

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE

9.1 PERMITTED RESIDENTIAL USES

- apartment dwelling
- linked dwelling comprising more than two single family dwellings
- semi-detached duplex dwelling
- townhouse dwelling
- triplex dwelling

9.2 PERMITTED NON-RESIDENTIAL USES

- day care, private home use if within a linked dwelling
- day nursery within an apartment dwelling containing 25 units or more
- accessory buildings, structures and uses to any permitted use

9.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the requirements of Section 6 hereof.

9.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

In accordance with the requirements of Section 5 hereof.

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9.5 SPECIAL PROVISIONS

9.5.1 LOT 15, REGISTERED PLAN 319; 'R3-1'
(Map 6)

In the area designated 'R3-1' in Schedule 'A' hereto, an apartment dwelling containing a maximum of four dwelling units shall be permitted. For the said use, the following provisions shall apply in addition to the other relevant requirements set forth in Section 6.8:

LOT FRONTAGE (MINIMUM)	25.37 metres
FRONT YARD (MINIMUM)	5.45 metres
REAR YARD (MINIMUM)	6.87 metres
INTERIOR SIDE YARD (MINIMUM)	2.68 metres
PRIVACY YARD (MINIMUM) - on east side	2.68 metres

9.5.2 LOT 113, JUDGE'S PLAN 602; 'R3-2'
(Map 6)

Notwithstanding Sections 9.1 and 9.2, in the area designated 'R3-2' in Schedule 'A' hereto, a senior citizens' apartment dwelling containing a maximum of 35 dwelling units and a chronic care facility having a maximum of 18 beds, as well as accessory buildings, structures and uses, shall be the only permitted uses.

In addition, notwithstanding Sections 6.8 (c), (d) and (i), the following requirements shall apply:

FRONT YARD (MINIMUM)	7 metres
EASTERLY EXTERIOR SIDE YARD (MINIMUM)	4 metres
HEIGHT (MAXIMUM)	8.5 metres

Further, notwithstanding Section 6.8 (1), a planting strip along the rear lot line shall have a minimum width of 2 metres and the planting strip along the

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east lot line may be interrupted by a parking area.

Further, notwithstanding Sections 5.28 (b) and (h), the total number of parking spaces required for the senior citizens' apartment dwelling shall be 18, and a parking area may be located a minimum distance of 1.5 metres to the street line.

**9.5.3 PART OF LOTS 8 & 9, BLOCK 6, PLAN 69; 'R3-3'
(Map 7)**

Notwithstanding the requirements of Sections 6.8 (a), (b), (f), (k) and (m), the area designated 'R3-3' in Schedule 'A' hereto shall be subject to the following provisions:

LOT FRONTAGE (MINIMUM)	18 metres
LOT AREA (MINIMUM)	873 sq metres
INTERIOR SIDE YARD (MINIMUM)	0.74 metres
PRIVACY YARD (MINIMUM)	3.8 metres
LANDSCAPED OPEN SPACE (MINIMUM)	32%

Further, notwithstanding Sections 5.28 (h) and (i), the permitted uses, accessory uses and ingress and egress driveways will be confined to the building and areas specifically designated 'R3-3' in Schedule 'B-7' hereto.

**9.5.4 PART LOT 12, CONCESSION 3 (NG); 'R3-5'
(Map 3)**

Notwithstanding Sections 5.28 (h) and (i), in that area designated 'R3-5' in Schedule 'A' hereto, an uncovered parking area is permitted in the front yard and parking aisles within such parking area may have a minimum width of 6 metres. On the said lot, the maximum number of apartment dwelling units shall be eighteen, and notwithstanding Section 6.8 (i), the maximum height of any buildings or structures shall not exceed 241 metres above sea level.

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Plan 317, shown in heavy outline and zoned 'R3-31' in Schedule 'A' hereto, the following shall apply:

- (a) The minimum residential floor area for bachelor apartment units shall be 34 square metres;
- (b) A minimum privacy yard of 1.4 metres for first storey habitable room windows shall be permitted;
- (c) A minimum planting strip of 1.2 metres along the rear lot line and 1.5 metres along the northerly interior side lot line shall be permitted;
- (d) Residential parking shall be permitted within the minimum front yard, however no parking shall be located closer than 0.8 metres from the front lot line.

9.5.28
(500-97-081)

**PART OF LOT 1 AND 2
CONCESSION 3(NG)**

**'R3-32' and
'R3-32(WS)'
(Maps 1 and 2)**

- 1) Notwithstanding Section 6.2(a), (b), (c), (d), (e), (f), (h), (j), Section 6.6(a), (b), (c), (d), (e), (f), (h), (j) and Section 9.1 insofar as it affects the lands zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, the following zone requirements shall apply:

ZONE	R3-32		R3-32(WS)	
	SD	TH	SD	TH
PERMITTED USE ¹				
ZONE REQUIREMENT				
LOT FRONTAGE PER UNIT (MINIMUM) M.	7.0 ^{2, 15}	6.0 ^{3, 15}	9.0 ⁴	7.5 ⁵
LOT AREA PER UNIT (MINIMUM) SQ. M.	210 ⁶	180 ⁷	210 ⁸	175 ⁹
FRONT YARD (MINIMUM) M.				
TO GARAGE	5.7 ¹⁰	5.7 ¹⁰	5.7 ¹⁰	5.7 ¹⁰
TO DWELLING	4.5 ^{10, 16}	4.5 ^{10, 16}	4.0 ^{10, 17}	4.0 ^{10, 17}
EXTERIOR SIDE YARD (MINIMUM) M.	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}
REAR YARD (MINIMUM) M.	7.5	7.5	6.0	6.0
INTERIOR SIDE YARDS (MINIMUM) M.	1.2 ¹³	1.2 ¹³	1.2 ¹³	1.2 ¹³

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ZONE	R3-32		R3-32(WS)	
	SD	TH	SD	TH
PERMITTED USE ¹	SD	TH	SD	TH
NUMBER OF DWELLINGS PER LOT (MAXIMUM)	1 ¹⁴	1 ¹⁴	1 ¹⁴	1 ¹⁴

- ¹ Permitted Use -
SD = Semi Detached Dwelling
TH = Townhouse Dwelling - Freehold
- ² Except that in the case of a corner lot the minimum lot frontage shall be 8.2 metres.
- ³ Except that in the case of a corner lot the minimum lot frontage shall be 8.4 metres.
- ⁴ Except that in the case of a corner lot the minimum lot frontage shall be 10.2 metres.
- ⁵ Except that in the case of a corner lot the minimum lot frontage shall be 9.9 metres.
- ⁶ Except that in the case of a corner lot the minimum lot area shall be 246 square metres.
- ⁷ Except that in the case of a corner lot the minimum lot area shall be 252 square metres.
- ⁸ Except that in the case of a corner lot the minimum lot area shall be 239 square metres.
- ⁹ Except that in the case of a corner lot the minimum lot area shall be 232 square metres.
- ¹⁰ The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.
- ¹¹ The minimum exterior side yard setback shall be 3.0 metres if the exterior side yard abuts a road having a width of 23 metres or greater.
- ¹² Except where a driveway, providing access to an attached garage or carport, is located in the exterior side yard, the minimum exterior side yard for the garage or carport shall be 5.7

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metres.

- ¹³ Provided that between attached dwelling units the minimum shall be nil.
- ¹⁴ Except that, pre-registration dwelling units not exceeding 20% of the total number of dwelling units which are to be built on proposed lots, which have been draft plan of subdivision approved, are permitted.
- ¹⁵ Where a dwelling unit is constructed on a lot with a frontage of less than 12.0 metres, the maximum driveway width and interior garage width for each dwelling unit shall not exceed 53% of the lot frontage.
- ¹⁶ No garage shall project more than:
- 2.5 metres forward of the ground floor main wall of the dwelling, or an Unenclosed Porch or covered entry feature adjacent to the private garage; and,
 - 3.0 metres forward from the second floor main wall over the private garage; and,
 - 4.5 metres forward from the second floor front wall not located above the private garage.
- ¹⁷ Where there is no sidewalk crossing the front yard, the minimum front yard setback may be reduced to 3.0 metres, provided the minimum rear yard setback is 7.0 metres.
- b) Notwithstanding Section 2.230, in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, in the case of a corner lot in a residential zone where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the Exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would

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intersect at a point.

- c) Notwithstanding Sections 5.28(a) in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, a Standard Parking Space shall have a minimum dimension of 2.75 metres x 5.7 metres.
- d) Notwithstanding Sections 5.28(b), in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, a minimum of two parking spaces per dwelling unit shall be provided. Parking shall be allowed in a garage and in a driveway, private to the unit, leading to a garage which may be located in the front yard or in the exterior side yard in the case where a garage is accessed by a driveway crossing an exterior side lot line. Every lot shall provide a garage.
- e) Notwithstanding Section 5.28(i), as it applies to the minimum distance between a driveway and the intersection of street lines, in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Notwithstanding the above, if the driveway of a semi-detached or townhouse dwelling unit is to be shared with a driveway of an abutting semi-detached or townhouse dwelling unit, the setback between the driveway and the lot line shall be nil.
- f) Notwithstanding Sections 5.35, in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, where local street lines intersect, a 5 metre sight triangle shall be required to be maintained in accordance with the provisions of Section 5.35(b).
- g) Notwithstanding Section 5.45(a) as it applies to yard encroachments for Balconies, Unenclosed Porches and Steps, Decks, Handicap Ramps and Elevators in the required front yard and exterior side yard areas in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, such

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encroachments may be permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment for steps, provided they are not located any closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45(a) within By-law Number 500, as amended, continue to apply.

- h) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots or blocks within lands zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the side and rear yards only. Such fences are exempt from the minimum yard provisions of the by-law. Any fence within the side or rear yard that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front yard area provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - iii) Notwithstanding ii) above, where the front yard abuts a side yard or a rear yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted.
 - iv) Notwithstanding i) and ii) above, where a lot or block zoned commercial or institutional abuts a lot or block zoned residential, a fence may be erected in the commercial or institutional zone to a height not exceeding 3.0 metres.
- i) Notwithstanding Section 5.34(b) insofar as it

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FRONT YARD (MINIMUM)

- 'R3-35', 'R3-36' AND 'R3-37' zones
 - to dwelling 4.0 metres
 - to garage 5.7 metres

REAR YARD (MINIMUM)

- 'R3-36' zone 8.5 metres
- 'R3-37' zone 10.0 metres
- 'R3-38' zone 11.0 metres
 - except the most southerly end unit where the minimum rear yard setback shall be 5.0 metres

INTERIOR SIDE YARD (MINIMUM)

- 'R3-39' zone 0.8 metres
 - except between attached dwelling units where the minimum shall be nil

- b) Notwithstanding Section 2.230, in the area zoned 'R3-40' on Schedule 'A' attached hereto, in the case of a corner lot where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would intersect at a point.
- c) Notwithstanding Sections 2.123 and 2.124, in the case of the through lots abutting both Parkway Avenue and Lancaster Court, and zoned 'R3-36' on Schedule 'A' attached hereto, the lot line abutting Parkway Avenue shall be deemed to be the rear lot line and, the lot line abutting Lancaster Court shall be deemed to be the front lot line.
- d) In those areas designated 'R3-34', 'R3-35', 'R3-36', 'R3-37', 'R3-38', 'R3-39', 'R3-40' and 'R3-41' on Schedule 'A' attached hereto, the provisions of Section 5.44 shall not apply.

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Exterior Side Yard (Minimum) M. To Dwelling To Unenclosed Porches (shown as 'D' And 'E' on Schedule 'B-35)	3.98 nil
Rear Yard (Minimum) M. To Dwelling To Deck (shown as 'B' on Schedule 'B-35')	4.82 4.7
Interior Side Yard (Minimum) M. To Dwelling To Deck/Balcony (shown as 'A' and 'B' on Schedule 'B-35')	2.34 0.6
Lot Coverage (Maximum) %	42%

Further, notwithstanding any other provision of the Zoning By-law, a balcony over the deck identified as 'B' on Schedule 'B-35' shall only be permitted in the locations shown as 'A' and 'C' on Schedule 'B-35'.

Further, notwithstanding Section 5.28 (a), parking spaces identified by the numbers 3, 4 and 5 on Schedule 'B-35', attached hereto, shall have a minimum length of 5.5 metres.

Further, notwithstanding Section 5.28 (h), the location of the parking spaces as shown on Schedule 'B-35', attached hereto, shall be permitted in the front and exterior side yards.

Further, notwithstanding Section 5.28(i), the tandem configuration of the parking spaces as shown on Schedule 'B-35', attached hereto, shall be permitted.

Further, notwithstanding Section 5.28(i), the minimum setback of the existing driveway as shown on Schedule 'B-35', attached hereto, from the intersection of Ley Boulevard and Spring Road, shall be 2.0 metres.

Further, notwithstanding Section 5.35 the minimum size of a sight triangle shall be 2.0 metres.

Notwithstanding the above provisions, any expansion of the building or attached accessory structures as shown on Schedule 'B-35' shall be in accordance with

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LOT AREA (MINIMUM) SQ. M.	190 ³
FRONT YARD (MINIMUM) M.	
TO GARAGE	5.8 ⁴
TO DWELLING	4.0 ^{4,9}
EXTERIOR SIDE YARD (MINIMUM) M.	2.4 ^{4,5,6}
REAR YARD (MINIMUM) M.	6.0
INTERIOR SIDE YARD (MINIMUM) M.	1.2 ⁷
NUMBER OF DWELLINGS PER LOT	1 ⁸

¹ Permitted Use - TH = Townhouse Dwelling Freehold

² Except that in the case of a corner lot the minimum lot frontage shall be 9.9 metres.

³ Except that in the case of a corner lot the minimum lot area shall be 232 square metres.

⁴ The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.

⁵ The minimum exterior side yard setback shall be 3.0 metres if the exterior side yard abuts a road having a width of 23 metres or greater.

⁶ Except where a driveway, providing access to an attached garage or carport, is located in the exterior side yard, the minimum exterior side yard for the garage or carport shall be 5.8 metres.

⁷ Provided that between attached dwelling units the minimum shall be nil.

⁸ Except that, pre-registration dwelling units not exceeding 20% of the total number of dwelling units which are to be built on proposed lots, which have been draft plan of subdivision approved, are permitted.

⁹ Where there is no sidewalk crossing the front yard, the minimum front yard setback may be reduced to 3.0 metres, provided the minimum rear yard setback is 7.0 metres.

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- b) Notwithstanding Section 2.230, in areas zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, in the case of a corner lot in a residential zone where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the Exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would intersect at a point.
- (500-2007-0009) c) Notwithstanding Section 5.28(b), in the areas zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, a minimum of two parking spaces per dwelling unit shall be provided. Parking shall be allowed in a garage and in a driveway, private to the unit, leading to a garage which may be located in the front yard or in the exterior side yard in the case where a garage is accessed by a driveway crossing an exterior side lot line. Every lot shall provide a garage.
- d) Notwithstanding Section 5.28(i), as it applies to the minimum distance between a driveway and the intersection of street lines, in areas zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Notwithstanding the above, if the driveway of a townhouse dwelling unit is to be shared with a driveway of an abutting townhouse dwelling unit, the setback between the driveway and the lot line shall be nil.
- (500-2007-0009) e) Notwithstanding Section 5.35, in the areas zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, where local street lines intersect, a 5 metre sight triangle shall be required to be maintained in accordance with the provisions of Section 5.35(b).

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- f) Notwithstanding Section 5.45(a) as it applies to yard encroachments for Balconies, Unenclosed Porches and Steps, Decks, Handicap Ramps and Elevators in the required front yard and exterior side yard areas in areas zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, such encroachments may be permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment for steps, provided they are not located any closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45(a) within By-law Number 500, as amended, continue to apply.

- g) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots or blocks within lands zoned 'R3-45(WS)(H)' on Schedule 'A' hereto, shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the side and rear yards only. Such fences are exempt from the minimum yard provisions of the by-law. Any fence within the side or rear yard that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front yard area provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - iii) Notwithstanding ii) above, where the front yard abuts a side yard or a rear yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted.
 - iv) Notwithstanding i) and ii) above, where a lot or block zoned commercial or institutional abuts a lot or block zoned residential, a fence may be erected in the commercial or institutional zone to a height not exceeding 3.0 metres.

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- iv) A loading space may be located in any yard in accordance with an approved site plan.
- v) Minimum width of an accessible parking space may be reduced to 4.5 metres only where a space abuts an at-grade sidewalk in accordance with an approved site plan.
- vi) Minimum number of parking spaces per apartment unit shall be 1.5 and, further, a maximum of 20 parking spaces for these units may be permitted in tandem in accordance with an approved site plan.
- vii) Required parking spaces shall only be provided within the '*Buildable Land Area*' as indicated on Schedule 'B-55', except where a cash-in-lieu of parking agreement has been executed.
- viii) Parking areas may be permitted in all yards in accordance with an approved site plan.
- ix) An apartment dwelling shall be a minimum of 3 metres from a public street.
- x) Notwithstanding (ix) above, a parking area/podium may be located at a setback of nil from a public street. Further, the maximum height of a parking podium shall be 4.5 metres to the surface of the parking deck measured from average finished grade.
- xi) Floor Area (minimum) for an apartment dwelling unit:
 - one bedroom unit 55 sq. metres
 - two bedroom unit 65 sq. metres
 - three bedroom unit 75 sq. metres
- xii) Height (maximum) for an apartment dwelling containing 62 to 93 units
..... 24 metres
- xiii) Height (maximum) for an apartment dwelling containing a maximum of 61 units
..... 18 metres

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- xiv) Notwithstanding the permitted uses of the 'R3-46(H)' zone, where a Holding (H) symbol is used in conjunction with the 'R3-46(H)' zone in Schedule 'A' for those lands located in Part of Lot 9, Concession 3 (NG), the lands may only be used for a parking area/podium and those uses which legally existed prior to November 10, 2008 being the date of the passing of this by-law by Town Council. The Holding (H) symbol shall not be removed until:
- i) written confirmation from the Town's Director of Engineering and Public Works that site plan approval has been issued;
 - ii) written confirmation from the Region of York that the development has been approved pursuant to the Region's "Sustainable Development Through LEED" program to obtain servicing credits for any dwelling units in excess of 99;
 - iii) written confirmation from the Town's Director of Engineering and Public Works that the Region of York will permit the installation of traffic signals at the intersection of the south leg of Cameron Crescent and The Queensway South; and
 - iv) written confirmation from the Town's Director of Engineering and Public Works that arrangements have been made to the satisfaction of the Director regarding the reconstruction of the south leg of Cameron Crescent.

SECTION 9.5.37 and SYMBOL 'R3-47(H)' DELETED by BY-LAW 500-2008-0022

9.5.38 PART OF LOT 3, CONCESSION 7 (G) 'R3-48'
(500-2006-0018) S/S BLACK RIVER ROAD (Map 7)

- a) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), (f) and (h), the following requirements

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shall apply:

Lot Frontage Per Unit (Minimum)	
Interior Lot	6 metres
End Lot	7.5 metres
Corner Lot	10.5 metres
Lot Area Per Unit (Minimum)	
Interior Lot	180 m ²
End Lot	225 m ²
Corner Lot	315 m ²
Front Yard (Minimum)	
To Attached Garage	5.7 metres (i)(ii)
To Dwelling	4.5 metres (i)(ii)
Exterior Side Yard (Minimum)	
To Attached Garage	5.7 metres (i)(ii)
To Dwelling	2.4 metres (i)(ii)
Rear Yard (Minimum)	7.5 metres
Interior Side Yard (Minimum)	1.2 metres (iii)

- (i) The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.
- (ii) No attached garage shall project more than 2.5 metres forward from either the ground or second floor main wall of the dwelling.
- (iii) Except that in the case of attached dwelling units the minimum interior side yard shall be nil.

b) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:

- i) Fences not exceeding 2 metres in height are permitted in the rear yard as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
- ii) Fences are permitted in the front and exterior side yards as well as the front half

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of the interior side yard provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.

- c) Notwithstanding Section 5.28 (b), a minimum of two parking spaces per dwelling unit shall be provided, one of which may be in a driveway private to the unit and leading to an attached garage in the front yard or in the exterior side yard. Every lot shall provide an attached garage.
- d) Notwithstanding Section 5.28 (h) and (i), driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Furthermore, the maximum width of a driveway shall be 3 metres. Notwithstanding the above, if the driveway of a townhouse dwelling unit is to be shared with a driveway of an abutting townhouse dwelling unit, the setback requirement between the shared driveway and the mutual interior side lot line shall be nil and the maximum width of the shared driveway shall be 6 metres.
- e) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard area, unenclosed porches are permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment permitted for steps provided they are not located closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

9.5.39 **PART OF LOT 18, CONCESSION 9 (NG)** **'R3-49'**
(500-2008-0003) **N/S BASELINE ROAD** **(Map 7)**

- a) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), and (h), the following requirements shall

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apply on lands shown in heavy outline and designated 'R3-49' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Minimum)	
Interior Lot	6 metres
End Lot	8 metres
Corner Lot	11 metres
Lot Area Per Unit (Minimum)	
Interior Lot	180 m ²
End Lot	240 m ²
Corner Lot	330 m ²
Front Yard (Minimum)	
To Attached Garage	6 metres (i)
To Dwelling	5 metres (i)
Exterior Side Yard (Minimum)	4 metres (i)(ii)
Rear Yard (Minimum)	7.5 metres
Lot Coverage (Maximum)	Not Applicable

(i) The minimum setback for the main wall of a dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.

(ii) Pursuant to By-law Number 2004-0078 (PWO-2), as amended, no entrance shall be permitted to provide access to the exterior flankage of a corner lot.

b) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:

i) Every lot shall provide a garage.

ii) The minimum interior dimensions of a garage shall be 3 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.

iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2

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risers) into the minimum garage length.

- iv) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.
- v) No part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.
- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

- ii) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
- iii) Notwithstanding ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.
- d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

**9.5.40 PART OF LOT 10, REGISTERED PLAN 185 'R3-50'
(500-2006-0020) AND PART OF LOTS 2 AND 3 REGISTERED PLAN 6 (Map 3)**

Notwithstanding Sections 9.1 and 9.2 only the following uses shall be permitted:

- apartment dwelling containing a maximum of 7 dwelling units
- townhouse dwelling containing a maximum of 5 dwelling units
- accessory buildings, structures and uses to any permitted use

Notwithstanding Section 5.8, three dwelling units shall be permitted within the cellar of the existing apartment dwelling.

Notwithstanding Section 5.28 (a), the minimum parking space size shall be 2.5 m x 5.5 m for the

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

heavy outline and designated 'R3-51' in Schedule 'A' attached hereto:

Permitted Use	Townhouse Dwelling
Lot Frontage Per Unit (Minimum)	
Interior Lot	6 metres
End Lot	8.5 metres
Corner Lot	11 metres
Lot Area Per Unit (Minimum)	
Interior Lot	180 m ²
End Lot	255 m ²
Corner Lot	330 m ²
Front Yard (Minimum)	
To Attached Garage	6 metres (i)
To Dwelling	5 metres (i)
Exterior Side Yard (Minimum)	4 metres (i)(ii)
Rear Yard (Minimum)	7.5 metres
Lot Coverage (Maximum)	Not Applicable

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- (i) The minimum setback for the main wall of a dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.
 - (ii) Pursuant to By-law Number 2004-0078 (PWO-2), as amended, no entrance shall be permitted to provide vehicular access to the exterior flankage of a corner lot.

- b) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
 - i) An attached garage shall be provided for every lot.
 - ii) The minimum interior dimensions of an attached garage shall be 3 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

- iii) No encroachments shall be permitted into a required parking space located within an attached garage, save and except for one step (2 risers) into the minimum garage length.
- iv) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.
- v) No part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.
- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Any fence within the above noted yards that exceeds 2 metres in

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

height must be erected in compliance with the minimum yard requirements for the appropriate zone.

- ii) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - iii) Notwithstanding ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.
 - iv) Notwithstanding i) and ii) above, where a lot or block abuts a commercial zone, a fence may be erected along the common lot line or in the commercial zone to a maximum height of 3 metres.
- d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.