line flankage of the lot.

36A.3.4.4 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

36A.3.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

36A.3.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

36A.3.7 **Parking Provisions**

One (1) parking space shall be provided for each dwelling unit.

36A.3.8 Deleted by By-law No. 99-132

36A.3.8.1 Deleted by By-law No. 99-132

36A.3.8.2 Deleted by By-law No. 99-132

36A.3.8.3 Deleted by By-law No. 99-132

36A.4 Section 18.8 of the General Residence "GR" Zone shall apply to all non-residential buildings.