

CITY OF WATERLOO

ZONING BY-LAW NO. 1418

AS AMENDED

OFFICE CONSOLIDATION

This composite edition of By-Law No. 1418
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: March 23, 2016

CITY OF WATERLOO

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Section 1

SHORT TITLE

CITY OF WATERLOO ZONING BY-LAW NO. 1418

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 THAT PART OF THE CITY OF WATERLOO ANNEXED ON MARCH 31, 1960, FOR THE DIVISION OF THE SAID PART OF THE CITY INTO ZONES OR DISTRICTS FOR SUCH PURPOSES.

THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO ENACTS AS FOLLOWS:

1. This By-Law may be cited as the “Annexation Area Zoning By-law”.

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 of 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 theatre or a playhouse.
- 2.2 “**automobile service station**” means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs 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.
- By-Law No. 2903, S.1, O.M.B. Approval Oct. 17, 1968.
- 2.3 “**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.
- 2.4 “**basement**” 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 above the average adjacent ground level.
- 2.4.1 “**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 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.

- 2.4.1(i) **“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.
- 2.4.1(ii) **“body-rub”** shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a persons’ 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.
- 2.5 Repealed by By-Law No. 93-76.
- 2.5.1 Repealed by By-Law No. 93-76.
- 2.5.2 Repealed by By-Law No. 93-76.
- 2.5.3 **“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.”
- 2.6 **“building”** means any structure used or intended to be used for the shelter, accommodation or enclosure or persons, animals or chattels other than a boundary wall or fence.
- 2.7 **“Building By-Law”** means the Building By-law for the Corporation of the City of Waterloo in force from time to time.
- 2.7.1 **“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.”
- 2.7.2 **“building façade front”** means the wall of the main building most closely parallel to the front lot line.
- 2.7.3 **“building façade flankage”** means the wall of the main building most closely parallel to the flankage lot line.
- 2.8 **“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 centimetres (215) centimeters for at least fifty (50) percent of the floor area.
- 2.9 **“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 roof’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, hip or gambrel roof, the average height between the eaves and the ridges.
- 2.10 **“Building Inspector”** means the Building Inspector of the City of Waterloo.
- 2.11 **“building line”** means the line regulating the distance of building or structure on a lot from the street lines in accordance with the provisions of this by-law.
- 2.12 **“car wash”** means a business establishment the primary function of which is to wash, clean and/or wax motor vehicles.

By-Law No. 2903, S.2, O.M.B. Approval Oct. 17, 1968.

- 2.12.1 “**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.
- 2.12.2 “**Church**” means a building or buildings set aside by any religious organization for public worship including rectories and other church related functions.
- 2.13 “**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.

By-Law No. 78-178, S.3, O.M.B. Approval Dec. 18, 1974.

- 2.14 “**commercial recreation**” means a business establishment whose purpose is to refresh mind and body through physical sporting activities and shall include activities such as health spa, judo, raquets, bowling, billiards, mini golf, dance studios and any similar sporting activity but shall not include dance halls, bingo halls, pinball arcades, and adult entertainment parlours.
- 2.14.1 “**commercial recreation (freestanding)**” means a “commercial recreation” use within a building or structure which contains no other uses.
- 2.14.2 “**commercial recreation (outdoor)**” means a “Commercial Recreation” use not carried on within an enclosed building or structure.
- 2.14.2.1 “**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.
- 2.14.2.1.2 “**common indoor amenity space**” means a common space within a building designed for recreational use and/or non-commercial social gathering that is provided for the use of all the occupants of the building.
- 2.14.3 “**common recreational area**” means a contiguous outdoor landscaped open space area to be used for recreational purposes.
- 2.14.4 “**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.
- 2.17 “**coverage**” means that percentage of the area of the lot covered by the buildings situated thereon.

By-Law No. 2699, O.M.B. Approval Oct. 27, 1967.

- 2.18 “**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 Services
- 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.

- 2.18.1 **“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 of not exceeding twenty-four (24) hours.
- 2.18.1.1 **“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.
- 2.18.2 **“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.
- 2.19 Deleted by By-law No. 06-120
- 2.19.1 **“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.
- 2.20 **“dwelling”** means a building, or a portion thereof, designed exclusively for a residential occupancy but not including hotels or motels whether public or private.
- 2.21 **“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.
- By-Law No. 78-40, O.M.B. Approval May 18, 1978.
- 2.22 **“dwelling (single detached)”** means any building used or intended for one dwelling unit.
- 2.23 **“dwelling (semi-detached)”** means a pair of attached single detached dwellings.
- 2.24 **“dwelling (duplex)”** means a building divided horizontally into two dwelling units.

- 2.24.1 **“dwelling (terrace)”** means a building containing a minimum of three (3) 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 Deleted by By-Law No. 80-158, Section 2.
- 2.26 **“dwelling (town house)”** means 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.
- By-Law No. 76-39, S.17, O.M.B. Approval Nov. 14, 1977.
- 2.27 **“dwelling (town house - 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.
- By-Law No. 74-165, S.9, O.M.B. Approval Dec. 12, 1974.
- 2.28 **“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.
- 2.29 **“dwelling (triplex)”** means three dwelling units with a maximum of two of the three units being attached side by side.
- By-Law No. 3214, O.M.B. Approval March 31, 1970.
- 2.30 Deleted By-law 05-151
- 2.31 **“erect”** means to build, construct, reconstruct and relocate and shall include:
- 2.31.1 any preliminary operation such as excavating, filling or draining.
- 2.31.2 altering any existing building or structure by an addition enlargement, extension, or other structural change.
- 2.31.3 any work necessitating a building permit as required by the Building By-Law of the City of Waterloo.
- 2.32 **“existing”** means existing on the date of the final passing of this by-law.
- 2.32.1 **“foster child”** means a person or group of siblings under the control and supervision of a society as defined in the Child Welfare Act, R.S.O. 1980, c. 66, as amended.

- 2.32.2 Deleted by By-law No. 2012-109
- 2.32.3 “**farm**” means - a parcel of land on which the predominant activity is the tilling of soil for the growing of vegetables, fruits, grains, or livestock raising, the keeping of bees, fish farming, sod farming, dairy farming, or a woodlot. A Farm includes only one (1) Single-family dwelling and such principal or main buildings and structures as barn or silo, as well as accessory buildings which are incidental to the operation of the farm.”
- 2.32.4 “**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.”
- 2.33 Repealed by By-Law No. 93-76.
- 2.33.1 “**floor area ratio**” means the building floor area of all buildings on a lot divided by the lot area.
- 2.33.2 “**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 butchershop where animals are slaughtered, or any class of restaurant as defined in this by-law.
- 2.34 “**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.
- 2.35 “**garage (service)**” means a building other than a private garage which is used for the care and repair of motor vehicles, or where 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.
- By-Law No. 2716, O.M.B. Approval Dec. 18, 1967.
- 2.35.1 “**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.
- 2.36 “**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.

- 2.36.1 **“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.
- 2.36.2 **“group home”** means a single housekeeping unit in a residential dwelling in which a range of three to ten residents (excluding staff or the receiving family) live under supervision and who, by reason of 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.
- 2.36.2.1 **“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:
- 2.36.2.1.1 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;
- 2.36.2.1.2 a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, c. 203;
- 2.36.2.1.3 a children’s residence licensed under the authority of the Child and Family Services Act.
- 2.36.2.1.4 a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, c. 202.
- 2.36.2.1.5 a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act.
- 2.36.2.2 **“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:
- 2.36.2.2.1 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 Developmental Services Act, R.S.O. 1980, c. 118;
- 2.36.2.2.2 a satellite home approved under the authority of the Homes for the Aged and Rest Homes Act, R.S.O. 1980, c. 203;
- 2.36.2.2.3 a children’s residence licensed under the authority of the Child and Family Services Act.

- 2.36.2.2.4 a home for special care licensed under the authority of the Homes for Special Care Act, R.S.O. 1980, c. 202;
- 2.36.2.2.5 an approved home licensed under the authority of the Mental Hospitals Act, R.S.O. 1980, c.263;
- 2.36.2.2.6 a community resource centre approved under the authority of the Ministry of Correctional Services Act R.S.O. 1980, c. 275;
- 2.36.2.2.7 a halfway house approved under the authority of the Charitable Institutions Act, R.S.O. 1980, c. 64.
- 2.36.2.2.8 a group home funded through the Community Mental Health Services Program: Supportive Housing Program under the authority of the Ministry of Health Act.
- 2.37 **“ground floor area”** means the maximum area of the ground floor of a building measured to the outside of all outside walls:
- 2.37.1 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
- 2.37.2 where a dwelling does not have a basement or cellar of twenty-eight square metres (28.0 sq.m) 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 square metres (14sq.m).
- 2.37.3 **“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.
- 2.38 A **“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.
- 2.38.0.1 **“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 Occupation”** 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 “**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 “**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.
- 2.39.1 “**household**” means one or more persons living together as a single non-profit, independent housekeeping unit, sharing all areas of the dwelling unit.
- 2.39.2 “**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:
- a) asphalt;
 - b) wood;
 - c) concrete;
 - d) clay;
 - e) metal; and,
 - f) stone.
- 2.39.3 “**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.
- 2.39.4 “**institution**” means a building used for a noncommercial purpose by an organized body or society for promoting a particular object.
- 2.42 Deleted By-law 05-151
- 2.43 “**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.

- 2.43.1 **“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:
- a) buildings, structures, enclosures;
 - b) parking or loading areas;
 - c) driveways leading to parking areas;
 - d) decks over any parking structure where the deck is more than one metre (1.0 m) above grade;
 - e) covered or enclosed bicycle locking facilities and associated structures;
 - f) curbs and retaining walls;
 - g) covered or enclosed garbage enclosures; and
 - h) ramps.

By-Law No. 76-39, S.2, O.M.B. Approval Nov. 14, 1977.

- 2.43.2 **“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.
- 2.44 **“loading space”** means an off-street space on the same lot with a building or on a lot continuous 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.
- 2.44.1 **“Lodging House”** means 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.
- 2.44.2 **“Lodging House - Class One”** means 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.
- 2.44.3 **“Lodging House - Class Two”** means a lodging house within a dwelling unit occupied by 4 or 5 persons without a proprietor and his/her household.
- 2.44.4 **“Lodging Unit”** means living accommodation which does not include the exclusive use of both a kitchen and a bathroom.
- 2.45 **“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.
- 2.46 **“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.

- 2.47 **“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).
- 2.48 **“lot depth”** means the horizontal distance between the front and rear lot lines or in the case of a triangular lot, between the front line and the apex of the triangle formed by the intersection of the side lot lines.
- 2.49 **“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.

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

- 2.50 **“lot interior”** means a lot on other than a corner lot.
- 2.51 **“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 line 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.
- 2.52 **“lot line (rear)”** means the lot line opposite the front lot line.
- 2.53 **“lot line (side)”** means a lot line other than the front and rear lot lines.
- 2.53.1 **“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.
- 2.54 **“lot through”** means a lot bounded on two opposite sides by a street, but not a corner lot.
- 2.55 **“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.
- 2.55.1 **“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’
- Neighbourhood Residential ‘NR’

- 2.55.2 “*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.
- 2.55.3 “*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.
- 2.55.4 “*mixed use*” means the presence of two or more different uses within the same complex or same building.
- 2.55.5 “*model home*” means a temporary commercial use within the whole of a new uninhabited single detached dwelling, semi-detached dwelling, townhouse dwelling or linear-townhouse dwelling used to:
- a) market the related subdivision or condominium to the general public; and/or
 - b) market and/or sell new dwellings within the related subdivision or condominium to the general public,
- and may include an ancillary office to conduct the affairs of the developer and/or builder(s) of the related subdivision or condominium.
- 2.55.6 “*model suites*” means a temporary commercial use within the whole of a new or renovated uninhabited terrace dwelling unit, apartment unit or residential unit in a mixed-use building used to:
- a) market the related multiple unit residential structure to the general public; and/or,
 - b) market and/or sell new dwellings within the related multiple unit residential structure to the general public,
- and may include an ancillary office to conduct the affairs of the developer and/or builder or the related multiple unit residential structure.
- 2.56 “*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.
- 2.56.0.1 “*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.”
- 2.56.1 “*office*” means a building or part of thereof used for conducting the affairs of a business, professions, 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.

- 2.56.1.1 **“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.
- 2.57 **“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.
- 2.57.1 **“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.
- 2.57.1.1 **“permanent trailer”** shall mean a trailer used as a permanent, principal and/or year round residence that has been constructed to allow year-round occupancy in accordance with Provincial and municipal laws and standards.
- 2.57.2 **“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.
- 2.58 **“persons”** means and includes any association, partnership, corporation, municipal corporation, agent or trustee and their heirs, executors and assigns, or other legal representatives of a person to whom the context can apply according to law.
- 2.58.01 **“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 any manner except by insect-screening between floor and ceiling.
- 2.58.1 **“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 Program. The portable housing unit is provided to the landowner for temporary use on the owner’s lot for occupancy by a parent of either the owner or the owner’s spouse.
- 2.59 **“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.
- 2.59.1 **“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.
- 2.60 **“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.
- 2.60.1 **“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.

- 2.61 “**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.
- 2.62 “**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.
- 2.63 “**school (commercial)**” means a school operated by one or more persons for gain or profit where instruction is given to four or more persons at one time.
- 2.64 “**school**” means an educational establishment.
- 2.65 “**school (nursery)**” means a facility that receives six or more children for the purpose of providing temporary care and, or guidance for a continuous period not to exceed twenty-four (24) hours.
- 2.66 “**school (private)**” means an educational establishment other than a public school or separate school. A private school shall not include a commercial school.
- 2.67 “**school (public)**” means an authorized school under the jurisdiction of the Waterloo Region District School Board or any successor thereof.
- 2.68 “**school (separate)**” means an authorized school under the jurisdiction of the Waterloo Catholic District School Board, or any successor thereof.
- 2.68.1 “**seasonal recreational trailer**” shall mean a trailer used on a seasonal and recreational basis, and closed and vacated for at least sixty (60) continuous days between October 31 and April 30 of the following year. Seasonal recreational trailers shall not include any of the following:
a) permanent trailer, as defined by 2.57.1.1,
b) mobile homes,
c) permanent, principal or year-round residences.
- 2.68.2 “**seasonal recreational trailer park**” shall mean a trailer park used on a seasonal and recreational basis by seasonal recreational trailers and/or recreational vehicles.
- 2.69 “**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 (1.8) above the average adjacent ground level.
- 2.70 “**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 (1.4) 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 (2.3) for fifty percent (50%) of the floor area.
- 2.71 “**street**” means a public highway having a minimum width of twelve metres (12m) which affords a principal means of access to abutting lots.
- 2.72 “**street line**” means the dividing line between a lot and a street.

- 2.72.1 “**street line buildout**” means the portion of a lot adjacent to a street which has a building running parallel to the street line between the minimum and maximum yard setback.
- 2.73 “**structure**” means any erection, permanent or temporary, fixed to or supported by the soil, but does not mean a sign, fence or retaining wall or gasoline pump island or light standard.
- 2.73.1 “**structured parking**” means parking located in whole or in part within and/or on a building or structure.
- 2.73.2 “**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.
- 2.74 “**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.
- 2.74.0.1 “**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.
- 2.74.0.2 “**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
- 2.74.1 “**teaching area**” means any area which is designed to be for teaching a group, either on a full time or a part time basis.
- 2.74.1.2 “**temporary sales centres**” means a temporary stand-alone commercial building that is uninhabited and used to market and/or sell new dwellings, new units or new building(s) within the related development to the general public, and may include an ancillary office to conduct the affairs of the developer and/or builder of the related development.
- 2.74.1.3 “**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.
- 2.74.2 “**transportation service**” means an establishment which provides transportation services for goods and passengers using vehicles with a maximum capacity of one tonne or smaller.
- 2.74.3 “**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.
- 2.75 “**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.
- 2.75.0.1 “**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.

- 2.75.1 “**video/pinball game amusement centre**” means an establishment which contains three or more video or pinball game machines 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.
- 2.75.2 “**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.
- 2.75.3 “**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.
- 2.75.4 “**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.
- 2.76 “**yard**” means a space open to the sky exclusive of eaves up to sixty centimetres (60cm) on the same lot with a building, unoccupied except for such accessory buildings as are specifically permitted elsewhere in this by-law.
- 2.76.1 “**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.
- 2.77 “**yard (front)**” means a yard extending across a full width of a lot between the front lot line and the nearest main wall of the main building on the lot.
- 2.78 “**yard (rear)**” means a yard extending across the full 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.
- 2.79 “**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.
- 2.80 Deleted by By-law No. 06-120
- 2.81 Deleted by By-law No. 06-120
- 2.82 Deleted by By-law No. 06-120

Section 3

CLASSIFICATION

3. That part of the City of Waterloo annexed on March 31, 1960 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 the residences, business, trades, industries, yards and open spaces. The said zones shall be known as follows:

• A	Agriculture
• G	Green Area
• G1	Green One
• G2	Green Two
• TG	Temporary Green
• PGC	Park-Golf Course
• BI	Universities
• IN	Institutional
• GR	General Residence
• GR2A	General Residence Two A
• MR	Multiple Residence
• SD	Semi-Detached
• SD-1	Semi-Detached One
• R	Residential
• MD	Medium Density
• MD-1	Medium Density One
• MD-3	Medium Density Three
• I	Industrial
• I2	Industrial Two
• S	Suburban
• SC	Shopping Centre
• CC	Convenience Commercial
• AC	Arterial Commercial
• C2	Commercial Two
• C4	Neighbourhood Commercial
• C5	Commercial Five
• SR-1	Single Residence One
• SR-1A	Single Residence One A
• SR1-10	Single Residence One Ten
• SR-2	Single Residence Two
• SR-T1	Single Residence Township One
• SR-T2	Single Residence Township Two
• SR2A	Single Residence Two A
• SR3	Single Residence Three
• SR4	Single Residence Four
• IA	Industrial A (deleted)
• RI-A	Restricted Industrial A
• I1	Industrial One
• SS	Service Station
• MXE	Mixed Use Employment
• MXR	Mixed Use Residential
• MXC	Mixed Use Commercial
• NR	Neighbourhood Residential

Section 4

BOUNDARIES

4. Where any uncertainty exists as to the location of a boundary of any 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 map hereunto annexed as Appendix “A” which zoning map together with all notation, 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.

By-Law No. 1418 is hereby further amended by repealing Schedule “A”, Appendix “A”, and adopting and substituting therefore Schedule “A” of By-law No. 3020.

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 the 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.

Section 7

CERTIFICATE

7. No change shall be made in the type of use of any land 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.

By-Law 1505, Section 2, O.M.B. Approval Dec. 14, 1961.

Section 8

GENERAL PROVISIONS

8. No building or structure shall hereafter be erected, 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 any person except in conformity with the provisions of this by-law.

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 that prescribed in this by-law. For any part of a lot which is required by 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.

8.2.1 Notwithstanding anything to the contrary in this By-law, one (1) **front lot line** of a “**lot through**” shall be deemed a rear lot line pursuant to this By-law for the purposes of permitting and applying regulations for **accessory structures**, swimming pools, and **decks** for **single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings** and **linear townhouse dwellings**. For the purposes of determining the rear lot line in the preceding sentence, “rear lot line” means the lot line abutting the street and adjacent to the backyard at the rear of the residential building.

8.3 *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 centimetres (60.0cm) into any required yard except for open iron or steel fire escapes one or more of which may be erected or maintained.

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

Projection	Architectural Feature	Zone							
		MD	MR4	MR6	MR12	MR25	C2(apartment dwellings)	C2 (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					*			

Table 3 – Architectural Feature Projections for Selected Zone Categories

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

Table 4 Section 8.4.1.2 – 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)
Residential			
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
Commercial			
f)	C2	3.0m	2.0m
g)	C3	3.0m	2.0m

- 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.

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.

- 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 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 within the block) of twelve metres (12.0m).

8.9 **Street Lines**

The building line set back on the streets 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:

<u>Street</u>	<u>Street Line Measured from Centre Line of Street</u>
Albert Street	12.0m
Bridge Street	12.0m B/L 3020,S.3,O.M.B. Mar.18/69
Bearinger Road	12.0m B/L 3020,S.3,O.M.B. Mar.18/69
Columbia Street	12.0m B/L 2160,S.2,O.M.B. Mar.18/69
Erb Street	12.0m
Hallman Road	15.0m B/L 3020,S.3,O.M.B. Mar.18/69
King Street	15.0m
Lexington Road	10.0m
Northfield Drive (Road 50)	12.0m
Westmount Road	15.0m B/L 3020,S.3,O.M.B. Mar.18/69

By-Law No. 1505, S.4, O.M.B. Approval Dec. 14, 1961.

8.10 **Off Street Loading**

With the exception of a private residence, no building or structure 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:

- a) each building or structure is provided within loading in conformity with the following table:

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

- b) each loading space shall be off-street, and located on the same lot as the building or structure requiring the said space;
- c) each loading space shall be at least three metres (3m) in width by twelve metres (12m) in length, with a height clearance of at least four-point-five metres (4.5m);
- d) each loading space shall have adequate ingress and egress to and from the street; and,
- e) each loading space shall have sufficient land to avoid undue interference with public streets and municipal lands, including but not restricted to the need at any time for vehicles to remain parked in the public right-of-way.

8.11 **Off-Street Parking**

8.11.1 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.

8.11.2 Each off-street parking space must be a minimum of two hundred and eighty centimetres (280cm) by five hundred and fifty centimetres (550cm) and have direct access to a driveway.

8.11.3 Parking requirements shall be provided on the same lot as the related use.

8.11.4 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:

8.11.4.1 Where the parking is in the side yard, the side yard shall have a minimum width of three metres (3m);

8.11.4.2 The driveway shall lead directly to the parking;

8.11.4.3 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;

8.11.4.3.1 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;

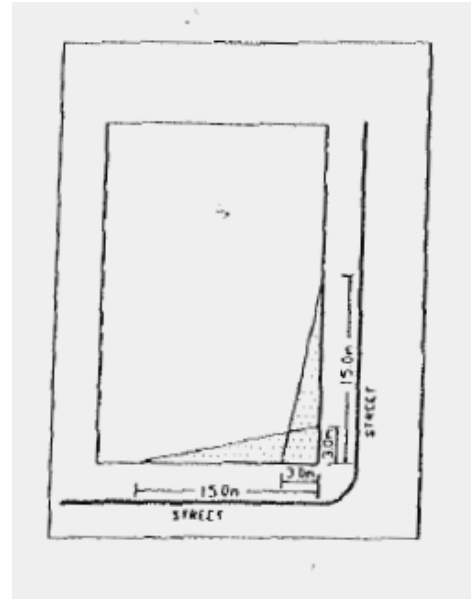
8.11.4.5 Where parking is to be provided in a recessed area or rear yard, the minimum width of the driveway shall be three (3m) metres;

- 8.11.4.6 The driveway shall not exceed seven metres (7m) in width and the driveway shall not be less than two hundred and eighty centimetres (280cm) in width;
- 8.11.4.7 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.
- 8.11.5 Notwithstanding subsection 8.11.4.3 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.
- 8.11.6 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.
- 8.11.6.1 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.
- 8.11.7 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.
- 8.11.8 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.
- 8.11.9 Notwithstanding anything contained elsewhere in this by-law, for any one of the uses listed below parking shall be provided as follows:
- | | | |
|----------|--|---|
| 8.11.9.1 | funeral home | three (3) spaces per one hundred (100) square metres of building floor area (must have a minimum of twenty (20) spaces) |
| 8.11.9.2 | private clubs, lodges | eight (8) spaces per one hundred (100) square metres of building floor area |
| 8.11.9.3 | 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. |
| 8.11.9.4 | hospitals (public and private)
nursing homes, home for the aged | one (1) space for every three (3) beds
maximum designed capacity |
| 8.11.9.5 | churches, church halls | eight (8) spaces per one hundred (100) square metres of building floor area |
| 8.11.9.6 | service stations | seven (7) spaces per one hundred (100) square metres of building floor area |
| 8.11.9.7 | nursery schools, private schools | two (2) spaces per one hundred (100) square metres of building floor area |

- 8.11.9.8 school (public and separate) two (2) spaces for each teaching area
- 8.11.9.9 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 are required in addition to the parking required for the residential dwelling.

8.12 **Obstruction on Corners**

On a corner lot within the triangular spaces formed by street lines for a distance of 3 metres from the intersection of the street line to the point on the opposite street line measured a distance of 15.0 metres 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.



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

- 8.13 Apartments, triplexes, semi-detached dwellings, duplexes must have available municipal sanitary sewers and water before a building permit will be issued.

- 8.14 Deleted.

By-Law No. 1505, S.6, O.M.B. Approval Dec. 14, 1961.

8.15 **Restriction along Laurel Creek**

There shall be no building within thirty metres (30m) on each side of the centre line of Laurel Creek.

- 8.15.1 Outdoor Storage shall be prohibited in all Commercial Zones unless it is visibly screened from view from public rights of way and any adjacent residential use but this shall not include outdoor sales associated with a permitted commercial use.

- 8.16 No building or structure or part thereof shall be permitted within forty metres (40m) of the centre line of any controlled access highway or within twenty metres (20m) of the limit of any controlled access highway, provided however that the following lands shall be exempted from this provision:

Lot 17, R.P. No. 1038, By-Law No. 1950, S.1, O.M.B. Approval May 4, 1964.

8.17 Where a combination of permitted uses results in conflicting regulations the most restrictive regulations shall apply.

8.17.1 Where regulations in this by-law are in conflict the most restrictive shall apply. The foregoing shall not apply to a site specific amendment to the by-law.

By-Law No. 2062, S.1, O.M.B. Approval Sept. 18, 1964.

8.18 Deleted.

By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

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 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, side yard, 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, side yard, rear yard, 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 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”.

By-Law No. 2626, O.M.B. Approval April 20, 1967.

- 8.21 Deleted.

- 8.21.1 By-Law No. 2516, O.M.B. Approval June 7, 1967.
Deleted by By-Law No. 79-53, O.M.B. Approval Aug. 21, 1979.

- 8.21.2 By-Law No. 2516, O.M.B. Approval June 7, 1967.
Deleted by By-Law No. 79-53, O.M.B. Approval Aug. 21, 1979.

- 8.21.3 By-Law No. 2516, O.M.B. Approval June 7, 1967.
Deleted by By-Law No. 79-53, O.M.B. Approval Aug. 21, 1979.

- 8.21.4 By-Law No. 2516, O.M.B. Approval June 7, 1967.
Deleted by By-Law No. 79-53, O.M.B. Approval Aug. 21, 1979.

8.22 **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.

- 8.22.1 Deleted.

- 8.22.2 Deleted.

- 8.22.2.1 Deleted.

- 8.22.2.2 Deleted.

- 8.22.2.3 Deleted.

- 8.22.2.4 Deleted.

- 8.22.3 Deleted.

- 8.22.4 Deleted.

- 8.23 “The making or establishment of pits or quarries is hereby prohibited within the lands restricted by By-law No. 1418 and more particularly shown on Appendix “A” annexed to the said By-law No. 1418.”

By-Law No. 76-141, O.M.B. Approval Jan. 17, 1977.

- 8.24 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 “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.”

By-Law No. 80-36, O.M.B. Approval May 13, 1980.

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

8.27 **Reserves**

8.27.1 Reserves at the Side Lot Line

Where a lot abuts a reserve which 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
- 8.28.2 A group home shall be located at least 300 metres from any other group home.
- 8.28.3 A group home shall be located at least 100 metres 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 **Holding Zone**

- 8.29.1 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.
- 8.29.2 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.

8.30 **Lodging Houses**

- 8.30.1.1 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 Two A ‘GR2A’
Semi-Detached ‘SD’
Semi-Detached One ‘SD-1’
Residential ‘R’
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’
Single Residence Four ‘SR4’
Flexible Residential ‘FR’
Mixed Use Commercial ‘MXC’
Mixed Use Employment ‘MXE’
Mixed Use Residential ‘MXR’
Neighbourhood Residential ‘NR’

- 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 license as required under the City of Waterloo Lodging House Licensing By-law, approved under the authority of the Municipal Act.

Amended by By-law No. 04-143

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 Three 'MD-3'
Inserted by By-law No. 04-144

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 8.11.1 and 8.11.4, for every required parking space provided behind the building line, one (1) tandem parking space may be provided to satisfy a parking requirement.

By-Law No. 97-58, Clerk's Declaration March 13, 1997.

8.32.1 **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.

8.32.1.1 **A Quonset Hut, as defined herein is prohibited.**

8.32.2 **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.

Inserted by By-law No. 03-144

8.33 **Decks**

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

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

8.33.3 Decks, less than three (3m) metres in height, 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.

8.33.4 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.

8.33.5 Notwithstanding 2.18.1.1 of By-law 1418 the portion of the deck below the platform may be enclosed.

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

8.33.7 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.

8.34 **Class One – Home Occupation** shall include:

a) home office

8.34.1 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.

8.35 **Class Two – Home Occupation** shall include:

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

8.35.1 Provided that:

- a) the resident 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.

- 8.36 **Model Homes**: The following regulations shall apply to model homes:
- 8.36.1 Model homes shall be permitted in zones that permit single detached, semi-detached, townhouse, and/or townhouse-linear residential uses,
- 8.36.2 No person shall erect a model home on lands other than:
- a) lands for which draft approval has been granted for a plan of subdivision pursuant to the *Planning Act* R.S.O. 1990, c.P.13, as amended;
 - b) lands for which draft approval has been granted for a plan of condominium pursuant to the *Condominium Act*, 1998, S.O. 1998, c.19, as amended;
 - c) land within a registered plan of subdivision
 - d) lands within a registered plan of condominium,
- 8.36.3 No person shall erect a model home unless it complies with the zoning regulations applicable to the permanent use for which the building is to be lawfully used after the temporary model home use ceases, being a:
- a) single detached dwelling;
 - b) semi-detached dwelling;
 - c) townhouse dwelling;
 - d) townhouse-linear dwelling.
- 8.37.4 Notwithstanding any other provisions of this by-law, more than one model home may be erected on a lot prior to the registration of a plan of subdivision.
- 8.36.5 For the purposes of establishing the location of model homes within a draft approved plan of subdivision, the property lines for lots identified on the draft approved plan of subdivision shall be treated as lot lines for the purpose of determining setback, frontage and coverage compliance.
- 8.36.6 Model homes shall be located on lands in accordance with a site plan approved by the General Manager of Development Services. A site plan should include sufficient information to ensure compliance with section 8.36.3 including driveway access, parking and building location.
- 8.36.7 Model homes shall not be used for human habitation.
- 8.36.8 Model homes shall not be considered a use for the purposes of defining mixed-use.
- 8.36.9 Model homes shall be provided with a connected to municipal sanitary service and municipal water service prior to a building permit occupancy inspection.
- 8.36.10 Model homes shall be provided with and connected to hydroelectric service prior to a building permit occupancy inspection.

8.36.11 The maximum number of model homes permitted shall be in accordance with the following table:

Hectares of land within a draft approved plan of subdivision, draft approved plan of condominium, registered plan of subdivision or registered plan of condominium	Maximum number of model homes
0.00 – 24.99 hectares	4 units
25.00 – 32.99 hectares	5 units
33.00 or more hectares	6 units

8.37 **Model Suites**

The following regulations shall apply to model suites:

8.37.1 Model suites shall be permitted in zones that permit terrace dwellings, apartments and/or residential dwellings in a mixed-use building,

8.37.2 No person shall erect a model suite unless it complies with the zoning regulations applicable to the permanent use for which the building and unit are to be lawfully used after the temporary model suite use ceases, being a:

- a) terrace dwelling;
- b) apartment dwelling; or
- c) residential dwelling within a mixed-use building.

8.37.3 Model suites shall be located on lands in accordance with a site plan approved by the General Manager of Development Services. A site plan should include sufficient information to ensure compliance with Section 8.37.2 including driveway access, parking and building location.

8.37.4 Model suites shall not be used for human habitation.

8.37.5 Model suites shall not be considered a use for the purposes of defining mixed-use.

8.37.6 Model suites shall be provided with and connected to municipal sanitary service and municipal water service prior to a building permit occupancy inspection.

8.37.7 Model suites shall be provided with and connected to hydroelectric service prior to a building permit occupancy inspection.

8.37.8 The maximum number of model suites permitted shall not exceed five percent (5%) of the total number of proposed units per building. For the purposes of calculating compliance with this requirement, any fraction shall be rounded to the next highest whole number.

8.38 **Temporary Sales Centres**

The following regulations shall apply to temporary sales centres:

- 8.38.1 Temporary sales centres shall be permitted in all zones except for:
- Agriculture "A"
 - Green "G"
 - Green One "G1"
 - Green Two "G2"
 - Green Three "G3"
 - Temporary Green "TG"
- 8.38.2 Temporary sales centres shall be located on the lands subject to development or on lands within one hundred metres (100m) of the subject development.
- 8.38.3 The maximum number of temporary sales centres permitted on any lot shall be one (1).
- 8.38.4 No temporary sales centre is permitted within five metres (5m) of any lot line.
- 8.38.5 The maximum height of a temporary sales centre shall be four metres (4m).
- 8.38.6 The maximum coverage of the lot by a temporary sales centre shall be ten percent (10%) of the lot area.
- 8.38.7 A minimum of three (3) parking spaces shall be provided for a temporary sales centre.
- 8.38.8 Temporary sales centres shall not be used for human habitation.
- 8.38.9 Temporary sales centres shall not be considered a use for the purposes of defining mixed-use.
- 8.38.10 Temporary sales centres shall be located on lands in accordance with a site plan approved by the General Manager of Development Approvals. A site plan should include sufficient information to ensure compliance with sections 8.38.1 to 8.38.7 including driveway access, parking and building location.
- 8.38.11 Temporary sales centres shall be provided with and connected to municipal sanitary service and municipal water service prior to building permit occupancy inspection.
- 8.38.12 Temporary sales centres shall be provided with and connected to hydroelectric service prior to a building permit occupancy inspection.

Section 9

“A”

AGRICULTURE

9.

9.1 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 “A” Zone for any purpose other than one or more of the following uses:

9.1.1 A farm

9.1.2 A single detached dwelling, class A group home, Bed and Breakfast

9.1.3 A public park, playground, recreation or conservation area

9.1.4 *Deleted by By-law No. 03-144*

9.1.5 *Deleted by By-law No. 03-144*

9.1.6 *Deleted by By-law No. 03-144*

9.1.7 *Deleted by By-law No. 03-144*

9.1.8 *Deleted by By-law No. 03-144*

9.1.9 Deleted by By-Law No. 76-92, O.M.B. Sept. 14, 1976

9.2 The following regulations shall apply to all uses in the “A” Zone:

Minimum lot area	10 hectares
Minimum building line setback	7.5 metres
Minimum frontage on public highway	300.0 metres
Minimum side yard (each side) Residence	3.0 metres
Other permitted uses	equal to ½ the building height but not less than 4.5 metres
Minimum rear yard	7.5 metres

(see By-law No 2010-031, passed February 22, 2010)

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

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

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

9.3 **Parking Provisions**

- 9.3.1 A minimum of one (1) parking space shall be provided for each dwelling unit.
- 9.3.2 For all other permitted uses, a minimum of three (3) parking spaces shall be provided for every one hundred square metres (100sq.m) of building floor area.
- 9.4 Notwithstanding anything contained in this section, the minimum lot requirements may be reduced when:
- 9.4.1 The lot is contained within a registered plan of subdivision, the draft of which has been recommended for approval by the Planning Board.
- 9.4.2 When the lot is a conveyance pursuant to the provisions of Section 32b (2a) of The Planning Act and amendments thereto.
- 9.5 A lot so created shall be used for a single detached dwelling only, and be subject to the following regulations:
- | | | |
|-------|-------------------------------|--------|
| 9.5.1 | Minimum lot area | .4 ha |
| 9.5.2 | Minimum lot width | 60.0 m |
| 9.5.3 | Minimum building line setback | 7.5 m |
| 9.5.4 | Deleted by By-Law No. 93-32. | |
| 9.5.5 | Minimum side yard (each side) | 3.0 m |
| 9.5.6 | Minimum rear yard | 7.5 m |
- 9.5.7 No residence erected on any lot contained within a plan of subdivision registered after the date of the final passing of this by-law shall cost less than twenty-five thousand dollars (\$25,000.00) based on the 1959 cost prices as set forth in the Dominion Bureau of Statistics Report.
- 9.5.8 *Deleted by By-Law No. 09-023*
- 9.5.8.1 *Deleted by By-Law No. 09-023*
- 9.5.8.2 *Deleted by By-law No. 03-144*
- 9.5.8.3 *Deleted by By-law No. 03-144*
- 9.6 *Deleted by By-law No. 03-144*

Section 10

“G”

GREEN ZONE

10.

10.1 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:

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

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

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

10.1.4 Private recreation centres.

By-Law No. 76-199, S.3, O.M.B. Approval April, 22, 1977.

10.2 Deleted by By-Law 76-92, S.2, O.M.B. Approval September, 14, 1976.

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

10.3.1 **Lot Area**

The minimum lot area shall be 2,000 square metres.

10.3.2 **Lot Frontage**

The minimum lot frontage shall be twenty-five (25) metres.

10.3.3 The regulations contained in Sections 10.4.1, 10.4.2, shall also apply to private recreation buildings or structures.

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

10.4 The following regulations shall apply to each use in the “G” Zone:

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

10.4.2 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.

10.4.3 **Parking Provisions**

10.4.3.1 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.

Section 10A

“G1”

GREEN ONE

10.A

10A.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:

10A.1.1

The following open spaces uses:

- Conservation Lands
- Natural resource areas including, but not limited to woodlots, wetlands, water courses, vegetative buffers

10A.1.2

The following recreational uses:

- Community trail
- Linear parks

10A.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.

10A.1.4

Trail/Pedestrian Shelters

By-Law No. 93-46, Clerk's Declaration May 10, 1993.

Section 10B

“G2”

GREEN TWO

10B

10B.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:

10B.1.1 The following recreational uses:

- Active recreation
- Community trail
- Court games (lighting permitted with basketball and tennis courts)
- Horticulture.
- Linear parks
- Outdoor rinks (lighting permitted)
- Play fields
- Playgrounds
- Public parks

10B.1.2 Accessory buildings or storage, utilities, washrooms or change rooms.

10B.1.3 Trail/Pedestrian Shelters.

10B.1.4 Public storm water management facilities.

10B.2 The following regulations shall apply to buildings or structures in the “G2” zone:

10B.2.1 **Yard Requirements**

10B.2.1.1 “Front Yard” - a minimum front yard setback of 7.5 metres shall be provided.

10B.2.1.2 “Side Yard” - a minimum side yard of 7.5 metres shall be provided.

10B.2.1.3 “Rear Yard” - a minimum rear yard of 7.5 metres shall be provided.

10B.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.

By-Law No. 93-46, Clerk’s Declaration May 10, 1993.

Section 10C

“G3”

GREEN THREE

10C

10C.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:

10C.1.1 The following recreational uses:

- Active recreation
- Amusement park
- Arenas
- Botanical gardens
- Bowling green
- Camp grounds
- Community centre
- Community trail
- Court games (lighted)
- Curling rink
- Fair grounds
- Golf course (public)
- Horticulture
- Library
- Linear park
- 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
- Wildlife display

10C.1.2 The following open space uses:

- Cemetery (may include crematorium or mausoleum).
- Cenotaph
- Memorials

10C.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 for media, change rooms and storage.

10C.2 The following regulations shall apply to buildings or structures in the “G3” zone:

10C.2.1 **Lot Frontage**

A minimum lot frontage of 30 metres shall be provided.

10C.2.2 **Lot Area**

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

10C.2.3 **Yard Requirements**

10C.2.3.1 “Front Yard” - a minimum front yard setback of 10 metres shall be provided.

10C.2.3.2 “Side Yards” - a minimum side yard of 7.5 metres shall be provided.

10C.2.3.3 “Rear Yards” - a minimum rear yard of 7.5 metres shall be provided.

10C.2.3.4 No building or structure shall be erected closer than 7.5 metres to the boundary of any other zone under this by-law.

10C.2.4 **Off-Street Parking Requirements**

10C.2.4.1 Minimum parking spaces for specific uses shall be provided as follows:

10C.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.

10C.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.

10C.2.4.1.3 For golf courses, 10 parking spaces for each golf course hole.

Section 11

“TG”

11

TEMPORARY GREEN ZONE

11.1

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 “TG” Zone for any purposes other than as set out in Section 10 of this by-law and such permitted use shall be subject to the regulations set out in Section 11 of this by-law.

By-Law No. 1505, S.9, O.M.B. Approval Dec. 14, 1961.

Section 12

“PGC”

PARK-GOLF COURSE ZONE

12

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

12.1.1 A golf course which shall not include miniature golf courses or Par Three Courses;

12.1.1.1 Any use accessory to the foregoing;

12.1.1.2 A curling rink;

12.1.1.3 A tennis court;

12.1.1.4 A clubhouse which may include a lounge with facilities for dining and entertaining;

12.1.1.5 A swimming pool;

12.1.1.6 Any other recreational facility other than an outdoor sports stadium or track for the racing of automobiles, horses or dogs.

12.2 **Minimum Lot Size Setback**

In the Park-Golf Course Zone the following minimum apply:

Minimum Lot Width - 450.0m

Minimum Lot Depth - 400.0m

Minimum Setback of any building 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.

12.3 **Off-Street Parking**

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

By-Law No. 74-141, S.6, O.M.B. Approval Oct. 7, 1974.

Section 13

UNIVERSITIES 'BI'

13

- 13.1 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*:
- 13.1.1 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.
- 13.1.2 Student Residences.
- 13.1.3 Indoor and Outdoor Recreational facilities associated with a University or College.
- 13.1.4 A research and development facility associated with the University of Waterloo and which may include manufacturing as a *Use* related to the research and development facility, on lands leased by the University of Waterloo to a second party, provided that:
- 13.1.4.1 A minimum of two and one-half (2.5) parking spaces are provided for every one hundred (100) square metres of *Building Floor Area*;
- 13.1.4.2 Any *Outdoor Storage* area shall be screened from view so that it is not visible from adjacent public *Streets* or residential *Uses*.
- 13.2 The following regulations shall apply in respect to *Building* clearances from public *Streets* and *Abutting* property:
- 13.2.1 "*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.
- 13.2.2 "*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).
- 13.2.3 "*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*.
- 13.2.3.1 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.
- 13.2.3.2 The *Landscaped Buffer* shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 13.2.3.3 The *Landscaped Buffer* shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 13.2.3.4 *Buildings*, *Structures*, enclosures, parking areas, driveways, retaining walls and *Impervious Areas* shall be prohibited within the *Landscaped Buffer*.

13.3 **Building Height**

13.3.1 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**.

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

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

13.4 Notwithstanding any other provision in By-law No. 1418 more than one (1) main **Building** and **Accessory Building** shall be permitted on any **Lot** in this Zone.

13.5 **Off-Street Parking**

13.5.1 There shall be one (1) parking space provided for every two (2) **Persons** employed full time by the University or College plus one (1) parking space for every ten (10) students enrolled full time.

Section 14

INSTITUTIONAL 'IN'

14

14.1 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 Institutional 'IN' 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
- Library
- Monastery, Nunnery, Museum
- **Nursery School**
- **Public School**
- Public Library
- **Private School**
- Police Station
- A Private Hospital under the meaning of The Private Hospitals Act
- A Religious **Use**
- **Separate School**
- A Sanitarium, **Senior Citizen Home**, Y.M.C.A, Y.W.C.A.
- The following Recreation **Uses**: parks, playgrounds, community centre, athletic complex, gymnasium, tennis courts, bowling greens, stadium, stadium bleachers, swimming pools, golf courses.
- Any **Use Accessory** to the foregoing.

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

14.1.2.1 The maximum height of any **Accessory Building** shall be four-point-five metres (4.5m). No **Accessory Building** shall be used for human habitation. No **Accessory Building** shall be located closer than three metres (3m) to a main **Building** on an adjacent **Lot** nor shall an **Accessory Building** be located within sixty centimetres (60cm) of any **Lot Line**.

14.2 Notwithstanding any other provision contained in this by-law more than one (1) main **Building** and **Accessory Building** shall be permitted on any **Lot** in this zone.

14.3 Parking Provisions

14.3.1 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**.

14.4 Lot Area

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

14.5 Lot Frontage

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

14.6 **Yard Requirements**

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

14.6.2 ***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***.

14.6.3 ***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).

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

14.6.5 “***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***.

14.6.5.1 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.

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

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

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

14.7 **Height**

14.7.1 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***.

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

14.7.3 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***.

14.8 **Coverage**

The maximum ***Coverage*** of the ***Lot*** by all ***Buildings*** shall be thirty-five percent (35%).

Section 15

“GR”

GENERAL RESIDENCE

15

15.1 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:

By-Law No. 1505, S.8, O.M.B. Approval Dec. 14, 1961.

By-Law No. 1537, S.1, O.M.B. Approval Dec. 14, 1961.

15.1.1 “Beauty salons” and “barber shops” provided only one (1) operator is employed and not more than twenty-five percent (25%) of the ground or basement floor area of the building is used for this purpose.

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

15.1.3 “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 (3) such persons practice in such office or clinic and use a floor area not to exceed 50% of the ground or basement floor area.

15.1.4 “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.

15.1.5 The following residential uses:

- Apartment Dwellings
- Bed and Breakfast Establishments
- Class A group home
- Class B group home
- Detached Dwelling
- Duplexes
- Lodging Houses Class One
- Row Houses shall not be permitted in this zone.
- Single Detached Dwelling
- Semi-Detached Dwelling
- Triplexes

By-Law No. 79-53, O.M.B. Approval Aug. 21, 1979.

15.2 Deleted by By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976

15.3 The following accessory uses are permitted: private garages - a maximum of three (3) cars or two (2) cars and one (1) light commercial vehicle, the latter to have a maximum capacity of one (1) 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.

By-Law No. 1505, S.10, O.M.B. Approval, Dec. 14, 1961.

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

15.4.1 **Lot Area**

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

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

15.4.2 **Lot Frontage**

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

By-Law No. 79-33, O.M.B. Approval, June 22, 1979.

15.4.2.2 Deleted by By-Law No. 79-33, O.M.B. Approval, June 22, 1979.

15.4.3 **Yard Requirements**

15.4.3.1 “Front Yard” - no building structure, or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

15.4.3.2 “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.

15.4.3.3 “Rear Yards” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

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

15.4.5 **Height**

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

15.4.6 **Coverage**

15.4.6.1 “Main Building” - the maximum coverage of the lot by the main building shall be thirty-five percent (35%) of the lot area.

15.4.7 **Parking Provisions**

15.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

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

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

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

15.4.7.5 All other permitted non-residential uses - parking spaces equal to 75% of the building floor area.

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

15.5.1 Duplex dwellings and semi-detached dwellings must have available municipal sanitary sewers and water before a building permit will be issued.

15.5.2 **Lot Area**

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

15.5.3 **Lot Frontage**

15.5.3.1 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.

By-Law No. 79-33, O.M.B. Approval, June 22, 1979.

15.5.4 **Yard Requirements**

15.5.4.1 “Front Yard” - no building structure, or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

15.5.4.2 “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.

15.5.4.3 “Rear Yards” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m)

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

15.5.6 **Height**

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

15.5.7 **Coverage**

15.5.7.1 “Main Building” - The maximum coverage of the lot by the main building shall be twenty-five percent (25%) of the lot area.

15.5.8 **Parking Provisions**

15.5.8.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

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

15.5.8.3 Deleted by By-law No. 81-56.

15.6 **In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:**

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

By-Law No. 78-125, O.M.B. Approval, Aug. 9, 1978.

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

By-Law No. 79-33, O.M.B. Approval, June 22, 1979.

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

15.6.4 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 (120cm) centimetres plus sixty (60cm) centimetres for each additional storey. 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 (120cm) centimetres plus sixty (60cm) centimetres 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.

15.6.5 “Rear Yards” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

15.6.6 No part of any structure or building shall be erected within six metres (6m) of the lot.

15.6.7 **Parking Provisions**

15.6.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

15.6A **The following regulations shall apply to all TRIPLEX DWELLINGS:**

15.6A.1 Municipal sanitary sewers and water must be available prior to the issuance of a building permit.

15.6A.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.).

15.6A.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.

15.6A.4 **Yard Requirements**

15.6A.4.1 “Front Yard” - no building, structure, or park thereof is permitted within six metres (6.0m) of the street line.

15.6A.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 plus sixty centimeters (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 (3m) to provide access to the rear yard. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

15.6A.4.3 “Rear Yards” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

15.6A.5 **Floor Area**

15.6A.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.

15.6A.5.2 For the purpose of this section, where a triplex is created through an addition to an existing dwelling, the basement or cellar of an existing dwelling shall not be included in the gross floor area.

15.6A.6 **Height**

15.6A.6.1 The maximum height of any portion of a building or structure shall be nine-point-five metres (9.5m), subject to the following:

15.6A.6.1.1 Where an existing dwelling is enlarged to create a triplex or where an existing triplex is enlarged, the maximum height of the addition shall be one storey;

15.6A.6.1.2 The maximum height of any newly constructed triplex shall be two storeys.

15.6A.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.

15.6A.8 **Parking Provisions**

15.6A.8.1 A minimum of four parking spaces shall be provided for a triplex dwelling.

15.7 **The following regulations shall apply to APARTMENT DWELLINGS:**

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

15.7.2 Deleted by By-Law No. 80-158, Section 2.

15.7.2.2 **Lot Area For Apartment Dwellings**

15.7.2.2.1 There shall be a minimum of ninety square metres (90sq.m) of landscaped open space or improved public area, or combination thereof, for each dwelling unit.

15.7.2.2.2 For the purposes of this by-law “improved public area” shall mean - balconies, indoor recreation areas.

By-Law No. 3378, S.2, O.M.B. Approval Jan 25, 1973.

15.7.2.2.3 For the purposes of calculating “landscaped open space” the following areas shall be excluded - areas covered by building or buildings, parking areas, driveways leading to parking areas.

By-Law No. 3289, S.1, O.M.B. Approval July 21, 1970.

By-Law No. 76-39, S.7, O.M.B. Approval Nov. 14, 1977.

15.7.2.2.4 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 areas and/or improved public areas.

By-Law No. 74-170, S.1, O.M.B. Approval Oct. 30, 1974.

By-Law No. 76-39, S.7, O.M.B. Approval Nov. 14, 1977.

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

By-Law No. 74-170, S.2, O.M.B. Approval Oct. 30, 1974.

15.7.3 **Lot Frontage**

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

By-Law No. 2160, O.M.B. Approval April 12, 1965.

15.7.4 **Yard Requirements**

15.7.4.1 “Front Yard” - no building, structure, or part thereof is permitted within ten-point-five metres (10.5m) of the street line.

By-Law No. 1505, S.11, O.M.B. Approval Dec. 14, 1961.

15.7.4.2 “Side Yards” - there shall be a side yard on both sides of the building equal to half (1/2) 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.

By-Law No. 2160, S.7, O.M.B. Approval April 12, 1965.

15.7.4.3 “Rear Yards” - there shall be a rear yard on each lot equal to one-half (1/2) the height of the building but in no case less than a minimum average depth of ten-point-five metres (10.5m).

By-Law No. 76-39, S.10, O.M.B. Approval Nov. 14, 1977.

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

15.7.6 **Parking Provisions**

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

15.7.6.2 Notwithstanding subsection 15.7.6.1 above, in the hatched area shown on Schedule “A” attached to By-law No. 2119, the minimum parking requirement shall be one (1) parking space for each dwelling unit.

15.7.6.3 Where the required parking for 15.7.6.1 above is to be underground or enclosed within the building, a minimum of one (1) parking space for every six (6) dwelling units, shall be provided on surface, and outside of the building.

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

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

15.7.9 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.

15.8 Non-residential buildings which are permitted in the General Residence Zone shall be subject to the following regulations:

15.8.1 **Coverage**

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

15.8.2 **Yard Requirements**

15.8.2.1 “Front Yard” - no building or structure or part thereof is permitted within seven-point-five metres (7.5m) of the street line.

15.8.2.2 “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.

15.8.2.3 “Rear Yards” - an average depth of no less than seven-point-five metres (7.5m) shall be maintained in the rear yard.

15.8.3 **Parking Provisions**

15.8.3.1 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 (3) parking spaces for every one hundred square metres (100sq.m) of building floor area.

15.8.4 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.

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

15.9.1 **Lot Area**

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

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

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

15.9.2 **Yard Requirements**

15.9.2.1 “Front Yard” - no building, structure or part thereof shall be permitted within seven-point-five metres (7.5m) of the street line.

15.9.2.2 “Side Yards” - there shall be a minimum side yard of one hundred and twenty centimetres (120cm) on both sides of the lot plus a minimum of sixty centimetres (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.

By-Law No. 79-53, S.15.9, O.M.B. Approval Aug. 21/79.

15.9.2.3 “Rear Yards” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).

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

15.9.4 **Height**

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

15.9.5 **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.

Amended by By-law No. 03-144

15.9.6 **Landscaped Open Space**

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

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

15.9.7 **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 15.9.1, 15.9.2, 15.9.4 & 15.9.6 above, but any additions thereto must be in compliance with said paragraphs.

By-Law No. 79-53, S.15.9, O.M.B. Approval Aug. 21/79

Section 15A

15A

MULTIPLE RESIDENCE ‘MR’

15A.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	*	*	*	*	*

15A.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 of By-law 1418 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 15A.2.1.2 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 15A.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 15A.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 15A.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 15A2.2.1 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 8.11.5 of By-law No. 1418 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. 1418. 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. 1418.
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 15A.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.

15A.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.

15A.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**

15A.5 Section 15.4 of the General Residence Zone shall apply to every single detached dwelling and Section 15.5 of the General Residence Zone shall apply to every semi-detached and duplex dwelling.

15A.6 The following regulations shall apply to all NON-RESIDENTIAL USES:

1. Site Regulations

	All MR zones
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 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 ² of Building Floor Area or as required by Section 8.11
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 15B

“GR5”

GENERAL RESIDENCE FIVE

15B

15B.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 “GR-5” Zone for any purpose other than one or more of the following uses:

15B.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.

15B.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.

15B.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 (3) such persons practice in such office or clinic and use a floor area not to exceed 50% of the ground or basement floor area.

15B.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.

15B.1.5 The following residential uses: apartment dwellings, class A group homes, class B group homes, duplexes, lodging houses class one, semi-detached dwellings, single detached dwellings, triplexes, Bed and Breakfast Establishments. Townhouse dwellings are not permitted in this zone.

15B.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 tonne 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.

15B.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.

15B.4 **The following regulations shall apply to all APARTMENT DWELLINGS:**

15B.4.1 Apartment dwellings must have available municipal sewers and water before a building permit will be issued.

15B.4.2 **Lot Area For Apartment Dwellings**

15B.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.

15B.4.2.2 For the purposes of this by-law, “improved public area” shall mean - balconies or indoor recreation area.

15B4.2.3 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.

15B.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.

15B.4.2.5 Indoor recreation areas shall mean those areas used for recreational purposes excluding lobbies, washrooms, laundries and reception areas.

15B.4.3 **Yard Requirements**

15B.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.

15B.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.

15B.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.

15B.4.4 **Parking Provisions**

15B.4.4.1 A minimum of one and one-quarter (1.25) parking spaces shall be provided for each dwelling unit.

15B.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.

15B.4.5 **Height**

15B.4.5.1 The maximum height of any building or structure shall be four (4) storeys.

15B.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 15C

“GR2A”

GENERAL RESIDENCE TWO A

15C

15C.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:

15C.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.

15C.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 (3) such persons practice in such office or clinic and use a floor area not to exceed 50% of the ground or basement floor area.

15C.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.

15C.1.4 The following residential uses: single detached dwelling, duplexes, semi-detached dwellings, converted dwelling houses, Class A group homes, Class B group homes, Bed and Breakfast Establishments.

15C.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.

15C.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.

15C.4 Section 15.4 of the General Residence Zone shall apply to every single dwelling.

15C.5 Section 15.5 of the General Residence Zone shall apply to all duplex and semi-detached dwellings.

15C.6 In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the regulations contained in Section 15.6 of By-law No. 1418 shall apply.

15C.7 **Converted Dwelling Houses**

15C.7.1 For the purpose of this Section, “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 following:

15C.7.1.1 There shall be a maximum of three dwelling units.

15C.7.1.2 That there shall be no more than one dwelling unit for each one hundred and thirty-five square metres (135 sq. m.) of lot area.

15C.7.1.3 One parking space shall be provided for each dwelling unit.

15C.8 Section 15.8 of the General Residence Zone shall apply to all non-residential buildings.

By-Law No. 93-52, Clerk’s Declaration June 28, 1993

Section 16

“SD”

SEMI-DETACHED

16

16.1 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:

16.1.1 “Residential” - semi-detached dwelling, duplex, and single detached dwelling, class A group home, Bed and Breakfast Establishments.

16.1.2 “Institutions” - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

16.1.3 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.

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

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

16.2.2 **Lot Area**

16.2.2.1 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.

16.2.3 **Lot Frontage**

16.2.3.1 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.

16.2.4 **Yard Requirements**

16.2.4.1 “Front Yard” - there shall be a minimum front yard of seven metres (7 m) for all buildings, structures or parts thereof.

16.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 16.2.4.1 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.

16.2.4.2 “Side Yards” - there shall be a minimum side yard of one (1) hundred and twenty centimetres (120 cm) on both sides of the lot.

16.2.4.2.1 Notwithstanding the side yard requirement referred to in Subsection 16.2.4.2 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).

- 16.2.4.2.2 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.
- 16.2.4.2.3 In no case shall there be less than two hundred and forty centimetres (240 cm) distance between two main buildings on separate lots.
- 16.2.4.2.4 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).
- 16.2.4.2.5 Except where a side yard is one hundred and twenty centimetres (120 cm) or greater, there shall be no opening on any adjacent wall.
- 16.2.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120 cm).
- 16.2.4.3 “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.
- 16.2.4.4 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

16.2.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

16.2.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

16.2.7 **Parking Provisions**

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

16.2.8 Deleted by By-law No. 99-132

16.2.8.1 Deleted by By-law No. 99-132

16.2.8.2 Deleted by By-law No. 99-132

16.2.8.3 Deleted by By-law No. 99-132

16.3 **The following regulations shall apply to every DUPLEX AND SEMI-DETACHED DWELLING:**

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

16.3.2 **Lot Area**

16.3.2.1 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.

16.3.3 **Lot Frontage**

16.3.3.1 There shall be a minimum frontage of twelve metres (12 m) for internal lots and fifteen metres (15 m) for corner lots.

16.3.4 **Yard Requirements**

16.3.4.1 “Front Yard” - there shall be a minimum front yard of seven metres (7 m) for all buildings, structures, or parts thereof.

16.3.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 16.3.4.1 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.

16.3.4.2 “Side Yards”

16.3.4.2.1 For Duplex dwellings:

16.3.4.2.1.1 There shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot.

16.3.4.2.1.2 Notwithstanding the provisions of Subsection 16.3.4.2.1.1 above, one side yard may be reduced to zero, provided the other side yard is minimum of two hundred and fifty centimeters (250 cm).

16.3.4.2.1.3 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.

16.3.4.2.2 For Semi-detached dwellings:

16.3.4.2.2.1 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.

16.3.4.2.3 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

16.3.4.2.4 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).

16.3.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.

16.3.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).

16.3.4.3 “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.

16.3.4.4 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

16.3.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

16.3.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

16.3.7 **Parking Provisions**

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

16.3.8 Deleted by By-law No. 99-132

16.3.8.1 Deleted by By-law No. 99-132

16.3.8.2 Deleted by By-law No. 99-132

16.3.8.3 Deleted by By-law No. 99-132

16.4 **In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:**

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

16.4.2 **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.

16.4.3 **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.

16.4.4 **Yard Requirements**

16.4.4.1 “Front Yard” - there shall be a minimum front yard of seven metres (7 m) for all buildings, structures or parts thereof.

16.4.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 16.4.4.1 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.

16.4.4.2 “Side Yards”

16.4.4.2.1 The following regulations shall apply to the side yard which is not the common wall side lot line:

16.4.4.2.1.1 There shall be a minimum side yard of one hundred and twenty centimeters (120 cm).

16.4.4.2.1.2 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

- 16.4.4.2.1.3 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).
- 16.4.4.2.1.4 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.
- 16.4.4.2.1.5 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).
- 16.4.4.3 “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.
- 16.4.4.4 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).
- 16.4.5 **Height**
- The maximum height of any building or structure shall be nine-point-five metres (9.5 m).
- 16.4.6 **Coverage**
- The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.
- 16.4.7 **Parking Provisions**
- One (1) parking space shall be provided for each dwelling unit.
- 16.4.8 Deleted by By-law No. 99-132
- 16.4.8.1 Deleted by By-law No. 99-132
- 16.4.8.2 Deleted by By-law No. 99-132
- 16.4.8.3 Deleted by By-law No. 99-132
- 16.5 Section 15.8 of the General Residence “GR” Zone shall apply to all non-residential buildings.

Section 17

“SD1”

SEMI-DETACHED - ONE

17

17.1 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 use:

17.1.1 “Residential” - semi-detached dwelling and single detached dwelling, class A group home, Bed and Breakfast Establishments.

17.1.2 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.

17.2 **The following regulations shall apply to DWELLING UNITS IN SEMI-DETACHED DWELLINGS:**

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

17.2.2 Notwithstanding anything to the contrary more than one main building may be permitted on a lot subject to the other provisions of this zone.

17.2.3 **Lot Area**

17.2.3.1 There shall be a minimum lot area of two hundred and seventy square metres (270sq.m) for internal lots and three hundred and seventy-five square metres (375sq.m) for corner lots.

17.2.4 **Lot Frontage**

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

17.2.5 **Yard Requirements**

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

17.2.5.2 “Side Yards”

17.2.5.2.1 Deleted by By-Law No. 94-117.

17.2.5.2.2 For Semi-detached dwellings:

17.2.5.2.2.1 There shall be a minimum side yard of one hundred and twenty centimetres (120cm) for the side yard which is not the common wall side lot line.

By-Law No. 93-93, Clerk’s Declaration September 19, 1993

17.2.5.2.3 In no case shall there be less than two hundred and forty centimetres (240cm) distance between two main buildings on separate lots.

- 17.2.5.2.4 Where a required parking space is provided in a side yard adjacent to dwelling unit with a side yard of less than one hundred and twenty centimetres (120cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimetres (350cm).
- 17.2.5.2.5 Except where a side yard is one hundred and twenty centimetres (120cm) or greater, there shall be no opening on any adjacent wall.
- 17.2.5.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120cm).
- 17.2.5.3 “Street Line Flankage” - No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.
- 17.2.5.4 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).
- 17.2.6 **In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the regulations under Section 16.4 of By-Law No. 1418 shall apply.**

17.2.7 **Height**

The maximum height of any building or structure shall be ten metres (10m).

17.2.8 **Coverage**

- 17.2.8.1 “Main Building” - The maximum coverage of the lot by the main building shall be forty-five percent (45%) of the lot area.
- 17.2.8.2 “Accessory Building” - The maximum coverage of the lot by accessory buildings shall be ten percent (10%) of the lot area.
- 17.2.9 “Parking Provisions” - One (1) parking space shall be provided for each dwelling unit.

By-Law No. 79-92, O.M.B. Approval July 30, 1979.

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

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

17.3.2 **Lot Area**

- 17.3.2.1 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.

17.3.3 **Lot Frontage**

- 17.3.3.1 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.

17.3.4 **Yard Requirements**

17.3.4.1 “Front Yard” - no building, structure, or part thereof is permitted within seven metres (7 m) of the street line.

17.3.4.1.1 Notwithstanding the front yard requirement referred to in Subsection .3.4.1 above, any residential building, structure, or part thereof, excluding garages or carports, shall be permitted to encroach one metre (1 m) onto the front yard.

17.3.4.2 “Side Yards” - there shall be a minimum side yard of one hundred and twenty centimeters (120 cm) on both sides of the lot.

17.3.4.2.1 Notwithstanding the provisions of Subsection .3.4.2 above, one side yard may be reduced to zero, provided the other side yard is a minimum of two hundred and fifty centimeters (250 cm).

17.3.4.2.2 Notwithstanding anything to the contrary, where one side yard is reduced to zero, more than one main building shall be permitted on a lot subject to the other provisions of this zone.

17.3.4.2.3 In no case shall there be less than two hundred and forty centimeters (240 cm) distance between two main buildings on separate lots.

17.3.4.2.4 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 centimetres (350 cm).

17.3.4.2.5 Except where a side yard is one hundred and twenty centimetres (120 cm) or greater, there shall be no opening on any adjacent wall.

17.3.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120 cm).

17.3.4.3 “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.

17.3.4.4 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

17.3.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

17.3.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%).

17.3.7 **Parking Provisions**

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

17.3.8 **Floor Area**

17.3.8.1 For the purpose of this Section, “building floor area” means the gross floor area of the building measured from outside walls, excluding garages and including:

- (a) a basement
- (b) a cellar
- (c) an attic with a clear ceiling height of two hundred and fifteen centimeters (215 cm) for at least fifty percent (50%) of the floor area.

17.3.8.2 The building floor area of all floors above a basement or cellar and the floors of any basement deemed to be storey shall not exceed a floor area ratio of 0.2 plus one hundred and ten square metres (110 sq. m).

17.3.8.3 Notwithstanding the provisions of Subsection .3.8.2 above, where a lot has fifteen metres (15 m) or more of frontage and four hundred and fifty square metres (450 sq. m) or more of lot area, then the area of all floors as described in Subsection .3.8.2 above shall not exceed a floor area ratio of 0.30 plus one hundred and ten square metres (110 sq. m).

Section 17A

“R”

RESIDENTIAL

17A

17A.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 use:

17A.1.1 “Residential” - Duplex dwelling, single detached dwelling, class A group home, Bed and Breakfast Establishments.

17A.1.2 “Institutions” - which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

17A.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.

17A.2 **The following regulations shall apply to all SINGLE DETACHED DWELLINGS:**

17A.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.

17A.2.2 **Lot Area**

17A.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.

17A.2.3 **Lot Frontage**

17A.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.

17A.2.4 **Yard Requirements**

17A.2.4.1 “Front Yard” - no building, structure or part thereof is permitted within seven metres (7m) of the street line.

17A.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 17A.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.

17A.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.

17A.2.4.2.1 Notwithstanding the provisions of Subsection 17A.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).

- 17A.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.
- 17A.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.
- 17A.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).
- 17A.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.
- 17A.2.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimeters (120 cm).
- 17A.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.
- 17A.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).

17A.2.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

17A.2.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

17A.2.7 **Parking Provisions**

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

17A.2.8 Deleted by By-law No. 99-132

17A.2.8.1 Deleted by By-law No. 99-132

17A.2.8.2 Deleted by By-law No. 99-132

17A.2.8.3 Deleted by By-law No. 99-132

17A.3 **The following regulations shall apply to all DUPLEX DWELLINGS:**

17A.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.

17A.3.2 **Lot Area**

17A.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.

17A.3.3 **Lot Frontage**

17A.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.

17A.3.4 **Yard Requirements**

17A.3.4.1 “Front Yard” - there shall be a minimum front yard of seven metres (7 m) for all buildings, structures, or parts thereof.

17A.3.4.1.1 Notwithstanding the front yard requirement referred to in Subsection 17A.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.

17A.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.

17A.3.4.2.1 Notwithstanding the side yard requirement referred to in Section 17A.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).

17A.3.4.2.2 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.

17A.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.

17A.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 centimetres (120 cm), the minimum side yard at any point where the parking space is provided shall be three hundred and fifty centimeters (350 cm).

17A.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.

17A.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).

17A.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.

17A.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).

17A.3.5 **Height**

The maximum height of any building or structure shall be nine-point-five metres (9.5 m).

17A.3.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

17A.3.7

Parking Provisions

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

17A.3.8

Deleted by By-law No. 99-132

17A.3.8.1

Deleted by By-law No. 99-132

17A.3.8.2

Deleted by By-law No. 99-132

17A.3.8.3

Deleted by By-law No. 99-132

17A.4

Section 15.8 of the General Residence “GR” Zone shall apply to all non-residential buildings.

Section 18

“MD”

MEDIUM DENSITY

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 zone for any purpose other than the following use:

18.1.1 “Residential” – Single detached dwelling, semi-detached dwelling, duplexes, townhouses, apartments, townhouse-linear, class A group home, Bed and Breakfast Establishments.

18.1.2 “Accessory Buildings” - A 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.

18.1.3 Deleted. By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

18.1.4 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 8.17 of By-Law 1418 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.

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

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

18.2.2 **Lot Area**

18.2.2.1 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.

18.2.3 **Lot Frontage**

18.2.3.1 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.

18.2.4 **Yard Requirements**

18.2.4.1 “Front Yard” - no building, structure or part thereof is permitted within seven metres (7 m) of the street line.

18.2.4.1.1 Notwithstanding the front yard requirement referred to in Subsection .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.

18.2.4.2 “Side Yards” - there shall be a minimum side yard of one hundred and twenty centimetres (120 cm) on both sides of the lot.

18.2.4.2.1 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).

- 18.2.4.2.2 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.
- 18.2.4.2.3 In no case shall there be less than two hundred and forty centimetres (240 cm) distance between two main buildings on separate lots.
- 18.2.4.2.4 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).
- 18.2.4.2.5 Except where a side yard is one hundred and twenty centimeters (120 cm) or greater, there shall be no opening on any adjacent wall.
- 18.2.4.2.6 Where a lot line forms a zone boundary, the minimum side yard shall be one hundred and twenty centimetres (120 cm).
- 18.2.4.3 “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.
- 18.2.4.4 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5 m).

18.2.5 **Height**

The maximum height of any building or structure shall be nine-point-five (9.5 m).

18.2.6 **Coverage**

The maximum coverage of the lot by all buildings shall be forty percent (40%) of the lot area.

18.2.7 **Parking Provisions**

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

18.2.8 Deleted by By-law No. 99-132

18.2.8.1 Deleted by By-law No. 99-132

18.2.8.2 Deleted by By-law No. 99-132

18.2.8.3 Deleted by By-law No. 99-132

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

18.3.1 **Lot Area**

18.3.1.1 There shall be a minimum lot area of five hundred and forty square metres (540.0sq.m) for internal lots or six hundred and thirty square metres (630.0sq.m) for corner lots.

18.3.2 **Lot Frontage**

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

18.3.3 **Yard Requirements**

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

18.3.3.2 “Side Yards” - There shall be a minimum side yard of one hundred and twenty centimetres (120cm) plus sixty centimetres (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 duplex dwelling, one side yard shall have a minimum width of three metres (3m) to provide access to the rear yard. No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

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

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

18.3.5 **Height**

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

18.3.6 **Coverage**

18.3.6.1 “Main Building” - The maximum coverage of the lot by the main building shall be thirty-five percent (35%) of the lot area.

18.3.7 **Parking Provisions**

18.3.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

18.4 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 18.3 shall apply:

18.4.1 There shall be a minimum lot area of two hundred and sixty square metres (260.0sq.m) for internal lots or three hundred and fifty square metres (350.0sq.m) for corner lots.

18.4.2 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.

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

18.4.3 No building or structure or part thereof shall be permitted within six metres (6.0m) of the street line.

18.4.4 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 centimetres (120.0cm) plus sixty centimetres (60.0cm) for each additional storey. 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 centimetres (120.0cm) plus sixty centimetres (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.

- 18.4.5 “Rear Yards” - There shall be a rear yard on each lot with a minimum average depth of seven-point-five metres (7.5m).
- 18.4.6 No part of any structure or building shall be erected within six metres (6m) of the street line flankage of the lot.

18.4.7 **Parking Provisions**

- 18.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

18.5 **The following regulations shall apply to every TOWNHOUSE DWELLING UNIT:**

18.5.1 **Yard Requirements**

- 18.5.1.1 “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).
- 18.5.1.2 “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 therefor does not contain windows to a habitable room there shall be a minimum yard of three metres (3 m).
- 18.5.1.3 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.

By-Law No. 3430, S.1, O.M.B. Approval April 21, 1971.

18.5.2 **Landscaped Open Space Requirements**

By-Law No. 76-39, S.3, O.M.B. Approval Nov. 14, 1977.

- 18.5.2.1 One hundred and eighty-five square metres (185sq.m) of landscaped open space shall be provided for each town house unit where the property has direct access to a park or school.
- 18.5.2.2 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.
- 18.5.2.3 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.
- 18.5.2.4 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.
- 18.5.2.5 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.

By-Law No. 76-39, S.4, O.M.B. Approval Nov. 14, 1977.

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

18.5.4 **Parking Provisions**

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

18.5.5 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.

18.5.6 “Townhouse-Linear” dwellings shall be subject to the same zoning regulations that apply to “townhouse-linear” in the Medium Density-One (MD-1) Zone of this Zoning By-law as amended.

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

18.6.1 **Height**

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

18.6.2 **Landscaped Open Space Requirement**

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

18.6.2.2 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.

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

By-Law No. 76-39, O.M.B. Approval Nov. 14, 1977.

18.6.3 **Yard Requirements**

18.6.3.1 “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).

18.6.3.2 “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).

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

18.6.5 **Parking Provisions**

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

18.6.5.2 Where the required parking from 18.6.5.1 above, is to be underground or enclosed within the building, a minimum of one (1) parking space for every six (6) units shall be provided on surface.

18.6.6 **Landscaped Open Space Reduction**

18.6.6.1 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.

18.6.6.2 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.

18.6.6.3 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.

18.6.7 **Minimum Lot Area**

18.6.7.1 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.

18.6.8 Notwithstanding any other provisions in this by-law, more than one (1) main building or accessory buildings shall be permitted on any lot in this zone.

Section 19

“MD1”

MEDIUM DENSITY - ONE

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 MD-1 Zone for any purpose other than the following uses:

19.1.1 Townhouses – Linear

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

19.1.3 Deleted.

By-Law No. 76-82, S.2, O.M.B. Approval Sept. 14, 1976.

19.1.4 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).

19.1.5 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 8.17 of By-Law 1418 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.

19.1.6 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.

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

19.2.1 **Lot Area**

19.2.1.1 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)

By-Law No. 78-124, O.M.B. Approval Aug. 9, 1978.

19.2.2 **Lot Frontage**

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

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

19.3 **Yard Requirements**

19.3.1 “Front Yard” - No building, structure or part thereof is permitted within six metres (6m).

19.3.2 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 centimetres (180cm).

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

By-Law No. 78-124, O.M.B. Approval Aug. 9, 1978.

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

19.5 **Building Height**

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

19.6 **Coverage**

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

19.7 **Parking Provisions**

19.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

Section 19A

“MD3”

MEDIUM DENSITY - THREE

19A

19A.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:

19A.1.1 “Residential Uses”

Townhouse-linear, townhouse, terrace dwelling, apartment.

19A.1.2 The following accessory uses are permitted:

19A.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.

19A.1.2.2 Buildings or structures for freestanding parking, laundry or recreational uses.

19A.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.

19A.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 8.17 of By-Law 1418 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.

19A.3 **Yard Requirements**

19A.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.

19A.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).

19A.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.

19A.4 **Landscaped Open Space Requirement**

19A.4.1 In no case shall the landscaped open space area be less than fifty percent (50%) of the total lot area.

19A.5 **Common Recreational Area**

19A.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.

19A.6 Deleted by By-Law No. 93-32.

19A.7 **Height**

19A.7.1 For townhouse dwellings, no building may be over ten-point-five metres (10.5m) in height.

19A.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 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.

19A.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).

19A.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.

19A.7.5 In no case shall any building exceed thirteen-point- five metres (13.5m) in height.

19A.8 **Parking Provisions**

19A.8.1 A minimum of one and six-tenths (1.6) parking space shall be provided for each dwelling unit.

19A.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.

19A.9 **Maximum Density**

19A.9.1 A maximum density of thirty-six (36) units per hectare shall be permitted.

19A.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 20

“T”

INDUSTRIAL ZONE

20

20.1 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:

By-Law No. 1505, S.12, O.M.B. Approval Dec. 14, 1961.

By-Law No. 2508, O.M.B. Approval March 30, 1967.

By-Law No. 2699, O.M.B. Approval Oct. 27, 1967.

By-Law No. 79-35, O.M.B. Approval July 26, 1979.

20.1.1

- 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
- dog obedience school (but not to include animal runs)
- dry cleaning and laundry plants
- industrial or construction equipment suppliers (rental or sales)
- laboratories
- lumber and building materials
- manufacturing, processing or assembly
- office supplies or office service establishment
- printing and/or publishing
- parking facility
- 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)

By-Law No. 79-35, O.M.B. Approval July 26, 1979.

20.1.2

More specifically, and notwithstanding the generality of paragraph 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 “T” 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
- 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
- gravel crushing or a ready-mix concrete plant
- 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. 79-35, O.M.B. Approval July 26, 1979.

20.1.3 **Ancillary Uses**

20.1.3.1 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 20.1 above (except for wholesaling and warehousing) may be permitted to be used for display and retail purposes.

20.1.3.2 Deleted By-law 05-151

20.2 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. 2118, S.1, O.M.B. Approval Dec. 3, 1964.

20.2.1 **Commercial Recreation (outdoor)**

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.

20.2.1.2 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.

20.3 The following regulations shall apply to all uses in “I” Zone except automobile service stations.

By-Law No. 2160, S.8, O.M.B. Approval April 12, 1965.

20.3.1 **Lot Frontage**

Where municipal water and sanitary sewers exist there shall be a minimum lot frontage of thirty metres (30m).

20.3.2 **Yard Requirements and Height Regulations**

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

20.3.2.2 “Side Yards” - There shall be a minimum side yard of six metres (6m) on both sides of the lot except as hereinafter provided. If the side yard line is a zone boundary the minimum shall be seven-point-five metres (7.5m) except where the zone boundary abuts the “LP” Zone. No structure or building shall be erected within six metres (6m) of the street line flankage on corner lots.

By-Law 76-39, O.M.B. Approval Nov. 14, 1977.

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

20.3.2.4 “*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*.

20.3.2.4.1 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.

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

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

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

20.3.2.5 **Building Height**

20.3.2.5.1 Notwithstanding anything to the contrary, 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*.

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

20.3.2.5.3 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*.

20.3.3 **Parking Provisions**

20.3.3.1 The minimum parking requirement for single occupancy buildings and buildings which are not industrial malls, shall be as follows:

20.3.3.1.1	<u>Building Floor Area (b.f.a.)</u>	<u>Parking Requirement</u>
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20.3.3.1.1.1	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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20.3.3.1.1.2	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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20.3.3.1.1.3	For additional b.f.a. greater than 5,000 square metres	0.75 spaces for every 100 square metres of b.f.a.
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20.3.3.1.2 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.

20.3.3.2 Notwithstanding 20.3.3.1 above, minimum parking for specific uses shall be provided as follows:

20.3.3.2.1	vehicle and equipment - sales, service & repairs	5 spaces per one (100) hundred square metres of building floor area
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20.3.3.2.2	commercial recreation - (freestanding) commercial recreation (outdoor)	4.5 spaces per one (100) square metres of building floor area
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20.3.4 **Off-Street Loading**

Section 8.10 of the General Provisions of this by-law shall apply.

20.3.5 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:

20.3.5.1 All of the uses permitted in paragraph 20.1.1 above except:

- commercial recreation
- foundry
- lumber and building materials

20.3.5.1.1 Ambulance dispatch

20.3.5.1.2 Banks or trust companies

20.3.5.1.3 Catering services with ancillary restaurant

20.3.5.1.4 Coffee shops

20.3.5.1.5 Display and retail sales of hardware, home improvement materials and accessories.

20.3.5.1.6 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.

20.3.5.2 **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.

20.3.6 **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.

20.3.7 As a 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.

20.3.7.1 The facilities and matters required as referred to in paragraph 20.3.7 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.

20.3.7.2 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 20.3.7 above.

20.3.7.3 No building permit shall be issued in respect to the lands described herein until the plans referred to in paragraphs 11 & 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 20.3.7 above have been entered into.

20.4 **Regulations for Automobile Service Stations**

20.4.1 **Lot Size**

20.4.1.1 On corner lots the minimum frontage shall be forty-five metres (45.0m) and the minimum depth shall be forty-five metres (45.0m).

20.4.1.2 On lots, other than corner lots, the minimum frontage shall be forty-five (45.0m) metres and the minimum depth shall be thirty-five (35.0m) metres.

20.4.2 **Yard Requirements**

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

20.4.2.2 There shall be a minimum yard on each side of seven-point-five (7.5m) metres.

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

20.4.3 **Service Pumps**

Service pumps shall not be located closer than three (3m) metres to any street line or within a radius of fifteen (15m) metres of the corner of intersecting streets.

20.4.4 **Storage Tanks**

Storage tanks shall not be placed closer than four-point-five (4.5m) metres to a street, side lot line and rear lot line.

20.4.5 **Entrances and Driveways**

20.4.5.1 No entrance or driveway shall exceed nine (9.0m) metres in width measured at the lot line.

20.4.5.2 No entrance or driveway shall be located closer than three (3.0m) metres to any side or rear lot line to be measured at the lot line.

20.4.5.3 No entrance or driveway shall be located closer than fifteen (15.0m) metres to the intersection of street lines on any corner lot.

20.4.5.4 The surface of all entrances, driveways, service areas, off-street parking and loading areas, if not paved shall be properly leveled, drained and treated to prevent the escape of dust.

20.4.6 **Lights and Signs**

20.4.6.1 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.

20.4.6.2 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.

20.4.6.3 Deleted by By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

20.4.7 **Off-Street Parking**

20.4.7.1 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 (3.0m) metres by six (6.0m) metres.

20.4.8 **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:

- 20.4.8.1 All existing and proposed buildings and structures, including the location of all service pumps, sign standards and storage tanks.
- 20.4.8.2 All existing and proposed off-street parking and loading space.
- 20.4.8.3 All existing and proposed entrances from and exits to the adjoining street or streets.
- 20.4.9 Deleted by By-Law No. 81-56.
- 21. Deleted by By-Law No. 85-101.

Section 22

“RI-A”

RESTRICTED INDUSTRIAL - A

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 “RI-A” Zone for any purpose other than one or more of the following uses:

22.1.1

- Animal Hospital
- Auto Repair Shop
- Bedding Works
- Contractors Equipment and Supplies
- Dog Obedience School (but not to include animal runs)
- Drycleaning and Laundry Plant
- Flour Milling
- Metal Fabrication and Forming
- Offices (for permitted industries only)
- Painters’ Shops and Offices
- Parking Facility
- Plumbing and Tinsmithing
- Warehousing
- Wholesale Offices and Warehouses
- Woodworking and Lumber

22.1.2

The manufacturing of:

- Baked goods, (not to include pizza restaurant)
- Boots and gloves
- Boat and recreational vehicles and related equipment
- Brooms, whisks and brushes
- Clothing
- Felts
- Furniture
- Leather Goods
- Machinery and equipment
- Electrical and electronic components, appliances and equipment
- Musical instruments
- Paper and fibrous boxes and containers
- Plastics
- Porcelain
- Pottery
- Rubber products
- Sheet metal and plating
- Swimming pools and related equipment
- Textile and knitting

22.1.3

- Petroleum storage
- Printing
- Publishing

22.2 More specifically and notwithstanding the generality of clause 22.1 above, no person shall erect, alter, enlarge or use any buildings or structures in whole or in part within the “RI-A” Zone for any of the following uses:

- any retail or recreational commercial use or restaurant which is not ancillary to one of the permitted uses
- ammonia, bleaching powder or chlorine manufacturing
- asphalt manufacturing or refining
- blast furnace or boiler works
- cement, gypsum, lime or plaster of Paris manufacturing, concrete ready mix plant or asphalt pavement manufacturing, gravel crushing
- distillation of bones, coal or wood
- explosives or fireworks manufacturing or storage
- fats refining or rendering
- fertilizer manufacturing
- gelatin, glue or size manufacturing
- incineration or reduction of dead animals, garbage or offal
- linoleum or oilcloth manufacturing
- metal or ore reduction or smelting
- oil, shellac, or turpentine manufacturing
- petroleum refining
- stock yards or slaughter of animals or fowl
- tannery
- tar distillation, roofing or waterproofing manufacturing

22.3 **Storage**

22.3.1 No outside storage of any type shall be permitted in the front yard.

22.4 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.

22.5 A display area exceeding 10% of the ground floor area of all buildings on a lot shall not be permitted on any lot in this zone.

22.6 The following regulations shall apply to all uses in the Restricted Industrial-A “RI-A” Zone.

22.6.1 **Lot Frontage**

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

22.6.2 **Yard Requirements and Height Regulations**

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

22.6.2.2 “Side Yards” - there shall be a minimum side yard of six (6m) metres on both sides of the lot except as hereinafter provided. No structure or building shall be erected within six (6m) metres of the street line flankage on corner lots.

By-Law No. 76-93, O.M.B. Approval Nov. 14, 1977.

22.6.2.3 “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of seven-point-five (7.5m) metres.

22.6.2.4 “**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**.

22.6.2.4.1 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.

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

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

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

22.6.2.5 **Building Height**

22.6.2.5.1 Notwithstanding anything to the contrary, the maximum height in metres of any **Building** within the Restricted Industrial A ‘RI-A’ 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**.

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

22.6.2.5.3 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**.

22.6.3 **Parking Provisions**

22.6.3.1 The minimum parking requirement for single occupancy buildings and buildings which are not industrial malls, shall be as follows:

22.6.3.1.1	<u>Building Floor Area (b.f.a.)</u>	<u>Parking Requirement</u>
22.6.3.1.1.1	For the first 1,000 square metres of b.f.a.	2.5 spaces for every 100 square metres of b.f.a.
22.6.3.1.1.2	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.
22.6.3.1.1.3	For additional b.f.a. greater than 5,000 square metres	0.75 spaces for every 100 square metres of b.f.a.
22.6.3.1.2	For industrial malls, for each use there shall be a minimum of two and one-half (2.5) parking spaces for every one hundred (100sq.m) square metres of building floor area.	

22.6.4 Where an industrial use abuts any residential use, a seven-point-five (7.5m) metre area shall be provided and maintained adjacent to the residential use for the purpose of providing walls, fences, hedges, trees, shrubs, or other suitable ground cover to provide adequate landscaping of the land or protection of adjoining lands.

22.6.5 **Off-Street Loading**

Section 8.10 of the General Provisions of this by-law shall apply.

22.6.6 **Municipal Services**

The use of land or the erection or use of buildings or structures are prohibited in a Restricted Industrial A Zone unless municipal sewers and water services are available to service the land, buildings or structures.

By-Law No. 74-45, S.2, O.M.B. Approval June 18, 1974.

23. Restricted Industrial Zone was deleted by By-Law No. 81-197, on December 7, 1981.

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 one 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
- transportation service
- warehousing and storage (no retail)
- wholesaling (no retail)

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 permitted to 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 of building floor area, up to fifty (50%) percent of the building floor area occupied by said use may be permitted to be used for the display and retailing of products produced, assembled or repaired on the site.

23A.1.2.3

Deleted by By-law 05-151

23A.1.3

Complementary Commercial Uses

- automotive service station
- ambulance dispatch
- commercial recreation (including freestanding and outdoor)
- 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 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 (3.5) parking spaces or more for every one hundred (100sq.m) square metres of building floor area and said Industrial Mall contains five thousand (5,000 sq.m) square metres of building floor area or greater, one restaurant shall be permitted, provided said restaurant occupies no greater than five hundred (500sq.m) square metres of building floor area. Where the construction of the Industrial Mall is to be phased and the ultimate approved size is five thousand (5,000sq.m) square metres 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 (2,500sq.m) square metres of building floor area or greater.

23A.1.5

Recreational Uses

- A park or playground

23A.1.6

Prohibited Uses

Notwithstanding anything to the contrary within Section 23A.1, 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

Prohibited Uses – Continued

- 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, shallac or turpentine manufacturing
- oil recovery plant
- organic chemical manufacturing
- paint and varnish manufacturing
- pallet manufacturing
- pesticide manufacturing
- petroleum or coal oil refining
- phthatic 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

23A.1.6 **Prohibited Uses – Continued**

- tar distillation
- textile dying
- 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 anything to the contrary within Section 23A.1, 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 100 metres 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
- marine equipment, sales, service and repair
- meat and poultry products manufacturing
- glass stamping, shearing or grinding
- 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” - A minimum front yard setback of 10 metres shall be provided.

23A.2.2.2 “Flankage” - A minimum flankage setback of 6 metres shall be provided.

23A.2.2.3 “Side Yard” - A minimum side yard of 3 metres shall be provided.

23A.2.2.4 “Rear Yard” – A minimum rear yard of 7.5 metres shall be provided.

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**

- 23A.2.2.6.1 Notwithstanding anything to the contrary, 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 Notwithstanding anything to the contrary, the number of **Storeys** within a **Building** shall not exceed the number of the numerical suffix.
- 23A.2.2.6.3 Notwithstanding anything to the contrary, a roof may be permitted to exceed the maximum height requirement so long as it is not habitable room 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 (2.5) parking spaces for every one hundred square metres 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:

<u>Building Floor Area (b.f.a.)</u>	<u>Parking Requirement</u>
For the first 1,000 sq.m. of b.f.a.	2.5 spaces per 100 sq.m. of b.f.a.
For additional b.f.a. over 1,000 sq.m. but less than 5,000 sq.m. of b.f.a.	1.0 spaces per 100 sq.m. of b.f.a.
For additional b.f.a. greater than 5,000 sq.m.	0.75 spaces per 100 sq.m. of b.f.a.

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. of b.f.a.
Commercial recreation (freestanding and outdoor)	4.5 spaces per 100 sq.m. of b.f.a.

23A.2.4 **Off-Street Loading**

Section 8.10 of the general provisions of this By-law shall apply.

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 retail outlets, and lounge or seating areas but shall not include parking areas, driveways, loading areas, 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 24 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 23B

“I2”

INDUSTRIAL TWO

23B

23B.1 No persons 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 Two “I2” Zone for any purpose other than one or more of the following uses:

23B.1.1

Industrial Uses

- brewing on premise establishment
- communication facilities, including studios
- computer software production
- contractors
- custom service shop
- dry cleaning and laundry plant
- food and beverage products manufacturing which shall be limited to “meat and poultry products, bakery products and beverages”
- industrial or construction equipment supplies
- laboratories
- manufacturing
- printing or publishing
- product assembly
- product processing
- service and repair establishments
- transportation services and truck depot
- warehousing and storage (no retail)
- wholesaling (no retail)

23B.1.2

Additional Uses

Where the letter ‘A’ is shown as a suffix to the identification of the zoning on a site, the uses permitted in Sections 23A.1.2, 23A.1.3 and 23A.1.4 of the Industrial One Zone shall be permitted in addition to the list of uses listed in Section 23B.1.1.

23B.1.3

Ancillary Uses

23B.1.3.1

For any use listed in Section 23B.1.1 except for for warehousing and storage and wholesaling, up to ten (10%) percent of the building floor area occupied by said use may be permitted for display purposes.

23B.1.3.2

Deleted by By-law 05-151

23B.1.4

Recreational Uses

- A playground or park.

23B.1.5

Prohibited Uses

Notwithstanding Section 23B.1.1, no persons shall use any land or erect, alter, enlarge or use any buildings or structures in whole or in part within the Industrial Two "I2" Zone for any of the following uses:

- abattoir
- abrasive manufacturing
- ammonia manufacturing
- animal feed manufacturing
- asphalt manufacturing or refining
- bleaching powder manufacturing
- boiling of blood, bones, tripe or tallow melting
- cement, gypsum, lime or plaster of Paris manufacturing
- cereal products manufacturing
- chlorine manufacturing
- coal fired blast furnace
- coal yard
- distillation of bones, coal or biomass
- explosives or fireworks, manufacturing, storage or transportation
- extraction of oil from fish
- fats refining or rendering
- fertilizer manufacturing
- fish products manufacturing
- flour manufacturing
- fruit products manufacturing
- gelatin, glue or size manufacturing
- incineration or reduction of dead animals, garbage or offal
- non-ferrous metal smelting or refining
- oil, shellac or turpentine manufacturing
- organic chemical manufacturing
- paint or varnish manufacturing
- petroleum or coal oil refining
- phthalic anhydride manufacturing
- resin manufacturing
- sandblasting (outdoors)
- slaughter of animals, fish or fowl
- soap or detergent manufacturing
- stock yards
- tanning or storage of hides and skins
- tar distillation
- toxic acid manufacturing
- vegetable products manufacturing

23B.1.6

Prohibited Uses Within 100 Metres of a Residence

Notwithstanding Section 23B.1.1 no persons shall use any land or erect, alter, enlarge or use any buildings or structures in whole or in part within the Industrial Two 'I2' Zone where such lot is within 100 metres from lands used for a residential purpose for any of the following uses:

- bakery products manufacturing
- beverage products manufacturing and bottling
- dry cleaning and laundry plant

- meat and poultry products manufacturing
- glass stamping, shearing or grinding
- motorcycle equipment service or repairs
- marine equipment service or repairs
- petroleum oil or compressed gases storage
- truck (greater than one tonne) sales, service and repair

This section shall not apply to a residence for a caretaker or supervisor permitted as an ancillary use under Section 23B.1.3.2.

23B.2 **Performance Standards**

23B.2.1 **Lot Frontage**

A minimum lot frontage of 30 metres shall be provided.

23B.2.2 **Yard Requirements and Height Regulations**

23B.2.2.1 “Front Yard” - A minimum front yard of 10 metres shall be provided.

23B.2.2.2 “Flankage” - A minimum flankage setback of 6 metres shall be provided.

23B.2.2.3 “Side Yard” - A minimum side yard of 6 metres shall be provided.

23B.2.2.4 “Rear Yard” - A minimum rear yard of 7.5 metres shall be provided.

23B.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***.

23B.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.

23B.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.

23B.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.

23B.2.2.5.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.

23B.2.2.6 **Building Height**

23B.2.2.6.1 Notwithstanding anything to the contrary, the maximum height in metres of any ***Building*** within the Industrial Two ‘I2’ 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***.

23B.2.2.6.2 Notwithstanding anything to the contrary, the number of ***Storeys*** within a ***Building*** shall not exceed the number of the numerical suffix.

23B.2.2.6.3 Notwithstanding anything to the contrary, a roof may be permitted to exceed the maximum height requirement so long as it is not habitable room or *Building Floor Area*.

23B.2.3 **Off-Street Parking Requirement**

23B.2.3.1 **Industrial Mall**

There shall be a minimum of two and one-half parking spaces for every one hundred (100sq.m) square metres of building floor area in an Industrial Mall.

23B.2.3.2 **Single Occupancy Buildings**

For buildings which are not industrial malls, parking shall be provided according to the following schedule:

<u>Building Floor Area (b.f.a.)</u>	<u>Parking Requirement</u>
For the first 1,000 square metres of b.f.a.	2.5 spaces per 100 sq.m. of b.f.a.
For additional b.f.a. over 1,000 sq.m. but less than 5,000 sq.m. of b.f.a.	1.0 spaces per 100 sq.m. of b.f.a.
For additional b.f.a. over 5,000 sq.m.	0.75 spaces per 100 sq.m. of b.f.a.

23B.2.4 **Off-Street Loading**

Section 8.10 of the General Provisions of this By-law shall apply.

23B.2.5 **Outdoor Storage**

No outdoor storage shall be permitted within the front yard or minimum flankage setback and no outdoor storage shall be permitted within a side or rear yard unless it is fenced and screened from view of the street.

23B.2.6 Notwithstanding anything to the contrary, more than one main building or accessory building or buildings may be permitted on a lot.

Section 24

“SS”

SERVICE STATION

24

24.1

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 purpose other than an automobile service station.

24.1.1

The regulations set out in paragraph 20.4 of By-law No. 1418 shall apply to Automobile Service Stations in a Service Station Zone.

By-Law No. 2807, S.8, O.M.B. Approval Aug. 26, 1968.

Section 25

25

SHOPPING CENTRE 'SC'

25.1.1

No *Person* or *Persons* shall *Erect*, alter, enlarge or use any *Building* or structure or land in whole or in part, nor use any land in whole or in part, within the Shopping Centre '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:

- Antique Shops
- Art Studios
- Art Galleries
- Auto Centres
- Automotive Supplies
- *Automobile Service Stations*
- Bakery or Confectionery
- Banks and Trust Companies
- Banquet Halls and *Auditoriums*
- Barber Shops
- Bars and Taverns
- Beauty Salons
- Bicycle Stores
- Billiards and Bowling
- Book Store
- Brewer's Retail Store
- Cameras, photographic supplies and film processing
- Candy Stores
- *Car Wash*
- China and Glassware Stores
- Cleaners
- Clothing Stores
- Coin Operated Dry Cleaners
- Coin Operated Laundries B/L 2160, S.10, O.M.B. Apr. 12/65.
- Curling Rinks provided the *Use* is below *Street* level
- Day Nurseries
- 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
- Entertainment areas
- Financial Establishments
- Fish Market
- Floor Coverings & related Supplies
- Florist Shop
- *Food Store*
- Fruit Store
- Furniture Stores

25.1 (cont'd)

- Fur Store
- Garden Centres
- **Gas Bar**
- Gift Shops
- Grocery Store
- Hairdressers
- Hardware Stores
- Hat Cleaning and Blocking
- Hobby Shops
- **Hotel**
- Insurance **Offices**
- Interior decorating
- Jewellery
- Ladies' Wear
- Libraries
- Lighting Stores
- Liquor Stores
- Luggage and Leather Goods
- Mail order and Catalogue Stores
- Meat Markets
- Men's Furnishings
- Millinery
- **Motel**
- Motion Picture Theatres
- Music Shops
- Nut Shops
- **Office**, Business and Professional
- Optical Goods
- Opticians and Optometrists
- Other **Retail Store**
- **Parking Facility**
- Paint and Wallpaper Stores
- Personal Service Shop
- Pet Shops
- Plant Shops and Home Improvement Centres
- Private Clubs and Private Lodges B/L 2139, S.1, O.M.B. Jan. 14/65.
- Photography Studio
- Picture Framing
- Plumbing and Heating
- Radio, Hi-fi, Television and Appliance Sales and Repair Shops
- **Restaurant**
- Seed Stores
- Service **Retail Stores**
- Skating Rinks
- Shoe Repair Stores
- Shoe Stores
- Shoe Shine Shops
- Specialty **Retail Stores**
- Sporting Goods
- Stationery and **Office** Equipment
- Steam Baths and **Massage Establishment**
- Supermarkets

25.1 (cont'd)

- Tailor Shops
- **Take-Out Restaurant**
- Taxi Stands
- Theatres
- Tobacco Stores
- Travel Agencies
- **Variety Store**
- Wallpaper Stores
- Wine Sales Stores or Retail Outlets of a Similar Nature
- An **Office** for receiving and delivering of Dry Cleaning or Laundry
- All classes of an **Office** or a Coal Company, or similar business, where materials are stored or processed in another zone.

By-law 1505, S.13, O.M.B. Approval Dec. 14, 1961.

25.1.1 Deleted.

By-law 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

25.2 The following regulations shall apply in the 'SC' Regulations Zone to all *Uses* in the 'SC' Zone except **Automobile Service Stations**.

By-law No. 2160, S.11, O.M.B. Approval Apr. 12, 1965.

25.2.1 **Minimum Lot Frontage and Minimum Lot Depth**

There shall be thirty (30.0 m) metres of **Street** frontage and depth of forty (40.0 m) metres used or reserved exclusively for one or more of the *Uses* permitted in the zone.

25.2.2 **Yard Requirements**

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

25.2.2.2 **Flankage Yard** – There shall be a minimum **Flankage Yard** setback of five (5.0 m) metres.

25.2.2.3 **Side Yard** – There shall be a minimum **Side Yard** setback of one-point-five metres (1.5 m) on one side and three-point-five metres (3.5 m) on the other side of each property.

25.2.2.4 **Rear Yard** - There shall be a minimum average depth of seven-point-five (7.5 m) metres.

25.2.2.5 “**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**.

25.2.2.5.1 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.

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

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

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

25.2.3 **Building Floor Area**

There shall be a maximum main floor area including all accessory buildings of thirty percent (30%) of the lot area.

25.2.4 **Height** – The following height regulations shall apply:

25.2.4.1 The maximum height of any **Building** within the Shopping Centre ‘SC’ zone shall be determined 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**.

25.2.4.2 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.

25.2.4.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or **Building Floor Area**.

25.2.5 **Parking Provisions**

25.2.5.1 For each **Use**, there shall be provided a minimum of six (6) parking spaces for every one hundred (100sq.m) square metres of **Building Floor Area**.

25.2.5.2.1 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 (100sq.m) square metres of **Building Floor Area**.

25.2.5.3 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 25,1 except for a parking facility

25.2.6 **Off-Street Loading**

Section 8.10 of the General Provisions of this by-law shall apply.

25.2.7 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.

25.3 **Regulations for Automobile Service Stations**

Automobile Service Stations shall be required to comply with the regulation established in Section 20.4 of By-law No. 1418

25.3.1 **Planting Strips**

Where an automobile service station **Abuts** any residential zone, green zone or suburban zone a planting strip shall be provided and maintained upon the land occupied by such automobile service station in conformity with the following regulations:

- 25.3.1.1 Such planting strips shall have a minimum width throughout of not less than three metres (3.0 m).
- 25.3.1.2 Such planting strips shall be immediately adjacent to the **Lot Line** or lines which abut any residential zone, green zone or suburban zone and running the entire length of the **Lot Lines**, except where they are prohibited by subsection 25.3.9.5 of Section 25.3.9.
- 25.3.1.3 Such planting strips shall consist of a continuous unpierced hedge of cedars or shrubs which shall be young, healthy plants of a type suitable to the soil and atmospheric conditions of the area and shall be maintained at an ultimate height of not less than one hundred and twenty (120.0cm) centimetres or more than two hundred (200.0cm) centimetres. The remainder of the strip shall be planted with grass, shrubs, flower beds or a combination thereof to produce an ornamental surface treatment.
- 25.3.1.4 Such planting strips shall be planted and maintained by the owner or owners of the land on which the planting strips are located.
- 25.3.1.5 Notwithstanding subsection 25.3.1.2 of this section no planting strips shall be located between the **Street Line** and **Building Line**.

Section 26

26 CONVENIENCE COMMERCIAL 'CC'

26.1 No *Person* or *Persons* shall *Erect*, alter, enlarge or use any *Building* or structure or land 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 and Professional *Offices*
- *Bake Shop*
- Book Stores
- Chiropractors
- Candy Store
- Commercial Training or Education Facilities
- Clinics - Medical, Dental and Therapeutic
- Dry Cleaning
- Drug Store
- Flower Shop
- Grocery Store
- Gift Shops
- Hardware Store
- Institutions
- Laundry
- *Offices* for Dentists, Doctors, Osteopaths & Chiropractors
- *Office* for receiving & delivery of dry cleaning and Laundry
- Opticians and Optometrists
- Personal Service Shop
- Photography Studios
- Picture Framing
- *Parking Facility*
- *Restaurant* (not including drive-in)
- Shoe Repair
- *Take-Out Restaurant*
- *Variety Store*
- *Video Cassette Outlet*

By-Law 3709, S.1, O.M.B. Approval Jan. 25, 1973.

By-Law 74-178, O.M.B. Approval Dec. 18, 1974.

By-Law 78-81, O.M.B. Approval July 6, 1978.

26.1.1 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, computers or similar electronic equipment.

- 26.2 The following regulations shall apply in the ‘CC’ Zone:
- 26.2.1 **Yard Requirements**
- 26.2.1.1 ***Front Yard*** – There shall be a minimum ***Front Yard*** setback of five metres (5.0 m).
- 26.2.1.2 ***Flankage Yard*** – There shall be a minimum ***Flankage Yard*** setback of five metres (5.0 m).
- 26.2.1.3 Where the property boundary of a Convenience Commercial Zone ***Abuts*** a Suburban, Agricultural or any Residential Zone, a one-point-five (1.5m) metre planting strip must be maintained between the abutting zones.
- 26.2.1.4 ***Rear Yard*** - There shall be a minimum ***Rear Yard*** of seven-point-five metres (7.5 m).
- 26.2.1.5 “***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***.
- 26.2.1.5.1 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.
- 26.2.1.5.2 The ***Landscaped Buffer*** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 26.2.1.5.3 The ***Landscaped Buffer*** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 26.2.1.5.4 ***Buildings, Structures***, enclosures, parking areas, driveways, retaining walls and ***Impervious Areas*** shall be prohibited within the ***Landscaped Buffer***.
- 26.2.2 **Height** – The following height regulations shall apply:
- 26.2.2.1 The maximum height of any ***Building*** within the Convenience Commercial “CC” zone shall be determined 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***.
- 26.2.2.2 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.
- 26.2.2.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or ***Building Floor Area***.
- 26.2.3 **Parking Provisions**
- 26.2.3.1 For each ***Use***, there shall be provided a minimum of four and one-half (4.5) parking spaces for every one hundred (100sq.m) square metres of ***Building Floor Area***.
- 26.2.3.2 Notwithstanding subsection 26.2.3.1 above, where a ***Building*** contains less than one thousand (1,000sq.m) square metres of ***Building Floor Area***, the following parking requirements shall apply for the following specific ***Uses***:

- 26.2.3.2.1 **Restaurant** 1 space for every four (4) seats in the designed maximum capacity
- 26.2.3.2.2 **Take-Out Restaurant** 15 spaces per one hundred (100sq.m) square metres of **Building Floor Area**.
- 26.2.3.3 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 26.1 except for a parking facility.
- 26.2.4 **Building Floor Area**
- 26.2.4.1 Each permitted occupancy shall be restricted to not more than two hundred and eighty (280) square metres of **Building Floor Area**.
- 26.2.4.2 **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.
- By-Law 78-81, O.M.B. Approval July 6, 1978.
- 26.2.4.3 Deleted.
- By-Law No. 78-81, O.M.B. Approval July 6, 1978.
- 26.2.4.4 Twenty-five (25%) percent of the total **Lot Area** shall consist of **Landscaped Open Space** as defined by this by-law.
- By-Law 78-81, O.M.B. Approval July 6, 1978.
- 26.2.5 Deleted.
- By-Law 76-92, S.2, O.M.B. Approval Sept. 14, 1976.
- 26.2.6 The maximum size of any **Lot** in the convenience commercial zone shall not exceed one (1) hectare.
- By-Law 78-81, O.M.B. Approval July 6, 1978.
- 26.2.7 Section 8.10 of the General Provisions of By-law 1418 shall not apply to the convenience commercial zone.
- By-Law 78-81, O.M.B. Approval July 6, 1978.
- 26.2.8 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 26A

26A COMMERCIAL TWO 'C2' ZONE

26A.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:

26A.1.1 Commercial Uses

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

26A.1.2 Residential Uses

- All residential dwelling types permitted in the General Residence Two (GR2) zone (excluding converted dwelling houses) and the Multiple Residence "MR" zone
- Bed and Breakfast Establishments
- *Dwelling Units* within a mixed *Use Building* that contains Commercial or *Institutional Uses*

26A.1.3 Institutional Uses

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

26A.2 Performance Standards

26A.2.1 Yard Requirements

26A.2.1.1 *Front Yard* - A minimum *Front Yard* of five (5.0 m) metres shall be required.

26A.2.1.2 *Flankage Yard* - A minimum *Flankage Yard* setback of five (5.0 m) metres shall be required.

26A.2.1.3 *Side Yard* - A minimum *Side Yard* of one-point-five (1.5 m) metres shall be required.

26A.2.1.4 *Rear Yard* - A minimum *Rear Yard* of seven-point-five (7.5 m) metres shall be provided except for *Corner Lots* where a minimum of 1.5 metres shall be required.

- 26A.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**.
- 26A.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.
- 26A.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.
- 26A.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.
- 26A.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 26A.2.2 **Height** – The following height regulations shall apply:
- 26A.2.2.1 The maximum height of any **Building** within the Commercial Two “C2” zone shall be determined 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**.
- 26A.2.2.2 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.
- 26A.2.2.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or **Building Floor Area**.
- 26A.2.3 **Off-Street Parking**
- 26A.2.3.1 For commercial or **Institutional Uses**, there shall be off-**Street** parking provided at the rate of three (3) spaces for every 100 square metres of **Building Floor Area** except as required in Section 8.11.9.
- 26A.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 26A.1 except for a parking facility.
- 26A.2.4 **Regulations for Residential Uses**
- 26A.2.4.1 For those **Uses** which are permitted in the General Residence Two ‘GR2’ zone, the regulations of the General Residence Two ‘GR2’ zone shall apply.
- 26A.2.4.2 For those **Uses** which are permitted in the Multiple Residence ‘MR’ zone, the regulations of the Multiple Residence ‘MR’ zone (Section 15A) shall apply.

26A.2.4.3 For the purposes of determining the numerical suffix referred to in 15A.4.1 for **Apartment 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 Building** shall be twelve metres (12.0 m)

26A.2.5 **Regulations for Dwelling Units in a Mixed-Use Building**

26A.2.5.1 Each **Dwelling Unit** shall be provided with 25 square metres of amenity area. For the purposes of this section, amenity area shall mean areas used for recreational purposes and include **Landscaped Open Space**, balconies, indoor area, but does not include lobbies, washrooms, laundries, storage areas, reception areas or rooftop gardens or decks.

26A.2.5.2 Each **Dwelling Unit** shall be provided with off-**Street** parking at the rate of one (1) parking space for every unit.

26A.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**.

26A.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 26A.1 except for a parking facility.

26A.2.5.4 A **Dwelling Unit** may also be occupied by a **Lodging House Class One**, provided that:

26A.2.5.4.1 Amenity area shall be provided at the rate of five (5sq.m) square metres per **Person**.

26A.2.5.4.2 Deleted by By-law No. 93-32.

26A.2.5.4.3 Off-**Street** parking shall be provided at the rate of one parking space for every five (5) lodgers.

26A.2.6 More than one main **Building** shall be permitted on any **Lot** in this zone.

26A.2.7 The maximum number of Dwelling Units permitted shall be determined in accordance with the maximum density provisions of Section 15A.3.1.(j) of the Multiple Residence zone.

Section 27

27

COMMERCIAL THREE 'C3'

27.1

No *Person* or *Persons* shall *Erect*, alter, enlarge or use any *Building* or structure or land 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*:

27.1.1

Commercial 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/Optommetrist
- *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** and **Use** and the Specialty **Food Store** not to exceed 240 square metres **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.

27.1.2 **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

27.1.3 **Commercial Recreation (outdoor)**

27.1.3.1 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.

27.1.3.2 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.

27.1.4 **Liquor Licensed Establishments**

27.1.4.1 The **Building Floor Area** and the Outdoor Patio Area of a liquor licensed establishment shall not be closer than thirty-five metres (35.0 m) to a residential zone.

27.1.4.2 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.

27.2 **Performance Standards**

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

27.2.1 **Yard Requirements and Height Regulations**

27.2.1.1 **Front Yard** – There shall be a minimum **Front Yard** of five metres (5.0 m).

27.2.1.2 **Flankage Yard** – There shall be a minimum **Flankage Yard** of five metres (5.0 m).

- 27.2.1.3 **Side Yard** – There shall be a minimum **Side Yard** of one-point-five metres (1.5 m) on one side and three-point-five metres (3.5 m) on the other side except where the **Side Yard Abuts** a residential zone in which case the **Side Yard** shall be a minimum of five metres (5.0 m).
- 27.2.1.4 **Rear Yard** – There shall be a minimum **Rear Yard** of seven -point-five metres (7.5 m).
- 27.2.1.5 “**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**.
- 27.2.1.5.1 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.
- 27.2.1.5.2 The **Landscaped Buffer** shall be an average depth of 3.0 metres and at no point less than 1.5 metres.
- 27.2.1.5.3 The **Landscaped Buffer** shall contain plant materials that form a visual screen and are not less than 1.5 metres in height.
- 27.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 27.2.1.6 **Height** – The following height regulations shall apply:
- 27.2.1.6.1 The maximum height of any **Building** within the Commercial Three “C3” zone shall be determined 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**.
- 27.2.1.6.2 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.
- 27.2.1.6.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or **Building Floor Area**.
- 27.2.2 **Parking Provisions**
- 27.2.2.1 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**.
- 27.2.2.1.1 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 27.1 except for a parking facility.

- 27.2.2.2 Notwithstanding subsection 2.2.1 above, in **Buildings** under two thousand square metres (2,000 sq. m) of **Building Floor Area**, the following additional parking requirements shall apply:
- 27.2.2.2.1 **Restaurant** - One (1) space for every four (4) seats in the designed maximum capacity.
- 27.2.2.2.2 **Take-Out Restaurant** or Drive-In **Restaurant** - fifteen (15) spaces for one hundred square metres (100 sq. m) of **Building Floor Area**.
- 27.2.3 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.
- 27.3 Service Stations shall be required to comply with the regulation established in Section 20.4 of By-law No. 1418.

Section 27A

27A COMMERCIAL FOUR 'C4'

27A.1 No *Persons* shall *Erect*, alter, enlarge or use any *Building* or structure or land 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*

27A.2 Performance Standards

27A.2.1 Yard Requirements

27A.2.1.1 *Front Yard* - A minimum *Front Yard* of five (5.0 m) metres shall be provided.

27A.2.1.2 *Flankage Yard* - A minimum *Flankage Yard* of five (5.0 m) metres shall be provided.

27A.2.1.3 *Side Yard* - A minimum *Side Yard* of six (6.0 m) metres 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.

27A.2.1.4 *Rear Yard* - A minimum *Rear Yard* of seven-point-five (7.5 m) metres shall be provided.

- 27A.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**.
- 27A.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.
- 27A.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.
- 27A.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.
- 27A.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.

27A.2.2 Set “A” Yard Requirements

Where the designation on the Zoning Map appears as C4-A, the following **Yard** requirements shall apply:

- 27A.2.2.1 **Front Yard** - A minimum **Front Yard** of five (5.0 m) metres shall be provided.
- 27A.2.2.2 **Flankage Yard** - A minimum **Flankage Yard** of five (5.0 m) metres shall be provided.
- 27A.2.2.3 **Side Yard** - A minimum **Side Yard** of three (3.0 m) metres shall be provided.
- 27A.2.2.4 **Rear Yard** - A minimum **Rear Yard** of seven-point-five (7.5 m) metres shall be provided.
- 27A.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**.
- 27A.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.
- 27A.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.
- 27A.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.
- 27A.2.2.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.

27A.2.3 Floor Area

The maximum **Building Floor Area** shall not exceed 13,500 square metres.

27A.2.4 Height – The following height regulations shall apply:

27A.2.4.1 The maximum height of any **Building** within the Commercial Four “C4” zone shall be determined 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**.

27A.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.

27A.2.4.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or **Building Floor Area**.

27A.2.5 **Parking Provisions**

A minimum of 4.5 spaces shall be provided for every 100 square metres of **Building Floor Area** except:

27A.2.5.1 where a **Building** or **Buildings** contain less than 1,000 square metres of **Building Floor Area** parking requirements for the following specific **Uses** shall apply:

27A.2.5.1.1 **Restaurant** - 1 space for every 4 seats of the designed maximum capacity.

27A.2.5.1.2 **Take-out Restaurant** - 15 spaces per 100 square metres of **Building Floor Area**.

27A.2.5.2 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 27A.1 except for a parking facility.

27A.2.6 **Off-Street Loading**

The General Provisions shall apply.

27A.2.7 **Automobile Service Station**

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 the Industrial “I” Zone.

27A.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 27B

27B COMMERCIAL FIVE 'C5' ZONE

27B.1 No *Person* shall *Erect*, alter, enlarge or use any *Building* or structure or land 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:

27B.1.1 Commercial Uses

- *Auditorium*
- *Automobile Service Stations* and repair and service centres
- 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*

27B.1.2 Institutional Uses

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

27B.2 Performance Standards

27B.2.1 Yard Requirements and Height Regulations

27B.2.1.1 *Front Yard* - A minimum *Front Yard* of five (5.0 m) metres shall be provided.

27B.2.1.2 *Flankage Yard* - a minimum *Flankage Yard* of five (5.0 m) metres shall be provided.

27B.2.1.3 *Side Yard* - A minimum *Side Yard* of six (6.0 m) metres 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.

27B.2.1.4 *Rear Yard* - a minimum *Rear Yard* of seven-point-five (7.5 m) metres.

- 27B.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**.
- 27B.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.
- 27B.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.
- 27B.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.
- 27B.2.1.5.4 **Buildings, Structures**, enclosures, parking areas, driveways, retaining walls and **Impervious Areas** shall be prohibited within the **Landscaped Buffer**.
- 27B.2.1.6 **Height** – The following height regulations shall apply:
- 27B.2.1.6.1 The maximum height of any **Building** within the Commercial Five “C5” zone shall be determined 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**
- 27B.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.
- 27B.2.1.6.3 A roof may be permitted to exceed the maximum height requirement provided the roof does not contain habitable room or **Building Floor Area**.
- 27B.2.2 **Floor Area**
- Gross Leasable Retail Commercial Space** for any contiguous area similarly zoned shall not exceed 36,000 square metres.
- 27B.2.3 **Off-Street Parking Requirements**
- 27B.2.3.1 A minimum of 5 spaces shall be provided for every 100 square metres of **Gross Leasable Retail Commercial Space**.
- 27B.2.3.1.1 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 27B.1 except for a parking facility.
- 27B.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:
- 27B.2.3.2.1 For **Office** space on the ground floor, 3 spaces per 100 square metres of **Building Floor Area**
- 27B.2.3.2.2 For **Office** space above the ground floor

27B.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*.

27B.2.3.2.2.2 One (1) space for every 100 square metres of *Building Floor Area* where the *Office* space is greater than 10% but less than 50% of the total *Gross Leasable Retail Commercial Space*.

27B.2.3.2.2.3 Three (3) spaces for every 100 square metres of *Building Floor Area* where the *Office* space is 50% or greater of the *Gross Leasable Retail Commercial Space*.

27B.2.3.2.3 For entertainment areas, *Personal Service Shops*, *Commercial Recreation* and libraries, 5 spaces for every 100 square metres of *Building Floor Area*

27B.2.3.2.4 For automobile service station and repair and service centres, 5 spaces for every 100 square metres of *Building Floor Area*.

27B.2.3.2.5 For an *Auditorium*, 5 spaces for every 100 square metres of *Building Floor Area*

27B.2.3.2.6 For a *Motel*, *Hotel*, private club or lodge or a religious *Use*, the parking requirements set out in Section 8.11, the General Provision Section, shall apply.

27B.2.4 **Off-Street Loading**

The Off-*Street* Loading set out in Section 8.10 shall apply.

27B.2.5 **Buildings on a Lot**

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

27B.2.6 **Regulations for Automobile Service Stations**

The regulations for Automobile Service Station set out in the Industrial 'I' Zone shall apply.

Section 27C

“MXE”

MIXED USE EMPLOYMENT

27C

27C.1 No person shall erect, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part within the “MXE” Zone for any purpose other than one or more of the following:

27C.1.1

Commercial Uses

Art Gallery studio
Auditorium
Banks or Trust Companies
Beer Liquor & Wine Stores
Coffee Shop or Tea Room
Clinics (Medical, Dental, Therapy, etc.)
Commercial Recreation
Commercial Schools
Nursery Schools/Daycare
Office
Office Equipment & Supplies
Personal Service Shop
Private Clubs & Lodges
Restaurants including Take-out
Retail Store (excluding department stores, home improvement stores and automotive supply stores)
Specialty Food Store
Variety Store
Animal Hospital, subject to the following regulation:

(a) *deleted by By-law No .09-158*

(b) Facilities for keeping animals outside are not permitted.

27C.1.2

Institutional Uses

Art Gallery, Studios
Government Uses
Nursery Schools/Daycare
Libraries
Park
Public/Separate/Private Schools
Religious Use

27C.1.3

Retail Use Requirements

27C.1.3.1

“Retail and Restaurant Unit Size” – the maximum size for each retail unit or restaurant is four hundred and sixty five square metres (465 sq.m.).

27C.2

Performance Standards

The following regulations shall apply to all permitted uses.

27C.2.1 **Lot and Yard Requirements for Lots with Frontage/Flankage on Local Streets (except as provided in 27C.2.2)**

27C.2.1.1 “Streetline Buildout” – a minimum of seventy per-cent (70%) buildout shall be provided with a minimum setback of two metres (2m) and a maximum of four metres (4m);

27C.2.1.2 “Side Yard” – No side yard shall be required except:

27C.2.1.2.1 Where a side lot line is a boundary of a Residential Zone or a municipal park, a minimum side yard of one-point-two metres (1.2m) must be provided;

27C.2.1.2.2 Where a side lot line abuts a public lane, a side yard of two metres (2.0 m) shall be provided.

27C.2.1.3 “Rear Yard” – a minimum rear yard of seven-point-five metres (7.5m) shall be provided.

27C.2.1.4 All buildings shall be subject to the provisions for corner lots, Section 8.12;

27C.2.2 **Lot and Yard Requirements for Lots with Frontage/Flankage on Erb Street West or Ira Needles Boulevard or Erbville Road**

27C.2.2.1 “Street line Buildout” - a minimum of fifty per-cent (50%) buildout shall be provided with a minimum setback of four metres (4m) and a maximum of six metres (6m);

27C.2.2.1.1 “Side Yard” – No side yard shall be required except:

27C.2.2.1.2 Where a side lot line is a boundary of a Residential Zone or a municipal park, a minimum side yard of one-point-two metres (1.2m) must be provided;

27C.2.2.1.3 Where a side lot line abuts a public lane, a side yard of two metres (2.0 m) shall be provided.

27C.2.2.2 “Corner Lot Frontage” – a minimum of twelve metres (12m) shall be provided;

27C.2.2.3 All buildings shall be subject to the provisions for corner lots; Section 8.12;

27C.2.3 **Building Height**

27C.2.3.1 The minimum height of any building or structure shall be seven-point-five metres (7.5m);

27C.2.3.2 The maximum height of any building or structure shall be fourteen metres (14m);

27C.2.4 **Off-Street Parking Requirements**

27C.2.4.1 Parking is not permitted in any front yard or flankage yard.

27C.2.4.2 For all uses a minimum of five (5) spaces shall be provided for every one hundred square metres (100 sq.m.) of building floor area.

27C.2.4.3 For all uses for lots which front onto a public street and provide on-street parking for the entire frontage a minimum of three (3) off-street parking spaces shall be provided for every one hundred (100 sq.m.) of building floor area.

Section 27D

“MXR”

27D

MIXED USE RESIDENTIAL

27D.1

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

27D.1.1

Commercial Uses

Art Gallery, studios
Auditorium
Bake Shop
Banks or Trust Companies
Beer Liquor & Wine Stores
Coffee Shop or Tea Room
Commercial Recreation
Commercial Schools
Clinics (Medical, Dental, Therapy, etc.)
Motel/Hotel
Nursery Schools/Daycare
Office
Office Equipment & Supplies
Personal Service Shop
Private Clubs & Lodges
Restaurants including take-out but not drive-in/drive thru
Retail Store (excluding department stores, home improvement stores and automotive supply stores)
Specialty Food Store
Variety Store

27D.1.2

Residential Uses

Apartment dwellings
Apartment dwellings in storeys above the first storey
Townhouse dwellings, linear

27D.1.3

Institutional Uses

Art Gallery, Studios
Government Uses
Nursery Schools/Daycare
Park
Public/Separate/Private Schools
Religious Use
Nursing Homes

27D.1.4

Retail Use Requirements

27D.1.4.1

“Retail and Restaurant Unit Size” – the maximum size for each retail unit or restaurant is four hundred and sixty five square metres (465 sq.m.).

27D.1.5 **Accessory Building Requirements**

27D.1.5.1 A maximum of one “accessory” building or structure, not attached to the main building is permitted on each lot and:

27D.1.5.1.1 shall not be located within two-point-five metres (2.5m) of any part of a main building on the same lot;

27D.1.5.1.2 shall not be located closer than sixty centimetres (60 cm) from any rear or side lot line;

27D.1.5.1.3 shall be subject to the provisions for corner lots, Section 8.12;

27D.2 **Performance Standards**

The following regulations shall apply to all permitted uses.

27D.2.1 **Lot and Yard Requirements (except as provided in 27D.2.2)**

27D.2.1.1 “Streetline Buildout” – a minimum of seventy per-cent (70%) buildout shall be provided with a minimum setback of two metres (2m) and a maximum of four metres (4m);

27D.2.1.2 “Lot Frontage” – a minimum frontage of six point six metres (6.6m) shall be provided;

27D.2.1.3 “Corner Lot Frontage” – a minimum of nine point six metres (9.6m) shall be provided;

27D.2.1.4 “Side Yard” – No side yard shall be required except:

27D.2.1.4.1 Where a side lot line is a boundary of a Residential Zone or a municipal park, a minimum side yard of one-point-two metres (1.2m) must be provided;

27D.2.1.4.2 Where a side lot line abuts a public lane, a side yard of two metres (2.0 m) shall be provided.

27D.2.1.5 Notwithstanding anything contained in this by-law, the garage with an entrance facing the flankage shall be a minimum of six metres (6m) from the street line;

27D.2.1.6 “Rear Yard” – a minimum rear yard of seven-point-five metres (7.5m) shall be provided.

27D.2.1.7 The maximum impervious area permitted on any lot zoned “MXR” shall be determined by a numerical prefix shown on the zoning map attached as Appendix “A” to this by-law. The numerical prefix represents the maximum percentage of impervious area permitted on the lot. Development of land shall be prohibited if it fails to comply with the Impervious Factor requirements of this paragraph. If a numerical prefix is absent, then there shall be no “Impervious Factor”.

27D.2.1.8 All buildings shall be subject to the provisions for corner lots, Section 8.12;

27D.2.2 **Lot and Yard Requirements for Lots with Frontage/Flankage on Erb Street West or Ira Needles Boulevard or Erbsville Road**

27D.2.2.1 “Street line Buildout” - a minimum of fifty per-cent (50%) buildout shall be provided with a minimum setback of four metres (4m) and a maximum of six metres (6m);

27D.2.2.2 “Corner Lot Frontage” – a minimum of twelve metres (12m) shall be provided;

27D.2.2.3 “Side Yard” – No side yard shall be required except:

- 27D.2.2.3.1 Where a side lot line is a boundary of a Residential Zone or a municipal park, a minimum side yard of one-point-two metres (1.2m) must be provided;
- 27D.2.2.3.2 Where a side lot line abuts a public lane, a side yard of two metres (2.0 m) shall be provided.
- 27D.2.2.4 All buildings shall be subject to the provisions for corner lots; Section 8.12;
- 27D.2.3 **Building Height**
- 27D.2.3.1 The minimum height of any building or structure shall be seven-point-five metres (7.5m);
- 27D.2.3.2 The maximum height of any building or structure shall be fourteen metres (14m);
- 27D.2.4 **Off-Street Parking Requirements**
- 27D.2.4.1 Parking is not permitted in any front yard or flankage yard.
- 27D.2.4.2 For all non-residential uses a minimum of five (5) spaces shall be provided for every one hundred square metres (100 sq.m.) of building floor area.
- 27C.2.4.3 For all non-residential uses for lots which front onto a public street and provide on-street parking for the entire frontage a minimum of three (3) off-street parking spaces shall be provided for every one hundred (100 sq.m.) of building floor area.
- 27D.2.5 **Regulations for Residential Uses**
- 27D.2.5.1 Each dwelling unit shall be provided with eleven square metres (11 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.
- 27D.2.5.2 For residential uses one (1) parking space per unit shall be provided behind the building line;
- 27D.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.

Section 27E

“MXC”

27E MIXED USE COMMERCIAL

27E.1 No person shall erect, enlarge or use any building or structure in whole or in part within the “MXC” Zone for any purpose other than one or more of the following:

27E.1.1 Commercial Uses

Art gallery, studio
Auditorium
Bake Shop
Bank or Trust Company
Beer Liquor and Wine Store
Coffee Shop and Tea Room
Commercial Recreation
Commercial School
Clinic (Medical, Dental, Therapy, etc.)
Motel/Hotel
Nursery School/Daycare
Office
Office Equipment & Supplies
Personal Service Shop
Private Club and Lodge
Restaurant including take-out but not drive-in/drive-thru
Retail Store (excluding department stores, home improvement stores and automotive supply stores)
Specialty Food Store
Variety Store

27E.1.2 Residential Uses

Apartment dwellings located above ground floor
Dwelling units in storeys above the first storey

27E.1.3 Institutional Uses

Art Gallery, Studio
Government Uses
Nursery School/Daycare
Park
Public/Separate/Private School
Religious Use

27E.1.4. **Retail Use Requirements**

27E.1.4.1 “**Retail and Restaurant Unit Size**” – the maximum size for each retail unit or restaurant is four hundred and sixty five square metres (465 sq. m.);

27E.2 **Performance Standards**

The following regulations shall apply to all permitted uses.

27E.2.1 **Lot and Yard Requirements (except as provided in 27.E.2.2)**

27E.2.1.1 “**Streetline Buildout**” – a minimum of seventy per-cent (70%) build-out shall be provided with a ***minimum*** setback of two metres (2m) and a ***maximum*** of four metres (4m)

27E.2.1.2 “Lot Frontage” – a minimum frontage of six point six metres (6.6m) shall be provided;

27E.2.1.3 “Corner Lot Frontage” – a minimum of nine point six metres (9.6m) shall be provided;

27E.2.1.4 “Side Yard” – No side yard shall be required except:

27E.2.1.4.1 Where a side lot line is a boundary of a Residential Zone or a Municipal Park, a minimum side yard on one-point-two metres (1.2m) must be provided;

27E.2.1.4.2 Where a side lot line abuts a public lane, a side yard two metres (2.0m) shall be provided;

27E.2.1.5 Notwithstanding anything contained in this by-law, the garage with an entrance facing the flankage shall be a minimum of six metres (6m) from a street line;

27E.2.1.6 “Rear Yard” – a minimum rear yard of seven-point-five metres (7.5m) shall be provided.

27E.2.1.7 The maximum impervious area permitted on any lot zoned “MXC” shall be determined by a numerical prefix shown on the zoning map attached as Appendix “A” to this by-law. The numerical prefix represents the maximum percentage of the impervious area permitted on the lot. Development of land shall be prohibited if it fails to comply with the Impervious Factor requirements of this paragraph. If a numerical prefix is absent, then there shall be no “Impervious Factor.”

27E.2.1.8 All buildings shall be subject to the provisions for corner lots, Section 8.12;

27E.2.2 **Lot and Yard Requirements for Lots With Frontage/Flankage on Erb Street West, Ira Needles Boulevard or Erbsville Road**

27E.2.2.1 “Street Line Buildout” – a minimum of fifty per-cent (50%) build-out shall be provided with a ***minimum*** setback of four metres (4m) and a maximum of six metres (6m);

- 27E.2.2.2 “Corner Lot Frontage” – a minimum of twelve metres (12m) shall be provided;
- 27E.2.2.3 “Side Yard” – no side yard shall be required except:
- 27E.2.2.3.1 Where a side lot line is a boundary of a Residential Zone or a Municipal Park, a minimum side yard of one-point-two metres (1.2m) must be provided;
- 27E.2.2.3.2 Where a side lot line abuts a public lane, a side yard of two metres (2.0m) shall be provided;
- 27E.2.2.4 All buildings shall be subject to the provisions of corner lots; Section 8.12;

27E.2.3 **Building Height**

- 27E.2.3.1 The minimum height of any building or structure shall be seven-point-five metres (7.5m);
- 27E.2.3.2 The maximum height of any building or structure shall be fourteen metres (14m);

27E.2.4 **Off Street Parking Requirements**

- 27E.2.4.1 Parking is not permitted in any front yard or flankage yard.
- 27E.2.4.2 For all non-residential uses a minimum of five (5) parking spaces shall be provided for every one hundred square metres (100 sq.m.) of building floor area.
- 27E.2.4.3 For all non-residential uses for lots which front onto a public street and provide on-street parking for the entire frontage a minimum of three (3) off street parking spaces shall be provided for every one hundred square metres (100 sq.m.) of building floor area.

27E.2.5 **Regulations for Residential Uses**

- 27E.2.5.1 Each dwelling unit shall be provided with eleven square metres (11sq.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.
- 27E.2.5.2 For residential uses one (1) parking space per unit shall be provided behind the building line;
- 27E.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 industrial use.

Section 27F

“C10”

27F MIXED USE COMMERCIAL CENTRE

27F.1 No person shall erect, enlarge or use any building, structure or land in whole or in part within the “C10” Zone for any purpose other than one or more of the following uses:

27F.1.1 **Commercial Uses**

Banks and Trust Companies (including Drive Thru)
Commercial Recreation (including fitness centre)
Commercial Schools
Garden Centre (ancillary to a Home Improvement Store)
Institutional
Medical Clinic
Mixed Use Building
Office (with Complementary Use)
Personal Service Shop
Photographic Studio
Picture Framing
Parking Facility
Restaurants (excluding Drive Thru)
Restaurant
Retail Store (excluding food stores, department stores, and automotive supply stores but including Apparel and Accessory Store, book store, Home Improvement Store and Small Retail Store)

27F.1.2 **Institutional Uses**

Art gallery
Community centre
Government Uses
Library
Museum

27F.1.3 **Prohibited Uses**

Service Station
Car Wash
Food Store (excluding a Specialty Food Store)
Gas Bar

27F.2 For the purpose of the C10 Zone, the following definitions shall apply:

27F.2.1 **“Apparel and Accessory Store”** means a Retail Store specializing in any or all of the following merchandise categories: clothing, clothing accessories, shoes, jewellery, luggage and leather;

- 27F.2.2 “**Complementary Use**” means a Personal Service Shop, restaurant, Bank and Trust Company, and Pharmaceutical Dispensary located in a multi-storey office building on the ground floor;
- 27F.2.3 “**Drive Thru**” means a place without an intercom order station, where a service is available at a service window for delivery to a vehicle as a component to a main use and shall include an automated bank machine but shall not include a Drive Thru for a Restaurant use;
- 27F.2.4 “**Home Improvement Store**” means a Retail Store specializing in products and services used primarily for the renovation, repair or improvement of the internal and/or external of buildings including, without limiting the generality of the foregoing, paint, wall paper, carpets, floor covering, lighting fixtures, draperies, blinds, plumbing fixtures, furniture, appliances, building materials, lumber and a garden centre;
- 27F.2.5 “**Mixed Use Building**” means a multi-storey commercial building with a minimum height of 7 metres (7m), and a maximum height of 12 metres (12m), where:
- a. the following uses are permitted on the ground floor of the building:

All uses permitted in the C10 zone

- b. only the following uses are permitted above the ground floor of the building:

Commercial School
Office
Medical Clinic
Institutional (as per Section 27F.1.2)

A Mixed Use Building does not include an Office building with Complementary Uses;

- 27F.2.6 “**Pharmaceutical Dispensary**” means an outlet whose primary use is the dispensing of drugs prescribed by a medical practitioner. The retailing of non-prescription drugs and health related items such as home medical supplies, crutches, diagnostic equipment and health-related literature shall be permitted as accessory uses. The retailing of cosmetic and film processing is not permitted in a Pharmaceutical Dispensary;
- 27F.2.7 “**Small Retail Store**” means a Retail store of less than 465 square metres in Building Floor Area and includes a Specialty Food Store and Apparel and Accessories; and
- 27F.2.8 “**Specialty Food Store**” means a Small Retail Store specializing in a specific and limited type or class of foods such as an appetizer store, bakery, butcher, candy, delicatessen, fish, frozen food merchandise, gourmet, spices and similar foods but does not include a grocer store, supermarket or food store.

27F.3 **Performance Standards**

Notwithstanding any provision of By-law 1418, the following regulations shall apply to all permitted uses:

27F.3.1 **Yard Requirements**

27F.3.1.1 A minimum Front Yard of six metre (6m) shall be provided.

27F.3.1.2 A minimum Rear Yard of three metres (3m) shall be provided.

27F.3.1.3 A minimum Side Yard of three metres (3m) shall be provided.

27F.3.1.4 Parking areas and driveway aisles shall be prohibited with the Front Yard

27F.3.2 **Building Height**

27F.3.2.1 The maximum height of any building shall be thirty six metres (36m).

27F.3.2.2 The number of Storeys permitted in a building shall not exceed the number permitted by the numerical suffix as shown on the Zoning Map attached as Schedule 'A'.

27F.3.2.3 The roof of a Building, including rooftop mechanical equipment, shall not be included in the calculation of Building height provided however that the roof does not contain any habitable rooms or Building Floor Area.

27F.3.3 **Buildings on a Lot**

27F.3.3. Notwithstanding any other provision in By-law 1418, more than one Building may be permitted on any Lot in this Zone.

27F.3.4 **Outdoor Storage**

27F.3.4.1 No outdoor storage shall be permitted within:

- i.) A Front Yard or Side Yard as of the date of passing this by-law; and
- ii.) A Rear Yard unless the yard is fenced and screened from view of the street.

27F.3.5 **Parking Provisions**

27F.3.5.1 Notwithstanding the provisions of By-law 1418 the following parking provisions shall apply:

27F.3.5.2 Parking is not permitted within any Front Yard as of the date of passing this by-law.

27F.3.5.3

Parking shall be provided in accordance with following standards:

Use	Required Parking Spaces/100 square metres of Building Floor Area
Auditorium	4.5 spaces
Commercial Recreation	4.5 spaces
Home Improvement Store	4 spaces
Mixed Use Building	<ol style="list-style-type: none"> 1. the parking regulations for the permitted use shall apply with respect to uses located on the ground floor of the building 2. uses above the ground floor uses: <ol style="list-style-type: none"> a. 1 space where Office use(s) are greater than 10%, but less than 50%, of the total Building Floor Area; and b. 2.5 spaces where Office use(s) are greater than 50% of the total Building Floor Area
Office	3 spaces
Personal Service Shop	4 spaces
Retail	4 spaces
Restaurant (excluding Drive Thru)	1 space for every 4 seats of the designed maximum capacity
All other permitted uses	4 spaces

27F.3.6

Landscaped Open Space

27F.3.6.1

A minimum Landscaped Open Space area of 20% of the Lot area shall be provided, and shall include, but not be limited to, landscape buffer, landscaped parking islands, landscaped walkways, courtyard, plaza area, outdoor amenity areas, green roof or roof garden. Green roof and roof gardens shall not exceed more than 5% of the total Landscaped Open Space area.

27F.3.7

Implementation

27F.3.7.1

The provisions of the C10 Zone shall only apply to lands legally described in the year 2009 as Part of Lot 40, German Company Tract, being Part 1 on Plan 58R-16528, City of Waterloo, Regional Municipality of Waterloo (PIN 22184-0464 LT) subject to special zoning provisions.

Section 28

“S”

SUBURBAN

28.

28.1 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:

28.1.1 “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.

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

By-Law 1505, S.14, O.M.B. Approval Dec. 14, 1961.

28.3 Deleted.

By-Law 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

28.4 **Accessory Uses**

The following accessory uses are permitted:

By-Law 1505, S.15, O.M.B. Dec. 14, 1961.

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

28.5 The following regulations shall apply to all uses in the “S” Zone:

28.5.1 **Lot Area**

There shall be a minimum lot area of four thousand (4,000.0sq.m) square metres.

28.5.2 **Lot Frontage**

There shall be a minimum lot frontage of fifty (50.0m) metres.

28.5.3 **Yard Requirements**

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

28.5.3.2 “Side Yards” - There shall be a minimum side yard of three (3.0m) metres 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 (60) centimetres of a side or rear lot line. No part of any building or structure shall be erected within six (6) metres of the street line flankage of the lot.

28.5.3.3. “Rear Yard” - there shall be a rear yard on each lot with a minimum average depth of ten-point-five (10.5m) metres.

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

28.5.5 **Height**

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

28.5.6 **Coverage**

28.5.6.1 “Main Building” - The maximum coverage of the lot by the main building shall be fifteen (15%) percent of the lot area.

28.5.6.2 “Accessory Buildings” - The maximum coverage of the lot by accessory buildings shall be ten (10%) percent of the lot area.

28.5.7 **Parking Provisions**

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

28.5.7.2 In addition to 28.5.7.1 above, for residential uses, there shall be provided a minimum of one (1) parking space for each dwelling unit.

Section 29

“SR1”

SINGLE RESIDENCE ONE ZONE

29.

29.1 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 “SR1” Zone for any purpose other than one or more of the following uses:

By-Law No. 2088, S.3, O.M.B. Approval Oct. 30, 1964.

By-Law No. 1505, S.16, O.M.B. Approval, Dec. 14, 1961.

Public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

29.2 “Offices” and “Clinics” for a Health Practitioner provided that such office or clinic 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 any such office or clinic and that the space used does not exceed twenty-five (25%) percent of the ground or basement floor area.

29.3 Recreational parks or playgrounds operated by the City of Waterloo.

29.4 “Residential” - single detached dwelling, class A group home, Bed and Breakfast Establishments.

29.5 Deleted.

By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

29.6 **Accessory Uses**

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.

By-Law No. 1505, S.17, O.M.B. Approval Dec. 14, 1961.

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

29.7.1 **Lot Area**

29.7.1.1 Where municipal water and sanitary sewers are available to service land, buildings or structures, there shall be a minimum lot area of four hundred and five (405sq.m) square metres for internal lots and five hundred and forty (540sq.m) square metres for corner lots.

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

29.7.2 **Lot Frontage**

29.7.2.1 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 (13.5m) metres for internal lots and eighteen (18m) metres for corner lots.

29.7.3 **Yard Requirements**

29.7.3.1 “Front Yard” - There shall be no building or structure within seven-point-five (7.5m) metres of the street line.

29.7.3.2 “Side Yards” - There shall be a minimum side yard of one hundred and twenty (120) centimetres on both sides of the lot plus sixty (60) centimetres 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 (6.0m) metres of the street line flankage of the lot.

29.7.3.3 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of nine (9.0m) metres.

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

29.7.5 **Height**

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

29.7.6 **Coverage**

29.7.6.1 “Main Building” - The maximum coverage of the lot by the main building shall be thirty-three (33%) percent of the lot area.

29.7.6.2 “Accessory Buildings” - The maximum coverage of the lot by accessory buildings shall be ten (10%) percent of the lot area.

29.7.7 **Parking Provisions**

29.7.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

29.7.8 Non-residential buildings shall be subject to the following regulations which are permitted in this zone:

29.7.8.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35%) percent.

29.7.8.2 **Yard Requirements**

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

29.7.8.2.2 “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.

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

Section 30

“SR1A”

SINGLE RESIDENCE - 1A

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 “SR-1A” Zone for any purpose other than one or more of the following uses:

30.1.1 Public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday schools and libraries.

30.1.2 “Offices” and “Clinics” for a Health Practitioner provided that such office or clinic 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 any such office or clinic and that the space used does not exceed twenty-five (25%) percent of the ground or basement floor area.

30.1.3 Recreational parks or playgrounds operated by the City of Waterloo.

30.1.4 “Residential” - single detached dwelling, class A group home, Bed and Breakfast Establishments.

30.2 Deleted.

By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

30.3 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.

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

30.4.1 **Lot Area**

30.4.1.1 There shall be a minimum lot area of four hundred and five (405.0sq.m) square metres. Corner lots shall have a minimum of five hundred and forty (540.0sq.m) square metres.

30.4.2 **Lot Frontage**

30.4.2.1 There shall be a minimum lot frontage of thirteen-point-five (13.5m) metres for internal lots and eighteen (18m) metres for corner lots.

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

30.4.3 **Yard Requirements**

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

30.4.3.2 “Side Yards” - There shall be a minimum side yard of one hundred and twenty (120.0cm) centimetres on both sides of the lot plus sixty (60.0cm) centimetres 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 (6.0m) metres of the street line flankage of the lot.

30.4.3.3 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of nine (9.0m) metres.

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 (10.5m) metres.

30.4.6 **Coverage**

30.4.6.1 “Main Building” - The maximum coverage of the lot by the main building shall be thirty-three (33%) percent of the lot area.

30.4.6.2 “Accessory Buildings” - The maximum coverage of the lot by accessory buildings shall be ten (10%) of the lot area.

30.4.7. **Parking Provisions**

30.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

30.4.8 Non- residential buildings shall be subject to the following regulations which are permitted in this zone:

30.4.8.1 **Coverage**

The maximum coverage of the lot by all buildings shall be thirty-five (35%) percent.

30.4.8.2 **Yard Requirements**

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

30.4.8.2.2 “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 (7.5m) metres of the street line flankage of the lot.

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

Section 31

“SR1-10”

31

SINGLE RESIDENCE ONE-TEN

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, within the “SR1-10” zone for any purpose other than one of the following uses:

- Recreation parks or playgrounds
- Residential - single detached dwelling, class A group home, Bed and Breakfast Establishments.

31.2 Deleted

By-Law 76-92, S.1, O.M.B. Appr. Sept. 14, 1976.

31.3 The following accessory uses are permitted:

Private garage with a maximum of two (2) cars or one (1) car 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**

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

31.4.2 **Lot Frontage**

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

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

31.4.3 **Yard Requirements**

31.4.3.1 “Front Yard” - There shall be a minimum front yard of 7.5 metres for all buildings, structures and parts thereof.

31.4.3.1.1 Notwithstanding the front yard requirement referred to in Section 31.4.3.1 any residential building, structure or part thereof, excluding garages and carports, may be permitted to encroach 1.5 metres onto the front yard.

31.4.3.2 “Side Yards” - There shall be a minimum side yard of ninety (90cm) centimetres on both sides of the lot plus sixty (60cm) centimetres 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 (4.5m) metres of the street line flankage of the lot.

31.4.3.3 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of nine (9.0m) metres.

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

31.4.5 **Height**

The maximum height of any building or structure shall be nine (9.0m) metres.

31.4.6 **Coverage**

31.4.6.1 The maximum coverage of the lot by all buildings shall be forty (40%) percent.

31.4.7 **Parking Provisions**

31.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

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:

By-Law No. 2271, O.M.B. Approval Sept. 2, 1965.

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 or clinic 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 any such office or clinic and that the space 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 Establishments.

32.2 Deleted.

By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

32.3 **Accessory Uses**

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:**

32.4.1 **Lot Area**

There shall be a minimum lot area of four hundred and fifty (450sq.m) square metres of interior lots and five hundred and eighty-five (585sq.m) square metres for corner lots.

32.4.2 **Lot Frontage**

32.4.2.1 Where municipal water and sanitary sewers are available to service land, buildings and structures there shall be a minimum lot frontage of fifteen (15m) metres for internal lots and nineteen-point-five (19.5m) metres for corner lots.

By-Law 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 (7.5m) metres of the street line.

32.4.3.2 “Side Yards” - There shall be a minimum of one hundred and twenty (120.0cm) centimetres on both sides plus sixty (60.0cm) centimetres 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 (6.0m) metres of the street line flankage of the lot.

32.4.3.3 “Rear Yards” - There shall be a minimum average depth of nine (9.0m) metres.

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

32.4.5 **Height**

There shall be a maximum height of ten-point-five (10.5m) metres.

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**

32.4.7.1 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**

32.5.1.1 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 (7.5m) metres.

32.5.2.2 “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 (7.5m) metres of the street line flankage of the lot.

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

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

Section 33

“SR-T1”

SINGLE RESIDENCE TOWNSHIP 1

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-T1” Zone except in conformity with the following uses:

- Any use permitted in an Agricultural Zone except signs.
- A semi-detached or duplex dwelling.
- Class A group home.

Notwithstanding anything contained in this section no lot within a registered plan of subdivision shall be used for any purpose other than a dwelling unit or units as otherwise permitted in this by-law.

Any use accessory to the foregoing uses.

33.1

Regulations

Minimum lot area.....	2,000.00 square metres
Minimum setback.....	7.5 metres
Minimum lot width.....	40.0 metres
Minimum side yard (each side)	
Residence.....	120.0 centimetres
Other permitted uses.....	equal to ½ the building height but not less than 4.5 metres
Minimum rear yard.....	8.0 metres

By-Law No. 93-32, Clerk’s Declaration May 10, 1993.

33.2

Parking Provisions

33.2.1

A minimum of one (1) parking space shall be provided for each dwelling unit.

Section 34

“SR-T2”

SINGLE RESIDENCE TOWNSHIP 2

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 “SRT2” Zone except in conformity with the following uses:

- Any use permitted in an Agricultural Zone except signs.
- A semi-detached or duplex dwelling.
- Class A group home.

Notwithstanding anything contained in this section no lot within a registered plan of subdivision shall be used for any purpose other than a dwelling unit or units as otherwise permitted in this By-law.

Any use accessory to the foregoing uses.

34.1

There shall be a minimum lot frontage of twenty-one (21m) metres.

34.2

There shall be a minimum lot width at the building line of thirty (30m) metres.

34.3

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

34.4

There shall be an average lot area of two thousand square metres (2,000sq.m) with each lot having a minimum area of one thousand and four hundred (1,400sq.m) square metres.

34.5

Deleted by By-Law No. 93-32.

34.6

There shall be a minimum side yard on each side of each lot of one hundred and twenty (120cm) centimetres.

34.7

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

34.8

Parking Provisions

34.8.1

A minimum of one (1) parking space shall be provided for each dwelling unit.

34.8.2

Deleted by By-Law No. 81-56.

34.8.3

Deleted by By-Law No. 81.56.

34.8.4

Deleted by By-Law No. 81-56.

Section 35

“SR2A”

SINGLE RESIDENCE - 2A

35.

35.1 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:

35.1.1 “Institutions” which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday Schools and libraries.

35.1.2 “Office - Physician, Dentist, Chiropractor or Osteopath” provided that such office is situated within a single detached 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 that the space used does not exceed twenty-five (25%) percent of the ground or basement floor area.

35.1.3 “Recreational” which shall be confined to parks or playgrounds operated by the City of Waterloo.

35.1.4 “Residential” - single detached dwellings, class A group home, Bed and Breakfast Establishments.

35.2 Deleted.

By-Law No. 76-92, S.2, O.M.B. Approval Sept. 14, 1976.

35.3 **Accessory Uses**

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.

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 four hundred and fifty (450sq.m) square metres for interior lots and five hundred and eighty-five (585sq.m) square metres for corner lots.

35.4.2 **Lot Frontage**

There shall be a minimum lot frontage of fifteen (15m) metres for internal lots and nineteen-point-five (19.5m) metres for corner lots.

By-Law No. 76-33, O.M.B. Approval June 22, 1979.

35.4.3 **Yard Requirements**

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

35.4.3.2 “Side Yard” - There shall be a minimum of one hundred and twenty (120cm) centimetres on both sides plus sixty (60cm) centimetres 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 (6.0m) of the street line flankage of the lot.

35.4.3.3 “Rear Yard” - There shall be a minimum average depth of nine metres (9.0m).

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

35.4.5 **Height**

There shall be a maximum height of ten-point-five metres (10.5m).

35.4.6 **Coverage**

Coverage of the lot by all buildings shall not exceed thirty-three (33%) percent of the lot area.

35.4.7 **Parking Provisions**

There shall be a minimum of one (1) parking space provided for each dwelling on the lot. Where a dwelling is used as permitted herein by a Physician or Dentist, there shall be provided on the lot three (3) additional spaces for each Physician or Dentist.

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

35.5.1 **Coverage**

35.5.1.1 The maximum coverage of the lot by all buildings shall be thirty-five (35%) percent.

35.5.2 **Yard Requirements**

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

35.5.2.2 “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.

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

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

Section 36

“SR 3”

36

SINGLE RESIDENCE THREE

36.1 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 “SR3” Zone except in conformity with the following uses:

36.1.1 “Institutions” which shall be confined to public schools, separate schools, private schools, nursery schools, churches, church halls, Sunday Schools, and libraries.

36.1.2 “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).

36.1.3 “Residential” - single detached dwellings, class A group home, Bed and Breakfast Establishments.

36.2 Deleted.

36.3 **Accessory Uses**

The following accessory uses are permitted:

Private garages, maximum three (3) cars or two (2) passenger and one (1) light commercial vehicles not to exceed one (1) ton maximum capacity only for the use of the owner or tenant of the premises.

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

36.4.1 **Lot Area**

36.4.1.1 Where municipal water and sanitary sewers exist, there shall be a minimum lot area of seven hundred and fifty (750.0 sq.m) square metres.

36.4.1.2 Where municipal water only exists, there shall be a minimum lot area of nine hundred (900.0 sq.m) square metres.

36.4.1.3 Where municipal water or sanitary sewers do not exist there shall be a minimum lot area of one thousand four hundred (1,400.0sq.m) square metres.

36.4.2 **Lot Frontage**

36.4.2.1 Where municipal water and sanitary sewers are available to service land, buildings and structures there shall be a minimum lot frontage of nineteen-point-five (19.5m) metres for internal lots and twenty-two-point-five (22.5m) metres for corner lots.

By-Law No. 79-33, O.M.B. Approval June 22, 1979.

36.4.2.2 Where municipal water only exists, there shall be a minimum of thirty-five (35.0m) metres. Corner lots shall have a minimum lot frontage of fifty-five (55.0m) metres.

36.4.2.3 Where municipal water or sanitary sewers do not exist, there shall be a minimum of fifty (50.0m) metres. Corner lots shall have a minimum lot frontage of fifty-five (55.0m) metres.

36.4.3 **Yard Requirements**

36.4.3.1 “Front Yard” - There shall be no building or structure within thirteen-point-five (13.5m) metres of the street line.

36.4.3.2 “Side Yards” - There shall be a minimum side yard of three (3.0m) metres 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 (7.5m) metres 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 thirteen-point-five (13.5m) metres.

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 (10.5m) metres.

36.4.6 **Coverage**

Coverage of the lot by all buildings shall not exceed thirty-three (33%) percent of the lot area.

36.4.7 **Parking Provisions**

36.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

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

36.5.1 **Coverage**

36.5.1.1 The maximum coverage of the lot by all buildings shall be thirty-five (35%) percent.

36.5.2 **Yard Requirements**

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

36.5.2.2 “Side Yards” - A minimum side yard of ten percent (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 (7.5m) metres of the street line flankage of the lot.

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

36.5.3 Deleted by By-law No. 81-56.

Section 36A

“SR 4”

SINGLE RESIDENCE FOUR

36A

36A.1 No person or persons shall erect, alter, enlarge or otherwise use any building or structure in whole or in part nor use any land in whole or in part within the “SR4” Zone except in conformity with the following uses:

36A.1.1 “Recreational” which shall be confined to parks, playgrounds and recreational facilities operated by the City of Waterloo;

36A.1.2 “Residential” - single detached dwelling, Bed and Breakfast Establishments.

36A.2 **Accessory Uses**

The following accessory uses are permitted:

36A.2.1 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.

36A.3 Notwithstanding anything to the contrary in By-law No. 1418 as amended, uses permitted within the “SR4” Zone may be serviced by private water supply, and private sewage systems subject to approval of the Regional Health Unit.

36A.4 **The following regulations shall apply to every SINGLE DETACHED DWELLING:**

36A.4.1 **Lot Area**

36A.4.1.1 There shall be a minimum lot area of three thousand (3,000.0sq.m) square metres;

36A.4.2 **Lot Frontage**

36A.4.2.1 There shall be a minimum lot frontage of forty (40.0m) metres;

36A.4.3 **Yard Requirements**

36A.4.3.1 “Front Yard” - There shall be no building or structure within thirteen-point-five (13.5m) metres of the street line.

36A.4.3.2 “Side Yards” - There shall be a minimum side yard of three (3.0m) metres 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 (7.5m) metres of the street line flankage of the lot.

36A.4.3.3 “Rear Yard” - There shall be a rear yard on each lot with a minimum average depth of thirteen-point-five (13.5m) metres.

36A.4.4 Deleted by By-Law No. 93-32.

36A.4.5 **Height**

36A.4.5.1 The maximum height of any building or structure shall be ten-point-five (10.5m) metres.

36A.4.6 **Coverage**

36A.4.6.1 Coverage of a lot by all buildings shall not exceed thirty-three (33%) percent of the lot area.

36A.4.7 **Parking Provisions**

36A.4.7.1 A minimum of one (1) parking space shall be provided for each dwelling unit.

Section 36B

“FR”

FLEXIBLE RESIDENTIAL

36B

36B.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 for any purposes other than the following uses:

36B.1.1 “*Residential*” – single detached dwellings, semi-detached dwellings, duplex dwellings, townhouse dwellings, townhouse-linear dwellings, class A group homes.

36B1.2 “*Home Professions*” – shall be permitted within:

- i) the main structure
- ii) the ‘Primary Portion’
- iii) the second storey of a rear yard detached garage
- iv) the second storey of the ‘Garage Component’ of the ‘Complementary Portion’

36B.1.3. “*Personal Recreation Space*” – shall be permitted within:

- i) the second storey of a rear yard detached garage
- ii) the second storey of the ‘Garage Component’ of the ‘Complementary Portion’

36B.1.4. “*Accessory Unit*” – shall be permitted within:

- i) the second storey of a rear yard detached garage on a corner lot
- ii) the second storey of the ‘Garage Component’ of the ‘Complementary Portion’ on a corner lot.

36B.1.5 “*public schools*”, “*separate schools*”, “*private schools*” and “*nursery schools*” - shall be permitted.

36B.1.6 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.

36B.2 The following regulations shall apply to all PERMITTED USES:

36B.2.1 For the purposes of this zoning category, the following definitions shall apply:

- i) “*Accessory Unit*” means a self-contained residential dwelling unit separate from the main residential dwelling which has its own cooking, eating, washroom, and sleeping facilities, as well a separate entrance/exit.
- ii) “*Breezeway*” means a covered passageway, attached between a house and garage, which may be enclosed on the sides.
- iii) “*Complementary Portion*” means the portion of the main structure located in the rear yard and used as a garage and/or breezeway, and shall include the storey directly above the garage.
- iv) “*Garage (private)*” means an accessory building or portion of a dwelling that is used by the permanent residents of the dwelling for the shelter of motor vehicles.
- v) “*Garage Component*” means the portion of the ‘Complementary Portion’ which includes the garage and the storey directly above the garage, but does not include a breezeway.
- vi) “*Main Structure*” means the residential building designed or used for the principle residential use of the lot.

- vii) “*Non-enclosed Stairs*” means stairs required to access the second storey of a detached garage or ‘Garage Component’ which:
 - a) are not located within the detached garage or ‘Garage Component’;
 - b) have at least fifty percent (50%) of the total area of the vertical planes forming its perimeter unenclosed or unobstructed in any manner;
 - c) have the total area beneath the stairs unenclosed and unobstructed in any manner.
- viii) “*Personal Recreation Space*” means a non-habitable room or space for recreational or amenity activities exclusively for the residential occupants of the dwelling.
- ix) “*Primary Portion*” means the portion of the main structure that does not include the ‘Complementary Portion’.
- x) “*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.
- xi) “*Rear Lot Line Separation*” means the distance between a rear yard detached garage and the rear lot line, or the distance between the ‘Complimentary Portion’ and the rear lot line.
- xii) “*Separation Setback*” means the distance between a rear yard detached garage and the main structure, or the distance between the ‘Garage Component’ of the ‘Complementary Portion’ and the ‘Primary Portion’.

36B.2.2 No building or structure shall be erected unless a municipal sewer system and water system is available to service the said building or structure.

36B.2.3 Notwithstanding anything to the contrary in this by-law, more than one main building may be permitted on a lot subject to the other provisions of this zone.

36B.2.4 For the purpose of this zoning category, the following regulations shall apply to all Garages:

36B.2.4.1 The following method shall be applied when measuring the width of a garage:

- i) For a garage which is not located in the rear yard, the width of the door(s) or opening(s), or for an open structure the distance between the supporting columns shall be used.
- ii) For a garage which is located in a rear yard, or for the ‘Garage Component’ of the ‘Complementary Portion’, the distance between the outside walls shall be used.

36B.2.4.2 In no case shall there be more than one (1) garage located in the rear yard for single detached, semi-detached, duplex, and townhouse-linear lots.

36B.2.4.3 Notwithstanding anything contained in this by-law, in no case shall the height of:

- i) a detached garage exceed the height of the main structure;
- ii) the ‘Garage Component’ of the ‘Complementary Portion’ exceed the height of the ‘Primary Portion’.

36B.2.4.4 For a detached garage of ‘Garage Component’ with a “home profession” and/or “personal recreation space” on the second storey, the maximum height shall be five-point-five metres (5.5 m), except for corner lots where the maximum height shall be six-point-two metres (6.2 m).

36B.2.4.5 For a detached garage or ‘Garage Component’ with an “accessory unit” on the second storey, the maximum height shall be six-point-two metres (6.2 m).

- 36B.2.4.6
- 1) Interior lots with greater than 9.75 m (32 ft.) of frontage and corner lots with greater than 11 m (36 ft.) of frontage – where a garage abuts a front yard, the garage shall not extend beyond the ground floor habitable portion of the main structure by more than one-point-eight metres (1.8m).
 - 2) Interior lots with 9.75 m (32 ft.) of frontage or less, corner lots with 11 m (36 ft.) of frontage or less, and lots containing semi-detached dwellings that will ultimately be less than 9.75 m or 11 m upon approval of a consent to sever or part lot control by-law exemption – where a garage abuts a front yard, the garage shall be permitted to extend beyond the covered front porch by a maximum of 1.2 m (4 ft.) provided that a covered front porch of between 1.2 m (4 ft.) and 2.43 m (8 ft.) in depth is constructed.

36B.2.4.7 On interior lots greater than 9.75m (32ft.) and corner lots greater than 11 m (36ft.) where a garage abuts a front yard and where the street line and the building line are parallel, in no case shall the garage be closer to the front yard street line than the ground floor habitable portion of the main structure or porch. Where the street line and the building line are not parallel, the garage may be closer to the front yard street line than the ground floor habitable portion of the main structure or porch provided the garage does not extend beyond the ground floor habitable portion of the main structure or porch.

Amended by By-law No. 03-144

36B.2.4.8 Regulations for garage widths:

Where the garage is not located in the rear yard, a garage and the associated driveway may represent up to 55% of the front width of the main structure.

- 36B.2.4.9 Where a garage or ‘Garage Component’ is located in the rear yard, dormers on the garage or ‘Garage Component’ shall be limited to:
- i) where there is one dormer per roof face, the maximum dormer width shall be two-point-one-four metres (2.14 m), and the maximum dormer height shall be one-point-eight-three metres (1.83 m);
 - ii) where there are two dormers per roof face, the maximum dormer width shall be one-point-five-two metres (1.52 m), and the maximum dormer height shall be one-point-five-three metres (1.53 m);
 - iii) in no case shall there be more than two (2) dormers per roof face.

36B.2.5 Non-enclosed Stairs:

- i) Non enclosed stairs and any associated roofed area shall not be included in the coverage calculation for a detached garage or ‘Complementary Portion’;
- ii) Non-enclosed stairs may be roofed provided the width of the roof does not exceed one-point-five metres (1.5 m);
- iii) Non-enclosed stairs shall not be permitted within the flankage yard.

36B.2.6 Personal Recreation Space – Where the ‘Garage Component’ of the ‘Complementary Portion’ has a common wall with the ‘Primary Portion’ and a person can freely move between each portion, the second storey of the ‘Garage Component’ may be used as a habitable room or space.

36B.2.7 Impervious Factor – The maximum impervious area permitted on any lot zoned ‘FR’ shall be determined by a numerical prefix shown on the zoning map attached as Appendix ‘A’ to this by-law. The numerical prefix represents the maximum percentage of impervious area permitted on the lot. Development of land shall be prohibited if it fails to comply with the Impervious Factor requirements of this paragraph. If a numerical prefix is absent, then there shall be no “Impervious Factor”.

36B.2.8 Parking Provisions – For each dwelling unit, one (1) parking space shall be provided behind the building line setback.

36B.2.9

Driveway Width:

- i) Driveway width shall be determined in accordance with Section 36B.2.4.8, except for any portion of the driveway which is in the rear yard.
- ii) Where a garage has direct access to a rear lane, the maximum driveway width shall be three-point-four metres (3.4 m), except for any portion of the driveway within six metres (6.0 m) of the garage where the maximum driveway width shall be six-point-eight-six metres (6.86 m).
- iii) Notwithstanding Section 36B.2.4.8, an additional portion of the driveway shall be permitted to extend 0.30 metres on either side of the garage door.

36B.2.10

Landscaped Open Space Requirement – For townhouse dwellings no less than fifty percent (50%) of the total lot area shall be landscaped open space.

36B.2.11

Notwithstanding anything in this by-law, for townhouse dwellings the minimum side yard setback shall be 7.5m. Where any wall does not contain windows to a habitable room, and faces a side yard there shall be a minimum yard of three metres (3m).

36B.2.12

Notwithstanding anything else in this by-law, the minimum side yard setback for the common wall of a semi-detached dwelling, townhouse dwelling, and townhouse-linear dwelling shall be 0.0m.

36B.3

The following regulations shall apply to all permitted uses which provide direct vehicle access to a street and:

- **Have no garage, or;**
- **Have a garage:**
 - i) which comprises a portion of the front façade of the main structure, or;**
 - ii) located in the side yard, or;**
 - iii) located in the rear yard which is detached from the main structure.**

36B.3.1

Regulations for *Single Detached Dwellings*:

- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 255 square metres |
| ii) Lot Area – corner lot (minimum) | 330 square metres |
| iii) Lot Frontage – internal lot (minimum) | 8.5 metres |
| iv) Lot Frontage – corner lot (minimum) | 11.0 metres |
| v) (<i>reference section 36B.3.5 for further regulations</i>) | |

36B.3.2

Regulations for *Semi-Detached Dwellings*:

- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 450 square metres |
| ii) Lot Area – corner lot (minimum) | 504 square metres |
| iii) Lot Frontage – internal lot (minimum) | 15.0 metres |
| iv) Lot Frontage – corner lot (minimum) | 16.8 metres |
| v) (<i>reference section 36B.3.5 for further regulations</i>) | |

36B.3.2.1

In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:

- i) Lot Area – internal lot (minimum) – 225 square metres
- ii) Lot Area – corner lot (minimum) – 252 square metres
- iii) Lot Frontage – internal lot (minimum) – 7.5 metres
- iv) Lot Frontage – corner lot (minimum) – 8.4 metres
- v) (reference section 36B.3.5 for further regulations)

- 36B.3.3 Regulations for *Townhouse-Linear Dwellings*:
- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 198 square metres |
| ii) Lot Area – corner lot (minimum) | 288 square metres |
| iii) Lot Frontage – internal lot (minimum) | 6.6 metres |
| iv) Lot Frontage – corner lot (minimum) | 9.6 metres |
| v) (<i>reference section 36B.3.5 for further regulations</i>) | |
- 36B.3.4 Regulations for *Duplex Dwellings*:
- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 450 square metres |
| ii) Lot Area – corner lot (minimum) | 504 square metres |
| iii) Lot Frontage – internal lot (minimum) | 15.0 metres |
| iv) Lot Frontage – corner lot (minimum) | 16.8 metres |
| v) (<i>reference section 36B.3.5 for further regulations</i>) | |
- 36B.3.5 Main structure regulations for *Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Townhouse Dwellings and Townhouse-Linear Dwellings*:
- | | |
|--|-------------------------------|
| i) Front Yard Setback (minimum)
(<i>reference 36B.3.5.1 and 36B.3.5.2</i>) | 6.0 metres |
| ii) Garage Setback From Front Yard Street Line (minimum)
(<i>reference 36B.2.4</i>) | 6.0 metres |
| iii) Side Yard Setback (minimum)
(<i>reference 36B.3.5.3, 36B.3.5.4, 36B.3.5.5</i>) | 120 centimeters on both sides |
| iv) Street Line Flankage (minimum) | 3.0 metres |
| v) Rear Yard Setback (minimum) | 7.5 metres |
| vi) Lot Depth (minimum average)
(<i>reference 36B.3.5.6</i>) | 30.0 metres |
| vii) Height (maximum) | 9.5 metres |
- 36B.3.5.1 Notwithstanding 36B.3.5(i), where a garage is situated at least seven metres (7.0 m) from the front yard street line, the habitable portion of the main structure shall be permitted to encroach the front yard provided a minimum five metres (5.0 m) setback is maintained between the front yard street line and the habitable portion.
- 36B.3.5.2 Notwithstanding 36B.3.5(i) and 36B.3.5.1, a one (1) storey non-enclosed porch may be permitted to encroach the front yard provided a:
- minimum four metre (4.0 m) setback is maintained between the front yard street line and the porch where the garage is located less than seven metres (7.0 m) from the front yard street line;
 - minimum three metre (3.0 m) setback is maintained between the front yard street line and the porch where the garage is located at least seven metres (7.0 m) from the front yard street line.
- 36B.3.5.3 Notwithstanding 36B.3.5(iii), for single detached dwellings, one side yard may equal zero metres (0.0 m) provided the other side yard is a minimum of one hundred eighty centimetres (180 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.3.5.4 Notwithstanding 36B.3.5(iii), for single detached dwellings, the side yard setback may be reduced to sixty centimetres (60 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.3.5.5 In no case shall there be less than one hundred eighty centimetres (180 cm) between two main structures, or the main structure and the ‘Primary Portion’, on the same or separate lots.

- 36B.3.5.6 Notwithstanding the lot depth requirement referred to in 36B.3.5(vi), for lots with a frontage of at least thirteen-point-five metres (13.5 m), the minimum average lot depth may be reduced to twenty four metres (24.0 m).
- 36B.3.6 Regulations for a *Detached Garage* located in the rear yard where the lot has direct vehicle access to a street (*reference 36B.2.4*):
- 36B.3.6.1 Where the detached garage door(s) face the front yard street line or flankage yard street line:
- | | |
|---|---|
| i) Side Yard Setback (minimum) | 60 centimetres for one side, and 50% of the lot width or 5.0 metres, which ever is less, for the other side |
| <i>(reference 36B.3.6.1.1)</i> | |
| ii) Separation Setback (minimum) | 6.0 metres |
| <i>(reference 36B.3.6.1.3)</i> | |
| iii) Street Line Flankage Setback (minimum) | 6.0 metres |
| iii) Rear Lot Line Setback (minimum) | 60 centimetres |
| iv) Lot Coverage (maximum) | 17% of the lot area; maximum 48.0 square metres |
| v) Height (maximum) | 4.0 metres |
| <i>(reference 36B.2.4.4, 36B.2.4.5)</i> | |
| vi) Width (maximum) | 6.86 metres |
- 36B.3.6.1.1 Notwithstanding the side yard setback referred to in 36B.3.6.1(i), one side yard of a detached garage may equal zero metres (0.0 m) provided:
- | |
|--|
| i) the other side yard is not less than fifty percent (50%) of the lot width or five metres (5.0 m), which ever is less; |
| ii) the detached garage has a common wall with the detached garage or ‘Garage Component’ on the abutting property; |
| iii) a reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’. |
- 36B.3.6.1.2 Notwithstanding anything contained in Section 36B.3 of this by-law, ‘non-enclosed stairs’ required to access the second storey of the detached garage may be permitted to project from the detached garage by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):
- | |
|--|
| i) there is a minimum sixty centimetres (60 cm) between the stairs and the side lot line; |
| ii) there is a minimum sixty centimetres (60 cm) between the stairs and the rear lot line. |
- 36B.3.6.1.3 Notwithstanding 36B.3.6.1(ii), where the garage door(s) face the front yard street line, the separation setback may be reduced to one-point-five metres (1.5 m).
- 36B.3.6.2 Where the detached garage door(s) face the side lot line:
- | | |
|---|--|
| i) Side Yard Setback (minimum) | 60 centimetres for one side, and 6.1 metres for the other side |
| <i>(reference 36B.3.6.2.1)</i> | |
| ii) Separation Setback (minimum) | 6.0 metres |
| iii) Street Line Flankage Setback (minimum) | 6.0 metres |
| iii) Rear Lot Line Setback (minimum) | 60 centimeters |
| iv) Lot Coverage (maximum) | 17% of the lot area; maximum 48.0 square metres |
| v) Height (maximum) | 4.0 metres |
| <i>(reference 36B.2.4.4, 36B.2.4.5)</i> | |
| vi) Width (maximum) | 6.86 metres |

- 36B.3.6.2.1 Notwithstanding the side yard setback referred to in 36B.3.6.2(i), one side yard of a detached garage may equal zero metres (0.0 m) provided:
- i) the other side yard is not less than six-point-one metres (6.1 m);
 - ii) the detached garage has a common wall with the detached garage or ‘Garage Component’ on the abutting property;
 - iii) a reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.

- 36B.3.6.2.2 Notwithstanding anything contained in Section 36B.3 of this by-law, ‘non-enclosed stairs’ required to access the second storey of the detached garage may be permitted to project from the detached garage by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):
- i) there is a minimum sixty centimetres (60 cm) between the stairs and the side lot line;
 - ii) there is a minimum sixty centimetres (60 cm) between the stairs and the rear lot line.

36B.4 The following regulations shall apply to all permitted uses which provide direct vehicle access to a street and have a garage which is located in the rear yard and is attached to the main structure.

36B.4.1 Regulations for *Single Detached Dwellings*;

- i) Lot Area – internal lot (minimum) 255 square metres
- ii) Lot Area – corner lot (minimum) 330 square metres
- iii) Lot Frontage – internal lot (minimum) 8.5 metres
- iv) Lot Frontage – corner lot (minimum) 11.0 metres
- v) (*reference section 36B.4.5 for further regulations*)

36B.4.2 Regulations for *Semi-Detached Dwellings*:

- i) Lot Area – internal lot (minimum) 450 square metres
- ii) Lot Area – corner lot (minimum) 504 square metres
- iii) Lot Frontage – internal lot (minimum) 15.0 metres
- iv) Lot Frontage – corner lot (minimum) 16.8 metres
- v) (*reference section 36B.4.5 for further regulations*)

36B.4.2.1 In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:

- vi) Lot Area – internal lot (minimum) – 225 square metres
- vii) Lot Area – corner lot (minimum) – 252 square metres
- viii) Lot Frontage – internal lot (minimum) – 7.5 metres
- ix) Lot Frontage – corner lot (minimum) – 8.4 metres
- x) (*reference section 36B.4.5 for further regulations*)

36B.4.3 Regulations for *Townhouse-Linear Dwellings*:

- i) Lot Area – internal lot (minimum) 198 square metres
- ii) Lot Area – corner lot (minimum) 288 square metres
- iii) Lot Frontage – internal lot (minimum) 6.6 metres
- iv) Lot Frontage – corner lot (minimum) 9.6 metres
- v) (*reference section 36B.4.5 for further regulations*)

36B.4.4 Regulations for *Duplex Dwellings*:

- i) Lot Area – internal lot (minimum) 450 square metres
- ii) Lot Area – corner lot (minimum) 504 square metres
- iii) Lot Frontage – internal lot (minimum) 15.0 metres
- iv) Lot Frontage – corner lot (minimum) 16.8 metres
- v) (*reference section 36B.4.5 for further regulations*)

36B.4.5 'Primary Portion' regulations for *Single Detached Dwellings, Semi –Detached Dwellings, Duplex Dwellings, Townhouse Dwellings, and Townhouse-Linear Dwellings*:

- i) Front Yard Setback (minimum) 5.0 metres
(reference 36B.4.5.1)
- ii) Side yard Setback (minimum) 120 centimetres for one side and 3.0 metres for the other
(reference 36B.4.5.2, 36B.4.5.3, 36B.4.5.4)
- iii) Street Line Flankage Setback (minimum) 3.0 metres
- iv) Rear Yard Setback (minimum) 7.5 metres
- v) Lot Depth (minimum average) 30.0 metres
(reference 36B.4.5.5)
- vi) Height (maximum) 9.5 metres

36B.4.5.1 Notwithstanding 36B.4.5.(i), a one (1) storey non-enclosed porch may be permitted to encroach the front yard provided a minimum three metre (3.0 m) setback is maintained between the front yard street line and the porch.

36B.4.5.2 Notwithstanding 36B.4.5(ii), for single detached dwellings, one side yard may equal zero metres (0.0 m) provided the other side yard is a minimum of three metres (3.0 m). A reduced side yard shall not be permitted adjacent to land zoned Green 'G', Green One 'G1', Green Two 'G2', or Green Three 'G3'.

36B.4.5.3 Notwithstanding 36B.4.5(ii), for single detached dwellings, one side yard may be reduced to sixty centimetres (60cm), provided the other side yard is a minimum of three metres (3.0 m). A reduced side yard shall not be permitted adjacent to land zoned Green 'G', Green One 'G1', Green Two 'G2', or Green Three 'G3'.

36B.4.5.4 In no case shall there be less than one hundred eighty centimeters (180 cm) between two 'Primary Portions', or the main structure and the 'Primary Portion', on the same or separate lots.

36B.4.5.5 Notwithstanding the lot depth requirement referred to in 36B.4.5.(v), for lots with a frontage of at least thirteen-point-five metres (13.5 m), the minimum average lot depth may be reduced to twenty four metres (24.0 m).

36B.4.6 Regulations for the '*Complementary Portion*' located in the rear yard where the lot has direct vehicle access to a street (reference 36B.2.4):

36B.4.6.1 Where the garage door(s) face the front yard street line or flankage yard street line:

- i) Side Yard Setback (minimum) 60 centimeters for one side, and 50% of the lot width or 5.0 metres, which ever is less, for the other side
- ii) Separation Setback (minimum) 6.0 metres
(reference 36B.4.6.1.2, reference 36B.4.6.1.3)
- iii) Street Line Flankage Setback (minimum) 6.0 metres
- iii) Rear Lot Line Setback (minimum) 60 centimetres
- iv) Lot Coverage (maximum) 17% of the lot area; maximum 61.0 square metres
- v) Height (maximum) 4.0 metres
(reference 36B.2.4.4, 36B.2.4.5)
- vi) Width (maximum) 6.86 metres

- 36B.4.6.1.1. Notwithstanding anything contained in Section 36B.4 of this by-law, ‘non-enclosed stairs’ required to access the second storey of the ‘Garage Component’ of the ‘Complementary Portion’ may be permitted to project from the ‘Garage Component’ by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):
- i) there is a minimum sixty centimetres (60 cm) setback between the stairs and the side lot line;
 - ii) there is a minimum sixty centimetres (60 cm) setback between the stairs and the rear lot line.
- 36B.4.6.1.2 Notwithstanding 36B.4.6.1(ii), the separation setback may equal zero metres (0.0 m) when the garage door(s) face the flankage yard street line, provided the ‘Garage Component’ maintains:
- i) Flankage Setback (minimum) 6.0 m
 - ii) Rear Lot Line Separation (minimum) 6.0 m
 - iii) Side Yard Setback (minimum) 60 centimetres
- 36B.4.6.1.3 Notwithstanding 36B.4.6.1(ii), where the garage door(s) face the front yard street line, the separation setback may be reduced to zero metres (0.0 m).
- 36B.4.6.2 Where the garage door(s) face the side lot line:
- i) Side Yard Setback (minimum) 60 centimetres for one side, and 6.1 metres for the other side.
 - ii) Separation Setback (shall be) 0.0 metres
(*reference 36B.4.6.2.2*)
 - iii) Street Line Flankage Setback (minimum) 6.0 metres
 - iv) Rear Lot Line Setback (minimum) 6.0 metres
(*reference 36B.4.6.2.2*)
 - v) Lot Coverage (maximum) 17% of the lot area; maximum 61.0 square metres
 - vi) Height (maximum) 4.0 metres
(*reference 36B.2.4.4, 36B.2.4.5*)
 - vii) Width (maximum) 6.86 metres
- 36B.4.6.2.1 Notwithstanding anything contained in Section 36B.3 of this by-law, ‘non-enclosed stairs’ required to access the second storey of the ‘Garage Component’ of the ‘Complementary Portion’ may be permitted to project from the ‘Garage Component’ by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):
- i) there is a minimum sixty centimetres (60 cm) between the stairs and the side lot line;
 - ii) there is a minimum sixty centimetres (60 cm) between the stairs and the rear lot line.
- 36B.4.6.2.2 Notwithstanding 36B.4.6.2(ii) and 36B.4.6.2(iv), the separation setback shall be a minimum of six metres (6.0 m) with a minimum sixty centimetre (60 cm) rear lot line setback when the separation setback does not equal zero metres (0.0 m).
- 36B.4.7 Regulations for the ‘Breezeway’ component of the ‘Complementary Portion’:
- a) Width (maximum) 1.8 metres
 - b) Height (maximum) 3.3 metres

36B.5 The following regulations shall apply to all permitted uses which provide direct vehicle access to a rear lane and:

- **have no garage, or;**
- **have a detached garage located in the rear yard.**

36B.5.1 Regulations for *Single Detached Dwellings*:

- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 255 square metres |
| ii) Lot Area – corner lot (minimum) | 330 square metres |
| iii) Lot Frontage – internal lot (minimum) | 8.0 metres |
| iv) Lot Frontage – corner lot (minimum) | 10.5 metres |
| v) (<i>reference section 36B.5.5 for further regulations</i>) | |

36B.5.2 Regulations for *Semi-Detached Dwellings*:

- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 450 square metres |
| ii) Lot Area – corner lot (minimum) | 504 square metres |
| iii) Lot Frontage – internal lot (minimum) | 13.7 metres |
| iv) Lot Frontage – corner lot (minimum) | 16.2 metres |
| v) (<i>reference section 36B.5.5 for further regulations</i>) | |

36B.5.2.1 In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:

- | |
|---|
| i) Lot Area – internal lot (minimum) – 225 square metres |
| ii) Lot Area – corner lot (minimum) – 252 square metres |
| iii) Lot Frontage – internal lot (minimum) – 7.5 metres |
| iv) Lot Frontage – corner lot (minimum) – 8.4 metres |
| v) (<i>reference section 36B.5.5 for further regulations</i>) |

36B.5.3 Regulations for *Townhouse-Linear Dwellings*:

- | | |
|---|-------------------|
| i) Lot Area – internal lot (minimum) | 188 square metres |
| ii) Lot Area – corner lot (minimum) | 270 square metres |
| iii) Lot Frontage – internal lot (minimum) | 5.7 metres |
| iv) Lot Frontage – corner lot (minimum) | 8.2 metres |
| v) (<i>reference section 36B.5.5 for further regulations</i>) | |

- 36B.5.4 Regulations for *Duplex Dwellings*:
- | | | |
|------|--|-------------------|
| i) | Lot Area – internal lot (minimum) | 450 square metres |
| ii) | Lot Area – corner lot (minimum) | 504 square metres |
| iii) | Lot Frontage – internal lot (minimum) | 13.7 metres |
| iv) | Lot Frontage – corner lot (minimum) | 16.2 metres |
| v) | <i>(reference section 36B.5.5 for further regulations)</i> | |
- 36B.5.5 Main structure regulations for *Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Townhouse Dwellings, and Townhouse-Linear Dwellings*:
- | | | |
|------|--|------------------------------|
| i) | Front Yard Setback (minimum) | 4.5 metres |
| | <i>(reference 36B.5.5.1, 36B.5.5.5)</i> | |
| ii) | Side Yard Setback (minimum) | 90 centimetres on both sides |
| | <i>(reference 36B.5.5.2, 36B.5.5.3, 36B.5.5.4)</i> | |
| iii) | Street Line Flankage (minimum) | 3.0 metres |
| iv) | Rear Yard Setback (minimum) | 13.0 metres |
| v) | Lot Depth (minimum average) | 32.0 metres |
| vi) | Height (maximum) | 9.5 metres |
- 36B.5.5.1 Notwithstanding 36B.5.5(i), a one (1) storey non-enclosed porch may be permitted to encroach the front yard provided a minimum two-point-five metres (2.5 m) setback is maintained between the front yard street line and the porch.
- 36B.5.5.2 Notwithstanding 36B.5.5(ii), for single detached dwellings, one side yard may equal zero metres (0.0 m) provided the other side yard is a minimum of one hundred eighty centimetres (180 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.5.5.3 Notwithstanding 36B.5.5(ii), for single detached dwellings, the side yard setback may be reduced to sixty centimetres (60 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.5.5.4 In no case shall there be less than one hundred eighty centimetres (180 cm) between two main structures, or the main structure and the ‘Primary Portion’, on the same or separate lots.
- 36B.5.5.5 The front yard setback shall be measured from the main street and not the rear lane.
- 36B.5.6 Regulations for a *Detached Garage* where the lot has direct vehicle access to a rear lane:
- | | | |
|------|---|---|
| i) | Side Yard Setback (minimum) | 60 centimetres on both sides |
| | <i>(reference 36B.5.6.1)</i> | |
| ii) | Street Line Flankage (minimum) | 3.0 metres |
| iii) | Rear Lot Line Setback (minimum) | 60 centimetres |
| iv) | Separation Setback | 6.0 metres |
| | <i>(reference 36B.5.6.3)</i> | |
| v) | Lot Coverage (maximum) | 17% of the lot area; maximum 48.0 square metres |
| vi) | Height (maximum) | 4.0 metres |
| | <i>(reference 36B.2.4.4, 36B.2.4.5)</i> | |
| vii) | Width (maximum) | 6.86 metres |

- 36B.5.6.1 Notwithstanding side yard setback referred to in 36B.5.6(i), one side yard of a detached garage may equal zero metres (0.0 m) provided:
- i) The other side yard is not less than sixty centimetres (60 cm);
 - ii) No less than one hundred twenty centimetres (120 cm) is maintained between the detached garage and the detached garage or 'Complementary Portion' on the adjacent lot for the side yard which is not zero;
 - iii) In no case shall there be less than one hundred twenty centimetres (120 cm) between garages which do not have a common wall;
 - iv) A reduced side yard shall not be permitted adjacent to land zoned Green 'G', Green One 'G1', Green Two 'G2', or Green Three 'G3'.
- 36B.5.6.2 Notwithstanding anything contained in Section 36B.5 of this by-law, 'non-enclosed stairs' required to access the second storey of the detached garage may be permitted to project from the detached garage by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):
- i) there is a minimum sixty centimetres (60 cm) between the stairs and the side lot line;
 - ii) there is a minimum sixty centimetres (60 cm) between the stairs and the rear lot line;
 - iii) there is a minimum one-point-five metres (1.5 m) between the stairs and the main structure.
- 36B.5.6.3 Notwithstanding 36.5.6(iv), a minimum separation setback of one-point-five metres (1.5 m) shall be permitted provided that a minimum side yard of fifty percent (50%) of the lot width or five metres (5.0 m), which ever is less, is maintained for one side yard of the detached garage.
- 36B.6 **The following regulations shall apply to all permitted uses which provide direct vehicle access to a rear lane and have an attached garage located in the rear yard:**
- 36B.6.1 Regulations for *Single Detached Dwellings*:
- i) Lot Area – internal lot (minimum) 255 square metres
 - ii) Lot Area – corner lot (minimum) 330 square metres
 - iii) Lot Frontage – internal lot (minimum) 8.0 metres
 - iv) Lot Frontage – corner lot (minimum) 10.5 metres
 - v) (*reference section 36B.6.5 for further regulations*)
- 36B.6.2 Regulations for *Semi-Detached Dwellings*:
- i) Lot Area – internal lot (minimum) 450 square metres
 - ii) Lot Area – corner lot (minimum) 504 square metres
 - iii) Lot Frontage – internal lot (minimum) 13.7 metres
 - iv) Lot Frontage – corner lot (minimum) 16.2 metres
 - v) (*reference section 36B.6.5 for further regulations*)
- 36B.6.2.1 In the case of semi-detached dwellings, where each of the two dwelling units is located on a separate and distinct lot, the following regulations shall apply to each such dwelling unit:
- v) Lot Area – internal lot (minimum) – 225 square metres
 - vi) Lot Area – corner lot (minimum) – 252 square metres
 - vii) Lot Frontage – internal lot (minimum) – 7.5 metres
 - viii) Lot Frontage – corner lot (minimum) – 8.4 metres
 - v) (reference section 36B.6.5 for further regulations)

- 36B.6.3 Regulations for *Townhouse-Linear Dwellings*:
- i) Lot Area – internal lot (minimum) 188 square metres
 - ii) Lot Area – corner lot (minimum) 270 square metres
 - iii) Lot Frontage – internal lot (minimum) 5.7 metres
 - iv) Lot Frontage – corner lot (minimum) 8.2 metres
 - v) (*reference section 36B.6.5 for further regulations*)
- 36B.6.4 Regulations for *Duplex Dwellings*:
- i) Lot Area – internal lot (minimum) 450 square metres
 - ii) Lot Area – corner lot (minimum) 504 square metres
 - iii) Lot Frontage – internal lot (minimum) 13.7 metres
 - iv) Lot Frontage – corner lot (minimum) 16.2 metres
 - v) (*reference section 36B.6.5 for further regulations*)
- 36B.6.5 ‘Primary Portion’ regulations for *Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, Townhouse Dwellings and Townhouse-Linear Dwellings*:
- i) Front Yard Setback (minimum) 4.5 metres
(*reference 36B.6.5.1, 36B.6.5.5*)
 - ii) Side Yard Setback (minimum) 90 centimeters on both sides
(*reference 36B.6.5.2, 36B.6.5.3, 36B.6.5.4*)
 - iii) Street Line Flankage (minimum) 3.0 metres
 - iv) Rear Yard Setback (minimum) 13.0 metres
 - v) Lot Depth (minimum average) 32.0 metres
 - vi) Height (maximum) 9.5 metres
- 36B.6.5.1 Notwithstanding 36B.6.5(i), a one (1) storey non-enclosed porch may be permitted to encroach the front yard provided a minimum two-point-five metres (2.5 m) setback is maintained between the front yard street line and the porch.
- 36B.6.5.2 Notwithstanding 36B.6.5(ii), for single detached dwellings, one side yard may equal zero metres (0.0 m) provided the other side yard is a minimum of one hundred eighty centimetres (180 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.6.5.3 Notwithstanding 36B.6.5(ii), for single detached dwellings, the side yard setback may be reduced to sixty centimetres (60 cm). A reduced side yard shall not be permitted adjacent to land zoned Green ‘G’, Green One ‘G1’, Green Two ‘G2’, or Green Three ‘G3’.
- 36B.6.5.4 In no case shall there be less than one hundred eighty centimetres (180 cm) between two ‘Primary Portions’, or main structure and ‘Primary Portion’, on the same or separate lots.
- 36B.6.5.5 The front yard setback shall be measured from the main street and not the rear lane.
- 36B.6.6 Regulations for ‘*Complementary Portion*’ where the lot has direct vehicle access to a rear lane:
- i) Regulations for the ‘Garage Component’ of the ‘Complementary Portion’:
 - a) Side Yard Setback (minimum) 60 centimetres on both sides
 - b) Street Flankage (minimum) 3.0 metres
 - c) Rear Lot Line Setback (minimum) 60 centimetres
 - d) Separation Setback 6.0 metres
(*reference 36B.6.6.2*)
 - e) Lot Coverage (maximum) 17% of lot area; maximum 61.0 square metres
 - f) Height (maximum) 4.0 metres
(*reference 36B.2.4.4, 36B.2.4.5*)
 - g) Width (maximum) 6.86 metres

ii) Regulations for the 'Breezeway' component of the 'Complementary Portion':

- | | |
|---------------------------------|--|
| a) Side Yard Setback (equal to) | The side yard of the 'Primary Portion' nearest the common wall between the 'Breezeway' and the 'Primary Portion' |
| b) Width (maximum) | 1.8 metres |
| c) Height (maximum) | 3.3 metres |

36B.6.6.1 Notwithstanding anything contained in Section 36B.6 of this by-law, 'non-enclosed stairs' required to access the second storey of the 'Garage Component' of the 'Complementary Portion' may be permitted to project from the 'Garage Component' by one-point-five metres (1.5 m) provided (*reference 36B.2.5*):

- i) there is a minimum sixty centimetres (60 cm) between the stairs and the side lot line;
- ii) there is a minimum sixty centimetres (60 cm) between the stairs and the rear lot line.

36B.6.6.2 Notwithstanding 36B.6.6(i)(d), the separation setback may equal zero metres (0.0 m) provided that a minimum side yard of fifty percent (50%) of the lot width or five metres (5.0 m), which ever is less, is maintained for one side yard of the 'Garage Component'. Where the 'Garage Component' does not have a common wall with the 'Primary Portion', there shall be a minimum separation setback of one-point-five metres (1.5 m).

36B.7 The following regulations shall apply to every SCHOOL:

Lot Frontage:

There shall be a minimum lot frontage of fifteen metres (15 m) for internal lots and sixteen-point-eight metres (16.8 m) for corner lots.

Yard Requirements:

"Front Yard" – no building or structure or part thereof is permitted within six metres (6.0 m) of the street line.

"Side Yard" – 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 six metres (6.0 m) of the street line flankage of the lot.

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

Coverage:

"Main Building" – The maximum coverage of the lot by the main building shall be thirty-five (35%) percent of the lot area.

Section 37

“NR”

37

NEIGHBOURHOOD RESIDENTIAL

37.1 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 for any purposes other than the following uses:

37.1.1 Residential

- Single Detached Dwellings
- Semi-Detached Dwellings
- Duplex Dwellings
- Townhouse Dwellings
- Townhouse-Linear Dwellings
- Class ‘A’ Group Homes

Notwithstanding anything to the contrary, a Class ‘A’ Group Home shall be limited to, and shall occupy the whole of, a single detached dwelling where the suffix “SL” is not applied.

37.1.2 Institutional

- public school, separate school, private school, nursery school, Sunday school
- churches, church halls, religious use
- library
- non-profit parks, playgrounds and community facilities
- government use
- museum
- post office

37.1.3 Home Occupations

37.1.3.1 The home occupations set forth in 37.1.3.3 shall be permitted subject to compliance with 37.1.3.2 and all other regulations of this by-law.

37.1.3.2 Home occupations shall comply with the following regulations:

37.1.3.2.1 the home occupation shall be located within a dwelling;

37.1.3.2.2 the home occupation shall not occupy more than twenty five (25%) percent of the gross floor area of the dwelling;

37.1.3.2.3 the home occupation shall not change the external character of the dwelling as a private residence;

37.1.3.2.4 outdoor storage shall be prohibited;

37.1.3.2.5 the home occupation shall not create or become a public nuisance with respect to noise, traffic or parking as determined by the City of Waterloo;

37.1.3.2.6 the home occupation shall be restricted to the permanent resident(s) of the dwelling;

37.1.3.2.7 the home occupation shall not employ more than two (2) persons, full or part time.

37.1.3.3 Home Occupations:

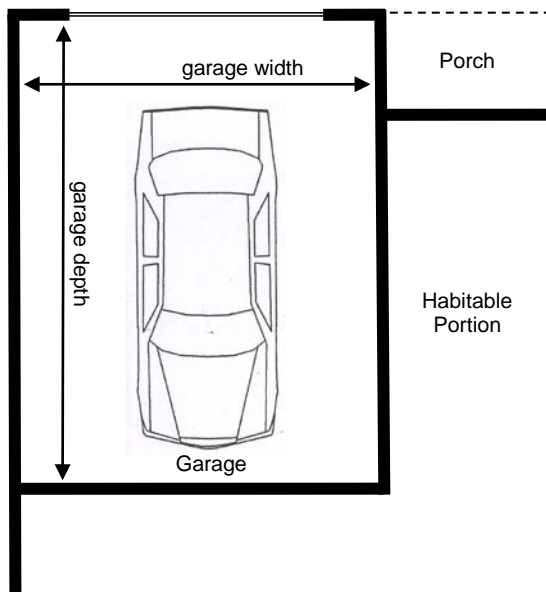
- legal
- surveying
- engineering
- architecture and landscape architecture
- land use planning
- accounting and bookkeeping
- computer programming, graphics and/or animation
- writer, illustrator
- appraiser
- catalogue sales person (such as Avon)
- arborist and arboricultural consultant
- financial planning, economist, investment advisor
- market researcher / analyst
- environmental consultant, ecologist
- desktop publishing
- interior designer and decorator
- dietitian, weight control consultant, nutritionist
- disc jockey, event planner
- graphic designer, home designer, space designer / planner
- human resource consultant, management consultant
- insurance agent / broker / claims adjuster / appraiser
- interpreter / translator
- landscape designer
- magician
- midwife

37.2 The following regulations shall apply to all permitted uses:

37.2.1 Definitions

For the purposes of this zoning category, the following definitions shall apply:

- a.) “Habitable Portion” means the portion of the ground floor of a dwelling excluding the garage.
- b.) “Building Separation” means the distance between two dwellings.
- c.) “Landscaped Area” means the portion of a lot/block devoted solely to the growth and maintenance of grass, flowers, trees, shrubs and similar horticultural purposes.
- d.) “Garage Width” means the interior width of the garage excluding the walls, measured between the two nearest points.
- e.) “Garage Depth” means the interior depth or length of the garage excluding the walls, measured between the two nearest points.



37.2.2 Services

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

37.2.3 Garages

For the purpose of this zoning category, the following regulations shall apply to all garages:

37.2.3.1 Attached Garages

Where the garage is attached to the dwelling, the following regulations shall apply:

37.2.3.1.1 the garage may represent up to fifty-eight percent (58%) of the front width of the dwelling;

37.2.3.1.2 the width of the door(s) or opening(s), or for an open structure the distance between the supporting columns, shall be used to measure the width of a garage with respect to 37.2.3.1.1;

37.2.3.1.3 the maximum capacity of a garage shall be three cars, or two cars plus one light commercial vehicle not to exceed a one tonne maximum capacity;

37.2.3.1.4 the garage may extend beyond the habitable portion by a maximum 1.8 metres provided a covered front porch is constructed, the said porch having a minimum depth of 1.2 metres. In no case shall the said porch extend more than 0.6 metres beyond the garage;

37.2.3.1.5 notwithstanding anything to the contrary, stairs within the garage required to access the dwelling shall be permitted to encroach a maximum of zero-point-five metres (0.5 m) into the garage depth;

37.2.3.1.6 notwithstanding anything to the contrary, stairs within the garage required to access the dwelling shall not be located within the required 'minimum garage width'.

37.2.3.1.7 Notwithstanding anything to the contrary, wall and duct projections shall be permitted to encroach a maximum of zero-point-seven-five metres (0.75 m) into the minimum Garage Depth

provided that the collective floor area of said projections does not exceed zero-point-two-eight square metres (0.28 sq.m.) within the zero-point-seven-five metres (0.75m) encroachment area.

37.2.3.2 Detached Garages

Where the garage is detached from the dwelling, the following regulations shall apply:

37.2.3.2.1 in no case shall there be more than one (1) detached garage;

37.2.3.2.2 the maximum capacity of a garage shall be two cars, or one car plus one light commercial vehicle not to exceed a one tonne maximum capacity;

37.2.3.2.3 the vehicle access door(s) of the detached garage shall face the front yard streetline or flankage streetline.

37.2.4 Impervious Factor

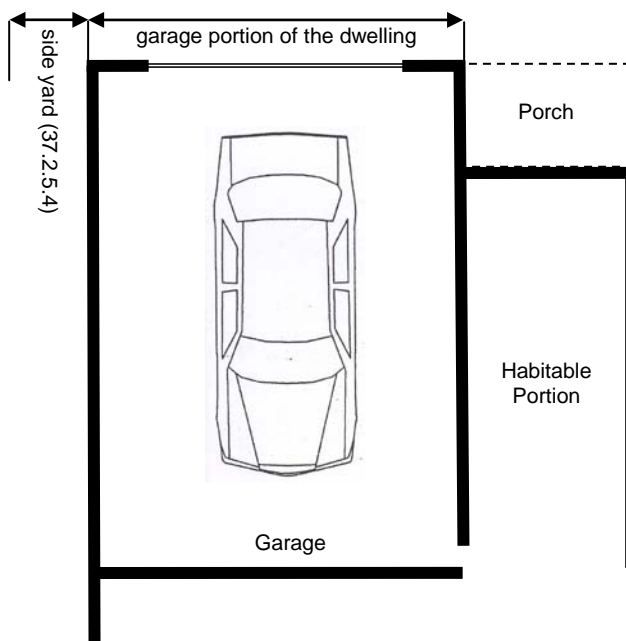
37.2.4.1 The maximum impervious area permitted on any lot within this zoning category shall be determined by a numerical prefix shown on the zoning map attached as Appendix 'A' to this by-law. The numerical prefix represents the maximum percentage of impervious area permitted on the lot. Development of land shall be prohibited if it fails to comply with the Impervious Factor requirements of this paragraph. If a numerical prefix is absent, then there shall be no impervious area regulation for the said lands.

37.2.5 Driveways

37.2.5.1 The driveway shall lead directly to the garage or parking area.

37.2.5.2 The driveway shall not be located in front of the ground floor habitable portion of the dwelling.

37.2.5.3 Where a garage is provided, the width of the driveway shall not exceed the width of the garage portion of the dwelling, being the distance between the garage walls (measured from the outside edge of the said walls).



37.2.5.4 Notwithstanding 37.2.5.3, the driveway may extend 0.30 metres into the side yard.

37.2.6 Parking

Parking shall be provided behind the building line setback.

37.3 The following regulations shall apply to all SINGLE DETACHED DWELLINGS:

37.3.1 The following regulations shall apply to all single detached dwellings:

Minimum 36 Foot Lot

a.)	Lot Area (internal lot) (minimum)	330 square metres
b.)	Lot Area (corner lot) (minimum)	405 square metres
c.)	Lot Frontage (internal lot) (minimum)	11.00 metres
d.)	Lot Frontage (corner lot) (minimum)	13.5 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	5.7 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	35.50 square metres
n.)	Parking (minimum)	2.0 spaces per dwelling unit
o.)	Driveway Width (minimum)	5.48 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.3.2 Notwithstanding anything to the contrary, where the letters “SL” are shown as a suffix to the identification of the zoning on a site, the following regulations shall apply to all single detached dwellings:

Minimum 32 Foot Lot

a.)	Lot Area (internal lot) (minimum)	292 square metres
b.)	Lot Area (corner lot) (minimum)	360 square metres
c.)	Lot Frontage (internal lot) (minimum)	9.75 metres
d.)	Lot Frontage (corner lot) (minimum)	12.0 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	4.28 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	26.75 square metres
n.)	Parking (minimum)	1.0 space per dwelling unit
o.)	Driveway Width (minimum)	5.07 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.3.3 Notwithstanding anything to the contrary in 37.3.2, for lots with a front yard setback of at least 10.0 metres:

- the minimum lot area shall be 274 square metres for internal lots;
- the minimum lot area shall be 330 square metres for corner lots;
- the minimum lot frontage shall be 9.14 metres for internal lots;
- the minimum lot frontage shall be 11.00 metres for corner lots;
- the minimum garage width shall be 3.55 metres;
- the minimum garage area shall be 22.00 square metres; and,
- the minimum driveway width shall be 3.65 metres.

37.3.4 Notwithstanding anything to the contrary in 37.3.1 or 37.3.2, for lots with a frontage of at least 13.5 metres, the minimum average lot depth shall be 24.0 metres.

37.4 The following regulations shall apply to all SEMI DETACHED DWELLINGS:

37.4.1 In the case of semi-detached dwellings where both dwellings are located on a single lot, the following regulations shall apply:

a.)	Lot Area (internal lot) (minimum)	525 square metres
b.)	Lot Area (corner lot) (minimum)	675 square metres
c.)	Lot Frontage (internal lot) (minimum)	17.5 metres
d.)	Lot Frontage (corner lot) (minimum)	22.5 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum) (excluding common wall)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	4.28 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	26.75 square metres
n.)	Parking (minimum)	1.0 space per dwelling unit
o.)	Driveway Width (minimum)	5.07 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.4.2 Notwithstanding anything to the contrary in 37.4.1, for lots with a front yard setback of at least 10.0 metres:

- the minimum lot area shall be 450 square metres for internal lots;
- the minimum lot area shall be 570 square metres for corner lots;
- the minimum lot frontage shall be 15.00 metres for internal lots;
- the minimum lot frontage shall be 19.00 metres for corner lots;
- the minimum garage width shall be 3.55 metres;
- the minimum garage area shall be 22.00 square metres; and,
- the minimum driveway width shall be 3.65 metres.

37.4.3 Notwithstanding anything to the contrary in 37.4.1, for lots with a frontage of at least 27.0 metres, the minimum average lot depth shall be 24.0 metres.

37.4.4 In the case of semi-detached dwellings where each of the two dwelling units are located on separate and distinct lots, the following regulations shall apply to each dwelling unit:

a.)	Lot Area (internal lot) (minimum)	262 square metres
b.)	Lot Area (corner lot) (minimum)	337 square metres
c.)	Lot Frontage (internal lot) (minimum)	8.75 metres
d.)	Lot Frontage (corner lot) (minimum)	11.25 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum) (excluding common wall)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	4.28 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	26.75 square metres
n.)	Parking (minimum)	1.0 space per dwelling unit
o.)	Driveway Width (minimum)	5.07 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.4.5 Notwithstanding anything to the contrary in 37.4.4, for lots with a front yard setback of at least 10.0 metres:

- the minimum lot area shall be 225 square metres for internal lots;
- the minimum lot area shall be 285 square metres for corner lots;
- the minimum lot frontage shall be 7.50 metres for internal lots;
- the minimum lot frontage shall be 9.50 metres for corner lots;
- the minimum garage width shall be 3.55 metres;
- the minimum garage area shall be 22.00 square metres; and,
- the minimum driveway width shall be 3.65 metres.

37.4.5 Notwithstanding anything to the contrary in 37.4.4, for lots with a frontage of at least 13.5 metres, the minimum average lot depth shall be 24.0 metres.

37.5 The following regulations shall apply to all DUPLEX DWELLINGS:

37.5.1 The following regulations shall apply to all duplex dwellings:

a.)	Lot Area (internal lot) (minimum)	450 square metres
b.)	Lot Area (corner lot) (minimum)	525 square metres
c.)	Lot Frontage (internal lot) (minimum)	15.0 metres
d.)	Lot Frontage (corner lot) (minimum)	17.5 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	5.7 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	35.50 square metres
n.)	Parking (minimum)	1.0 space per dwelling unit
o.)	Driveway Width (minimum)	5.48 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.6 The following regulations shall apply to all TOWNHOUSE DWELLINGS:

37.6.1 The following regulations shall apply to all townhouse dwellings:

a.)	Streetline Setback (minimum)	6.0 metres
b.)	Setback From Lot Line, excluding Streelines (minimum)	7.5 metres
c.)	Building Separation (minimum) (excludes common walls)	2.4 metres
d.)	Landscaped Open Space (minimum)	40% of the lot area
e.)	Building / Structure Height (maximum)	9.5 metres
f.)	Garage Width (minimum, if garage provided)	3.55 metres
g.)	Garage Depth (minimum, if garage provided)	6.25 metres
h.)	Garage Area (minimum, if garage provided)	22.00 square metres
i.)	Parking (minimum)	1.6 spaces per dwelling unit

37.6.2 Where the letter “T” is shown as a suffix to the identification of the zoning on a site, uses shall be restricted to townhouse dwellings only.

37.6.3 Notwithstanding anything to the contrary, more than one (1) main building shall be permitted on any lot.

37.7 The following regulations shall apply to all TOWNHOUSE-LINEAR DWELLINGS:

37.7.1 The following regulations shall apply to all townhouse-linear dwellings:

a.)	Lot Area (internal lot) (minimum) Internal Dwelling Unit End Dwelling Unit	225 square metres 262 square metres
b.)	Lot Area (corner lot) (minimum)	322 square metres
c.)	Lot Frontage (internal lot) (minimum) Internal Dwelling Unit End Dwelling Unit	7.50 metres 8.75 metres
d.)	Lot Frontage (corner lot) (minimum)	10.75 metres
e.)	Front Yard Setback (minimum)	6.0 metres
f.)	Side Yard Setback (minimum)	1.2 metres
g.)	Flankage Setback (minimum)	3.0 metres
h.)	Rear Yard Setback (minimum)	7.5 metres
i.)	Building / Structure Height (maximum)	9.5 metres
j.)	Lot Depth (minimum average)	30.0 metres
k.)	Garage Width (minimum)	4.28 metres
l.)	Garage Depth (minimum)	6.25 metres
m.)	Garage Area (minimum)	26.75 square metres
n.)	Parking (minimum)	1.0 space per dwelling unit
o.)	Driveway Width (minimum)	5.07 metres
p.)	Landscaped Area (minimum)	30% of the lot area

37.7.2 Where the letter “TL” is shown as a suffix to the identification of the zoning on a site, uses shall be restricted to townhouse-linear dwellings only.

37.7.3 Notwithstanding anything to the contrary in 37.7.1, for lots with a front yard setback of at least 10.0 metres:

- the minimum lot area shall be 186 square metres for internal lots (internal units);
- the minimum lot area shall be 225 square metres for internal lots (end units);
- the minimum lot area shall be 285 square metres for corner lots;
- the minimum lot frontage shall be 6.20 metres for internal lots (internal units);
- the minimum lot frontage shall be 7.50 metres for internal lots (end units);
- the minimum lot frontage shall be 9.50 metres for corner lots;
- the minimum garage width shall be 3.55 metres;
- the minimum garage area shall be 22.00 square metres; and,
- the minimum driveway width shall be 3.65 metres.

37.7.4 Notwithstanding anything to the contrary, for lots with a frontage of at least 13.5 metres, the minimum average lot depth shall be 24.0 metres.

37.8 The following regulations shall apply to all INSTITUTIONAL BUILDINGS AND STRUCTURES:

37.8.1 The following regulations shall apply to institutional buildings and structures:

a.)	Lot Frontage (minimum)	15.0 metres
b.)	Front Yard Setback (minimum)	6.0 metres
c.)	Side Yard Setback (minimum)	10% of the total width of the lot on both sides
d.)	Flankage Setback (minimum)	6.0 metres
e.)	Rear Yard Setback (minimum average)	7.5 metres
f.)	Building Coverage (maximum)	40% of the lot area
g.)	Building / Structure Height (maximum)	14.0 metres, not to exceed 4 stories
h.)	Parking (minimum)	3.0 spaces per 100 square metres of building floor area

37.8.2 Provision 37.8.1(h.) shall not apply to schools. Parking regulations for school are set out in Section 8.11.9 of this by-law.

EXEMPTIONS TO BY-LAW NO. 1418

37. **Existing Lots and Buildings**

This By-law shall not apply to any land, buildings or structures which are on the date of the final passing hereof and used for any purpose prohibited by this By-law as long as it continues to be used for such purpose.

By-Law 1505, S.18, O.M.B. Approval Dec. 14, 1961.

38. **Enforcement**

It shall be the duty of the Building Inspector of the City of Waterloo or such other person as may be designated by the Council of the City of Waterloo to make the necessary inspections and to issue all Building and Occupancy Permits, or where no such permit is required to specify by permit, the use to which a building or land may be put in accordance with the provisions of this by-law, and it shall be unlawful for any person or persons or corporations to use or permit the use of any building in whole or in part or any land in whole or in part other than in effect on the final passing of this by-law unless a permit hereinafter referred to has been properly issued by the Building Inspector.

39. **Inspection**

The Building Inspector, or any officer or employee of the City acting under his direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of administering or enforcing this by-law.

By-Law No. 78-40, O.M.B. Approval May 18, 1978.

40. **Land Use**

In this by-law unless a context otherwise requires, the verb use or to use shall include anything done or permitted by the owner or occupant of any land, building or structure, directly or indirectly, or by or through any trustee, tenant, servant, agent acting for or with the knowledge and consent of such owner or occupant for the purpose of making use of the said land, building or structure.

By-Law No. 1505, S.19, O.M.B. Approval Dec. 14, 1961.

41. **Word Interpretation**

In this By-Law when necessary and if the context requires, words importing the singular shall include the plural and words importing the masculine gender shall include the feminine gender.

42. **Penalty**

42.1 Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable;

42.1.1 On a first conviction to a fine of not more than \$20,000.00; and

42.1.2 On a subsequent conviction a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.

42.2 Every corporation that contravenes any of the provisions of this By-law is guilty of an offence and on conviction is liable;

42.2.1 On a first conviction to a fine of not more than \$50,000.00; and

42.2.2 On a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

43. By-Law No. 878A of the Corporation of the Township of Waterloo is hereby repealed in respect to its application to lands and premises in The Corporation of the City of Waterloo.

44. **Effective Date**

This By-Law shall come into effect on the final passing thereof by the Council of the Corporation of the City of Waterloo, subject to the approval of the Ontario Municipal Board.

PASSED in the Council Chambers in the City of Waterloo the 6th day of February, 1961.

(SIGNED) JAMES BAUER
MAYOR

(SIGNED) D.F. PRESTON
CLERK