

THE CORPORATION OF THE TOWN OF COBOURG ZONING BY-LAW

WHEREAS it is considered desirable to control development within the Town of Cobourg in accordance with the Official Plan and to prohibit the use of land and the erection and use of **buildings** or **structures** except for certain purposes, and to regulate the type of construction and the **height**, bulk, location, size, floor area, character and use of **buildings**, and require the provision of parking and loading facilities in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

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PART 1.0 - INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law may be referred to as the “Town of Cobourg Zoning By-law” and applies to all lands within the Town of Cobourg, as shown on Maps 1 to 8 to this By-law.

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW

No person shall change the use of any **building, structure** or land or erect or use or permit the erection or use of any **building or structure** or occupy or permit the occupation of any land or **building** except in accordance with the provisions of this By-law.

1.3 INTERPRETATION

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Town or any other requirement of the County, the Province of Ontario or the Government of Canada or the Ganaraska Region Conservation Authority that may affect the use of lands, **buildings** or **structures** in the Town of Cobourg.

1.4 ENFORCEMENT

Any person or corporation that contravenes any provision of this By-Law is guilty of an offense and upon conviction is liable to the fine as provided for in the Planning Act, R.S.O. 1990, Chapter P.13 as amended.

1.5 SEVERABILITY

A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 REPEAL OF FORMER BY-LAW

Zoning By-law 85-2003 of the Town and all Amendments thereto are hereby repealed.

1.7 MINOR VARIANCES TO FORMER BY-LAW

- a) Where the Committee of Adjustment of the Town, the Ontario Municipal Board or the Local Planning Appeal Tribunal has authorized a minor variance from By-law 85-2003, the provisions of this By-law (as they apply to such land, **building** or **structure**) are modified to the extent necessary to only and solely give effect to the provisions of that previous minor variance that would otherwise not be in conformity or compliance with this By-law.
- b) Sub-section a) does not authorize any relief from this By-law unless the relief was specifically granted in the previous minor variance.

- c) Sub-section a) only applies if the decision on the minor variance was made after (date TBD)

1.8 PREVIOUSLY APPROVED EXPANSIONS TO LEGAL NON-CONFORMING USES

- a) Where the Committee of Adjustment of the Town, the Ontario Municipal Board or the Local Planning Appeal Tribunal has made a decision in accordance with Sections 45(2)(a) or (b) of the [Planning Act](#), respecting a **use** that was a legal **non-conforming use** under By-law 85-2003, the provisions of this By-law (as they apply to such **use, building or structure**) are modified to the extent necessary to implement the previous decision made before the effective date of this By-law.
- b) Sub-section a) only applies if the decision to expand a legal **non-conforming use** was made after (Date TBD)

1.9 PREVIOUSLY APPROVED SITE PLAN AGREEMENTS AND SITE PLAN APPROVALS

Where site plan approval in accordance with the Planning Act has been granted by the **Town** and a **building** permit for the project has not been issued, the provisions of this By-law, as they apply to such land, **building or structure**, are modified to the extent necessary to implement site plan approval in accordance with the relevant provisions of By-law 85-2003 as amended, provided that the **building** permit is issued within one (1) year of the effective date of this By-law.

1.10 TRANSITION CLAUSES FOR APPLICATIONS IN PROGRESS

1.10.1 Building Permit Applications

Nothing in this By-law shall prevent the erection or use of a **building or structure** by the By-law of any **building or structure** for which a permit has been issued under subsection 8(1) of the Building Code Act, 1992, prior to the day of the passing of this 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 subsection 8 (10) of that Act.

1.10.2 Minor Variance Applications

The requirements of this By-law do not apply to prevent the erection or use of a **building or structure** for which an application for a minor variance under Section 45 of the Planning Act was filed on or within three months prior to the effective date of this By-law, provided the application was in compliance with By-law 85-2003 except for those aspects of By-law 85-2003 that are subject to the minor variance application.

1.10.3 Site Plan Approval Applications

The requirements of this By-law do not apply to prevent the erection or use of a **building or structure** for which an application for site plan approval under Section 41 of the Planning Act was filed on or six months prior to the effective date this By-law provided the application was in compliance with By-law 85-2003.

1.11 NON-CONFORMING USES

Nothing in this By-law applies 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 effective date of this By-law, so long as it continues to be used for that purpose.

1.12 NON-COMPLYING BUILDINGS, STRUCTURES AND LOTS

1.12.1 Replacement, Enlargement, Repair or Renovation

- a) A **non-complying (legal) building** or **structure** may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:
 - i) Does not further encroach into a **required yard**;
 - ii) Does not increase the amount of floor area or volume in a **required yard**;
 - iii) Does not in any other way increase a situation of non-compliance; and,
 - iv) Complies with all other applicable provisions of this By-law.
- b) Nothing in this By-law prevents the repair, strengthening or restoration to a safe condition of a **legal non-complying building** or **structure** or part thereof or the replacement or the **rebuilding** of all or a portion of a **legal non-complying building** or **structure** provided that the dimensions and use of the original **building** or **structure** or of any of the associated **yards** are not altered in any way except in conformity with this By-law.

1.12.2 Non-Compliance as a Result of Land Acquisition by a Public Authority

Notwithstanding any other provision in this By-law, where, as a result of an acquisition of land by the **Town**, the **County**, the Province of Ontario, the Government of Canada or any department, board, commission or agency thereof, and where such acquisition results in a contravention of this By-law, the following applies:

- a) If the acquisition results in a contravention of this By-law with respect to minimum **lot frontage** and **lot area** requirements, the **lot** is permitted to be used and **buildings** and **structures** on the **lot** may be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the **buildings** or **structures** comply with all of the other provisions of this By-law.
- b) If the acquisition results in a contravention of this By-law of any other provision in this By-law the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized.
- c) Notwithstanding subsection (b), no new **building**, **structure** or addition to an existing **building** or **structure** shall be erected or located except in accordance with all the provisions of this By-law.

1.12.3 Non-complying lots

A **lot** in existence prior to the effective date of this By-law that does not meet the **lot area** and/or **lot frontage** requirements of the applicable **zone**, is permitted to be used and **buildings** and **structures** on the **lot** may be erected, enlarged, repaired or renovated provided the use conforms with the By-law and the **buildings** or **structures** comply with all of the other provisions of this By-law.

1.13 DEFINITIONS

- a) Bolded terms are defined in Part 3.0 of this By-law.
- b) Each of the defined **uses** in Part 3.0 of this By-law are distinct and separate from other defined **uses**, unless the definition indicates otherwise.
- c) Unless otherwise defined as a bolded term, the words and phrases used in this By-law have their normal and ordinary meaning.
- d) Defined terms are intended to capture both the singular and plural forms of these terms.

1.14 PERMITTED USES AND ACCESSORY USES

- a) Where a **use** is defined in Part 3.0 of this By-law and not listed as a permitted **use** in a **zone**, the use as defined is not a permitted **use** in that **zone**.
- b) **Accessory uses** to any permitted use in a **zone** are also permitted.

1.15 MULTIPLE USES ON ONE LOT

Where any **building**, **structure** or land is used for more than one purpose as provided in this By-law, the said **building**, **structure** or land shall comply with the provisions of this By-law relating to each use. In the case of a conflict, the more stringent provision shall apply.

1.16 ILLUSTRATIONS

All illustrations or photos in this By-law are deemed to not be part of this By-law and are included only to assist with the interpretation of the By-law.

1.17 LAND OWNERSHIP

No representation or implication is made by the Town, nor shall any inference be drawn from the Schedules attached to this By-law as to the ownership of private land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a court of competent jurisdiction.

PART 2.0 - ESTABLISHMENT OF ZONES

2.1 ZONES

All lands subject to this By-law are contained within one or more of the following **Zones**:

Residential Zones (see Part 6.0)

R1 - Residential One

R2 - Residential Two

R3 - Residential Three

R4 - Residential Four

R5 - Residential Five

NR1 - New Amherst Neighbourhood Residential One

NR2 - New Amherst Neighbourhood Residential Two

CER1 - Cobourg East Low Density Residential One

CER2 - Cobourg East Medium Density Residential Two

CER3 - Cobourg East High Density Residential Three

Commercial Zones (see Part 7.0)

NC - Neighbourhood Commercial

SC - Shopping Centre Commercial

CC - Corridor Commercial

MC - Main Central Commercial

Mixed Use Zones (see Part 8.0)

NMU - New Amherst Neighbourhood Mixed Use

CEMU - Cobourg East Mixed Use

MUC - Mixed Use Corridor

Employment Zones (see Part 9.0)

LM - Light Industrial

GM - General Industrial

BP - Business Park

Rural, Environmental and Other Zones (see Part 10.0)

RU - Rural

I - Institutional

OS - Open Space

EC - Environmental Constraint

D - Development

TC - Transportation Corridor

Flood Overlay Zone (see Part 11.0 of this By-law)

F - Floodplain - F

2.2 ABBREVIATIONS

All of the **zones** identified in Section 2.1 of this By-law are abbreviated in the remainder of this By-law, and the full name of the **zone** is as per Section 2.1.

2.3 DETERMINING ZONE BOUNDARIES

When determining the boundary of any **Zone** as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- a) Where a **zone** boundary is indicated as following a **public street, lane**, unopened road allowance, railway right-of-way or utility corridor, the boundary is the edge of such **public street, lane**, unopened road allowance, railway right-of-way or utility corridor;
- b) Where a **zone** boundary is indicated as substantially following **lot lines**, the **zone** boundary follows such **lot lines**;
- c) If the location of a **lot line** changes in accordance with Section 1.12.2 of this By-law, the location of the **zone** boundary also changes to correspond with the new **lot line** location;
- d) Where a **zone** boundary is indicated as following flooding hazard limits established by the Ganaraska Region Conservation Authority, the **zone** boundary shall be the flooding hazard limits as determined by the Ganaraska Region Conservation Authority;
- e) Where a **zone** boundary is indicated as following the shoreline of a lake or watercourse, the **zone** boundary will move with the actual shoreline or watercourse in the event of a natural change in the shoreline or edge of the watercourse or in the event of a human-made change in the shoreline or edge of the watercourse that has been approved by the Ganaraska Region Conservation Authority; and
- f) Where none of the above provisions apply, the **zone** boundary is to be scaled from the Maps that form part of this By-law.

2.4 MULTIPLE ZONES ON A LOT

- a) Where a **lot** falls into two or more **zones**, each portion of the **lot** shall be used in accordance with the provisions of this By-law for the applicable **zone**.
- b) Accessory **buildings** or **structures** shall be located in the same **zone** as the principal **building**.
- c) In no case is a **zone** boundary dividing a **lot** into two or more **zone** categories intended to function as a property boundary for the purposes of calculating **yards** and setbacks. In all cases, the **lot line** shall be used for the purposes of calculating **yards** and setbacks, unless otherwise specified by this By-law.

2.5 SITE-SPECIFIC EXCEPTION ZONES

- a) Where a number follows a **zone** symbol on the attached Schedules to this By-law, the number refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 12 of this By-law.
- b) The provisions of the site-specific exception govern over any inconsistent provisions in the remainder of this By-law.

2.6 HOLDING ZONES

- a) Notwithstanding any other provision in this By-law, where a **zone** symbol is preceded by the letter (H), no person may use the land to which the letter (H) applies for any use other than the use which legally **existed** on the date the By-law applying the Holding provision came into effect, or expand or replace an existing **building** or **structure**, or erect a new **structure**, as the case may be until the (H) is removed in accordance with the policies of the Official Plan and the criteria/reasons for removal of the (H) have been satisfied.
- b) Notwithstanding the above, this provision does not apply to **public uses** in accordance with Section 4.21 of this By-law, which are permitted without the need to remove the Holding provision.
- c) In addition, the existence of the Holding provision does not prevent the issuance of a **building** permit to make structural repairs, carry out façade improvements, improve and/or replace plumbing and electrical systems and/or replace openings. Site-specific or Area-specific Holding **zones** are detailed in Part 13 of this By-law.

PART 3.0 - DEFINITIONS

ACCESSORY BUILDING OR STRUCTURE

Means a detached **building** or **structure**, the use of which is incidental to, subordinate to and exclusively devoted to the **main use** in the **main building** located on the same **lot**.

ACCESSORY USE

Means a use of land, **buildings** or **structures** that are incidental to, subordinate to and exclusively devoted to the principal use located on the same **lot**.

ADULT ENTERTAINMENT ESTABLISHMENT

Means an establishment used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations which a principal feature or characteristic is the nudity or partial nudity of any person.

AGRICULTURAL USE

Means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm **buildings** and **structures**, including, but not limited to livestock facilities, manure storages and farm processing - value-retaining facilities.

ALTER or ALTERATION

Means the modification of a structural component of a **building** or **structure** that results in a change of use, or any increase or decrease in the volume or gross floor area of a **building** or **structure**.

ANIMAL CLINIC

Means an establishment where cats, dogs, and other domesticated animals (excluding livestock) are evaluated and/or treated for medical conditions and which may have boarding facilities for animals in their care for limited time.

ART GALLERY

Means an establishment used for any combination of the preservation, exhibition, or sale of paintings and other works of art.

ASPHALT PLANT

Means an establishment that produces and, or, recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and, or, tar, and includes:

- a) The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the premises;
- b) The storage and maintenance of equipment; and

- c) Facilities for the administration or management of the business.

ATTACHED

Means a **building** otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent **building** or **buildings**.

AUCTION SALES ESTABLISHMENT

Means an establishment used for the sale of items, in which the price is determined through bidding, and may include **accessory** outdoor storage.

BALCONY

Means an outdoor living area on an unenclosed or partially enclosed platform attached to or extended horizontally from one or more main walls of a **building** and which is not accessed by stairs from the outside or connected to the ground.

BANQUET HALL

Means an establishment used for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served.

BASEMENT

Means one or more **storeys** of a **building** located below the **first storey**.

BED AND BREAKFAST ESTABLISHMENT

Means a **single detached dwelling** in which not more than three (3) Guest Rooms are used or maintained for the accommodation of the travelling public, in which the owner of the **dwelling unit** resides and supplies lodgings with or without meals for hire or pay. Meals shall only be provided to guests lodging at the establishment. A **Bed and Breakfast Establishment** is considered a **Short Term Rental Accommodation**, but does not include a **hotel, motel**, boarding or lodging house or inn.

BICYCLE PARKING SPACE

Means an area that is provided and maintained for the purpose of temporary storage of a bicycle or motor assisted bicycle as defined under the Highway Traffic Act.

BUILDING

Means a **structure** consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

BUILDING SUPPLY OUTLET

Means an establishment in which **building** or construction materials and/or home improvement materials are offered for retail sale.

BULK FUEL DEPOT

Means an establishment for the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances.

BUSINESS OFFICE

Means a **building** or part thereof where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration.

CALL CENTRE

Means a **building** or part thereof used as a telecommunication centre for purposes such as product support, consumer assistance and tele-marketing.

CAMPGROUND

Means a facility consisting of camping sites for the overnight and/or temporary camping or parking of travel/tent trailers, truck campers, or tents for recreational or vacation use and may be designed for seasonal occupancy.

CANNABIS-RELATED USE - INDOOR

Means those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that are carried out within an enclosed **building** or **structure**.

CANNABIS-RELATED USE - OUTDOOR

Means those activities authorized in accordance with the Federal Cannabis Regulation SOR-2018-144 as amended that only involve the growing and harvesting of cannabis outdoors.

CARPORT

Means a **building** or **structure** attached to a **main building** which is used for the parking or storage of one or more **motor vehicles** and which has at least one open wall, but does not include a **private garage**.

CEMETERY

Has the same meaning as in the Funeral, Burial and Cremation Services Act, as amended.

CENTRELINE

Means, with reference to a **public street**, a line drawn parallel to and equidistant from the limits of a road allowance as originally laid out prior to any subsequent road widening.

CHILD CARE CENTRE

Has the same meaning as in the Child Care and Early Years Act, as amended.

COMMERCIAL FITNESS CENTRE

Means an establishment in which facilities are provided for recreational or athletic activities such as body-**building** and exercise classes and may include associated facilities such as a sauna, a swimming pool, a solarium, and **accessory** retail or food related uses.

COMMERCIAL PARKING LOT

Means an area of land used for the parking of **motor vehicles** for a fee, with such use forming the principal use of a **lot**.

COMMERCIAL SELF-STORAGE FACILITY

Means a facility used for the temporary storage of household items and secured storage areas or lockers which are generally accessible by means of individual loading doors for each storage unit or locker.

COMMUNITY GARDEN

Means an area of land, rooftop, or other space managed and maintained by individuals and/or non-profit organizations that is not located in a **building**, to grow and harvest:

- a) Food crops; and/or
- b) Non-food, ornamental crops, such as flowers grown for personal or group use, consumption or donation.

CONCRETE BATCHING PLANT

Means an industrial use where concrete or concrete products used in **building** or construction is produced, and includes facilities for:

- a) The administration or management of the business;
- b) The stockpiling of bulk materials used in the production process or of finished products manufactured on the premises; and/or
- c) The storage and maintenance of required equipment;
- d) But does not include the retail sale of finished concrete products.

CONSERVATION USE

Means an area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system or other lands for the benefit of man and the natural environment and which may include, as an **accessory use**, hiking trails and cross country ski trails, **buildings** and **structures** such as nature interpretation centres, public information centres, with associated **parking areas**, stormwater management and, erosion control or flood control **structures**.

CONTRACTORS YARD

Means the use of land, **building** or **structure**, by any general contractor or builder where equipment and materials are stored, or where a contractor and/or tradesman performs shop and assembly work, and/or offers a trade or service, including, but not limited to landscaping services, general construction services, cabinetry services, plumbing services, welding services, electrical services, heating/air conditioning services, roofing services, excavation services or other similar services but does not include any other use as defined by this by-law.

CORPORATION

Means the Corporation of the Town of Cobourg.

COUNCIL

Means the Municipal Council of the Corporation of the Town of Cobourg.

COUNTY

Means the Corporation of the County of Northumberland.

CREMATORIUM

Means a **building** that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the Funeral, Burial and Cremation Services Act and includes everything necessarily incidental and ancillary to that purpose.

CRISIS CARE CENTRE – TYPE I

Means an establishment that provides shelter in a highly secure setting for persons who require intervening shelter, protection, counseling or support from their existing place of residence. As a component, the establishment includes 24-hour accommodation where meals may be served. The premises may be accessible at all hours of the day and may contain offices, lounges and meeting rooms.

CRISIS CARE CENTRE – TYPE II

Means a supervised establishment operated by or for a **public authority**, non-profit community group, or place of worship that provides shelter, specialized programming or other support services for individuals who are facing homelessness or are in need of emotional, mental, social or physical support. The premises may be accessible at all hours of the day and may include offices, lounges and meeting rooms.

CUSTOM WORKSHOP

Means a **building** or part of a **building** used by a trade, craft or guild for the manufacture in small quantities of made-to-measure **clothes** or articles and shall include upholstering, repair, refinishing of antiques and other art objects, but shall not include metal spinning, woodworking or furniture

manufacturing, or refinishing of antique automobiles, and does not include any factory production or any shop or factory otherwise classified or defined in the By-law.

DECK

Means an uncovered and unenclosed **structure** that is **accessory** to a residential use and used as an outdoor living area, with or without a foundation holding it erect and a floor which is more than 0.3 metres above finished grade and shall not include a landing, balcony, porch or a stair.

DENSITY, NET

Shall mean the ratio between the number of **dwelling units** located or proposed to be located on a **lot** and the area of the **lot** where the area to be measured includes only those parts of the **lot** classified for residential uses and excludes the area devoted to roads, lands **zoned** Environmental Constraint or Open Space, stormwater management facilities, common **driveways**, and other similar **infrastructure**.

DRIVEWAY

Means a defined area providing access for **motor vehicles** from a public or **private street** or a **lane** to a **parking area**, parking garage, parking **lot**, loading space, **private garage** or carport.

DRIVE-THROUGH SERVICE USE

Means a **building** or **structure** where goods or services are offered to the public within a parked or stationary **motor vehicle** by way of a service window.

DWELLING UNIT OR DWELLING

An area of a **building** operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities. The **dwelling units** regulated by this By-law are defined below:

- a) Accessory **dwelling**: A **dwelling unit** to the **main use** of a non-residential **building**.
- b) Additional residential unit: A **dwelling unit** that is self-contained, subordinate to and located within the same **building** or on the same **lot** of a **primary dwelling unit**. For the purposes of this definition, a detached **additional residential unit** can be considered a modular home **dwelling**. The addition of an **additional residential unit** in a **building** does not change a **dwelling unit** into any other type of residential **building** typology.
- c) Additional residential unit (coach house): A **dwelling unit** that is self-contained, subordinate to and located over a **private garage** within an **accessory building** on the same **lot** of a **primary dwelling unit**. The addition of an **additional residential unit** in a **building** does not change a **dwelling unit** into any other type of residential **building** typology.
- d) Apartment **dwelling**: A **dwelling unit** in a **building** containing four or more **dwelling units** that share a common access to the outdoors through a common entrance and/or a common corridor system.

- e) Back-to-back townhouse **dwelling**: a **dwelling unit** in a **building** that has four or more **dwelling units** divided vertically, including a common rear wall, each with an independent entrance with a yard abutting at least one exterior wall of each **dwelling unit**.
- f) Garden suite: A detached **dwelling unit** that is **accessory** to the principal **dwelling unit** on the same **lot** and which is designed to be portable.
- g) Mobile home **dwelling**: A **dwelling unit** designed to be mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with the applicable Canadian Standards Association standard.
- h) Modular home **dwelling**: A prefabricated **building** or **structure** which is designed to provide a permanent **dwelling unit** for one or more persons and which is placed on a finished permanent foundations. This definition shall not include a **mobile home dwelling**, a travel trailer or tent trailer or a trailer otherwise defined.
- i) Multiple **dwelling**: A **dwelling unit** in a **building** containing four or more **dwelling units** that would not be considered any other type of **dwelling unit** as defined by this By-law.
- j) Primary **dwelling unit**: The largest **dwelling unit** in which the residential use of the **lot** is conducted.
- k) Semi-detached **dwelling**: A **dwelling unit** in a **building** that is divided vertically into two **dwelling units** that share a common wall above and below grade. A wall that has a minimum **height** of 2.4 metres above grade and which has a minimum depth of 6.0 metres is required to separate the pair of **dwelling units** within the same **building**.
- l) Single detached **dwelling**: A **dwelling unit** in a **building** containing only one **dwelling unit**.
- m) Stacked townhouse **dwelling**: a **dwelling unit** in a **building** containing four or more **dwelling units** divided horizontally and/or vertically, each with an entrance that is independent or through a shared landing and/or external stairwell.
- n) Street townhouse **dwelling**: A **dwelling unit** in a **building** that is vertically divided above and below grade into a minimum of three **dwelling units**, each of which has an independent entrance to the outside at the front, rear, and/or side of the **building** and a yard abutting at least two of the exterior walls of each **dwelling unit**.

EMERGENCY SERVICE FACILITY

Means a **building** that houses emergency personnel, their supplies, equipment and vehicles and may include an ambulance response facility, fire station or police station.

ENERGY FROM WASTE FACILITY

Means the use of land, **buildings** or **structures** for the purpose of energy generation from the incineration of waste.

EQUESTRIAN CENTRE

Means an area of land where horses are boarded and taken out to be ridden by their owners, or rented to others and where riding lessons may be given.

EQUIPMENT SALES AND RENTAL ESTABLISHMENT

Means an establishment where machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

ERECT

Means to build, construct, reconstruct, alter, relocate or, without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing **building** or **structure** by an addition, deletion, enlargement or extension.

ESTABLISHED BUILDING LINE

Means, on any street, the average setback of the existing **main buildings** from the **streetline** on the nearest three **lots**, on opposite sides of the subject **lot**, which have been built upon on the same side of the street between two intersecting streets.

ESTABLISHED GRADE

Means the average surface elevation of the finished level of the ground adjoining the outside walls of the **main building wall** of any **building** or **structure**.

EXISTING OR EXISTED

Means in existence on the effective date of this By-law unless otherwise specified in the By-law.

FARM IMPLEMENT DEALER

Means an establishment where farm equipment is repaired, serviced or sold.

FINANCIAL INSTITUTION

Means an establishment in which financial services are offered to the public and is limited to a bank, credit union and trust company.

FLEA MARKET/FARMER'S MARKET

Means an indoor or outdoor place, location or activity where new or used goods and commodities are offered for sale or exchange to the general public by one or more licensed vendors, usually in compartmentalized spaces.

FLOOR AREA

Means the total area of all floors in a **building**, measured between the exterior faces of the exterior walls of the **building** at each floor level.

FLOOR AREA, GROSS

Means the aggregate of the areas of each floor of a **building** or **structure** above or below **established grade**, measured between the exterior faces of the exterior walls of the **building** or **structure**, or where there are common walls between uses or **buildings** or **structures**; measured to the centre-line of a common wall, excluding the sum of the areas of each floor used, or designed or intended for the parking of **motor vehicles**, unless the parking of **motor vehicles** is the principle use of the **building** or **structure**.

FLOOR AREA, NET

Means the aggregate of the floor areas of a **building** above or below **established grade**, but excluding:

- a) Any part of a **basement** that is unfinished;
- b) Any space with a floor to ceiling **height** of less than 1.8 metres;
- c) Bicycle lockers;
- d) Parking areas within the **building**;
- e) Elevator shafts and other service and mechanical shafts;
- f) Loading areas and loading spaces within a **building**;
- g) Service/mechanical rooms;
- h) Staff locker rooms, staff restrooms and staff lunch rooms;
- i) Stairways and common hallways;
- j) Washrooms; and
- k) Waste/recycling rooms.

FLOOR SPACE INDEX

Means the gross floor area of all **buildings** in a **lot** divided by the **lot area**.

FOOD TRUCK

Means a motorized vehicle, other than a motor assisted bicycle or motorcycle, from which refreshments are cooked, carried or offered for sale for consumption to the general public but does not mean trailers, push cars or non-motorized vehicles propelled by muscular power.

FUNERAL HOME

Means an establishment used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for internment and **accessory** public gathering areas, but does not include a crematorium.

GARAGE, PARKING

Shall mean a **building** or **structure** used for the parking of **motor vehicles** and may include aisles, **parking spaces** and related ingress and egress **lanes**.

GARAGE, PRIVATE

Means an enclosed **building** that is detached or part of the **main building** on a **lot** that is also the site of any **dwelling unit** that is accessed from the outside at the **first storey** level and is designed and/or used for the storage of one or more electric and/or **motor vehicles**.

GARAGE WIDTH

Means the width of a **private garage** measured between the interior faces of the walls of the **private garage**.

GARDEN CENTRE

Means an establishment used for the sale of nursery stock, landscaping supplies and equipment and incidental goods and materials.

GOLF COURSE

Means an area of land laid out for golf with a series of holes including tee, fairway, and putting green and often one or more natural or artificial hazards. A golf course may include **restaurants**, retail stores and miniature golf courses as **accessory uses**.

GOLF DRIVING RANGE

Means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

GROUP HOME – TYPE I

Means a premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement. A Group Home – Type I may locate:

- a) in a **single detached dwelling**; or,
- b) in a two-unit **building** (duplex or semi-detached) if the group home is the sole occupant of both units of the two-unit **building** and the total number of residents in the entire **building** does not exceed ten (10) residents.

GROUP HOME – TYPE II

Means a premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for more than ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement. A Group Home – Type II may only be located in a **single detached dwelling**.

HEALTH SERVICES FACILITY

Means an establishment primarily engaged in providing medical, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, addiction treatment, mental health treatment, out-patient care facilities, physical therapy, blood banks and oxygen and miscellaneous types of medical supplies and services, but does not include a hospital.

HEIGHT

- a) Means with reference to a **building** or **structure**, the vertical distance measured from the **established grade** of such **building** or **structure** to:
 - i) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof; or
 - ii) the deck line of a mansard roof; or
 - iii) the mid-point between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof; or
 - iv) in case of a **structure** with no roof, the highest point of the said **structure**.
- b) The calculation of **height** shall not apply to:
 - i) Agricultural **buildings** and **structures**, including silos and grain elevators;
 - ii) Antenna or telecommunication towers;
 - iii) Any mechanical features, such as **structures** containing a mechanical penthouse or the equipment necessary to control an elevator, and other rooftop **structures** not containing any habitable space, provided that such equipment does not project more than 5 metres above the highest point of the roof, is not located less than 5 metres from any exterior wall and does not occupy greater than 35 percent of the total area of the roof. A mechanical penthouse that meets the foregoing is not a **storey**;
 - iv) Any ornamental roof construction features including but not limited to domes, chimneys, parapets less than 2 metres high, towers and steeples;
 - v) Buildings and **structures** associated with a public works yard;
 - vi) Clock towers and flagpoles;
 - vii) Monuments;
 - viii) Silos, cooling towers, chimneys and other stacks in an Employment **Zone**;
 - ix) Solar panels; and
 - x) Water storage tanks.

HOME OCCUPATION

Means the use of part of a **dwelling unit** for a legal business activity that results in a product or service and which is clearly **accessory** to the principal residential use of the **dwelling unit**.

HOME CHILD CARE

Means the caring of children in a **dwelling unit** in accordance with the Child Care and Early Years Act, as amended and which is not a child care centre.

HOME INDUSTRY

Means a small-scale, business activity of an industrial nature **accessory** to a residential use and conducted entirely within a detached **accessory building**. For the purpose of this definition, a home industry shall not include the repairing, storage or recycling of **motor vehicles**, mobile homes, boats, heavy equipment and recreational vehicles, which includes, but is not limited to campers, motor homes, motor cycles, all-terrain vehicles, personal watercraft and snowmobiles.

HOSPITAL, PRIVATE

Means any institution, **building** or other premises or place established for the purpose of the treatment of persons, and that is not approved as a **public hospital** under The Public Hospitals Act.

HOSPITAL, PUBLIC

Means any institution, **building** or other premises or place established for the purpose of the treatment of persons, and that is approved as a public hospital under The Public Hospitals Act.

HOTEL

Means an establishment containing rooms for the travelling public and may include **accessory** meeting facilities, recreation facilities, a **restaurant**, **banquet halls** and **retail stores** which are incidental and subordinate to the primary lodging function and located on the same **lot**, and which does not include a **dwelling unit**, **bed and breakfast establishment**, **short term rental accommodation** or **shared housing**.

INDIVIDUAL ON-SITE SEWAGE SERVICES

Means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

INDIVIDUAL ON-SITE WATER SERVICES

Means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

INDUSTRIAL USE

Means an establishment used for:

- a) The processing of goods and materials;
- b) The processing of food and related items;

- c) The assembly of manufactured goods;
- d) The manufacturing of goods;
- e) The repair and servicing of goods and similar uses;
- f) Research and development facilities; and
- g) Any permanent storage facilities or **accessory** equipment that is in conjunction with a use in sub-sections (a) to (f) above.

INFRASTRUCTURE

Means a physical **structure** (facilities and corridors) that form the foundation for development.

Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission facilities, communication/telecommunications facilities, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

KENNEL

Means an establishment where dogs or other domestic pets are boarded for more than 24 hours and/or are kept for the purposes of breeding.

KENNEL, DAY

Means an establishment where dogs or other domestic pets are boarded for a continuous period not exceeding twenty-four hours.

LANDSCAPED OPEN SPACE

Means an open area of a **lot** in which are located lawn and/or ornamental shrubs, flowers and trees and other landscaping, and may include natural or naturally occurring areas and which may also include space occupied by paths, walkways, fenced courts, patios and swimming pools, but shall not include **parking areas, driveway** or storage areas.

LANE

Means a subsidiary thoroughfare that is not intended for general traffic circulation and which provides a secondary means of vehicular access to an abutting **lot**.

LIBRARY

Means a facility containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

LOADING SPACE

Means an unobstructed area of land that is used for the temporary parking of one or more commercial **motor vehicles** while merchandise or materials are being loaded or unloaded from such vehicle.

LONG TERM CARE HOME

Means a place that is licensed as a long-term care home under the Long-Term Care Homes Act and includes a municipal home, joint home or First Nations home.

LOT

Means a parcel of land that may be conveyed in accordance with provisions of the Planning Act.

Below are the three types of **lots**.

- a) **Corner lot:** a **lot** at the intersection of two or more streets or highways or upon two parts of the same street or highway with such streets or highways containing an angle of less than or equal to 135 degrees.
- b) **Interior lot:** a **lot** situated between adjacent **lots** and having access to one street or highway.
- c) **Through lot:** a **lot** that is not a **corner lot** but has frontage on more than one street or highway. If a **lot** is a through **lot**, both of the **lot lines** abutting the street or highway are deemed to be **front lot lines**. Notwithstanding the above, where a 0.3 metre wide reserve is located along one of the **lot lines** abutting the street, the **lot** is not a through **lot**.

LOT AREA

Means the total horizontal area within the **lot lines** of a **lot**.

LOT COVERAGE

Means mean the combined area of all **buildings** or **structures** on the **lot**, measured at the level of the lowest storey above grade, including all porches and verandas open or covered and covered parking areas, but excluding open, unenclosed terraces at grade, decks, steps, cornices, eaves, bay windows, chimney breasts, corbelling and similar projections, and swimming pools.

LOT DEPTH

Means the horizontal distance between the mid-point of the **front lot line** and the mid-point of the **rear lot line** or, in the case of a triangular **lot**, between the midpoint of the **front lot line** to the apex of the triangle formed by the intersecting of the **side lot lines**.

LOT FRONTAGE

Means the horizontal distance between the **interior side** and/or **exterior side lot lines**, with such distance being measured perpendicularly to the line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line** at a point on that line 6.0 metres from the **front lot line**.

In the case of a **lot** with no **rear lot line**, the point where two side **lot lines** intersect shall be the point from which a line is drawn to the mid-point of the **front lot line**. In the case of a **corner lot** with a sight triangle, the **exterior side lot line** shall be deemed to extend to its hypothetical point of intersection with the extension of the **front lot line** for the purposes of calculating **lot frontage**.

LOT LINE

Means a line delineating any boundary of a **lot**. Below are the four types of **lot lines**:

- a) Exterior side **lot line**: the **lot line** of a **corner lot**, other than the **front lot line**, which divides the **lot** from a **public street** or an unopened road allowance.
- b) Front **lot line**: the **lot line** that divides the **lot** from the **public street**, provided that in the case of a **corner lot**, the shorter **lot line** that abuts a **public street** or is deemed to be the **front lot line** and the longer **lot line** that abuts a **public street** is deemed to be an **exterior side lot line**.
- c) Interior side **lot line**: a **lot line**, other than a **rear lot line** that does not abut a **public street**.
- d) Rear **lot line**: the **lot line** opposite to, and most distant from, the **front lot line**. For the purpose of this definition, if two side **lot lines** join at a point, that point shall be deemed as a **rear lot line**.

MAIN BUILDING

Means the principal **building** on the **lot**.

MAIN BUILDING WALL

Means the exterior wall of the **building** on the **first storey** of the **main building**.

MAIN USE

Means the principal use of the **lot**.

MICRO-BREWERY/WINERY/DISTILLERY

Means an establishment at which malt beverages fermented on the premises and/or wines and/or alcohol are packaged and sold for distribution, retail, or wholesale. The establishment may include retail sales, tours, and hospitality and tasting area, and a **restaurant**. The incidental brewing and making of beer and/or wine and/or alcohol in a **restaurant** is not a micro-brewery/winery/distillery.

MINERAL AGGREGATE OPERATION

- a) Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act; and,
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

MINERAL AGGREGATE RESOURCES

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite,

kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

MODEL HOME

Means a **building** that is used on a temporary basis as a sales office and/or as an example of the type of **dwelling** that is for sale in a related development and which is not occupied or used for human habitation.

MOTEL

Means an establishment containing multiple rooms with no private cooking facilities that are rented to the travelling public for temporary sleeping accommodation, with each of the rooms accessed from the outside and which does not include a **bed and breakfast establishment** or **shared housing**.

MOTOR VEHICLE

Means an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, as amended, and any other vehicle propelled or driven otherwise than by muscular power.

MOTOR VEHICLE BODY SHOP

Means an establishment used for the painting, repairing of the interior, exterior, or undercarriage of **motor vehicle** bodies. **Motor vehicle washing establishments** are not permitted as an **accessory use**.

MOTOR VEHICLE, COMMERCIAL

A **motor vehicle**, used or intended to be used for commercial purposes and having permanently attached thereto a truck or delivery body and may include, without limiting the foregoing, catering or canteen trucks, buses, cube vans, tow trucks, tilt and load trucks, dump trucks, transport tractors, hearses, fire apparatus, taxis and limousines.

MOTOR VEHICLE REPAIR ESTABLISHMENT

Means an establishment used for the repairing of **motor vehicles** and recreational trailers, vehicles or boats, but shall not include the sale of **motor vehicle** fuels or a **motor vehicle body shop**. **Motor vehicle washing establishments** are not permitted as an **accessory use**.

MOTOR VEHICLE SALES, LEASING AND/OR RENTAL ESTABLISHMENT

Means an establishment used for the sale, leasing and/or rental of **motor vehicles**.

MOTOR VEHICLE SERVICE STATION

Means an establishment used for the sale of **motor vehicle** fuels and which may include the following **accessory uses**: the sale of **motor vehicle** parts and accessories, retail and personal service uses, **motor vehicle** rental, the servicing and repairing of **motor vehicles** and **motor vehicle washing establishments**.

MOTOR VEHICLE WASHING ESTABLISHMENT

Means an establishment in which the mechanical or hand washing of **motor vehicles** is carried out.

MUNICIPALITY

Means the Corporation of the Town of Cobourg.

MUNICIPAL SEWAGE SERVICES

Means a sewage works within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

MUNICIPAL WATER SERVICES

Means a municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

MUSEUM

Means a collection of artifacts and other objects of scientific, artistic, cultural or historic importance and which may also include libraries, reading rooms, laboratories and **accessory** offices.

NIGHTCLUB

Means an establishment whose primary function is the provision of pre-recorded music, or live musical entertainment, whether such pre-recorded music or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose **accessory** function is the sale and consumption on the premises of food and alcoholic beverages.

NON-COMPLYING (LEGAL) OR LEGAL NON-COMPLYING

Means a **building** or **structure** that was erected in compliance with the Zoning By-law in effect at the time the **building** or **structure** was erected.

NON-CONFORMING

Means a use that is not a permitted use in the **zone** in which the said use is situated.

NON-PROFIT ORGANIZATION

Means an incorporated organization that is established and which is operated in a manner that does not result in the generation of profits.

OPENING

Means an area of a **main building wall** that is open from the outside to the inside and/or which is treated in a manner that offers a view to the inside from the outside and includes a door or window.

OPEN PROCESSING

Means processing, manufacture or repair of materials, goods, or equipment conducted in the open air and/or unenclosed portions of **buildings** which are open on one or more sides.

OUTDOOR STORAGE USE

Means an area of land used for the storage of goods and materials forming the **main use** of a **lot**.

OUTDOOR STORAGE, ACCESSORY

Means an area of land used in conjunction with a business located within a **building** or **structure** on the same **lot**, for the storage of goods and materials.

PARK MODEL HOME

Means a trailer designed for temporary human habitation having permanent running gear attached and meeting Canadian Standards Association Standard Z240 and Z241.

PARK, PRIVATE

Means an open space or recreational area other than a public park, operated on a commercial and/or private member basis, and which includes one or more recreational uses.

PARK, PUBLIC

Means any area of land under the jurisdiction of a **public authority** that is designed and/or maintained for active or passive recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, open spaces, golf courses, swimming pools, tennis courts, bowling greens, arenas, boating facilities, trails and sports fields and ancillary retail uses.

PARKING AREA

Means an open area of land not located on a **public street**, **private street** or **lane** that is used for the parking of four or more **motor vehicles**, but shall not include any area where **motor vehicles** for sale or repair are kept or stored.

PARKING SPACE

Means an unobstructed space for the exclusive use of parking of a **motor vehicle**.

PERSONAL SERVICE USE

Means an establishment in which services involving the care of persons or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a shoe repair establishment, dry cleaning establishment, registered massage therapist facility, domestic animal grooming salon or similar service establishments.

PLACE OF WORSHIP

Means a **building** or part of a **building** used by a charitable religious group(s) for the practice of religious rites and may include **accessory uses** that are subordinate and incidental to the practice of religious rites. Examples of **accessory uses** include, but shall not be limited to, classrooms, assembly areas with a potential occupancy less than the place of worship area, a kitchen, a residence for the

faith group leader, and offices subordinate and incidental to the principal place of worship. A place of worship may include a child care centre or private school.

PLANTING STRIP

Means an area of a **lot** which shall be used for no purpose other than landscaping, including decorative rock treatments or other required structural features, a row of trees or a continuous unpierced hedgerow of evergreens or shrubs. The remainder of such planting strip shall be used for no purpose other than landscaping features, planting trees, shrubs, flowers, grass or similar vegetation. Walkways and **driveways** accessing the **lot** from the street are permitted to cross a planting strip.

PORCH

Means a **structure** with a roof and at least one side that is open and unenclosed, that is accessed by stairs from grade and which provides access to the **first storey** of a **dwelling unit**.

PORTABLE ASPHALT PLANT

Means a facility:

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

PORTABLE CONCRETE PLANT

Means a **building** or **structure**:

- a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

PRIVATE CLUB

Means an establishment used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise and shall not include any adult entertainment establishment.

PUBLIC AUTHORITY

Means any commission, board, or authority or any quasi-public body that is controlled by the Federal and/or Provincial governments and/or any commission, board, or authority or any quasi-public body

that is controlled by the Region or City, provided it is owned or operated by or for, or under the authority of, the County or the Town.

PUBLIC USE

Means any use of land, **buildings** or **structures** by or on behalf of a **public authority**.

RECREATIONAL EQUIPMENT SALES, RENTAL AND SERVICE ESTABLISHMENTS

Means an establishment where recreational equipment such as canoes, kayaks, rowboats and other similar non-motorized types of recreational equipment is sold, rented or serviced.

RECREATIONAL ESTABLISHMENT

Means an establishment that has been designed and equipped for the conduct of athletic and leisure time activities including but not limited to a billiard or pool room, bowling alley or ice/curling or roller skating rink and similar private-operated athletic and leisure time uses.

RECREATIONAL TRAILER, VEHICLE OR BOAT

Any vehicle or recreational equipment such as a boat that is suitable for being attached to a **motor vehicle** for the purpose of being drawn, or that is self-propelled, or that is capable of being used for living, sleeping or eating and the accommodation of human beings and includes a travel trailer, pick-up camper or tent trailer and/or boat.

RECYCLING FACILITY

Means a **building** or any part thereof in which blue box waste and recyclable waste is collected, handled, separated, sorted, stored, recovered, prepared and/or compacted but shall not include **open processing**, a waste management facility, a **salvage yard**, or an **energy from waste facility**. For the purpose of this By-law, “blue box waste” and “recyclable waste” shall have the same meaning as set out in O. Reg. 101/94, enacted pursuant to the Environmental Protection Act, R.S.O. 1990, c.E-19, as amended from time to time.

REHABILITATION TREATMENT CENTRE

Means a facility providing secure, supervised, specialized care, treatment and/or rehabilitation services on an in-patient or out-patient basis for individuals who are addicted to chemical substances and/or alcohol. Services generally include 24-hour accommodation for a period equal to or greater than seven (7) consecutive days where meals may also be prepared on site and served to patrons. The facility may also include **accessory** offices, lounges and meeting rooms. For the purposes of this use, ‘secure’ shall mean monitored and controlled ingress and egress to the facility at all times.

REPAIR SHOP

Means an establishment used for the servicing, repairing or renting of articles, goods or materials, and may include an outlet for service and repair done off premises, but does not include any use involving the sale, rental or servicing of **motor vehicles**.

RESEARCH AND DEVELOPMENT USE

Means an establishment used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the facility.

RESERVE

Means a strip of land abutting a **public street** and owned by a **public authority** having jurisdiction over the **public street**.

RESTAURANT

Means an establishment in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the **building** and which may include the preparation of food in a ready-to-consume state for consumption off the premises, but shall not include a drive-through service use.

RETAIL STORE

Means an establishment in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public.

RETIREMENT HOME

Has the same meaning as in the Retirement Homes Act, 2010.

SALVAGE YARD

Means an area outside of an enclosed **building** where scrap metal and/or **motor vehicles** are disassembled and dismantled, or where **motor vehicles** in an inoperable condition or used **motor vehicle** parts, or scrap metals, are stored or re-sold but shall not include a recycling facility.

SCHOOL

Means a facility where instruction is provided to students as the principal use. The schools that are regulated by this By-law are defined below:

- a) **Adult or continuing education school:** a facility identified as a centre of learning for credit courses, language, literacy, academic upgrading or career training for mature students or others.
- b) **Commercial school:** an establishment where instruction, training, or certification in a specific trade, service, or skill is provided.
- c) **Elementary school:** an institution under the jurisdiction of a school board, used primarily for the instruction of students receiving primary education, with or without a child care centre as an **accessory use**.
- d) **Post-secondary school:** a university or college of applied arts and technology established under the Ministry of Colleges and Universities Act.

- e) **Private school:** an institution, other than an elementary school, secondary school, adult or continuing education school, post-secondary school or a commercial school, under the jurisdiction of a private board of directors, trustees or governors, a religious organization or a charitable institution, used primarily for the instruction of students receiving primary and/or secondary education.
- f) **Secondary school:** an institution under the jurisdiction of a School Board, used primarily for the instruction of students receiving secondary education, with or without a child care centre as an **accessory use**.

SCHOOL PORTABLE

Means a temporary **building** or **structure** designed to serve as a classroom on a **lot** that is also the site of a public school.

SHARED HOUSING (SMALL SCALE) MEANS:

Means a **dwelling unit** where lodging is provided to more than two and no more than six tenants who live as a single housekeeping unit with no more than one kitchen and where at least 1 of the tenant-occupied rooms is equipped with an external locking mechanism that prevents access to said room by the other house occupants when the room is unoccupied.

SHARED HOUSING (LARGE SCALE) MEANS:

Means a **dwelling unit** where lodging is provided to more than six tenants who live as a single housekeeping unit with no more than one kitchen and where at least 1 of the tenant-occupied rooms is equipped with an external locking mechanism that prevents access to said room by the other house occupants when the room is unoccupied.

SHIPPING CONTAINER

Means a freight container that is used for the transportation and storage of goods and materials which are loaded onto trucks, trains or ships for the purpose of moving goods and materials. A shipping container shall also include, but not be limited to, the body of a transport trailer or a straight truck and any prefabricated portable metal storage unit. For the purpose of this definition, a shipping container does not have wheels or include a **motor vehicle** or a transport trailer.

SHORT TERM RENTAL ACCOMMODATION

Means a dwelling or **dwelling unit**, or any portion of it, that is rented or available for rent and intended to be provided to the travelling or vacationing public or occupied for a seasonal or temporary period and includes a **bed and breakfast establishment**, that rents not more than three (3) guest rooms, but does not include any other use defined in this By-law.

SPECIALTY FOOD USE

Means a retail commercial use specializing in a specific type or class of foods such as frozen food, baked goods, meat products, fish, gourmet foods and/or similar foods.

STACKING LANE

Means an area of land that is used exclusively for **motor vehicles** whose occupants are waiting to be provided with goods, materials or services typically associated with a **drive through service use**.

STEPBACK

Means an architectural design element that is applied to upper **storeys** of **buildings** where the wall of the **building** above a certain **height** facing the street or a **lot line** is set back further than the wall below the specified **height**.

STOREY

Means that portion of a **building** between the surface of a floor and the floor, ceiling or roof immediately above.

STOREY, FIRST

Means the **storey** with its floor closest to **established grade** and having its ceiling more than 1.8 m above **established grade** and provided also that any portion of a **storey** exceeding 4.5 m in **height** shall be deemed an additional **storey**.

STREETLINE

Means the limit of street allowance and is the dividing line between a **lot** and a public or **private street**.

STREET, PRIVATE

Means a private thoroughfare not under the jurisdiction of the Corporation, the County or the Province of Ontario or created through the registration of a plan of condominium.

STREET, PUBLIC

Means a roadway owned by a **public authority** and for the purposes of this By-law does not include a **private street** or **lane**.

STRUCTURE

Means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground or any other **structure**. For the purpose of this By-law, a retaining wall that has a **height** of 1.0 m or less, a light standard, a fence, an antenna and a sign shall be deemed not to be **structures**. For the purpose of setback calculations, natural gas or electricity meters, air conditioning units and back-up generators, dog houses, freestanding mail boxes, entrance pillars, statues, storage lockers under 1 m high, freestanding arbours or pergolas, pool pumps and filters not inside **accessory buildings**, flag poles, free standing trellises, shopping cart enclosures, waste receptacles, school bus shelters, composters, planters, portable barbeques and similar items are not considered **structures**.

STUDIO

Means an establishment or part thereof used as a working place for the creation of paintings, sculptures, pottery, glass, wrought iron and other objects or items that are the subject of art.

SUPERMARKET

Means an establishment larger than 500m² containing a complete departmentalized food store selling a comprehensive line of groceries, baked goods, fresh fruit and vegetables, canned goods, dairy products, frozen foods, and fresh and frozen meats. Other lines may include confectionary, drugs and cosmetics, household supplies, hardware, commercial service uses such as dry cleaning and financial services, optical services, photo services and a seasonal garden centre.

TANDEM PARKING

Means two **parking spaces** arranged such that two **motor vehicles** can park nose-to-end and where one vehicle does not have independent access to a street.

TECHNOLOGY INDUSTRY

Means a **building** or **structure** used for the manufacturing, assembling, repair, packaging, or storage of specialized technical equipment including computers, electronics and communication devices.

TENT

Means every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

TOWN

Means the Corporation of the Town of Cobourg.

TRADE AND CONVENTION CENTRE

Means a facility where facilities are provided for the displaying of goods and/or services for the general public, such as an auto show or a computer trade show or where groups of people meet for civic, educational, political, religious or social purposes.

TRAILER

Means any vehicle so constructed that it is suitable for being attached to a **motor vehicle** for the purpose of being drawn or propelled by the **motor vehicle** and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

TRAILER PARK

Means an area of land used for the temporary or seasonal parking of travel/tent trailers, recreational trailer or vehicle, truck campers and/or tents occupied by the travelling or vacationing public.

TRANSPORTATION TERMINAL

Means land, **structures** or **buildings** used to store, repair, service, or dispatch freight or passenger-carrying vehicles and shall include a terminal for the loading, unloading, or transfer of materials or goods to or from freight-carrying transport vehicles, but shall not include a waste management facility.

TRAVEL/TENT TRAILER

Means a trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached, has a current license and is not permanently affixed to the ground.

TRAVEL/TENT TRAILER SITE

Means a site in a trailer park or **campground** that is used for the temporary parking or storing of a travel/tent trailer, recreational trailer or vehicle, truck camper or tent.

TRUCK CAMPER

Means a unit that is constructed in a manner such that it may be attached to a **motor vehicle**, as a separate unit, and is capable of being temporarily utilized for living, sleeping or eating.

USE

Means the purpose for which any portion of a **lot**, **building** or **structure** is designed, arranged, intended, occupied or maintained.

WAREHOUSE

Means a facility in which goods or wares are stored and where trucks are stored, serviced, repaired, loaded or unloaded.

WASTE

Means ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse and other such materials as may be designated as waste from time to time in the regulations of the Environmental Protection Act, R.S.O. 1990, c. E-19, as amended.

WASTE COMPOSTING FACILITY

Means:

- a) Any land upon, into, in or through which, or **building** or **structure** in which organic waste that is to be diverted from landfill is deposited, stored, processed and recycled into compost for retail and wholesale purposes; and,
- b) Any operation carried out or machinery or equipment used in connection with the depositing, storage, transfer, and processing or recycling referred to in clause (a).

WASTE DISPOSAL SITE

Means any land upon, into or through which, a **building** or **structure** in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed and includes any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing of waste.

WASTE MANAGEMENT FACILITY

Means the use of land, **buildings** or **structures** for the management of waste, including the collection, handling, sorting, transportation, storage, recovery and disposal thereof, but does not include a recycling facility.

WASTE STORAGE AREA, ACCESSORY

Means space allocated either within a **main building** or in an **accessory building, structure** or enclosure where garbage, refuse or recycling materials generated on the same **lot** are temporarily stored while awaiting disposal, but does not include any storage for hazardous waste or materials.

WASTE TRANSFER STATION

Means the use of land for the collection of waste into bulk containers for the further transport to a land fill site, recycling facility or other waste disposal facility.

WAYSIDE PIT OR QUARRY

Means a temporary pit or quarry opened and used by a **public authority** solely for the purpose of a particular project or contract of road construction or maintenance and which is not located within the right-of-way of a **public street**.

YARD

Means an open, uncovered space on a **lot** appurtenant to a **building** and unoccupied by **buildings** or **structures** except as specifically permitted in this By-law.

YARD, EXTERIOR SIDE

Means the yard of a **corner lot** extending from the **front yard** to the **rear yard** between the **exterior side lot line** and the nearest main wall of the **main building** or **structure** on the **lot**.

YARD, FRONT

Means a yard extending across the full width of the **lot** between the **front lot line** and the nearest main walls of the **main building** or **structure** on the **lot**.

YARD, INTERIOR SIDE

Means a yard other than an **exterior side yard** that extends from the **front yard** to the **rear yard** between the **interior side lot line** and the nearest main walls of the **main building** or **structure** on the **lot**.

YARD, REAR

Means a yard extending across the full width of the **lot** between the **rear lot line** and the nearest main walls of the **main building** or **structure** on the **lot**.

ZONE

Means a designated area of land use(s) shown on the Zoning Schedules of this By-law.

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PART 4.0 - GENERAL PROVISIONS

4.1 ACCESSORY BUILDINGS AND STRUCTURES

4.1.1 General Provisions

- a) Where this By-law provides that land may be used or a **building** or **structure** may be erected or used for a purpose, that purpose shall include any **accessory uses, buildings or structures** located on the same **lot** as the principal use to which they are related.
- b) No **accessory building** or **structure** shall be used for human habitation or an occupation for gain or profit, except if specifically permitted by this Bylaw.
- c) All **accessory buildings** and **structures** regardless of size and whether or not they require a Building Permit, shall comply with the rules set out in this section of the Bylaw.
- d) Accessory **buildings** and **structures** are only permitted in the **rear, interior** and **exterior side yards**.
- e) Detached **private garages** may be no closer than 6 metres to an **exterior side lot line**, if the **driveway** used to access the detached **private garage** crosses the **exterior lot line**.
- f) Accessory **buildings** and **structures** shall be located no closer than 1.0 metres from the **interior side, exterior side** or **rear lot line**. **Private garages** for **semi-detached** and **street townhouse dwellings** that share a common **lot line** and are attached may be set back 0.0 metres from the applicable **interior side** and/or **rear yard**.
- g) The maximum permitted **building height** of the **accessory building** or **structure** is 4.5 metres, unless a higher **building height** is specifically permitted by this By-law.
- h) Shipping containers, trailers or other mobile **structures** are not permitted as **accessory buildings** or **structures** unless they are specifically permitted by this By-law.
- i) In any Commercial or Employment **Zone**, **accessory buildings** for the Commercial or Employment Use shall not be located in any required side or **rear yard** abutting an adjacent residential use.
- j) The maximum **lot coverage** of all detached **accessory buildings** and **structures** on a **lot** is 10 percent, provided that the coverage of all **buildings** on the **lot** shall not exceed the maximum **lot coverage** specified in the applicable **zone**.

4.1.2 Provisions for Detached Private Garages in the CER1, CER2, CER3 and CEMU Zones

Table 4.1.2 below sets out the provisions for detached **private garages** in the CER1, CER2, CER3 and CEMU **Zones**

Table 4.1.2 – Detached **Private Garage** Standards – CER1, CER2, CER3 and CEMU **Zones**

ZONE PROVISIONS		Driveway crosses the front or exterior side lot line	All other lots
A	Minimum distance from the rear lot line	1.2 m (2)	1.0 m
B	Minimum distance from exterior side lot line	Equal to the exterior side yard requirement for the main building (3)	Equal to the exterior side yard requirement for the main building
C	Minimum distance from front lot line	Equal to the front yard requirement for the main building (3)	Not applicable
D	Minimum distance from interior side lot line	1.2 m (1)	1.2 m (1)
E	Minimum setback from the main building		
	* if detached parking garage has a height of 4.5 metres or less	Not applicable	6.0 m (5)
	• if detached parking garage has a height of greater than 4.5 metres	Not applicable	7.5 m (5)
F	Maximum height		
	• on a lot having a lot frontage of less than 9.75 metres	4.5 m (4)	4.5 m
	• on a lot having a lot frontage of 9.75 metres or greater	4.5 m (4)	8.0 m
H	Maximum distance of encroachment of unenclosed stairs and landings that access the detached private garage	Not applicable	0.6 m into the minimum setback from the main building only

Special Provisions	
(1)	Notwithstanding this provision, the setback for the first storey may be reduced to 0.6 metres if there are no doors or windows on the wall facing the interior side lot line . A detached private garage may share a common wall with another detached private garage on an abutting lot and no setback from the interior side lot line is required on that side of the lot . In no case shall a detached private garage share a common wall with more than one other detached private garage on an abutting lot .
(2)	Notwithstanding this provision, the setback for the first storey may be reduced to 0.6 metres if there are no doors or windows on the wall facing the rear lot line . A detached private garage may share a common wall with another detached private garage on an abutting lot and no setback from the rear lot line is required.
(3)	Notwithstanding these provisions, where a detached private garage is accessed by a driveway crossing the front or exterior lot line , the wall containing the entrance for vehicular access shall not be located closer than 5.8 metres to the lot line abutting the public street that the driveway crosses to access the detached private garage .
(4)	Notwithstanding this provision, the maximum permitted height may be increased to 8.0 metres if the rear lot line abuts a public street from which no vehicular access to the lot exists and provided the entire rear wall of the detached accessory building is located between 1.2 metres and 3.0 metres from the rear lot line .
(5)	The parking of motor vehicles shall not be permitted within this setback area.

4.2 ACCESSORY OUTDOOR STORAGE

Where **accessory outdoor storage** is located in an Employment **Zone**, the following provisions apply:

- a) **Outdoor storage** is permitted only in a **rear yard** and shall not be located any closer than 9.0 metres to any **lot line** abutting a **street**.
- b) The **height** of stored materials shall not exceed the **height** of the **main building** on the **lot**, or 12 metres, whichever is the lesser.
- c) The **outdoor storage** shall be screened by opaque fencing with a minimum **height** of 2.1 metres or a berm with a minimum **height** of 3.0 metres; and
- d) **Outdoor storage** is not permitted within any **yard** abutting a Residential **Zone** boundary.

4.3 ADDITIONAL RESIDENTIAL UNITS AND ADDITIONAL RESIDENTIAL UNITS (COACH HOUSE)

4.3.1 General Provisions for Additional Residential Units and Additional Residential Units (Coach House)

Where an **additional residential unit** is permitted by this By-law, the following provisions, in addition to those in Section 4.3.2 and 4.3.3, shall apply:

- a) An **additional residential unit** shall only be permitted on a **lot** containing a **single detached dwelling, semi-detached dwelling or street townhouse dwelling**.
- b) Where two (2) **additional residential units** are permitted on a **lot**, such **additional residential units** may be located as follows:
 - i) One (1) **additional residential unit** within the same **building** as the **primary dwelling unit** on the **lot** and one (1) **additional residential unit** in a detached **accessory building** located on the same **lot** as the **primary dwelling unit**; or,
 - ii) Two (2) **additional residential units** within the same **building** as the **primary dwelling unit** in which case, an **additional residential unit** in a detached **accessory building** shall not be permitted.

In no case, shall two (2) **additional residential units** be permitted in a detached **accessory building**.

- c) An **additional residential unit** shall only be permitted on a **lot** that satisfies Section 4.9 (Frontage on a Public Street) of this By-law.
- d) Where **municipal sewage services** and **municipal water services** are available, both the **primary dwelling unit** and the **additional residential unit(s)** on the same **lot** shall be connected to **municipal sewage services** and **municipal water services**.
- e) An **additional residential unit** shall not be permitted:

- i) On lands within the Environmental Constraint (EC) **Zone** or in a **floodplain** as identified by the Conservation Authority; and,
 - ii) On a **lot** containing **shared housing, garden suite, bed and breakfast establishment, group home type 1** and **group home type 2**.
- f) **Parking spaces** for an **additional residential unit(s)** and **additional residential units (coach house)** shall be provided in accordance with the requirements of Section 5.4 (Residential Parking Requirements) of this By-law. Required off-street **parking spaces** may be arranged as **tandem parking**.

4.3.2 Additional Residential Units Within the Same Building as the Primary Dwelling Unit on the Lot

Where an **additional residential unit(s)** is within the same **building** as the **primary dwelling unit**, the following additional provisions shall apply:

- a) The **additional residential unit(s)** shall be located entirely within the same **building** as the **primary dwelling unit**.
- b) A maximum of one entrance to the **main building** shall be permitted along each **public street**.
- c) The maximum **gross floor area** of the **additional residential unit(s)** may not singularly or cumulatively exceed 50% of the **gross floor area** of the **primary dwelling unit**.
Notwithstanding the above, if an **additional residential unit** is located in the **basement**, such **additional residential unit** may occupy the entire **basement**. In no case shall more than one (1) **additional residential unit** be located in a **basement**.
- d) Where direct access to the **additional residential unit** is provided from the **interior side yard**, the entrance to the **additional residential unit** is required to be a minimum of 1.2 metres from the **interior side lot line** and no stairs accessing the **additional residential unit** are permitted within 1.2 metres from the **interior side lot line**.

4.3.3 Additional Residential Unit in a Detached Accessory Building

Where an **additional residential unit** is within a detached **accessory building** to a **primary dwelling unit**, the following additional provisions shall apply:

- a) The provisions in Section 4.1 (Accessory Buildings, Structures and Uses) apply except as modified by Section 4.3.1.
- b) The **maximum gross floor area** of the **additional residential unit** within a detached **accessory building** shall not exceed 50% of the **gross floor area** of the **primary dwelling unit** but in no case can occupy more than 50% of the **rear yard** and have a floor area that is greater than 80 square metres.
- c) A detached **accessory building** containing an **additional residential unit** shall be setback no further than 40 metres from the **public street** that is relied upon for access.

- d) An **accessory building** containing an **additional residential unit** shall not exceed the **height** of the **main building** or 5 metres, whichever is less.
- e) An **additional residential unit** in a detached **accessory building** is not permitted to have a **basement** or other habitable living space below grade.
- f) A clear path suitable for pedestrian use with a minimum width of 1.2 metres shall be provided from the **streetline** to the entrance of an **additional residential unit** that is contained within a detached **accessory building**.

4.3.4 Additional Residential Unit (Coach House)

The following provisions shall apply to **additional residential units (coach house)** where specifically permitted:

- a) The provisions in Section 4.1 (Accessory Buildings, Structures and Uses) apply except as modified by Section 4.3.1.
- b) The **maximum gross floor area** of the **additional residential unit (coach house)** within a detached **accessory building** shall not exceed 50% of the **gross floor area** of the **primary dwelling unit** but in no case can have a floor area that is greater than 80 square metres.
- c) **The additional residential unit (coach house)** and the **private garage** shall be located no closer than 0.6 metres from the **rear lot line** if accessed by a **lane** and 1.2 metres if not accessed by a **lane**.
- d) **The additional residential unit (coach house)** and the **private garage** shall be located no closer than 1.2 metres from the **interior side lot line**. Notwithstanding this provision, the setback for the first storey may be reduced to 0.6 metres if there are no doors or windows on the wall facing the **interior side lot line**. In addition, an **additional residential unit (coach house)** and the **private garage** may share a common wall with another **additional residential unit (coach house)** and the **private garage** on an abutting lot and no setback from the **interior side lot line** is required on that side of the **lot**. In no case shall an **additional residential unit (coach house)** and the **private garage** share a common wall with more than one other **additional residential unit (coach house)** and the **private garage** on an abutting lot.
- e) If the **additional residential unit (coach house)** is accessed by a **lane**, the maximum permitted height is 8.0 metres.

4.4 ACCESSORY WASTE STORAGE BUILDINGS, STRUCTURES AND ENCLOSURES

Accessory waste storage **buildings, structures** and enclosures are subject to the following provisions:

- a) Accessory waste storage areas in an **accessory building, structure** or enclosure shall be surrounded on three sides by masonry, concrete or wooden walls to provide screening and,

- b) Accessory waste storage areas within an **accessory building, structure** or enclosure shall be located:
 - i) In an interior, **exterior side yard** or **rear yard** only;
 - ii) No closer to any **lot line** than required for an **accessory building** or **structure** by this by-law;
 - iii) No closer than 7.5 metres to any adjacent Residential **Zone** boundary;
 - iv) Outside of any required **landscaped open space** area or **planting strip**; and,
 - v) Shall not occupy any required **loading spaces, parking spaces**, access to **parking spaces** or **driveways**.
- c) Notwithstanding the above, deep well storage receptacles are permitted anywhere on a **lot**.

4.5 BARRIER-FREE ENTRANCES

Nothing in this By-law prevents the establishment of **barrier-free** entrances in accordance with the requirements of the Ontario Building Code. In addition, nothing prevents the location of **barrier-free** entrances in a **private garage** that is attached to a **dwelling unit** provided the required number of **parking spaces** can still be provided.

4.6 DECK AND PORCH REGULATIONS

- a) **Decks** are permitted provided that:
 - i) The **deck** is located no closer than 3.0 metres to the **rear lot line**;
 - ii) The **deck** is located no closer to the **interior side lot line** than the **interior side yard** requirement for the **main building**;
 - iii) The **deck** is located no closer to the **exterior side lot line** than the required **exterior side yard** for the **main building**;
 - iv) The **deck** is not located in the **front yard**; and
 - v) The floor of the **deck** is not higher than the floor level of the **first storey** of the **main building**.
- b) Notwithstanding the above provisions, stair landings less than 1.0 m², and stairs used to access a **deck** shall not be subject to the setback requirements of this Section, provided they are no closer than 0.6 metres from any **lot line**.
- c) **Porches** and the associated stairs, eaves and gutters are permitted in the **front, interior side** and **exterior side yards** provided that the **porch** and the associated stairs, eaves and gutters:
 - i) Are no closer than 0.6 metres from the **interior side lot line**;
 - ii) Are no closer than 1.5 metres from the **front** and **exterior side lot lines**; and,
 - iii) Do not extend more than 2.0 metres into the **required rear yard**.

4.7 ENCROACHMENTS INTO REQUIRED YARDS (EXCLUDING DECKS AND PORCHES)

Encroachments of the following **structures** or features into a **required yard** shall be permitted in accordance with Table 4.7 below:

Table 4.7: Encroachments

	Structure	Yard in which Encroachment is Permitted	Maximum Encroachment Permitted
1.	Air conditioners and heat pumps	Interior side and rear yard	Shall be set back a minimum of 0.6 metres from the interior and rear lot lines
		Exterior side yard	Shall be set back a minimum of 1.5 metres from the exterior side lot line
		Front yard	No encroachment permitted in front yard
2.	Awnings, canopies , cornices, coves, belt courses, eaves, gutters, pilasters, sills, or weather-shielding structures	All yards	May encroach by no more than 0.6 metres into any required yard
3.	Balconies	Front and exterior side yards	May encroach by no more than 1.5 metres into the required front and exterior side yards
		Rear yard	May encroach by no more than 1.5 metres into the required rear yard
		Interior side yard	No encroachment permitted into required interior side yard
4.	Bay windows , box out windows and bow windows without foundations, with a maximum width of 3.0 metres	All yards	May encroach by no more than 0.6 metres into any required yard
5.	Canopies (above doorways and not supported by the ground) and porticos	Front, rear and exterior side yards	Shall be set back a minimum of 1.5 metres from the front, rear and exterior side lot lines
		Interior side yard	No encroachment permitted into required interior side yard
6.	Chimneys and gas fireplace projections and chases with a maximum width of 1.8 metres	All yards	May encroach by no more than 0.6 metres into any required yard
7.	Fire escapes	All yards	May encroach by no more than 1.5 metres into any required yard and must be set back a minimum of 0.6 metres from the interior side lot line
8.	Patios	Front, interior and exterior side yards	May encroach by no more than 0.6 metres into any required yard and must be set back a

	Structure	Yard in which Encroachment is Permitted	Maximum Encroachment Permitted
			minimum of 0.6 metres from the interior side lot line
		Rear yard	May encroach in accordance with Section 4.3 (a) of this By-law
9.	Stairs and landings that access any part of the main building (except an additional residential unit) at or above grade and which are not associated with a deck or porch	Rear yard	May encroach by no more than 1.5 metres into required rear yard
		Front and exterior side yards	No part of the stairs or landing shall be closer than 0.6 metres from the front and exterior side lot lines
		Interior side yard	No encroachment permitted into required interior side yard
10.	Stairs that access the main building (except an additional residential unit) below grade	Rear yard	May encroach by no more than 1.5 metres into required yard
		Front, interior and exterior side yards	No encroachment permitted into front, interior and exterior side yards
11.	Gutters, eavestroughs or rainwater collectors	All yards	No restrictions

4.8 SECTION NOT USED

4.9 FRONTAGE ON A PUBLIC STREET

Unless otherwise specified by this By-law, no person shall erect any **building or structure** and no person shall use any **building or structure, lot** or parcel unless the **lot** or parcel to be so used, or upon which the **building** is situated or erected or proposed to be erected:

- Abuts or fronts on a **public street** which is assumed by By-law by a **public authority** for maintenance purposes; or,
- Is being constructed pursuant to a Subdivision Agreement with a **public authority**; or,
- Fronts on a year round maintained **public street** that was not established as a consequence of Registering a Plan of Subdivision; or,
- Fronts onto a **private street** within a Plan of Condominium that either provides direct access to a **public street** or which connects with other **private streets** within a Plan of Condominium or other Plans of Condominium to access a **public street**; or,
- Fronts on a right-of-way.

For the purposes of this By-law, the **front lot line** of a **lot** separated from a **public street** by a reserve owned by a **public authority** shall be deemed to abut such a **public street**.

4.10 GARDEN SUITES

Where a garden suite is permitted by a Temporary Use By-law, the following provisions apply:

- a) Minimum setback shall be equal to the required rear and **interior side yards** for the **main building** from the rear and **interior side lot lines**.
- b) In no case shall the garden suite be located any closer to the front or exterior **lot line** than the **main building**.
- c) Maximum of 1 bedroom is permitted in each garden suite.
- d) The maximum floor area of any garden suite is 80 square metres and shall not exceed 40% of the **first storey** floor area of the **main building**.
- e) The maximum permitted **height** is 5.0 metres.

4.11 HOME OCCUPATIONS

Where a home occupation is permitted in a **Zone**, the following regulations apply:

- a) No more than one employee engaged in the business and working in the home occupation is permitted.
- b) A **home occupation** shall be conducted by the person or persons whose principal residence is the **dwelling unit** in which the **home occupation** is located.
- c) A **home occupation** shall be operated entirely within a principal **dwelling unit**.
- d) The total amount of **residential floor area** within the principal **dwelling unit** that may be occupied by a **home occupation** is 25%, up to a maximum of 50 square metres.
- e) Outside storage and outside display and sales areas are not permitted in conjunction with a **home occupation**.
- f) The sale of goods or materials is limited to such goods or materials that are made on the premises or are **accessory** to the **home occupation**.
- g) Any **home occupation** that creates noise, vibration, fumes, odour, dust or glare that is detectable from outside of the **dwelling unit** is not permitted.
- h) Any parking required for the **home occupation** shall be in addition to the parking required for other uses on the same **lot**.
- i) There shall be no external advertising other than a sign erected in accordance with The Town of Cobourg Sign By-law;
- j) A **health service facility** shall be only permitted on a **lot** that has a **front lot line** or an **exterior side lot line** that abuts a Provincial Highway, an arterial road or collector road as shown on the schedules to The Town of Cobourg Official Plan.
- k) The following uses shall not be permitted as a home occupation:

- i) **Adult entertainment establishments;**
- ii) Any use involving the storage, repair, maintenance and/or towing of **motor vehicles**, recreational vehicles or engines;
- iii) Any use requiring ventilation, other than ventilation typically found in any residence;
- iv) Assembly and storage of **hazardous substances**;
- v) Construction/landscaping **contractor's yard**;
- vi) **Contractors yards;**
- vii) Dating/escort services;
- viii) **Day kennels;**
- ix) **Restaurants;**
- x) **Retail stores;**
- xi) Scrap metal recycling operations or **salvage yards**;
- xii) Tattoo parlours; and
- xiii) Taxi service depot/dispatch establishments.

4.12 OUTDOOR SWIMMING POOLS AND HOT TUBS

The following regulations apply to outdoor swimming pools and hot tubs:

- a) Outdoor swimming pools and hot tubs are permitted in the **interior, rear and exterior side yards**, provided they are set back a minimum of 1.2 metres from the **interior side and rear lot lines** and 3.0 metres from the **exterior side lot line** with the setback measured from the water's edge of the swimming pool and the outside wall of the hot tub.
- b) Outdoor swimming pool pumps, filters and heaters, are permitted in the **interior, rear and exterior side yards**, provided they are set back a minimum of 0.6 metres from the **interior and rear lot lines** and 1.5 metres from the **exterior side lot line**;
- c) **Decks** that are associated with outdoor swimming pools and hot tubs are permitted subject to Section 4.6 of this By-law.

4.13 PLANNED WIDTH OF STREET ALLOWANCE

No person shall erect any **building** or **structure** in any **zone** on the following streets or portions of streets unless such **building** or **structure** conforms to the setback requirements in Table 4.13 and furthermore, in determining any requirements of the Zoning By-law, the portion of the **lot** lying within the setback shall be deemed not to form part of the **lot**.

Table 4.13: Planned Width of Street Allowance

Street or Portion of Street	Existing Street Width (m)	Planned Width of Street Allowance (m)	Minimum Setback Requirements from Centreline of Street (m)
<u>Albert Street</u>			
Ontario to Hibernia	20	20	10
Hibernia to Division	12	18	9
<u>Ball Street (see Note 6)</u>			
King to Blake	12	15	7.5
Blake to University	15	15	7.5
<u>Baltimore Road (see Note 1)</u>	23-30	36	18
<u>Brook Road N.</u>	20-30	30	15
<u>Burnham Street</u>			
William to North Town Limits	26	30	15
King to Heath	20	24	12
Heath to Carlisle	20	20	10
<u>Covert Street (see Note 5)</u>	9	12	6
<u>D'Arcy Street</u>			
King to University	20	25	12.5
University to Elgin	20	30	15
King to Lakeshore	20	20	10
<u>Densmore Rd./Danforth</u>	20	26	13
<u>DePalma Dr.</u>	20	30	15
<u>Division Street</u>			
King to Havelock	20	20	10
Havelock to University	20	26	13
University to Baltimore	20	30	15
King to Harbour	20	20	10
<u>Elgin Street:</u>			
Hwy 2 to Burnham	N.A.	30	15
Burnham to Division	20+	30	15
Division to D'Arcy	25+	30	15
D'Arcy to Brook	27+	30	15
Burnham Street to the West Town limits	20	30	15
<u>George Street</u>			
King to a point 30 metres north of King	12	12	6
30 metres north of King to University	12	15	7.5
<u>Heath Street</u>	20	24	12

Street or Portion of Street	Existing Street Width (m)	Planned Width of Street Allowance (m)	Minimum Setback Requirements from Centreline of Street (m)
<u>Hibernia Street</u> King to Lake Ontario	15	18	9
<u>James Street</u> Spring to College College to D'Arcy	15 15	20 18	10 9
<u>Kerr St. (Former H.E.P.C.)</u> William to Brook Rd.N.	30	36	18
<u>King Street</u> William to Ball Ball to Spring Spring to George/Third George to College College to D'Arcy D'Arcy to Brook N. Brook to Normar Tracey to William	20 20 20+ 20+ 20 20-21 21+ 20	26 24 24 21 26 30 30 23	13 12 12 10.5 13 15 15 11.5
<u>Ontario Street</u> University to North Limits Albert to King	20 20	23 20	13 10
<u>Park Street</u>	12	15	7.5
<u>Princess Street</u>	10	15	7.5
<u>Queen Street (see Note 2)</u> Division to McGill McGill to Church Church to D'Arcy	13-15 20 20	18 23 20	9 13 10
<u>Rogers Rd.</u>	20	26-30	13-15
<u>Spring Street (see Note 3)</u> King to James James to University	15 20	20 23	10.5 11.5
<u>Strathy Road</u>	20	26	13
<u>Swayne Street</u>	9	12	6
<u>Third Street (see Note 4)</u>	18	18	9
<u>University Ave</u>	20	26	13
<u>White Street</u>	17-20	26-30	13
<u>William Street</u> King to University University to Elgin	25 25+	25 30	12.5 15

NOTES:

1. Centre line of Baltimore Road shall be deemed to be 11.5 metres south of the existing northern **streetline**.
2. Centre line of Queen Street shall be deemed to be 7.6 metres south of the existing northern **streetline**.
3. Centre line of Spring Street shall be deemed to be 10 metres west of the existing eastern **streetline**.
4. Centre line of Third Street shall be deemed to be 9 metres east of the existing western **streetline**.
5. Centre line of Covert Street shall be deemed to be 6 metres north of the existing southern **streetline**.
6. Centre line of Ball Street shall be deemed to be 6 metres west of the existing eastern **streetline**.

4.14 PHASED CONDOMINIUMS

Unless provided elsewhere, where a plan of condominium is proposed to be developed as a phased condominium as defined and set out in the Condominium Act, S.O. 1998, Chapter 19 the lands shall be considered as one singular property for the purpose of determining conformity with the provisions of the Zoning By-law and temporary **lot lines** created as a result of the phasing shall not be considered.

4.15 PLANTING STRIPS

The following regulations apply to **planting strips** in the **zones** that are specifically identified in this Section:

- a) A minimum 3.0 metre wide **planting strip** that is a minimum of 1.5 metres in **height** and abutting the full length of the **lot line** is required where a **lot** in any Institutional, Mixed Use, Commercial or Employment **Zone** abuts an **interior side** or **rear lot line** of a **lot** in any Residential **Zone** or Open Space **Zone**.
- b) Where **parking areas** are connected to **parking areas** on adjacent **lots**, a **planting strip** in accordance with sub-section (a) is not required for that portion of the **lot line** where the parking is connected.
- c) Where there is a wall or fence having a **height** of 1.8 metres or more along an **interior side** or **rear lot line**, the width of the **planting strip** established in sub-section (a) may be reduced to 1.8 metres in width.
- d) A minimum 3.0 metre wide **planting strip** abutting the full length of the **lot line** is required along the **front** and **exterior side lot lines** in any Institutional, Mixed Use, Commercial and Employment **Zone**.

- e) Notwithstanding subsection (d), the requirement for a **planting strip** is waived wherever a **building** is permitted to be closer than 3.0 metres from the **lot line**.
- f) **Planting strips** required by this section of the By-law can be counted as part of any **landscaped open space** requirement of this By-law.

4.16 REDUCED AND INCREASED FRONT YARD REQUIREMENT

- a) Notwithstanding any other provision of this By-law, where a vacant **lot** exists or is created between two developed **lots**, with the **main building** on one or both of the abutting developed **lots** having a **front yard** less than required, the **required front yard** for the vacant **lot** is the average of the **front yards** of the two abutting developed **lots**.
- b) Notwithstanding any other provision of this By-law, where a vacant **lot** exists or is created between two developed **lots**, with the **main building** on one or both of the abutting developed **lots** having a **front yard** that is in excess of what is required, the **required front yard** for the vacant **lot** is the average of the **front yards** of the two abutting developed **lots**.

4.17 RESTAURANT PATIOS

4.17.1 Rooftop Patios

Outdoor rooftop patios are permitted **accessory** to any **restaurant**, subject to the following provisions:

- a) Outdoor rooftop patios shall not extend beyond the roof of the **building**;
- b) Where an abutting **lot** is **zoned** for residential purposes or contains a **building(s)** with one or more **dwelling units**, a minimum 1.8 metre tall acoustical wall shall be erected along the portion of the perimeter of the outdoor rooftop patio that is generally parallel to the **rear lot line** and **side lot line**. For the purposes of this provision, an acoustical wall means a wall designed to effectively eliminate noise from the outdoor rooftop patio from reaching the abutting **lot zoned** for residential purposes containing a **building** with one or more **dwelling units**.
- c) The maximum floor area of all outdoor rooftop patios combined shall be 50 square metres per **building**.
- d) Any roofed area comprising part of an outdoor rooftop patio shall remain unenclosed and open to the air on at least two sides and shall not exceed 20% of the total floor area of the outdoor rooftop patio.
- e) The primary ingress and egress of an outdoor rooftop patio shall be from the interior of the **building**, and exterior stairs shall only be used for emergency and fire safety purposes as required by applicable law.
- f) Outdoor rooftop patios shall not contain electronic music/sound equipment, and shall not be used as a dance floor or for live music or other forms of entertainment.

4.17.2 Other Restaurant Patios (non-rooftop)

Restaurant patios are permitted **accessory** to any **restaurant** provided that:

- a) A **restaurant** patio shall be permitted in any yard with no required setback to the applicable **lot line**, except that in a **rear yard** it shall be located no closer to the **rear lot line** than required for an **accessory building** by this By-law;
- b) Notwithstanding Subsection (a) above, a **restaurant** patio shall not be permitted within a sight triangle required by this By-law;
- c) Notwithstanding Subsection (a) above, a **restaurant** patio shall not be located within any **planting strip** required by Section 4.15 of this By-law;
- d) Notwithstanding Subsection (a) above, a **restaurant** patio shall be setback a minimum of 7.5 metres from any Residential **Zone**;
- e) The maximum **height** of the floor of a **restaurant** patio shall be 4.0 metres, and,
- f) A **restaurant** patio shall be screened by fencing with a minimum **height** of 1.0 metre.

4.18 SCHOOL PORTABLES

School portables are considered to be **main buildings** by this By-law.

4.19 SEWAGE AND WATER SERVICES

- a) Notwithstanding any other provisions of this By-law, no lands shall be used nor any **building** or **structure** erected or used unless the use is connected to **municipal sewer services** and **municipal water services**.
- b) Notwithstanding the above, and only within the Development **Zone**, **individual on-site sewage services** and/or **individual on-site water services** may be used provided it can be demonstrated that such services are adequate for the use proposed.

4.20 SHIPPING CONTAINERS

- a) Notwithstanding any other provision in this By-law, the placement of one **shipping container** is permitted per **lot** in a Residential **Zone** provided the **shipping container**:
 - i) Is located on the **driveway**;
 - ii) Is set back a minimum of 1.0 metre from any **lot line**;
 - iii) Has a maximum **height** of 2.5 metres, a maximum width of 2.5 metres and a maximum length of 6.0 metres; and
 - iv) Is not located on the **lot** for more than 30 days in a calendar year.
- b) Notwithstanding any other provision in this By-law, the placement of **shipping containers** is permitted in a Commercial **Zone** for no more than 60 days in a calendar year provided the

shipping container is located no closer to a Residential **Zone** boundary than what is required for the **main building** from that same Residential **Zone** boundary.

- c) Notwithstanding any other provision in this By-law, the placement of **shipping containers** is permitted in an Employment **Zone** where outdoor storage is permitted provided the **shipping container** is located no closer to a Residential **Zone** boundary than what is required for the **main building** from that same Residential **Zone** boundary.

4.21 SIGHT TRIANGLES

- a) Notwithstanding any other provision of this By-law, no **building** or **structure**, fence, wall, vegetative planting or landscaping that has a **height** of greater than 0.75 metres shall be permitted in a sight line triangle as defined in sub-section (b).
- b) Where the **front lot line** and the **exterior side lot line** intersect or are projected to intersect, a sight line triangle is that portion of a **corner lot** within the triangular space on a **lot** formed by two intersecting **lot lines** that abut a **street or highway** and a line drawn from a point on one **lot line** across such **lot** to a point in the other **lot line**, with each such point being the required distance from the point of intersection of the **lot lines** (measured along the **lot lines**) with each point being measured based on road classification based on road classification established by the Official Plan as shown in Table 4.21.
- c) This Section of the By-law does not apply to lands in the Main Central Commercial **Zone**.

Table 4.21: Site Triangles

		Subject lot has access onto a:		
		Local Street	Collector Street	Arterial Road
Other Street:	Local Street	5.0 metres	7.0 metres	9.0 metres
	Collector Street	7.0 metres	7.0 metres	9.0 metres
	Arterial Road	9.0 metres	9.0 metres	9.0 metres

4.22 SPECIAL SETBACKS

4.22.1 Railway Right-of-Way Setback

Notwithstanding any other provision in this By-law, all **buildings** and **structures** containing a **dwelling unit**, a **place of worship**, a **child care centre**, an **elementary school**, a **secondary school**, a **private school** and/or any other place of assembly shall be located no closer than 30 metres from an active railway right-of-way, or 300 metres of a rail yard.

4.22.2 Provincial Highway Setback

Notwithstanding any other provision of this By-law, where a **lot** abuts a provincial highway, the setbacks required by the Ministry of Transportation shall apply.

4.22.3 Environmental Protection Zone Setback

- a) Notwithstanding any other provision in this By-law, no **buildings** or **structures**, with the exception of **accessory buildings or structures**, and **decks**, shall be permitted within 3 metres from the Environmental Constraint (EC) **Zone** boundary.
- b) Where a **building** or **structure** exists on the effective date of this By-law and such **building** or **structure** is located within the 3 metre setback from the Environmental Constraint (EC) **Zone** boundary, the **building** or **structure** is deemed to be in compliance with this By-law and any additional **floor area** within the 3 metre setback is not permitted.

4.23 TEMPORARY USES

4.23.1 Construction Uses

Notwithstanding any other provision of this By-law, uses incidental to construction such as a tool shed, a scaffold or other **building** or **structure** incidental to the construction, and the parking or storage of any construction equipment or construction vehicles are permitted in all **zones**, subject to the following provisions:

- a) Such uses are permitted only for so long as they are necessary for work in progress that has neither been finished nor discontinued for a period of 60 days;
- b) A valid **building** permit or site alteration permit for the construction remains in place, if such a permit was required; and
- c) Uses incidental to construction may be undertaken on the **lot** prior to the erection of the **main building** provided it is used for no purpose other than storage.

4.23.2 Model Homes

Model homes are permitted in all **zones** on lands that have received draft plan of subdivision or condominium approval for residential purposes provided that:

- a) The number of **model homes** does not exceed 8 units or 10% of the **dwelling units** draft approved in any phase of a plan of subdivision or condominium whichever is the lesser;
- b) The **model home** is built within a parcel defined by the draft approved plan of subdivision or condominium;
- c) The **model home** complies with all other requirements of this By-law for the applicable type of **dwelling unit** with the exception of the parking requirements;
- d) The **buildings** are used for the purpose of **model homes** only and must not be occupied prior to the date of registration of the subdivision, condominium, or similar development agreement; and
- e) Subject to an approved municipal servicing agreement, **model homes** may be constructed temporarily without connection to **municipal sewer services** and **municipal water services**.

4.23.3 Temporary Sales Offices

Temporary sales offices used for the sale of residential, employment or commercial **lots** or units are permitted in all **zones** where residential, mixed use, commercial and/or employment uses are permitted, subject to the following provisions:

- a) If proposed on lands that are the subject of an application for Plan of Subdivision, the temporary sales office is not permitted until a draft Plan of Subdivision has been approved.
- b) If proposed on lands that are the subject of an application for Plan of Condominium, the temporary sales office is not permitted until the draft Plan of Condominium has been draft approved or if the lands are subject to an executed Site Plan Agreement.
- c) If proposed on lands that are not subject to an application for Plan of Subdivision or Condominium, the temporary sales office must be specifically permitted by this By-law.
- d) Temporary sales offices must comply with the minimum **yards** for the applicable **zone**.

4.24 USES OF LOTS WITHOUT BUILDINGS

Unless expressly permitted by this By-law, no permitted use in any **zone**, with the exception of a **public use** or **commercial parking lot**, is permitted unless a **main building** is erected on the same **lot**.

4.25 USES PERMITTED IN ANY ZONE

4.25.1 Public Uses

- a) **Public uses** are permitted in all **zones**.
- b) Notwithstanding the above, where a specific **public use** is defined in this By-law, such uses are only permitted where they are specifically identified as a permitted use.
- c) Where a **public use** is permitted, the following provisions apply:
 - i) Such **public use** shall comply with all applicable **zone** standards, parking and loading requirements of the **zone** in which it is located.
 - ii) No **outdoor storage** is permitted unless such **outdoor storage** is specifically permitted in the **zone** in which the **public use** is located, unless the **outdoor storage** is related to the provision of **municipal sewage services** and/or **municipal water services**.
 - iii) Notwithstanding sub-section (i) above, **buildings** and **structures** that are used for the storage of road maintenance materials within a public or **municipal works depot** owned by a **public authority** are exempt from the **height** requirements of this By-law.
 - iv) Any **accessory use** to a **public use** shall be clearly incidental and **accessory** to the **principal use**.

4.25.2 Infrastructure

Nothing in this By-law prevents the use of any land, **building** or **structure** as a **street or highway** or for **infrastructure**.

4.25.3 Other Uses

Other uses permitted in any **zone**, excluding the Environmental Constraint **Zone**, and the Floodway **Zone**, are listed below:

- a) **Community gardens;**
- b) Temporary farmers markets;
- c) **Emergency service facilities;** and
- d) Municipal **parking areas** and **parking garages**.

4.26 USES PROHIBITED IN ANY ZONE

The following uses are not part of any **use** permitted by this By-law:

- a) Abattoirs and meat rendering plants;
- b) **Noxious uses;**
- c) The bulk storage of industrial chemicals, fuels and oils, hazardous substances or liquid industrial waste unless specifically permitted by the Environmental Protection Act;
- d) The manufacturing, refining, rendering or distillation of acid, ammonia, ammunition, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar;
- e) The **outdoor storage** of partially dismantled **electric** and/or **motor vehicles** or trailers or **electric** and/or **motor vehicle** or trailer parts unless otherwise specifically permitted by this By-law;
- f) The parking or storage of trailers or **commercial motor vehicles** on a vacant **lot**;
- g) The parking or storage of trailers or **commercial motor vehicles** on a **lot** for the purposes of advertising;
- h) The storage of disused rail cars, streetcars, buses, truck bodies or trailers without wheels;
- i) The storage or use of **shipping containers** on a **lot** unless **outdoor storage** is specifically permitted on the **lot** by this By-law or if the **shipping container** is permitted on a temporary basis on a **lot** in a Residential **Zone** in accordance with Section 4.20 of this By-law;
- j) The use of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- k) The use of any **accessory building or structure** for human habitation or for gain or profit, unless such uses are specifically permitted by this By-law; and

- l) The use of any tent, trailer or **electric** and/or **motor vehicle** for human habitation, except where such tent, trailer or **electric** and/or **motor vehicle** is located in a **campground**, a trailer park or in a **mobile home** park, that is expressly permitted by this By-law.

4.27 WAYSIDE PITS OR QUARRIES, PORTABLE ASPHALT PLANTS OR PORTABLE CONCRETE PLANTS

- a) A wayside pit or wayside quarry, portable asphalt plant or portable concrete plant is permitted in any **zone** with the exception of an Environmental Constraint (EC) **Zone**.
- b) In no case shall a wayside pit or wayside quarry be located closer than 150 metres to a Residential **Zone** boundary or 150 metres from a **dwelling unit**, whichever is the greater.

PART 5.0 - PARKING AND LOADING STANDARDS

5.1 APPLICABILITY OF THIS SECTION

- a) The **parking** and loading space requirements of this Part of the By-law shall not apply to any use in existence at the date of passing of this By-law so long as the floor area, as it **existed** at such date, is not increased.
- b) If an addition is made to the **building** that increases the floor area, additional parking and loading spaces shall be required to be provided for the additional floor area as required by the regulations of this By-law.
- c) If the use of lands or a **building** or part of a **building** is changed to a use that requires additional parking than what **existed** as of the date of passing of this By-law, additional parking and loading spaces shall be required in accordance with the regulations of this By-law.
- d) Notwithstanding any other provision of this By-law to the contrary, within the Main Central Commercial Zone, , no additional parking or loading spaces shall be required for:
 - i) A change of use of any existing **building, structure** or part thereof; or,
 - ii) An addition to an existing **building** or **structure** which results in an increase in floor area, save and except if such addition creates additional **dwelling units**. Where new **dwelling units** are created, the parking provisions of this By-law shall apply.

5.2 GENERAL PARKING REGULATIONS

5.2.1 Restriction on Use of Land, Buildings and Structures

- a) No person may use or permit the use of any land in any **zone** for any purpose permitted by this By-law, unless the minimum number of **parking spaces** required are provided on the same **lot** as specified by this By-law.
- b) Notwithstanding the above, the required parking for **public uses** may be located on an abutting or nearby **lot** that is also the site of a **public use**.

5.2.2 Calculation of Parking Requirements

Where the minimum number of **parking spaces** is calculated on the basis of a rate or ratio the required number of **parking spaces** shall be increased to the next highest whole number if the fraction is greater than 0.5.

5.2.3 More than One Use on a Lot

The **parking space** requirements for more than one use on a **lot** or for a **building** containing more than one **use**, shall be the sum total of the parking requirements for each of the component **uses**, unless otherwise specified in this By-law.

5.2.4 Location of Required Parking

- a) All **parking spaces** shall be located on the same **lot** as the use that requires the parking.
- b) Notwithstanding the above, required **parking spaces** for any use within the Main Central Commercial Zone (except for required **barrier free parking spaces**) are permitted to be located on another **lot** within 300 metres of the **lot** on which parking would be required for a use, provided that:
 - i) An agreement with the Municipality is registered against title of both such registered **lots** binding and requiring the owner(s) thereof to maintain such **parking spaces** for the use for which they are required; and,
 - ii) The off-site parking is in the same **Zone** as the subject **lot**.

5.2.5 Exclusive Use of a Parking Space

All required **parking spaces** shall be unobstructed and available for general parking purposes and used for that purpose at all times, unless otherwise specified in this By-law.

5.2.6 Surface Treatment

All **parking spaces** and **parking areas** and all **driveways** to any **parking area** in any **zone** shall be surface treated with asphalt, concrete, concrete pavers and/or similar materials and graded appropriately to ensure that the drainage from the **lot** does not impact a neighbouring **lot**.

5.2.7 Size of Parking Spaces in a Parking Area or Parking Garage

- a) Where **parking spaces** are provided in a **parking area** or in a **parking garage**, each **parking space** shall have an unobstructed width of not less than 2.7 metres and an unobstructed length of not less than 5.5 metres, exclusive of painted lines.
- b) Notwithstanding the above, **parking areas** and **parking garages** that legally **existed** on the effective date of this By-law are exempt from the **parking space** minimum size requirement set out in sub-section a).
- c) Where **parking spaces** are angled, each **parking space** shall have an unobstructed width of not less than 2.9 metres and an unobstructed length of not less than 6.0 metres.

5.2.9 Width of Parking Aisles

The width of parking **aisles** within a **parking area** or **parking garage** shall be in accordance with the following:

- a) For one-way **aisles** or **aisles** that have **parking spaces** on one side, the minimum **aisle** width shall be 4.0 metres.
- b) For two-way **aisles** or **aisles** that have **parking spaces** on both sides, the minimum **aisle** width shall be 6.0 metres.
- c) Notwithstanding sub-sections (a) and (b) above, **parking areas** and **parking garages** that legally **existed** on the effective date of this By-law are exempt from the minimum **aisle** width requirements set out in sub-sections (a) and (b).

5.2.10 Width of Access Ramps and Driveways

Access ramps and **driveways** accessing a **parking area** or parking **lot** shall be a minimum of 3 metres in width for one-way traffic and a minimum of 6 metres in width for two-way traffic.

5.2.11 Parking Garages

Parking garages shall comply with the provisions for the **main building** in accordance with this By-law. No setbacks or **yards** shall be required for any portion of a parking garage if it is constructed completely below the **established grade**. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with below grade **parking garages** that extend from below **established grade**.

5.2.12 Driveway Entrances

- a) The minimum distance between two separate **driveways** on one **lot**, measured along the **streetline** shall be 9 metres for residential uses, and 15 metres for non-residential uses.
- b) The minimum angle of intersection between a **driveway** and a **streetline** shall be 60 degrees.

5.2.13 Prohibited Vehicle or Equipment Parking in all zones except Employment Zones

The parking of the following vehicles or equipment is prohibited in all **zones** except Employment **Zones**:

- a) Unlicensed **motor vehicles**;
- b) Vehicles equipped with more than three axles, excluding spare wheels, designed to support the weight of the vehicle through contact with the ground;
- c) Vehicles designed to run only on rails;
- d) Traction engines;
- e) Farm tractors;
- f) Self-propelled implements of husbandry;
- g) Construction equipment;
- h) Tracked vehicles, except for snowmobiles;
- i) Dump trucks;

- j) Buses;
- k) Repair and towing vehicles; and,
- l) Vehicles that are in a wrecked or dismantled or inoperative condition.

5.3 GENERAL RESIDENTIAL PARKING REGULATIONS

5.3.1 Permitted Locations for Parking

- a) The parking of **motor vehicles** associated with a residential use is only permitted:
 - i) In a **parking garage**;
 - ii) In a **parking area**;
 - iii) In an attached or detached **private garage**;
 - iv) In a carport;
 - v) On a **driveway** in the front, exterior or **interior side yards**; or
 - vi) On a **driveway** in the **rear yard** that is accessed from a publicly owned and maintained **lane**.
- b) Where a **private garage** is detached from the **main building** and is accessed by a **driveway** crossing the **exterior side lot line**, the **driveway** shall be located no closer to the **rear lot line** than the minimum setback required for detached **accessory buildings**.
- c) Notwithstanding sub-section (b) above, the setback for the **driveway** may be less to match the setback of a detached **private garage** that legally **existed** on the effective date of this By-law.

5.3.2 Parking Space Dimensions in a Private Garage

Where **parking spaces** are located in a **private garage** associated with a residential **use**, the following provisions apply:

- a) All **parking spaces** in **private garages** shall have a minimum length of 6.0 metres.
- b) A **private garage** intended to occupy a single **motor vehicle** shall be a minimum of 3.0 metres in width.
- c) A **private garage** intended to occupy two or more **motor vehicles** shall be a minimum of 5.75 metres in width.
- d) Within the **private garage**, stair encroachments into the **parking spaces** required in sub-sections as (a), (b) and (c) are permitted provided that the size of each **parking space** is no less than 5.3 metres in length and 2.7 metres in width and has a **height** of at least 2.4 metres.

- e) Notwithstanding sub-section (d) above, **private garages** that legally **existed** on the effective date of this By-law are exempt from the minimum **parking space** size requirements set out in sub-sections (a), (b), (c) and (d).

5.3.3 Maximum and Minimum Driveway Widths in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4) and Residential Five (R5) zones.

- a) For lots with less than 11.6 metres of **lot frontage**, the width of the **driveway** shall be the width of the garage door plus 1.5 metres or 3.5 metres whichever is greater.
- b) For **lots** greater than 11.6 metres of **lot frontage**, the width of the **driveway** shall be the width of the garage door plus 1.5 metres, or 6.1 metres whichever is greater.

5.3.4 Parking of Commercial Motor Vehicles in Residential Zones

The following provisions apply to the parking of **commercial motor vehicles** in Residential **Zones**:

- a) The **commercial motor vehicle** shall be set back a minimum of 1.0 metre from any **interior side lot line, exterior side lot line or rear lot line**;
- b) The **commercial motor vehicle** shall be on a **driveway** if parked in the open in the **front yard** or **exterior side yard** of a **lot**;
- c) The **commercial motor vehicle** shall be no more than 7.0 metres in length (exclusive of hitch/tongue);
- d) The **commercial motor vehicle** shall be no more than 2.7 metres in **height**, measured from the ground to the highest point of the **commercial motor vehicle**; and
- e) No more than one **commercial motor vehicle** is permitted to park on a **lot** at one time.

5.3.5 Parking of Recreational Trailers, Vehicles or Boats

The outdoor parking or storage of any recreational trailer, vehicle or boat is permitted on any **lot** that is **zoned** to permit residential uses by this By-law, but shall be subject to the following provisions:

- a) A recreational trailer, vehicle or boat is not permitted to be used for human habitation purposes at any time.
- b) A recreational trailer, vehicle or boat may be parked or stored provided it is parked or stored on a **driveway** and it is parked or stored a minimum of 1 metre from any **lot line** adjacent to a **public street**.
- c) A recreational trailer, vehicle or boat may be parked or stored in the **interior side** or **rear yard** provided it is no closer than 1.2 metres from any side or **rear lot line**.
- d) A recreational trailer, vehicle or boat may be stored in a **private garage** or other enclosed **building**.

- e) The storage of any recreational trailer, vehicle or boat shall not be permitted unless a **main building** has been constructed.
- f) A total maximum of 2 recreational trailers, vehicles or boats is permitted to be stored on a **lot**.

5.4 RESIDENTIAL PARKING REQUIREMENTS

The number of **parking spaces** required for residential uses must be calculated in accordance with the standards set out in Table 5.4 below:

Table 5.4 - Residential Parking Requirements

Use	Minimum Parking Space Requirement
Accessory dwelling units	1 space per dwelling
Additional residential units	No requirement for the first additional residential unit on a lot and 1 tandem space for the second additional residential unit
Additional residential units (coach house)	1 space
Apartment dwellings	1 space per dwelling
Back-to-back townhouse dwellings	2 spaces per dwelling
Bed and breakfast establishments	1 space per guest room in addition to the requirement for the dwelling
Crisis care centres - Types 1 and 2	1 space per 3 residents plus the required parking for the dwelling
Garden suites	No requirement
Group homes - Type 1 and Type 2	2 spaces
Home child care	No requirement
Home occupations	1 space for each employee that is not a resident in the dwelling in addition to the requirement for the dwelling
Long term care homes	0.35 spaces per bed
Mobile home dwellings	1 space per dwelling
Modular home dwellings	1 space per dwelling
Multiple dwellings	1.25 spaces per dwelling
Rehabilitation treatment centres	1 space per employee
Retirement homes	0.50 spaces per unit plus 0.20 spaces per unit for visitors
Semi-detached dwellings	2 spaces per dwelling
Shared housing	0.5 spaces per bedroom
Short term rental accommodation	1 space per bedroom rented for accommodation purposes (each required parking space may be a tandem parking space)
Single detached dwellings	2 spaces per dwelling
Stacked townhouse dwellings	1.25 spaces per dwelling
Street townhouse dwellings	2 spaces per dwelling

5.5 NON-RESIDENTIAL PARKING REQUIREMENTS

5.5.1 Parking Requirements

The number of **parking spaces** required for non-residential uses shall be calculated in accordance with the standards set out in Table 5.5.1 below:

Table 5.5.1 - Non-Residential Parking Requirements

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Adult entertainment establishments	1/6 square metres
Adult or continuing education schools	1/35 square metres in first storey and 1/70 square metres in any storey above the first storey
Animal clinics	1/30 square metres in first storey and 1/60 square metres in any storey above the first storey unless otherwise noted
Arenas	1/4 fixed seats
Art galleries	1/100 square metres
Asphalt plants	1/35 square metres for office component
Auction sales establishments	1/35 square metres for office component
Banquet halls	1/9 square metres
Billiard halls	1 space per 4 seats of permitted fire code capacity in any building or structure that is accessed by the general public
Bowling alleys	1 space per 4 seats of permitted fire code capacity in any building or structure that is accessed by the general public
Building supply outlets	1/35 square metres for office and retail components
Business offices (See Section 5.5.2 for multiple uses on a lot and Section 5.5.3 which applies to lands in the NMU Zone)	1/35 square metres in first storey and 1/70 square metres in any storey above the first storey
Campgrounds	1 travel/tent trailer site
Cannabis-related uses - indoor	1/100 square metres
Cannabis-related uses - outdoor	1/100 square metres
Cemeteries	1 space per 4 seats of permitted fire code capacity in any building or structure that is accessed by the general public
Child care centres	1/25 square metres
Commercial fitness centres	1/20 square metres
Commercial schools	1/20 square metres
Commercial self-storage facilities	1/35 square metres for office component
Community gardens	No requirement
Concrete batching plants	1/35 square metres for office component
Conservation uses	No requirement
Contractors yards	1/35 square metres for office component
Crematoriums	1 space per 4 seats of permitted fire code capacity in any building or structure that is accessed by the general public
Custom workshops	1/35 square metres for office component

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
Elementary schools	1/100 square metres
Emergency service facilities	No requirement
Equestrian centres	1/6 persons of capacity
Equipment sales and rental establishments	1/35 square metres for office component
Farm implement dealers	1/35 square metres for office component
Financial institutions (See Section 5.5.2 for multiple uses on a lot and Section 5.5.3 which applies to lands in the NMU Zone)	1/20 square metres or 1/30 square metres if the financial institution also has a drive-through service facility
Flea markets/Farmer's markets	No requirement
Food trucks	No requirement
Funeral homes	1/25 square metres
Golf courses	12/hole
Golf driving ranges	1.5/tee
Health service facilities	1/20 square metres
Hotels	1.0/room plus the parking requirement for accessory restaurants and banquet halls
Industrial uses in a single premise building	1/100 square metres
Industrial uses in a building with 2 or more industrial uses	1/150 square metres
Kennels	1/35 square metres for office component
Kennels, day	1/35 square metres for office component
Libraries	1/40 square metres
Marinas	1 per slip
Micro-breweries/wineries/distilleries	1/35 square metres for office and restaurant components
Motels	1.0/room plus the parking requirement for accessory restaurants and banquet halls
Motor vehicle body shops	1/35 square metres for office component
Motor vehicle repair establishments	1/35 square metres for office component
Motor vehicle sales, leasing and/or rental Establishments	1/35 square metres for office component
Motor vehicle service stations	1/35 square metres for office component
Motor vehicle washing establishments	Id self-service – 1/bay - otherwise no requirement
Museums	1 per 4 persons of permitted Fire Code capacity
Nightclubs	1/9 square metres
Outdoor storage uses	1/35 square metres for office component
Personal service uses (See Section 5.5.2 for multiple uses on a lot and Section 5.5.3 which applies to lands in the NMU Zone)	1/30 square metres
Places of assembly (not already covered on this table)	1 per 4 persons of permitted Fire Code capacity
Places of worship	0.2 spaces per seat or prayer space or 1/20 square metres whichever is higher
Post-secondary schools	1/100 square metres
Private clubs	1 per 4 persons permitted Fire Code capacity unless otherwise noted
Private hospitals	0.65 spaces per patient bed
Private schools	Elementary – 3/classroom

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
	Secondary – 4/classroom
Public hospital	0.65 spaces per patient bed
Recreational equipment sales, rental and service establishments	1/35 square metres for office component
Recreational establishments (not included as another use on this table)	1 per 4 persons of permitted Fire Code capacity
Recycling facilities	1/35 square metres for office component
Repair shops	1/35 square metres for office and retail components
Research and development uses	1/100 square metres
Restaurant patios	No requirement provided patio occupies less than 40% of the net floor area of the restaurant it serves
Restaurants	1/9 square metres
Retail stores (See Section 5.5.2 for multiple uses on a lot and Section 5.5.3 which applies to lands in the NMU Zone)	1/30 square metres in first storey and 1/60 square metres in any storey above the first storey unless otherwise noted
Salvage yards	1/35 square metres for office component
Secondary schools	1/100 square metres
Specialty food uses	1/30 square metres in first storey and 1/60 square metres in any storey above the first storey unless otherwise noted
Studios	1/30 square metres in first storey and 1/60 square metres in any storey above the first storey unless otherwise noted
Technology industries	1/100 square metres
Trade and convention centres	1 per 4 persons of permitted Fire Code capacity
Trailer parks	1 travel/tent trailer site
Transportation terminals	1/150 square metres
Warehouses	1/150 square metres
Waste transfer stations	1/35 square metres for office component
Other uses not listed above	1/30 m ²

5.5.2 Reduction in Parking Requirement for Certain Uses

Notwithstanding the minimum **parking space** requirements set out in Table 5.5.1, for those uses in the Table that are subject to this section, the minimum number of required **parking spaces** for a **building** containing four or more uses on a **lot** that is less than 3.0 hectares in size is 1 **parking space** per 40 square metres of **net floor area** in the **first storey** and 1 space per 80 square metres of **net floor area** in any **storey** above the **first storey**.

5.5.3 Elimination of Parking Requirement for Certain Uses

Notwithstanding the minimum **parking space** requirements set out in Table 5.5.1, for those uses in the Table that are subject to this section, the minimum number of required **parking spaces** shall be provided on-street and no on-site **parking spaces** are required.

5.5.4 Special Parking Requirements for the Main Central Commercial Zone:

Notwithstanding the minimum **parking space** requirements set out in Tables 5.4 and 5.5.1, the following special parking requirements shall apply to the lands within the Main Central Commercial Zone: :

- a) The number of **parking spaces** required for any permitted residential uses is 50% of the requirement set out in Table 5.4.
- b) The number of **parking spaces** required for **business offices, financial institutions, personal service uses, restaurants, restaurant patios and retail stores** is 50% of the requirement set out in Table 5.5.1.
- c) The number of **parking spaces** required for any permitted use above the **first storey** is 50% of the requirements set out in Table 5.5.1.

5.6 ACCESSIBLE PARKING SPACE REQUIREMENTS

Barrier-free **parking spaces** shall be provided in accordance with Ontario Regulations 191/11 and 413/12 as amended.

5.7 LOADING SPACES

Where a **loading space** is provided, the following regulations apply:

- a) The minimum dimensions of a **loading space** shall be 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres.
- b) A **loading space** shall be set back 7.5 metres from any Residential **Zone** boundary, except if it is located entirely within a **structure**. This subsection does not apply to a **loading space** located in a Residential **Zone**.
- c) A **loading space** in every **zone** except an Employment **Zone** is not permitted:
 - i) In any **required yard**, unless the **yard** abuts a **lot line** in an Employment **Zone**, in which case the **loading space** shall be setback a minimum of 1.2 metres from that **lot line**;
 - ii) In an **exterior side yard**; and/or,
 - iii) In any **front yard**.
- d) Access to **loading spaces** shall be by means of a **driveway** that is at least 6 metres wide contained within the **lot** on which the **loading spaces** are located.
- e) All vehicular movements required to access the **loading space** shall be on private property.

5.8 BICYCLE PARKING SPACE REQUIREMENTS

5.8.1 GENERAL PROVISIONS

Where **bicycle parking spaces** are required by this By-law, the following provisions apply:

- a) The minimum dimensions of a **bicycle parking space** are as follows:
- i) Length 1.8 metres;
 - ii) Width 0.6 metres; and,
 - iii) Vertical clearance 1.2 metres;

5.8.2 MINIMUM NUMBER OF REQUIRED BICYCLE PARKING SPACES

The minimum number of **bicycle parking spaces** required shall be calculated in accordance with the standards set out in Table 5.8.2 below.

Table 5.8.2: Bicycle Parking Requirements

Use	Indoor - Minimum Parking Space Requirement (net floor area unless otherwise noted)	Outdoor - Minimum Parking Space Requirement (net floor area unless otherwise noted)
Apartment dwelling units, multiple dwelling units and stacked townhouses dwelling units without exclusive private garages in buildings with 20 dwelling units or more	0.60 spaces per unit	0.05 spaces per unit (6 minimum)
Long term care homes	0.2 spaces per 100 m ²	0.2 spaces per 100 m ²
Retirement homes	0.30 spaces per unit	0.03 spaces per unit (6 minimum)
Business offices with a net floor area greater than 500 m ²	0.10 spaces per 100 m ²	0.10 spaces per 100 m ²
Retail stores and restaurants with a net floor area greater than 500 m ²	0.15 spaces per 100 m ²	0.20 spaces per 100 m ²
Private hospitals or public hospitals	0.10 spaces per 100 m ²	0.10 spaces per 100 m ²
Public schools or private schools	0.10 spaces per 100 m ²	0.40 spaces per 100 m ²

5.9 DRIVE-THROUGH SERVICE USES AND ELECTRIC AND/OR MOTOR VEHICLE WASHING ESTABLISHMENTS

Where **drive-through service uses** or **motor vehicle washing establishments** are permitted, the provisions of this Section apply.

5.9.1 Stacking Space Requirements

Stacking spaces are required and shall be exclusive of any other **parking space** and **aisle** requirements contained within this By-law and shall be provided in accordance with Table 5.9.1.

Table 5.9.1 – Minimum Number of Stacking Spaces Required

Use Associated with Drive-Through Service Use	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Restaurant	7	3
Motor vehicle washing establishment	5	1
Financial institution and all other uses	4	N/A

5.9.2 Size of Stacking Space

All stacking spaces shall have a minimum length of 6.0 metres and a minimum width of 3.0 metres.

5.9.3 Setbacks from Residential and Institutional Zone Boundaries

Stacking spaces and all order boxes using voice communication to order shall be located no closer than 15.0 metres from any Residential or Institutional **Zone** boundary.

5.9.4 Location of Stacking Spaces, Order Boxes and Wall Openings

No stacking spaces, order boxes, or wall openings associated with a **drive-through service use** can be located in any **required yard**, or in front of a wall facing the front or **exterior side lot line** unless all of the components of a **drive-through service use** are located a minimum of 10 metres from the **front** and **exterior lot lines**.

5.9.5 Minimum Lot Area for Drive Through Service Uses

The minimum **lot area** for a **drive through service use** is 0.3 hectares.

PART 6.0 - RESIDENTIAL ZONES

6.1 PERMITTED USES

Permitted uses are listed in Table 6.1 with the use of the symbol 'P'. If a listed use is not permitted in a **zone**, this is shown with a 'NP'. A number in brackets within the table indicates that a special provision at the bottom of the table applies.

Table 6.1 – Residential **Zone** Use Permissions

PERMITTED USE	R1	R2	R3	R4	R5	New Amherst - NR1	New Amherst - NR2	Cobourg East - CER1	Cobourg East - CER2	Cobourg East - CER3
Accessory dwelling units	NP	NP	NP	NP	NP	P	P	P	P	P
Additional residential units (1) (3)	P	P	P	P	P	P	P	P	P	P
Additional residential units (coach house) (1) (4)	NP	NP	NP	NP	NP	P	P	P	P	NP
Apartment dwellings	NP	NP	NP	P	P	NP	NP	P	P	P
Back-to-back townhouse dwellings	NP	NP	NP	P	P	NP	NP	NP	NP	NP
Bed and Breakfast Establishments (2)	P	P	P	NP	NP	NP	NP	NP	NP	NP
Crisis care centres - Types 1	P	P	P	NP	NP	NP	NP	NP	NP	NP
Garden suites	P	P	P	NP	NP	NP	NP	NP	NP	NP
Group Home Type 1 (2)	P	P	P	NP	NP	P	P	P	NP	NP
Home child care	P	P	P	P	P	P	P	P	P	P
Home occupations	P	P	P	P	NP	P	P	P	P	NP
Long term care homes	NP	NP	NP	P	P	NP	NP	NP	P	P
Multiple dwellings	NP	NP	NP	P	P	NP	P	NP	P	P
Retirement Home	NP	NP	NP	P	P	NP	NP	NP	P	P
Semi-detached dwellings	NP	NP	P	P	NP	P	P	P	NP	NP
Shared housing (small scale)	P	P	P	NP	NP	P	P	P	NP	NP

PERMITTED USE	R1	R2	R3	R4	R5	New Amherst - NR1	New Amherst - NR2	Cobourg East - CER1	Cobourg East - CER2	Cobourg East - CER3
Short term rental accommodation	P	P	P	P	P	P	P	P	P	P
Single detached dwellings	P	P	P	NP	NP	P	P	P	NP	NP
Stacked townhouse dwellings	NP	NP	NP	P	P	NP	P	P	P	NP
Street townhouse dwellings	NP	NP	NP	P	P	NP	P	P	P	NP

	Special Provisions:
(1)	Only permitted on a lot that is the site of a single detached, semi-detached or street townhouse dwelling
(2)	Only permitted on a lot that is the site of a single detached dwelling
(3)	Subject to Sections 4.3.1, 4.3.2 and 4.3.3
(4)	Subject to Sections 4.3.1 and 4.3.4

6.2 ZONE STANDARDS

Zone standards are set out on Tables 6.2, 6.3, 6.4, 6.5 and 6.6. A number beside a **zone** standard indicates that a special provision at the bottom of the table applies.

Table 6.2 – Residential **Zone** Standards – R1, R2 and R3 **Zones**

ZONE STANDARD	R1	R2	R3
Minimum lot area	700.0 m ² increases to 1,400.0 m ² if municipal sewer services not available	465.0 m ² increases to 700.0 m ² if municipal sewer services not available	370.0 m ² for a single detached dwelling and 335.0 m ² for a semi-detached dwelling on its own lot
Minimum lot frontage	24.0 m increases to 30.0 m if municipal sewer services not available	15.0 m increases to 24.0 m if municipal sewer services not available	11.0 m for a single detached dwelling and 8.0 m for a semi-detached dwelling on its own lot
Maximum lot coverage	35%	40%	40%
Minimum front yard	6.0 m	6.0 m	6.0 m
Minimum exterior side yard	6.0 m	6.0 m	6.0 m
Minimum interior side yard	1.0 m	1.0 m	1.0 m for single detached dwellings and 1.0 m and 0.0 m

ZONE STANDARD	R1	R2	R3
			for semi-detached dwellings
Minimum rear yard	7.0 m	7.0 m	7.0 m
Maximum height	2 storeys to a maximum of 9.5 m	2 storeys to a maximum of 9.5 m	3 storeys to a maximum of 12.5 m

Table 6.3 – Residential **Zone** Standards – R4 and R5 Zones

	DWELLING TYPE			
ZONE STANDARD	Semi-detached dwellings	Street townhouse dwellings	Multiple, and stacked townhouse dwellings	Apartment dwellings, retirement homes and long term care homes
Maximum number of primary dwelling units per building	N/A	8	N/A	N/A
Minimum lot frontage	9.0 m (2)	6.0 m (2)	18.0 m	30.0 m
-on a lot accessed by a lane	7.5 m	5.5 m per unit, 6.7 m per end unit on interior lot and 7.9 m per end unit on corner lot	18.0 m	30.0 m
-on a lot not accessed by a lane	9.0 m	5.5 m per unit, 7.7 m per end unit on interior lot and 8.9 m per end unit on corner lot	18.0 m	30.0 m
Minimum lot area	278 m ² for one unit and 557 m ² for two units	215 m ² per dwelling unit in the R4 Zone and 146 m ² in the R5 Zone	650 m ²	N/A
Maximum lot coverage	40%	50%	50%	50%
Minimum front yard	(1)	(1)	(1)	(1)
Maximum front yard	(1)	(1)	(1)	(1)
Minimum exterior side yard	(1)	(1)	(1)	(1)
Maximum exterior side yard	N/A	N/A	(1)	(1)

Minimum interior side yard	1.5 m on one side and 0.0 m on the other side	1.5m on one side and 0.0 m on the other side and 1.2 m for end units	3.6 m	7.5 m
Minimum rear yard	7.0 m	7.0 m	7.5 m	7.5 m
Maximum height	3 storeys to a maximum of 12.5 m	3 storeys to a maximum of 12.5 m	3 storeys to a maximum of 12.5 m	6 storeys to a maximum of 21 m
Minimum landscaped open space	35%	35%	20%	20%
Maximum net density	N/A	50 units per hectare in the R4 Zone and 68 units per hectare in the R5 Zone	50 units per net hectare in the R4 Zone and 68 units per hectare in the R5 Zone	50 units per net hectare in the R4 Zone and 100 units per net hectare in the R5 Zone

Special Provisions:	
(1)	The main building wall facing the front lot line and exterior side lot line (if applicable) shall be located within 3 metres of the established building line but shall not be located any closer than 4 metres to the front lot line . Where there is no established building line , the minimum required front yard and exterior side yard (if applicable) shall be 6 metres.

Table 6.4 – Residential **Zone** Standards – New Amherst - NR1 and NR2 **Zones**

ZONE STANDARD	Single Detached Dwelling	Semi-Detached Dwelling	Multiple Dwelling	Street Townhouse Dwelling
Minimum lot frontage :				
-on a lot accessed by a lane	8.0 m	6.6 m per unit and 7.8 m if one semi-detached dwelling is located on a corner lot and 14.4 m if two semi-detached dwelling are located on a corner lot	19.2 m	5.5 m per unit, 6.7 m per end unit on interior lot and 7.9 m per end unit on corner lot
-on a lot not accessed by a lane	9.0 m	7.6 m per unit 6.6 m per unit and 8.8 m if one semi-detached dwelling is located on a corner lot and 16.4 m if two semi-detached dwelling are	19.2 m	5.5 m per unit, 6.7 m per end unit on interior lot and 7.9 m per end unit on corner lot

ZONE STANDARD	Single Detached Dwelling	Semi-Detached Dwelling	Multiple Dwelling	Street Townhouse Dwelling
		located on a corner lot		
Minimum front yard :				
-on a lot accessed by a lane	3.0 m (1)	3.0 m (1)	3.0 m (1)	0.0 m (6)
-on a lot not accessed by a lane	3.0 m (4)	3.0 m (4)	3.0 m (4)	3.0 m (4)
Maximum driveway width on a lot that is not accessed by a lane :				
-on a lot with a lot frontage of less than 11.6 m	3.5 m	(7)	35% of lot frontage	(7)
-on a lot with a lot frontage of 11.6 m or greater	6.1 m	(7)	35% of lot frontage	(7)
Maximum garage width on a lot that is not accessed by a lane :				
-on a lot with a lot frontage of less than 11.6 m	3.5 m	(7)	N/A	(7)
-on a lot with a lot frontage of 11.6 m to 18 m	7.32 m	(7)	N/A	(7)
-on a lot with a lot frontage greater than 18 m	10 m	(7)	N/A	N/A
Minimum exterior side yard :	2.4 m (4)	2.4 m (4)	2.4 m (4)	2.4 m (4)
Minimum interior side yard :				
-on a lot with a lot frontage of less than 11.6 m	1.2 m and 0.3 m (5)	1.2 m and 0.0 m (5)	1.2 m	0.0 m for interior unit and 1.2 m for end unit
-on a lot with a lot frontage of 11.6 m or greater	1.2 m and 0.6 m (5)	1.2 m and 0.0 m (5)	1.2 m	0.0 m for interior unit and 1.2 m for end unit
Minimum rear yard :				
-on a lot accessed by a lane	12.5 m	12.5 m	12.5 m	12.5 m
-on a lot not accessed by a lane	7.0 m	7.0 m	7.0 m	7.0 m
-on a lot accessed by a lane with an attached private garage	1.0 m	1.0 m	1.0 m	1.0 m
Maximum height	11.0 m	11.0 m	11.0 m	11.0 m

ZONE STANDARD	Single Detached Dwelling	Semi-Detached Dwelling	Multiple Dwelling	Street Townhouse Dwelling
Maximum lot coverage :	50%	50%	50%	50 % (8)
Minimum driveway setback from interior side lot line :	0.0 m	1.0 m	1.0 m	0.0 m

	Special Provisions:
(1)	At least 70% of the front wall of the main building shall be located within 1.5 metres of, or on, the established building line . In no case shall the front wall be located in the minimum required front yard .
(4)	The wall of an attached private garage that contains the entrance for vehicular access shall be set back a minimum of 5.8 metres from the lot line that the driveway crosses to access the attached private garage . If the driveway does not cross a sidewalk, the minimum setback for the wall of the attached private garage that contains the entrance for vehicular access is 4.5 m.
(5)	The required interior side yard on one side is 2.75 metres if a detached private garage is located in the rear yard and is accessed by a driveway crossing the front lot line .
(6)	At least 70% of the front wall of the main building shall be located within 3.0 metres of, or on, the established building line . In no case shall the front wall be located in the minimum required front yard .
(7)	The maximum driveway width and maximum garage width on a lot that has a lot frontage of 9.0 metres or less and which is not accessed by a lane is 3.5 metres. The maximum driveway width and maximum garage width on a lot that has a lot frontage of greater than 9.0 metres is 6.1 metres.
(8)	For freehold street townhouse dwellings , the maximum lot coverage shall be 60% for interior units, 50% for end units, and 50% for the overall townhouse building with the following exception: Covered porches and decks may exceed the maximum lot coverage for interior units by a maximum of 5% for each unit. This may increase the lot coverage of the overall townhouse building to more than 50%. For individual units with more than 50% lot coverage , a main entry feature is required and covered decks and porches shall have at least one side open.

Table 6.5 – Residential **Zone** Standards – Cobourg East - CER1 **Zone**

	DWELLING TYPE		
ZONE PROVISION	Single detached dwelling	Semi-detached dwelling	Street townhouse dwelling
Maximum number of primary dwellings per building	N/A	N/A	8
Minimum lot frontage	9.0 m	7.6 m - increased to 8.8 m on a corner lot (5)	6.0 m - increased to 7.5 m per unit, 8.4 m per end unit on interior lot and 7.9 m per end unit on corner lot (6)
Minimum front yard	3.0 m (1)	3.0 m (1)	3.0 m (1)

	DWELLING TYPE		
Minimum front yard for wall of attached private garage - if facing front lot line	5.8 m	5.8 m	5.8 m
Maximum front yard	5.0 m	5.0 m	5.0 m (8)
Minimum exterior side yard	2.4 m (1)	2.4 m (1)	2.4 m (1)
Minimum exterior side yard for wall of attached private garage - if facing exterior side lot line	5.8 m	5.8 m	5.8 m
Maximum exterior side yard	4.0 m	4.0 m	4.0 m
Minimum interior side yard	0.75 m - increased to 3.0 m on one side if driveway accesses detached private garage in rear yard	1.2 m and 0.0 m - increased to 3.0 m on one side if driveway accesses detached private garage in rear yard	1.5 m (7)
Minimum rear yard			
i) on a lot accessed by a driveway crossing the front or exterior side lot line	7.5 m	7.5 m	7.5 m
ii) on all other lots	12.5 m (2)(3)	12.5 m (2)(3)	12.5 m (2)(3)
Maximum height	3 storeys to a maximum of 11.0 m	3 storeys to a maximum of 11.0 m	3 storeys to a maximum of 11.0 m
Minimum driveway width	3.0 m	3.0 m	3.0 m
Maximum driveway width	(4)	(4)	(4)
Minimum garage width	3.0 m	3.0 m	3.0 m
Maximum garage width on a lot that is accessed by a driveway crossing the front or exterior side lot line			
iii) with a lot frontage of less than 11.6 metres	4.0 m	4.0 m	50% of lot frontage
iv) with a lot frontage of 11.6 metres or greater	6.1 m	6.1 m	6.1 m
Minimum setback for driveways from an interior side lot line :			
i) with a lot frontage of less than 11.6 metres	0.0 m	0.0 m	0.0 m
ii) with a lot frontage of 11.6 metres or greater	0.3 m - reduced to 0.0 m if attached private garages on abutting lots share common wall	0.3 m - reduced to 0.0 m if attached private garages on abutting lots share common wall	0.3 m - reduced to 0.0 m if attached private garages on abutting lots share common wall

Special Provisions	
(1)	<p>The floor of any covered porch that is located between a main wall of a building and a streetline shall extend at least 1.5 metres towards the streetline from the main wall that abuts the porch and is permitted to encroach into the minimum front and exterior side yards. Windows, columns, piers and/or railings associated with the porch are permitted in conjunction with the porch. Stairs that access a porch are permitted to encroach into the minimum front and exterior side yards, but in no case shall the stairs be located closer than 1.5 metres to the front or exterior side lot line.</p> <p>Stairs and landings that access any part of the main building on the lot, and which are not associated with a deck or porch, may encroach into the minimum exterior side yard a distance of no more than 50 percent of the minimum exterior side yard for the main building on the lot; and, into the minimum front yard a distance of no more than 3.0 metres, but in no case shall the stairs or landing be located closer than 1.5 metres to the front lot line.</p>
(2)	Where the rear lot line intersects the interior side lot lines at a geometric angle greater or less than 90 degrees, the minimum rear yard can be reduced to 10.0 metres provided a 12.5 metre rear yard is maintained between the mid-point of the lot and the interior side lot line .
(3)	Where an attached private garage is provided in the rear yard and motor vehicle access to the private garage is provided over any lot line other than the front or exterior side lot lines , the minimum rear yard shall be reduced to 7.5 metres. The maximum width of such an attached private garage shall be 50% of the width of the lot , measured along the rear lot line . The wall of an attached private garage that contains the entrance for motor vehicle access shall be set back a minimum of 1.0 metre from the rear lot line .
(4)	Shall be equal to the garage door width plus 1.5 metres or 6.1 metres, whichever is greater, provided 40% of the area of the front or exterior side yard in which the driveway is located is the site of soft landscaping.
(5)	If a semi-detached dwelling unit is located on a lot that is not accessed by a driveway crossing the front or exterior side lot line , the minimum lot frontage shall be 6.6 metres per unit on an interior lot and 7.8 metres on a corner lot .
(6)	If an end townhouse dwelling unit is located on a lot that is not accessed by a driveway crossing the front or exterior side lot line , the minimum lot frontage shall be 7.0 metres per unit on an interior lot and 7.9 metres on a corner lot .
(7)	The minimum distance between the exterior walls of any two groups of street townhouse dwellings shall be 3.0 metres where both ends of the group are one storey, and 5.0 metres in all other circumstances.
(8)	Applies only to main wall of dwelling unit and not the wall of the attached private garage facing the front lot line . In addition to the above, on lots where the length of the rear lot line is at least 50% longer than the length of the front lot line , the maximum front yard is 6.5 metres

Table 6.6 – Residential **Zone** Standards – Cobourg East - CER2 and CER3 **Zones**

		CER2	CER3
ZONE PROVISIONS		Street townhouse dwellings Apartment dwellings Multiple dwellings Long term care homes Retirement homes	Apartment dwellings Stacked townhouse dwellings Multiple dwellings Long term care homes Retirement homes
A	Minimum lot area	N/A	N/A
B	Minimum lot frontage	N/A	N/A

C	Minimum front yard	1.8 m and 6.0 m for an attached private garage that faces a private street	N/A
D	Maximum front yard	For any building within 20.0 metres of any streetline , no less than 70% of the wall facing the applicable streetline shall be located further than 3.0 metres from the streetline	At least 70% of the portion of the wall of the main building facing the front lot line that has a height of 12.0 metres or less shall be located within 6.0 metres of the front lot line
E	Minimum exterior side yard	1.8 m	3.0 m
F	Maximum exterior side yard	For any building within 20.0 metres of any streetline , no less than 70% of the wall facing the applicable streetline shall be located further than 3.0 metres from the streetline	At least 70% of the portion of the wall of the main building facing the front lot line that has a height of 12.0 metres or less shall be located within 6.0 metres of the exterior side lot line
G	Minimum interior side yard	1.2 m	6.0 m
H	Minimum landscaped open space	N/A	20%
I	Minimum rear yard	7.5 m	7.5 m
J	Minimum height	2 storeys , and a minimum of 7.5 m	N/A
K	Minimum height of main wall that is within 6.0 metres of the front lot line	N/A	11.0 m
L	Maximum height of main wall that is within 6.0 metres of the front lot line	N/A	12.0 m
M	Maximum height	4 storeys - except for street townhouse dwellings where the maximum height is 12 m	6 storeys up to a maximum of 20.0 m (1)
N	Maximum net density	N/A	120 units per hectare

	Special Provisions
(1)	On any point of a building 15.0 metres above grade or higher, the minimum setback from any streetline shall be 3.0 metres further from the streetline than the portion of the wall facing the streetline that is less than 15.0 metres above grade.

PART 7.0 - COMMERCIAL ZONES

7.1 PERMITTED USES

Permitted uses are listed in Table 7.1 with the use of the symbol 'P'. If a listed use is not permitted in a **zone**, this is shown with a 'NP'. A number in brackets within the table indicates that a special provision at the bottom of the table applies.

Table 7.1 – Permitted Uses in Commercial **Zones**

PERMITTED USE	ZONE			
	NC	SC	CC	MC
Accessory dwellings	P (1)	P (1)	P (1)	P (1)
Accessory outdoor storage	NP	P	P	NP
Adult of continuing education schools	P	P	P	P
Animal clinics	NP	P	P	P
Art galleries	P (2)	P	NP	P
Auction sales establishments	NP	NP	P	
Banquet halls	NP	P	P	P
Bed and breakfast Establishments	NP	NP	NP	P
Building supply outlets	NP	P	P	NP
Business offices	NP	P	P	P
Call centres	NP	P	P	NP
Child care centres	P (2)	P	P	P
Commercial fitness centres	P (2)	P	P	P
Commercial parking lots	NP	NP	NP	P
Commercial schools	NP	P	P	P
Commercial self-storage facilities	NP	NP	P	NP
Community centres	P	NP	NP	P
Drive-through service uses	NP	P	P	
Elementary schools	NP	NP	NP	P
Emergency service facilities	P	P	P	P
Equipment sales and rental establishments	NP	NP	P	NP
Farm implement dealers	NP	NP	P	NP
Financial institutions	P	P	P	P
Flea markets/Farmers markets	P	P	P	P
Food trucks	P	P	P	P
Funeral homes	NP	NP	P	P
Garden Centres	P	P	P	P

PERMITTED USE	ZONE			
	NC	SC	CC	MC
Group home type 1	NP	NP	NP	P
Health service facilities	NP	P	P	P
Hotels	NP	P	P	P
Kennels, day	NP	NP	P	P
Libraries	P	NP	NP	P
Long term care homes	NP	NP	NP	P
Micro-breweries/wineries/distilleries	P	P	P	P
Motels	NP	P	P	NP
Motor vehicle repair establishments	NP	P	P	NP
Motor vehicle sales, leasing and/or rental establishments	NP	NP	P	NP
Motor vehicle service stations	NP	P	P	NP
Motor vehicle washing establishments	NP	NP	P	NP
Museums	P	NP	NP	P
Nightclubs	NP	P	P	P
Personal service uses	P	P	P	P
Places of worship	P (2)	NP	P	P
Post-secondary schools	NP	NP	NP	P
Private clubs	P (2)	P	P	P
Private schools	NP	P	NP	P
Recreational equipment sales, rental and service establishments	NP	NP	P	NP
Recreational establishments	NP	P	NP	NP
Repair shops	NP	P	P	P
Restaurants	P (2)	P	P	P
Retail stores	NP	P	NP	P
Retirement homes	NP	NP	NP	P
Secondary schools	NP	NP	NP	P
Specialty food uses	P (2)	P	NP	P
Studios	NP	NP	P	P
Supermarkets	NP	P	NP	P
Technology industries	NP	NP	P	NP
Theatres	NP	P	P	P
Trade and convention Centres	NP	P	P	P
Veterinary clinics	NP	NP	P	NP

Special Provisions	
(1)	Permitted on any floor above the first storey where a non-residential use is located in the first storey .
(2)	The maximum size of any one establishment shall be 235 m ² .

7.2 ZONE STANDARDS

Zone standards are set out on Table 7.2. A number beside a **zone** standard indicates that a special provision at the bottom of the table applies.

Table 7.2 - Standards for Commercial **Zones**

ZONE STANDARD	NC	SC	CC	MC
Minimum lot area	465.0 m ²	2,000.0 m ²	N/A	300.0 m ²
Minimum lot frontage	15.0 m	60.0 m	N/A	9.0 m
Maximum lot coverage	35%	50%	40%	N/A
Minimum front yard	0.0 m	0.0 m	0.0 m	0.0 m
Minimum area of first storey wall facing front lot line that is required to be the site of openings	50%	N/A	70%	N/A
Minimum exterior side yard	0.0 m	3.0 m	0.0 m	0.0 m
Minimum area of first storey wall facing exterior side lot line that is required to be the site of openings	50%	N/A	70%	N/A
Minimum interior side yard	3.0 m	6.0 m (2)	0.0 m (3)	N/A
Minimum rear yard	7.5 m	6.0 m (2)	6.0 m (2)	6.0 m
Minimum height	N/A	6.0 m	6.0 m	N/A
Maximum height	12.0 m	6 storeys to a maximum of 20.0 m	4 storeys to a maximum of 15.0 m	3 storeys to a maximum of 12.0 m
Minimum landscaped open space	15%	15%	15%	15%
Minimum Floor Space Index	N/A	0.35	N/A	N/A
Maximum Floor Space Index	N/A	2.0	1.5	2.0

Special Provisions	
(2)	Except where the zone abuts a Residential or Development Zone , in which case the minimum shall be 9 metres.
(3)	Increased to 6 metres where the lot line abuts any Residential or Development Zone .

PART 8.0 - MIXED USE ZONES

8.1 PERMITTED USES

Permitted uses are listed in Table 8.1 with the use of the symbol 'P'. If a listed use is not permitted in a **zone**, this is shown with a 'NP'. A number in brackets within the table indicates that a special provision at the bottom of the table applies.

Table 8.1 – Permitted Uses in Mixed Use **Zones**

PERMITTED USE	ZONE		
	New Amherst - NMU	Cobourg East - CEMU	MUC
Accessory dwellings	P (1)	NP	NP
Adult of continuing education schools	P	P	P
Animal clinics	P	P	P
Art galleries	P	P	P
Auction sales establishments	NP	NP	P
Banquet halls	NP	NP	P
Business offices	P	P	P
Call centres	P	P	P
Child care centres	P	P	P
Commercial fitness centre	P	P	P
Commercial parking lots	NP	NP	P
Commercial schools	P	P	P
Commercial self-storage facilities	NP	NP	NP
Community centres	NP	NP	P
Child care centres	NP	P	P
Drive-through service uses	NP	NP	NP
Apartment dwellings	P (4)	P	P
Multiple dwellings	P (4)	P	P
Stacked townhouse dwellings	P (4)	P	P
Semi-detached dwellings	P	NP	NP
Single detached dwellings	P	NP	NP
Street townhouse dwellings	P (4)	NP	P
Equipment sales and rental establishments	NP	NP	P
Emergency service facilities	P	P	P
Financial institutions	P	P	P
Flea markets/Farmers markets	P	P	P
Food trucks	P	P	P

PERMITTED USE	ZONE		
	New Amherst - NMU	Cobourg East - CEMU	MUC
Funeral homes	NP	NP	P
Home occupations	P	P	P
Hotels	NP	P	P
Group homes type 1	P	NP	NP
Long term care homes	NP	P	P
Industrial uses	NP	NP	P (5)
Libraries	NP	NP	P
Health Service facilities	P	P	P
Micro-breweries/wineries/distilleries	NP	NP	P
Motels	NP	NP	P
Motor vehicle sales, leasing and/or rental establishments	NP	NP	P
Motor vehicle service stations	NP	NP	P
Motor vehicle washing establishments	NP	NP	P
Museums	NP	NP	P
Nightclubs	NP	NP	P
Personal service uses	P	P	P
Places of worship	NP	NP	P
Private clubs	P	P	P
Private home daycare	P	NP	P
Private schools	NP	NP	P
Public schools	NP	NP	P
Recreational establishments	P	P	P
Repair shops	NP	NP	NP
Restaurants	P	P	P
Retail stores	NP	P	NP
Retirement homes	P	P	P
Specialty food uses	P	P	P
Studios	P	P	P
Supermarkets	NP	P (2)	NP
Theatres	NP	NP	P

	Special Provisions
(1)	Permitted on any floor above the first storey where a non-residential use is located in the first storey .
(2)	A supermarket is permitted provided it is located within 175 metres of the intersection of Brook Road and Elgin Street East.

(4)	A building containing townhouse, apartment or multiple dwelling units shall include at least one of the other permitted uses in the building .
(5)	Provided such use is within a fully enclosed building .

8.2 ZONE STANDARDS

Zone standards are set out on Tables 8.2.1 and 8.2.2. A number beside a **zone** standard indicates that a special provision at the bottom of the table applies.

Table 8.2.1 - Standards for Mixed Use **Zones**

ZONE STANDARD	New Amherst - NMU	Cobourg East - CEMU	MUC
Minimum lot area	N/A	N/A	N/A
Minimum lot frontage	19.0 m (12)	6.0 m (1)	N/A
Maximum lot coverage	50%	N/A	N/A
Minimum front yard	1.8 m (6)(7)(8)	(2)	0.0 m (3)
Maximum front yard	N/A	5.0 m	N/A
Minimum area of first storey wall facing front lot line that is required to be the site of openings	N/A	N/A	70%
Minimum exterior side yard	1.8 m (8) (10)	2.4 m (6)	0.0 m (3)
Minimum area of first storey wall facing exterior side lot line that is required to be the site of openings	N/A	N/A	70%
Minimum interior side yard	0.0 m (11) and 1.2 m for an end street townhouse dwelling	(4)	1.2 m
Minimum rear yard	7.5 m	7.5 m	8.0 m
Minimum height	10.5 m for multiple dwellings, apartment dwellings institutional & office buildings	5.5 m for street townhouse dwellings and 10.5 m for all other dwellings	6.0 m
Maximum height	12.0 m and 20.0 m for multiple dwellings, apartment dwellings and institutional and office buildings	12.0 m for street townhouse dwellings and 18.0 m for all other dwellings	4 storeys to a maximum of 15.0 m
Minimum landscaped open space	N/A	15%	15%
Maximum Floor Space Index	2.0	N/A	2.0

Special Provisions	
(1)	Only applicable to street townhouse dwellings . For end unit street townhouse dwellings , the minimum lot frontage is 7.5 metres for an interior lot and 8.4 metres for a corner lot .
(2)	Minimum front yard is 3.0 metres for street townhouse dwellings and 1.8 metres for all other types of dwellings . No less than 80% of the wall of the first storey facing the front or exterior side lot line shall be located any further than 3.0 metres from the front or exterior side lot line . No part of the first storey of any building within 20 metres of Elgin Street East and Brock Road North shall be used for any residential use however, common entrances and lobbies associated with the residential use may be located in this area provided that no more than 30% of the wall facing the streetline is occupied by entrances or lobbies.
(3)	No less than 70% of the lot frontage of the front and exterior side lot lines , measured within 2.0 metres from the front and exterior side lot lines shall consist of buildings .
(4)	The minimum interior side yard is 1.2 metres for an end unit of a street townhouse dwelling on an interior lot . The minimum interior side yard for dwellings other than street townhouse dwellings is 6.0 metres if the lot abuts a CER1 or CER2 Zone boundary.
(6)	For multiple dwellings and street townhouse dwellings , at least 70% of the front wall of the main building shall be located within 1.5 metres of, or on, the established building line . In no case shall the front wall be located in the minimum front yard .
(7)	For apartment, institutional and office buildings , at least 80% of the front wall of the main building shall be located within 1.2 metres of, or on, the established building line . In no case shall the front wall be located in the minimum front yard . Notwithstanding this provision, the main building may encroach into the minimum front yard on that side of the lot closest to the intersection of two public streets to a point that is no closer than 0.6 metres from the front lot line .
(8)	For apartment, institutional and office buildings , on any point of a building 15.0 metres above grade or higher, the minimum stepback from any streetline shall be 3.0 metres further from the streetline than the portion of the wall facing the streetline that is less than 15.0 metres above grade.
(10)	For apartment, institutional and office buildings , at least 80% of the exterior side wall of the main building on a lot shall be located within 1.2 metres of, or on, the exterior side established building line . In no case shall the exterior side wall be located in the minimum exterior side yard . Notwithstanding this provision, the main building may encroach into the minimum exterior side yard to a point that is no closer than 0.6 metres from the exterior side lot line provided that the wall facing the exterior side lot line does not extend into the area between the exterior side lot line and the exterior side established building line . For the purposes of this special provision, the building line is deemed to be parallel to the exterior side lot line , with the exterior side lot line being extended to its hypothetical point of intersection with the front lot line at the intersection of two public streets .
(11)	The yard shall be 3.0 metres on any side of the lot that abuts a Residential or Open Space Zone and the yard shall be used for landscaped open space .
(12)	5.5 m per street townhouse dwelling . The minimum lot frontage required for an end unit on an interior lot is 6.7 metres. The minimum lot frontage required for an end unit on a corner lot is 7.9 metres.

Table 8.2.2 – Residential **Zone** Standards in the New Amherst NMU **Zone**

ZONE STANDARD	Single Detached Dwelling	Semi-Detached Dwelling	Multiple Dwelling	Street Townhouse Dwelling
Minimum lot frontage :				
-on a lot accessed by a lane	8.0 m	6.6 m per unit and 7.8 m if one semi-detached dwelling is located on a corner lot and 14.4 m if two semi-detached dwelling are located on a corner lot	19.2 m	5.5 m per unit, 6.7 m per end unit on interior lot and 7.9 m per end unit on corner lot
-on a lot not accessed by a lane	9.0 m	7.6 m per unit 6.6 m per unit and 8.8 m if one semi-detached dwelling is located on a corner lot and 16.4 m if two semi-detached dwelling are located on a corner lot	19.2 m	5.5 m per unit, 6.7 m per end unit on interior lot and 7.9 m per end unit on corner lot
Minimum front yard :				
-on a lot accessed by a lane	3.0 m (1)	3.0 m (1)	3.0 m (1)	0.0 m (6)
-on a lot not accessed by a lane	3.0 m (2)(3)(4)	3.0 m (2)(3)(4)	3.0 m (4)	3.0 m (2)(3)(4)
Maximum driveway width on a lot that is not accessed by a lane :				
-on a lot with a lot frontage of less than 11.6 m	3.5 m	(7)	35% of lot frontage	(7)
-on a lot with a lot frontage of 11.6 m or greater	6.1 m	(7)	35% of lot frontage	(7)
Maximum garage width on a lot that is not accessed by a lane :				
-on a lot with a lot frontage of less than 11.6 m	3.5	(7)	N/A	(7)
-on a lot with a lot frontage of 11.6 m to 18 m	7.32 m	(7)	N/A	(7)

ZONE STANDARD	Single Detached Dwelling	Semi-Detached Dwelling	Multiple Dwelling	Street Townhouse Dwelling
-on a lot with a lot frontage greater than 18 m	10 m	(7)	N/A	N/A
Minimum exterior side yard :	2.4 m (4)	2.4 m (4)	2.4 m (4)	2.4 m (4)
Minimum interior side yard :				
-on a lot with a lot frontage of less than 11.6 m	1.2 m and 0.3 m (5)	1.2 m and 0.0 m (5)	1.2 m	0.0 m for interior unit and 1.2 m for end unit
-on a lot with a lot frontage of 11.6 m or greater	1.2 m and 0.6 m (5)	1.2 m and 0.0 m (5)	1.2 m	0.0 m for interior unit and 1.2 m for end unit
Minimum rear yard :				
-on a lot accessed by a lane	12.5 m	12.5 m	12.5 m	12.5 m
-on a lot not accessed by a lane	7.5 m	7.5 m	7.5 m	7.5 m
-on a lot accessed by a lane with an attached private garage	1.0 m	1.0 m	1.0 m	1.0 m
Maximum height	11.0 m	11.0 m	11.0 m	11.0 m
Maximum lot coverage :	50%	50%	50%	50 % (8)
Minimum driveway setback from interior side lot line :	0.0 m	1.0 m	1.0 m	0.0 m

	Special Provisions:
(1)	At least 70% of the front wall of the main building shall be located within 1.5 metres of, or on, the established building line . In no case shall the front wall be located in the minimum required front yard .
(2)	The wall of the attached private garage facing the public street shall not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit .
(3)	The front wall of the dwelling unit above the attached private garage shall be located no further than 2.5 metres from the front wall of the attached private garage .
(4)	The wall of an attached private garage that contains the entrance for vehicular access shall be set back a minimum of 5.8 metres from the lot line that the driveway crosses to access the attached private garage . If the driveway does not cross a sidewalk, the minimum setback for the wall of the attached private garage that contains the entrance for vehicular access is 4.5 m.
(5)	The required interior side yard on one side is 2.75 metres if a detached private garage is located in the rear yard and is accessed by a driveway crossing the front lot line .
(6)	At least 70% of the front wall of the main building shall be located within 3.0 metres of, or on, the established building line . In no case shall the front wall be located in the minimum required front yard .
(7)	The maximum driveway width and maximum garage width on a lot that has a lot frontage of 9.0 metres or less and which is not accessed by a lane is 3.5 metres. The maximum driveway width and maximum garage width on a lot that has a lot frontage of greater than 9.0 metres is 6.1 metres.

	Special Provisions:
(8)	For freehold street townhouse dwellings , the maximum lot coverage shall be 60% for interior units, 50% for end units, and 50% for the overall townhouse building with the following exception: Covered porches and decks may exceed the maximum lot coverage for interior units by a maximum of 5% for each unit. This may increase the lot coverage of the overall townhouse building to more than 50%. For individual units with more than 50% lot coverage , a main entry feature is required and covered decks and porches shall have at least one side open.

PART 9.0 - EMPLOYMENT ZONES

9.1 PERMITTED USES

Permitted uses are listed in Table 9.1 with the use of the symbol 'P'. If a listed use is not permitted in a **zone**, this is shown with a 'NP'. A number in brackets within the table indicates that a special provision at the bottom of the table applies.

Table 9.1 – Permitted Uses in Employment **Zones**

PERMITTED USE	ZONES		
	LM	GM	BP
Accessory outdoor storage	P	P	NP
Accessory retail stores	P (4)	P (4)	P (4)
Business offices (accessory)	P	P	P
Contractors yards	P	P	NP
Custom workshops	P (3)	P (3)	P (3)
Food trucks	P	P	P
Industrial uses	P	P	P (2)
Outdoor storage uses	NP	P	NP
Recycling facilities	NP	P	NP
Repair shops	P	P	P (2)
Research and development uses	P	P	P
Saw and/or planing mills	NP	P	NP
Technology industries	P	P	P
Transportation terminals	NP	P	NP
Warehouses	P	P	P (2)
Waste transfer stations	NP	P	NP

Special Provisions	
(1)	A restaurant is permitted provided it is subordinate to and supports the main use on the site and does not exceed 10% of the gross floor area of the main buildings
(2)	Provided such use is within a fully enclosed building .
(3)	May also include the production of furniture and metal ornaments.
(4)	Permitted gross floor area for an accessory retail store is limited to a maximum of 15% of the gross floor area used for the main use .

9.2 ZONE STANDARDS

Zone standards are set out on Table 9.2. A number beside a **zone** standard indicates that a special provision at the bottom of the table applies.

Table 9.2 - **Zone** Standards

ZONE STANDARD	LM	GM	BP
Minimum lot area	1,400.0 m ²	1,400.0 m ²	930.0 m ²
Minimum lot frontage	30.0 m	30.0 m	30.0 m
Minimum front yard	6.0 m	6.0 m	6.0 m
Minimum exterior side yard	6.0 m	6.0 m	6.0 m
Minimum interior side yard	3.0 m	3.0 m	3.0 m
Minimum rear yard	7.5 m	7.5 m	6.0 m
Maximum height	21.0 m	21.0 m	21.0 m
Minimum landscaped open space	20%	15%	15%

PART 10.0 - OTHER ZONES

10.1 PERMITTED USES

Permitted uses are listed in Table 10.1 with the use of the symbol 'P'. If a listed use is not permitted in a **zone**, this is shown with a 'NP'. A number in brackets within the table indicates that a special provision at the bottom of the table applies.

Table 10.1 – Permitted Uses in Other **Zones**

PERMITTED USE	RU	I	OS	EC	D	TC
Additional residential units	P	NP	NP	NP	P	NP
Adult or continuing education schools	NP	P	NP	NP	NP	NP
Agricultural uses	P	NP	NP	P (3)	P	NP
Art galleries	NP	P	NP	NP	NP	NP
Bed and breakfast establishments	P	NP	NP	NP	P	NP
Cemeteries	NP	P	P	NP	NP	NP
Child care centres	NP	P	NP	NP	NP	NP
Conservation uses	P	NP	P	P	P	NP
Crisis care centres - type 1	P	NP	NP	NP	P	NP
Custom workshops	P	NP	NP	NP	P	NP
Elementary schools	NP	P	NP	NP	NP	NP
Elementary schools	NP	P	NP	NP	NP	NP
Emergency service facilities	P	P	NP	NP	P	NP
Equestrian centres	P	NP	NP	NP	P	NP
Golf courses	NP	NP	NP	NP	NP	NP
Golf driving ranges	NP	NP	NP	NP	NP	NP
Group home type 1	P	P	NP	NP	P	NP
Health service facilities	NP	P	NP	NP	NP	NP
Home child care	P	NP	NP	NP	P	NP
Home industries	P	NP	NP	NP	P	NP
Home occupations	P	NP	NP	NP	P	NP
Hospitals, public	NP	P	NP	NP	NP	NP
Kennels	NP	NP	NP	NP	NP	NP
Kennels, day	NP	NP	NP	NP	NP	NP
Libraries	NP	P	NP	NP	NP	NP
Long term care homes	NP	P	NP	NP	NP	NP
Municipal campgrounds	NP	NP	P	P	NP	NP
Museums	NP	P	NP	NP	NP	NP
Places of worship	NP	P	NP	NP	NP	NP
Post-secondary schools	NP	P	NP	NP	NP	NP

PERMITTED USE	RU	I	OS	EC	D	TC
Post-secondary schools	NP	P	NP	NP	NP	NP
Private clubs	NP	P	NP	NP	NP	NP
Private home daycare	P	NP	NP	NP	P	NP
Private parks	NP	NP	P	P (2)	NP	NP
Private schools	NP	P	NP	NP	NP	NP
Public parks	P	NP	P	P (2)	P	NP
Retirement homes	NP	P	NP	NP	NP	NP
Secondary schools	NP	P	NP	NP	NP	NP
Secondary schools	NP	P	NP	NP	NP	NP
Single detached dwellings	P	NP	NP	NP	P	NP
Transportation and utility facilities	NP	NP	NP	NP	NP	P

	Special Provisions
(2)	Permitted buildings and structures are limited to: buildings and structures necessary for flood erosion prevention and control, and landscape stabilization and accessory structures for a public or private park use including, but not limited to benches, boat launching facilities, ball diamonds and tennis courts.
(3)	No buildings or structures shall be permitted.

10.2 ZONE STANDARDS

Zone standards are set out on Table 10.2. A number beside a **zone** standard indicates that a special provision at the bottom of the table applies.

Table 10.2 - **Zone** Standards

ZONE STANDARD	RU	I	OS	EC	D	TC
Minimum lot area	8,000.0 m ²	1,400.0 m ²	465.0 m ²	N/A	8,000.0 m ²	N/A
Minimum lot frontage	60.0 m	30.0 m	15.0 m	N/A	60.0 m	N/A
Maximum lot coverage	N/A	50%	20%	N/A	N/A	N/A
Minimum front yard	9.0 m	6.0 m	7.5 m	N/A	18.0 m	(1)
Minimum exterior side yard	9.0 m	6.0 m	7.5 m	N/A	9.0 m	(1)
Minimum interior side yard	9.0 m	7.5 m	7.5 m	N/A	9.0 m	(1)
Minimum rear yard	9.0 m	7.5 m	7.5 m	N/A	18.0 m	(1)
Maximum height	13.0 m	19.0 m	12.0 m	N/A	13.0 m	12.0 m
Minimum landscaped open space	N/A	30%	50%	N/A	N/A	N/A

	Special Provisions
(1)	Buildings shall be setback a minimum of 10 metres from any abutting Residential Zone .

PART 11.0 - FLOOD OVERLAY ZONE

Where the (F) **zone** symbol also applies to lands within the boundaries of the red lines shown on the zoning maps attached to and forming part of this By-law, no person shall use any land or erect, alter or use any **building** or **structure** unless appropriate approvals have been obtained from the Ganaraska River Conservation Authority.

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PART 12.0 - EXCEPTIONS

12.1 EXCEPTIONS

The provisions of this By-law are modified as set out in Table 12.1, below.

In Table 12.1:

Column 1 sets out the **Zone** subject to the exception;;

Column 2 identifies the exception number to the **Zone** which follows a **Zone** symbol as identified on the Zoning Schedules;

Column 4 sets out the additional uses permitted in the **zone** exception, if applicable;

Column 5 sets out the only uses permitted in the **zone** exception, if applicable;

Column 6 sets out the prohibited uses in the **zone** exception, if applicable;

Column 7 sets out the new or modified standards for the **zone** exception, if applicable;

All other provisions of the **zone**, unless specifically modified or amended by this Part, continue to apply to the lands subject to this Section.

Table 12.1: Exceptions

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
R1	1	9138 Danforth Rd E				<ul style="list-style-type: none"> Lot Frontage 61m min; Lot Area 0.7 ha min; Lot Coverage 7% max; Front Yard Setback established line or 15m min; Interior Side Yard Setback 10m min; Accessory Building Coverage 2% max
R2	1	726 Ontario St	R2 plus LM		Contractor's yard, industrial use	<ul style="list-style-type: none"> R2 and LM except: Rear Yard 9m min for all new buildings; Building Height 2 stories max
	2	330 Elgin St W				<ul style="list-style-type: none"> 2 dwelling units in the existing building
	3	94 Green St (Breaker's Motel)				<ul style="list-style-type: none"> Buildings and structures existing at the date of adoption

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
R2	4	214 Perry St				<ul style="list-style-type: none"> Permit a triplex dwelling
	5	Fitzhugh Shores				<ul style="list-style-type: none"> Rear Yard for Lakefront lots 18m min; Residential Setback from industrial use 50m min
	6	East House Cr, Weller Crt				<ul style="list-style-type: none"> Rear Yard 15m min; Rear Yard for Lakefront lots 18m min
	7	King St. W and Tracey Rd				<ul style="list-style-type: none"> Lot Frontage 18m min; Lot Area 1,160 m2 min
	8	27 Brook Rd N				<ul style="list-style-type: none"> Setback from Railway 20m with 2.5m berm and 1.8m chain link fence
	9	534 King St W				<ul style="list-style-type: none"> Existing Front Yard; 0.0 m Rear Yard; No Chain Fence adjacent to Railway
R3	1	394 Walton St	Office as accessory use in residential building , accessory office use in accessory building			<ul style="list-style-type: none"> Parking: 4 on-site spaces and 1 off-site space, office GFA 50m2 max, max 2 staff who do not reside on premises; rear yard 0.7m min; lot coverage 38% max; exterior side yard 5.8m min
	2	47A Coverdale Ave				<ul style="list-style-type: none"> Interior side yard for converted or duplex 2.45m min
	3	377 Margaret St			Bed and breakfast, Group Home, Day Nursery	<ul style="list-style-type: none"> Max. 6 dwelling units; no second storey decks; building height 2 storeys max and 8.3m
	4	94 Ontario St				<ul style="list-style-type: none"> Building Height 9m max, lot frontage shall be 11m on a right-of-way, north yard 7.5m min, south yard 3m min, west yard 1.6m min, east yard 4m min except if abutting a residential zone then 7.5m min

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
	5	90 Ontario St				<ul style="list-style-type: none"> Building Height 9m max, rear yard 1.6m min, garage no closer than the main front feature to the streetline
	6	98-106 Ontario St				<ul style="list-style-type: none"> Building Height 9m max, garage no closer than the main front feature to the streetline
R4	1	357 Elgin Street West				<ul style="list-style-type: none"> Building Height 5 storeys max; max 87 Dwelling Units
	2	Link Dwellings				<ul style="list-style-type: none"> Link Dwellings with Lot Area of 335m² min; Lot Frontage 9m min; Exterior Side Yard 5m min.; Interior Side Yard for link dwellings 4.5m max
	3	221 University Ave E/359 D'Arcy St				<ul style="list-style-type: none"> Building Height 2.5 storeys max; 12 Dwelling Units max; Closed wood Fence enclosing property; Access one-way exit only to University Ave
	4	135 University Ave E				<ul style="list-style-type: none"> Max 11 townhouse dwelling units, lot coverage 40% max, driveway shall be setback 3m min to rear lot line, covered porch may encroach 2m max into side yard
	5	Ruttan Terrace				<ul style="list-style-type: none"> Lot Area 865 m² min; Lot Frontage 27m min; Front, Interior Side & Rear Yards 2.5m min; Parking may be in any yard provided it is setback 3m from streetline
	6	Densmore Road				<ul style="list-style-type: none"> Yards abutting a street 3m min; Other Yards 4.5m min; Parking 1.25 spaces per dwelling min

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
R4	7	415 King Street West				<ul style="list-style-type: none"> Building height shall not exceed 2 stories facing Tremaine Street; 25 dwelling units max; min opening elevation 79.06; setback from EC Zone 0m
	8	D'Arcy St (Dunbar Gardens)			Bed & Breakfast, single detached dwellings and stacked and street townhouses	<ul style="list-style-type: none"> Max 26 dwelling units, North yard 12m min, south yard 3.5m min, east yard 6.5m min, west side yard 2.5m min, west rear yard 6.5m min, driveway width 4m max,
	9	Densmore Rd at Birchwood Trail				<ul style="list-style-type: none"> Lot area of one unit of townhouse 195m² min, lot area of apartment dwelling 0.8ha, lot frontage of one unit of townhouse 7m min, lot frontage of apartment dwelling 60m min, lot coverage 60% max or townhouse unit and 40% max for apartment dwelling, max 80 units of apartment dwelling, building height 2 storeys max for townhouse building and 3 storeys max for apartment building, front yard for townhouse fronting public street 4m min and 6m max, front yard for townhouse fronting private right-of-way 5.75m min, front yard for apartment dwelling 3m min, interior side yard for townhouse 1m min plus 0.5m per additional storey with no setback on common wall, interior side yard for apartment dwelling 3.65m,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
						<ul style="list-style-type: none"> • exterior side yard for townhouse on private right-of-way 2m min, • parking 1.25 spaces per townhouse unit and 2 spaces per apartment unit, • side yard setback for driveway adjacent to townhouse dwelling 0m min
	10	Brook Rd (Kingsbrook)			Single detached dwellings	<ul style="list-style-type: none"> • Lot • lot area for 1 unit of a semi-detached dwelling 278 m2 min, • lot area for 1 semi-detached dwelling 556m2 min, • lot area for townhouse dwelling 215m2 min with up to 24 lots of 192m2 min and 8 lots 202m2 min, • lot coverage 45% max, • landscaped open space 30%, • building height for single and semi-detached dwellings 2 storeys max and 3 storeys max for townhouses, • exterior side yard 3m min, • interior side yard for semi-detached and townhouse dwellings 0m for common wall and same as single detached for outside, • attached garage 4m max width for lots under 12m frontage and 5.3m max width for 12m and greater lot frontage, • front yard 2.5m min up to 5m max subject Table 6.4 sub (4)
	11	377 William St			Bed & breakfast, single detached dwelling	<ul style="list-style-type: none"> • Max 20 dwelling units, • no upper storey deck (not on 3rd storey of 3 storey dwelling), • building height 3 storeys and 9.5m max, • townhouse blocks limited to 6 units and 40m max in length,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
						<ul style="list-style-type: none"> interior side yard setback 6.5m except units fronting William St, only 1 driveway to William St
	12	411 King St E				<ul style="list-style-type: none"> Max 6 dwelling units in existing main building which is the only permitted building other than accessory structures
	13	Alexandria Dr				<ul style="list-style-type: none"> Lot area for end unit in townhouse dwelling 215m2 and 203m2 for interior unit, parking 1.5 spaces per end unit and 1 space per interior unit
	14	180 Tremaine St		Apartment dwelling, multiple dwelling, public use, accessory use		<ul style="list-style-type: none"> Setback from EC 0m min, building height 2 storeys max abutting west, north and south property lines and 3 storeys max measured a distance of 11.5m from interior lot lines and 15m measured from front lot line, peak building height 12.8m max, interior side yard 5m min to main building and 2.3m min to any north side balcony and 3.65m min to any south side balcony
	15	774 Ontario St				<ul style="list-style-type: none"> Max 5 dwelling units, building height 2 storeys max, front yard 2m min, interior side yard for single detached unit 2.5m min
	16	Brook Rd (Kingsbrook Subdivision north blocks)	2 multiple dwellings on 1 lot			<ul style="list-style-type: none"> Max 10 dwellings per building, 2 multiple dwellings on one lot with 75m min frontage, front yard 3m min
R5	1	111 Hibernia Street (Legion Village)				<ul style="list-style-type: none"> Max 172 dwelling units and 32 hostel units with no more than 2 beds; one additional unit per building for manager; Building Height 4 storeys max

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
	2	106 Orange Street				<ul style="list-style-type: none"> Building Height 4 storeys max, 14 dwelling units; additional 3 parking spaces off-site
	3	357 Westwood Drive				<ul style="list-style-type: none"> Max 35 dwelling units, Building Height 4 storeys max
	4	60 Munroe St				<ul style="list-style-type: none"> Front yard 6m min, landscaped open space 28% min,
	5	95 Marisa Lane – 36 Hibernia St				<ul style="list-style-type: none"> Lot frontage 83m min, lot coverage 52% max and FSI 2.0 max, max 90 dwelling units, distance between buildings 6m min, building height 4 storeys and 17m max other than middle building which shall be 3 storeys and 13.1m max, max 2 residential units may be located in each building attic
	6	138-158 Hibernia St				<ul style="list-style-type: none"> Lot frontage 115m min, lot area 0.789 ha min, lot coverage 60% max and FSI 2.0 max, max 97 dwelling units, distance between buildings 6m min, building height eastern buildings 3 storeys and 9m max, building height for west and north buildings 4 storeys and 17m max, accessory buildings 2% max lot coverage,
	7	202 Green St			Semi-detached, duplex, triplex, multiple dwelling s, public use, accessory use	<ul style="list-style-type: none"> Front yard 6m min and front porch may encroach 2m into yard, driving aisle min 0.5m from side lot line and 3m min width

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
	8	202 Green St (existing apartment)				<ul style="list-style-type: none"> Interior side yard 3m min, rear yard 2m min, parking min 1 space per unit, parking may be in any yard, driving aisle min 0.5m from side lot line and 3m min width
	9	323 George St	Uses under Institution Zone , residential			<ul style="list-style-type: none"> Front yard abutting James St 15m min and garage or unenclosed landscape structure may be permitted in front yard, rear yard 15m min, interior side yard 18m min, exterior side yard 15m min, building height 4 storeys and max height of 18m max, parking 1.25 spaces per unit and prohibited between the main building and the street other than up to 8 visitor parking spaces in driveway loop on James St, landscaped open space 35% min,
NC	1	Existing local commercial uses		Uses existing at date of adoption		<ul style="list-style-type: none">
	2	359 Westwood Dr				<ul style="list-style-type: none"> Max 8 commercial establishments, no access to Burnham St nor within 46m of Burnham on Westwood Dr
	3	990 Ontario St		Restaurant, golf pro-shop, golf course, recreational establishment		<ul style="list-style-type: none">
	4	Densmore Rd & Birchwood	Office, education and training, institutional, residential			<ul style="list-style-type: none"> East and west yard 3m min, north yard 7.5m min, south yard 4m min to 6m max, max 5 townhouse dwelling units

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
SC	1	1025 & 1035 Elgin St W				<ul style="list-style-type: none"> • 0m landscape strip on south side, • only 3 driveways on properties zoned SC1, SC-2 and SC-3 to Elgin St W, • max 35% lot coverage, • 2- single storey free standing restaurant buildings each having a minimum unit area of 163 m2 are permitted, • 1- single storey free standing retail building having a min area of 700 m2 and max 930 m2 or 1- single storey free standing financial institution building having a min area of 465 m2 and max 700 m2 are permitted
	2	East half of 1111 Elgin St W				<ul style="list-style-type: none"> • 0m landscape strip on south side, • 0m interior side yard, • only 3 driveways on properties zoned SC1, SC-2 and SC-3 to Elgin St W, • max 35% lot coverage, • max driveway width of 15m on Elgin St W, • 2- single storey free standing restaurant buildings each having a min area of 465 m2 and max 700 m2 and 1- single storey free standing retail building having a min area of 700 m2 and max 930 m2 are permitted
	3	West half of 1111 Elgin St W				<ul style="list-style-type: none"> • 0m landscape strip on south side, • 0m interior side yard, only 3 driveways on properties zoned SC1, SC-2 and SC-3 to Elgin St W, • max 35% lot coverage, • max driveway width of 10.7m on Rogers Rd, • 1- single storey free standing restaurant building having a

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
						min area of 465 m2 and max 700 m2 or 1- single storey free standing retail building having a min area of 700 m2 and max 930 m2 are permitted
	4	Strathy Rd west side		Accessory outdoor storage, banquet hall, commercial school, drive-through service use, hotel, motel, light industrial in enclosed building , institutional, office, personal service use, restaurant , retail store including 1 department store, 1 supermarket, technology industry , trade & convention centre	Financial institution other than accessory to department store	<ul style="list-style-type: none"> • Building height 4 storeys max, • yard abutting south and west property line 9m min, • department store GFA 14,864m2 max provided 11,892m2 max is non-food retail and 4,181m2 max is food related retail, supermarket GFA 7432m2 max plus up to 1,059m2 in mezzanine (restricted to non-retail accessory uses), • additional retail GFA 7,500 m2 min other than up to 3 units between 372 and 697m2 GFA and 2 units less than 372m2 or 1 unit between 465 and 697m2 GFA, overall total GFA for SC-4 and SC-5 zones of 1 department store, • 1 supermarket, restaurants, personal service uses and other retail uses 31,587m2 max, total GFA for SC-4 and SC-5 zones of retail excluding 1 department store, 1 supermarket 8,026m2 max, total GFA for SC-4 and SC-5 zones of restaurants, personal service uses 3,716m2 max, total GFA for SC-4 and SC-5 zones of other retail, restaurants and personal service use excluding 1 department store, 1 supermarket 9,290m2 max, • planting strip 4.5m min width excluding driveways and buildings, • open storage may include a garden centre which is not wholly enclosed, 2m min width

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
						pedestrian walkways are required from the street line at Strathy Rd to the main entrance of the department store and to the main entrance of the supermarket, for SC-4 and SC-5 a department store shall mean a single retailer selling a wide variety of goods with GFA 2,787m2 min
	5	Strathy Rd east side		Accessory outdoor storage, banquet hall, commercial school, drive-through service use, hotel, motel, light industrial in enclosed building , institutional, office, personal service use restaurant , retail store, technology industry , trade & convention centre	Department store, supermarket	<ul style="list-style-type: none"> • Building height 4 storeys max, • yards 0m min, • lot frontage 40m min, • FSI 0.25 min, • retail 7500 m2 GFA min other than up to 3 units between 372 and 697m2 GFA and 2 units less than 372m2 or 1 unit between 465 and 697m2 GFA, overall total GFA for SC-4 and SC-5 zones of 1 department store, 1 supermarket, restaurants, personal service uses and other retails uses 31587m2 max, • total GFA for SC-4 and SC-5 zones of retail excluding 1 department store, 1 supermarket 8026m2 max, total GFA for SC-4 and SC-5 zones of restaurants, personal service uses 3716m2 max, total GFA for SC-4 and SC-5 zones of other retail, restaurants and personal service uses excluding 1 department store, 1 supermarket 9290m2 max, • planting strip 4.5m min width excluding driveways, • for SC-4 and SC-5 a department store shall mean a single retailer selling a wide variety of goods with GFA 2,787m2 min
	6	Strathy Rd		Accessory outdoor	supermarket	<ul style="list-style-type: none"> • Lot area 740 m2 min, • lot frontage 40m min,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
				storage, banquet hall, commercial school, drive-through service use, hotel, motel, light industrial in enclosed building , institutional, health service facility, office, personal service use, restaurant , retail store, technology industry , trade & convention centre		<ul style="list-style-type: none"> FSI 0.25 min, yards 0m min, planting strip 4.5m min width excluding driveways, building height 4 storeys max,
	7	975-985 Elgin St W		commercial school, institutional, health service facility, office, personal service use, restaurant , retail store,	supermarket	<ul style="list-style-type: none"> Lot area 0.4ha min, lot frontage 110m min, yards 0m min to 15m max, planting strip 6m min width excluding driveways or buildings, building height 4 storeys max, no parking spaces within 8m of east lot line, GFA 1,395 m2 max,
CC	1	1000 Elgin St W	Retail			<ul style="list-style-type: none">
	2	1125 Elgin St W	Retail, automotive service and supply			<ul style="list-style-type: none"> Retail is in free-standing retail unit 1,300m2 GFA max, loading spaces may be in exterior side yard, automotive service and supply 7,500m2 GFA max
	3	NW corner of Brook Rd N and CN tracks				<ul style="list-style-type: none"> Lot area 1 ha min, lot frontage 60m min,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
MC	1	King St W, north side				<ul style="list-style-type: none"> No required rear yard
	2	60 & 62 Swayne St			Convenience commercial, financial institution, place of entertainment,	<ul style="list-style-type: none"> Front yard 3m min, rear yard 6m min, east and west side yard 0.45m min, building height 2 storeys max, parking may be in front yard up to 1m from street line
	3	Albert St, south side		Residential with a max 4 units, office, home occupation, group home, public use, accessory use		<ul style="list-style-type: none">
	4	158 Hibernia St		Parking and open space		<ul style="list-style-type: none"> Any portion of lot not used for parking shall be open space, with a min 15% open space
	5	148 King St W	Residential			<ul style="list-style-type: none"> Frontage 8.25m min
	6	150 King St W				<ul style="list-style-type: none"> No min rear yard
	7	148 Third St	residential			<ul style="list-style-type: none"> Front, rear and side yards 1.5m min, yards abutting Third St 4m max, commercial uses 530 m2 min and 50m of building frontage on Third St, building height 3 storeys and 89.9m c.g.d., parking 1 space per residential unit min
	8	165 Division St	residential			<ul style="list-style-type: none"> Front, rear and side yards 1.5m min, yards abutting Division St 4m max, commercial uses 400 m2 min and 40m of building frontage on Division St, building height 3 storeys and 89.9m c.g.d.,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
						<ul style="list-style-type: none"> • parking 1 space per residential unit min
	9	125-145 Third St	residential			<ul style="list-style-type: none"> • Max 106 dwelling units, • min 6m between main buildings, • FSI 2.0 max, • first floor height 4.3m max, • building height within 15m of Third St 3 storeys and 12.2 m max peak height, • building height 15-27.5m of Third St 4 storeys with no attic dwellings and 15 m max peak height, • building height greater than 27.5m of Third St 4 storeys plus attic and 16.4 m max peak height measured mid-peak of a sloped roof, • architectural elements may exceed max peak building height by up to 1.5m and be no more than 3% of the horizontal roof area for each height restriction area, • accessory buildings 2% max lot coverage
	10	296 George St	residential			<ul style="list-style-type: none"> • Parking 1 space per residential unit min, • yard abutting Buck St 3m min,
	11	22 Queen St				<ul style="list-style-type: none"> • Rear yard setback from fifth floor 11.5m min, • west side yard setback 9.6m min for walls with residential windows otherwise 7.5m min, • east side yard setback 5m min for walls with residential windows otherwise 3m min, • building height 5 storeys max, peak building height 21.5m max, • first floor height 4.5m max, • parking 1 space per residential unit min

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
MUC	1	William St, Division St properties	retail			<ul style="list-style-type: none">
	2	King & Wilmot	Building supply outlet, call centre , drive-through service use, supermarket			<ul style="list-style-type: none"> Lot are 2ha min, front and exterior side yards 3m min to 10m max, planting strip 4.5m width min, landscaped open space 15% min, supermarket GFA 4,250m² max. The lands at the north-west corner of the MU-2 zone shall be used for no purpose other than building area and/or landscaped open space subject to the requirements of the Official Plan and Site Plan Control By-law all as a Restricted Use Area.
	3	1060 Burnham St	retail			<ul style="list-style-type: none"> Retail 140 m² max GFA
	4	1 Ballantine St				<ul style="list-style-type: none"> Interior side yard 3m min
	5	609 William St	Building supply outlet, call centre, custom workshop, repair shop, animal clinic, printing establishment, motor vehicle repair establishment, retail		Hotel, motel,	<ul style="list-style-type: none"> Retail GFA 465m² min per establishment
LM	1	Dodge & Thompson St				<ul style="list-style-type: none"> Front yard 15m min
	2	210 Wilmott St (Diamond Head Industrial Mall)	Day nursery, commercial fitness centre, health service facility,			<ul style="list-style-type: none"> Restaurant GFA 465m² max, other additional uses cumulative 15% GFA,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			restaurant, retail			<ul style="list-style-type: none"> retail GFA 465 m2 min to 1400m2 max with a max cumulative retail of 1950 m2
	3	8875 Danforth Rd		Uses shall be 'dry industrial'		<ul style="list-style-type: none"> Open storage to be setback 7.5m from abutting non-employment zones and not in exterior side yard
	4	414 King St W			Open storage	<ul style="list-style-type: none">
	5	821 Division St	restaurant			<ul style="list-style-type: none"> Open storage 45% lot coverage max
	6	831 Division St	Motor vehicle washing, motor vehicle fuelling, motor vehicle sales leasing or rental, restaurant			<ul style="list-style-type: none">
	7	55 Veronica St				<ul style="list-style-type: none"> Front yard setback for fencing of open storage 4.5m min and respect 12m x 12m sight triangle at NE property line
	8	83 & 96 Veronica St				<ul style="list-style-type: none"> Front yard setback for fencing of open storage 4.5m min and respect 12m x 12m sight triangle at NE property line, fencing to be stone or masonry wall or closed chain link fence all with a 2m min height
GM	1	540 Division St				<ul style="list-style-type: none"> No municipal road frontage is required until a severance requiring 30m frontage is approved
	2	8943 Danforth Rd E			New residential uses	<ul style="list-style-type: none"> Front yard 15m min, exterior side yard 21m min, interior side and rear yards 15m min
	3	Ewart St (Building 20 Northam Industrial Park)	Motor vehicle body shop, motor vehicle repair establishment			<ul style="list-style-type: none"> Open storage for additional use may be in rear yard only

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
	4	520 William St (west block)	Recycling plant			•
	5	520 William St (central block)	Health service facility, commercial school, institutional, private club,		Nightclub, place of entertainment, place of amusement	•
	6	520 William St (east block)	Auction sales establishment, dry cleaning establishment, health service facility, commercial school, private club, institutional, equipment sales and rental, motor vehicle body shop, motor vehicle repair establishment		Nightclub, place of entertainment, place of assembly, place of amusement	•
BP	1	884 Division St	Motor vehicle repair, health service facility, dry cleaning establishment, equipment sales and rental establishment			•
	2	844 Division St	Motor vehicle sales, leasing or rental establishment			•
	3	800 Division St				• Restaurant may be up to 25% GFA
	4	DePalma Dr	Public park, secondary service uses for primary		Hotel, motel, trade & convention centre	<ul style="list-style-type: none"> • Lot area 1400m2 min, • lot frontage 30m min, • FSI 2.0 max, • yards 6m min and 9m min abutting a hospital use,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			employment up to 10% GFA			<ul style="list-style-type: none"> landscaping adjacent to Hwy 401 15m min and 6m adjacent to other roads, building height 6 storeys max, open storage is permitted up to 2% lot coverage,
	5	Small sites adjacent to employment blocks	Health service facility		Light industrial	<ul style="list-style-type: none"> Lot coverage 45% max
	6	Depalma Dr (Home Depot)			Hotel, motel, trade & convention centre	<ul style="list-style-type: none"> Lot frontage 10m min and may be on private right-of-way, FSI 2.0 max, yards 6m min and 9m min abutting a hospital use, landscaping adjacent to Hwy 401 15m min and 6m adjacent to other roads, building height 6 storeys max, open storage is permitted up to 10% lot coverage, no open storage or loading in rear yard (between building and Hwy 401)
	7	711 Division St	Health service facility		Light industrial	<ul style="list-style-type: none"> No driveway egress to Division St (access off Kerr St), driveway width 3.65 m min
	8	White St & Burnham St	Drive-through service use, equipment sales and rental, restaurant , retail store - convenience, motor vehicle service, motor vehicle washing, motor vehicle repair, motor vehicle sales rental and leasing			<ul style="list-style-type: none"> Access off White St only
	9	Veronica St	equipment sales and			<ul style="list-style-type: none"> No access to White St other than emergency access

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
			rental, restaurant			
	10	149 Elgin St	Equipment sales and rental, transportation terminal			•
I	1	Community Institutional Uses		Community Centre, day nursery, library public use, public school, place of worship,		<ul style="list-style-type: none"> • Lot area 465 m2 min, • lot frontage 15m min, • building height 3 storeys max
	2	316 King St E		Health service facility, office, personal service use, secondary uses, accessory uses		<ul style="list-style-type: none"> • Primary use is health service facility all other uses can be cumulative 50% GFA max, • 70 parking spaces min, • lot coverage 25% max, • secondary uses can be cumulative 30% GFA
	3	Danforth Rd (Christian School)		Place of worship, cemetery, community centre, private & public school, public use, accessory use incl. residential		<ul style="list-style-type: none"> • Accessory dwelling unit is limited to staff
	4	343, 349 Elgin St W		Residential, office, institutional,		•
	5	255 Densmore Rd		Retirement home, accessory uses ,		<ul style="list-style-type: none"> • Building height 3 storeys max, • side & rear yards 20m min,
	6	Cobourg East Community – future school sites		Private school, public school, place of worship, day nursery, library, community		<ul style="list-style-type: none"> • Front and exterior side yard 1.8m min and 5m max, • max only applies within 50m of a street intersection,

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
				centre, public uses, accessory uses,		
OS	1	Victoria Park	Trailer park, museum, place of entertainment			•
	2	East Pier		Public park, public use, accessory uses		<ul style="list-style-type: none"> Lot coverage 30% max, building height 3 storeys max
	3	West Pier		Public park, public use, accessory uses		<ul style="list-style-type: none"> Lot coverage 10% max, building height 3 storeys max
	4	Marina	Marina,			<ul style="list-style-type: none"> Lot coverage 30% max, building height 3 storeys max
	5	Bagot St		Conservation, private park, public uses		<ul style="list-style-type: none"> No buildings or structures shall be permitted
	6	King St W and Burnham St		Cultivation of field and horticultural crops, conservation, public uses	Other agricultural uses, accessory sale of crops, residential	<ul style="list-style-type: none"> Up to 1 27m² accessory shed and 1 15m² greenhouse are permitted, front and exterior side yard 6m min, rear and interior side yard 1m min
EC	1	357 Elgin St W	Parking area for adjacent residential use			<ul style="list-style-type: none"> No parking area within 30m of the edge of Cobourg Creek
	2	30 Hamilton Ave		Conservation use		<ul style="list-style-type: none"> Buildings and structures accessory to the permitted use
	3	990 Ontario St (The Mill Golf Course)	Golf course, accessory uses			<ul style="list-style-type: none"> Min lot area and frontage as of the date of passing
	4	76 Cedermere	Single detached dwelling			<ul style="list-style-type: none"> Building area 297m² max as replacement of existing structure

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
RU	1	9148 Danforth Rd E				<ul style="list-style-type: none"> Lot frontage 240m min, lot area 19.1 ha min, lot coverage 1% max, 1 dwelling on 1 lot, front yard established building line or 15m min, side yard 10m min
	2	Small estate lots Cobourg East Community	residential		Kennel, agriculture	<ul style="list-style-type: none"> Lot coverage 20% max, lot frontage when serviced by public water and sanitary services 24m min and 725m2 lot area, lot frontage when serviced by either public water or sanitary services 30 m min and 2043m2 lot area, lot frontage for other servicing 60m min and 7892 m2 lot area
	3	Large estate lots Cobourg East Community	residential		Kennel, agriculture	<ul style="list-style-type: none"> Lot coverage 10% max, lot frontage when serviced by public water and sanitary services 24m min and 700m2 lot area, lot frontage when serviced by either public water or sanitary services 30 m min and 11153m2 lot area, lot frontage for other servicing 60m min and 2.3 ha lot area
	4	8950 Danforth Rd E			Kennel, residential	<ul style="list-style-type: none"> Lot area 3.4 ha min, lands zoned EC may be included in the lot area calculation
	5	1931 Workman Rd		Residential, home occupation, accessory use	Kennel, agriculture, golf course	<ul style="list-style-type: none"> Lot coverage 15% max, lot frontage when serviced by private water and sanitary services (septic) 60m min and 3809m2 lot area
	6	Workman Rd	residential		Kennel, agriculture	<ul style="list-style-type: none"> Lot frontage 270 m min, lot area 5.8 ha min
	7	1859 Workman Rd	residential		Kennel, agriculture	<ul style="list-style-type: none"> Lot frontage 45.5 m min, lot area 9672 m2 min

1	2	3	4	5	6	7
Zone	Exception Number	Municipal Addresses	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
D	1	625 King St W				<ul style="list-style-type: none"> Setback from King St W 120m min, setback from EC 3m min,
	2	King St W (NW of Maplewood Blvd)		Model sales office and display home		<ul style="list-style-type: none"> Building height 2 storeys max, building coverage 200m² max, south yard setback 3m min to 5m max, west yard setback 20m min to 25m max, notwithstanding Section 4.30 services may be public or private for the model sales office and display home use

PART 13.0 - HOLDING ZONES

13.1 USE OF THE HOLD

Notwithstanding any other provision in this By-law, where a **Zone** symbol is followed by the letter “H” and a number – for example MUC-H1 – no person shall use or permit the use of the land to which the letter (H) applies for any use other than the use which legally **existed** on the date the By-law applying the holding provision came into effect until the Hold (H) is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.

13.2 REMOVAL OF THE HOLD

The Town may pass a By-law pursuant to Section 36 of the Planning Act, as amended to remove the Holding (H) Symbol, thereby placing the lands in the **zone** indicated by the **zone** symbol, when all of the applicable requirements have been met. For the purposes of this By-law, a number of distinct holding provisions have been applied as set out in Table 12.2:

Table 13.2: Holding Zones

	Zone Designation	Property/ Legal Description	Conditions for Removal	Date Enacted
H2	Mixed Use	Multiple properties	<p>The Town is satisfied that proposed development:</p> <ul style="list-style-type: none"> • is compatible with the character of adjacent residential neighbourhoods, in terms of height, massing and setbacks; • is compatible with the existing and/or planned streetscape of any abutting streets; • represents an efficient use of land in terms of maximizing the amount of land available for development, while being compatible with existing and proposed/potential development on adjacent properties; • will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; • is located on a site that has adequate land area to incorporate the building, on-site parking, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure 	

	Zone Designation	Property/ Legal Description	Conditions for Removal	Date Enacted
			<p>the compatibility of the use with adjacent land uses;</p> <ul style="list-style-type: none"> • takes advantage, where appropriate, of the topography and natural vegetation of the site and area in minimizing the impacts of taller buildings on adjacent land uses; • demonstrates that the potential shadow impacts associated with tall buildings will be at an acceptable level on adjacent properties (including applying appropriate angular plane criteria); and, • municipal water and wastewater services are adequate and available. 	
H3		Multiple Properties	<p>The Town has approved applicable plans, drawings and other related documentation, and an Agreement has been entered into pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended. The Agreement shall address matters including but not limited to: plans and/or other documentation pertaining to:</p> <ul style="list-style-type: none"> • site planning and design; • architectural, building and landscape design; • heritage impact; • vehicular parking and access; • pedestrian connections and access; • infrastructure and servicing; • parkland; and, • performance measures (re: financial securities, cost-sharing and regulations for construction, maintenance and use). 	

PART 14.0 - ENACTMENT

14.1 FORCE AND EFFECT

This By-law shall come into effect in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended.

14.2 READINGS BY COUNCIL

BY-LAW READ A FIRST AND SECOND TIME THIS ____ DAY OF ____, 2025.

BY-LAW READ A THIRD AND FINAL TIME AND FINALLY PASSED THIS ____ DAY OF ____, 2025.

MAYOR: _____

(Municipal Seal)

CLERK: _____

14.3 CERTIFICATION

I hereby certify that the foregoing is a true copy of Zoning By-law ____ as enacted by the Council of the Corporation of the Town of Cobourg on the ____ day of ____, 2025.

clerk: _____