

PART V

OPEN SPACE, PUBLIC USE, AGRICULTURE, AND PARKWAY BELT

75. NON-CONFORMING USES

- (1) In an open space zone where land is used for a purpose permitted in the zone but the use does not comply with the provisions of this by-law by reason of not complying with the required regulations for that use in the zone in which it is located, an addition may nevertheless be made to an existing building or structure or a further building or structure erected provided that every such addition and further building or structure complies with all the provisions of this by-law.

76. COMPUTATION OF YARDS

- (1) In an open space zone the minimum side yard along a flankage shall be 3.5m but where a private garage has its vehicle entrance facing or nearly facing a flankage the minimum side yard between the private garage and the flankage shall be 5.5m.
- (2) Where a lot is used for a permitted use other than gardening or public playgrounds and there are no structures or buildings on the lot, the minimum lot area and front yard requirements of the zone in which the lot is situated shall be complied with as if there were a building on the lot.

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77. PARKING

(1) Minimum Parking Requirements for Open Space, Public Use, Agricultural and Parkway Belt Zones

- i. The minimum parking requirements for uses permitted in these zones shall be as follows:

	Zone and Use	Requirement
a)	Detached dwellings, foster homes and shared accommodation for 5 or fewer residents licensed or approved under Provincial statute	- 2 off-street parking spaces per dwelling unit;
b)	Stadia, arenas and the like	- 1 parking space for every 6 seats and for every other accommodation for 6 persons;
c)	Public and private schools	- For elementary schools - 1 parking space for each 5 persons who can be accommodated in the main places of assembly plus a drop-off lane of sufficient length to permit the queuing of 10 vehicles. A maximum of 50% of the required parking may be provided on the playground area; - For secondary schools - 1 parking space for each member of staff and 1 space for each 5 persons who can be accommodated in the main places of assembly plus a drop-off lane of sufficient length to permit the queuing of 10 vehicles. A maximum of 50% of the required parking may be provided on the playground area.
d)	Private recreation clubs	- 1 parking space for each 5 persons to be accommodated in the design capacity of the building;
e)	Day nurseries and group homes	- One off-street surfaced parking space for each required staff member, which may be in tandem

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	Zone and Use	Requirement
		except that a resident operator of a day nursery or group home may provide 1 less space.
f)	Office of a physician	- 4 off-street parking spaces;
g)	Office of a veterinary surgeon	- 4 off-street parking spaces
h)	churches, Sunday Schools and other places of worship	- 1 parking space for each member of the staff and 1 space for each 5 persons who can be accommodated in the main place of assembly;
i)	Hospitals	- 1 parking space for every 50m ² of floor area; and
j)	06 (excluding restaurants and clubs)	- For every 14m ² of commercial floor area 1 parking space shall be provided.
k)	Government office buildings	- 1 paved parking space for every 17.5m ² of leaseable floor area.

77A. GARBAGE CONTAINERS

- (1) Garbage Containers shall not be permitted within the 01, 02, 03, 04, 05, 06, G and PE Zones unless screened by garbage container enclosures and shall not be located within:
- a) A front yard;
 - b) A required flankage setback;
 - c) A required yard abutting a residential zone, however, shall be permitted if setback from any residential zone a distance equal to the required setback of the main building.

Notwithstanding the foregoing, a garbage container enclosure need not be provided if the container is located within the rear yard behind a building, and if the abutting lands are not used for the following purposes:

- a) A public street;
- b) Parkland;
- c) Public walkway;

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- d) Public building;
 - e) Harbour;
 - f) Railway lines; and
 - g) Are not located in a zone which permits residential uses.
- (2) Garbage containers shall not be permitted within the A, PBR, PBA, and PB zones unless:
- a) They are not located within 100m of a street; and they are located behind a building; or alternatively
 - b) Are not located within 15m of a street and are located within a garbage container enclosure.

78. PROVISIONS FOR PUBLIC OPEN SPACE - 01 ZONE

(1) **Permitted Uses**

In the 01 Zone the following uses shall be permitted:

- a) Public parks, stadia, arenas and the like, detached dwellings, refreshment pavilions operated by public authorities, elementary schools, the provision of private-home day care, a day nursery, parking facilities incidental to any such use;
- b) A group home provided that it is no closer than 800 metres to any other group home and that no more than one group home is permitted on each of maps 91 (1) to 91 (27) of this by-law;
- c) A foster home;
- d) Shared accommodation licensed or approved under Provincial statute for 5 or fewer residents.
- e) A bed and breakfast establishment in a detached dwelling.

(2) **Regulations**

The following regulations shall apply to uses permitted in the 01 Zone:

- a) Yard requirements for dwellings - minimum
 - Front yard - 7.5m,
 - Side yard - 1.8m,
 - Rear yard - 7.5m,
- b) Floor area for dwellings - minimum
 - 1 storey building - 83.5m²,

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- 1 1/2 storey building - 97.5m²,
- 2 storey building - 111.5m²,
- c) Yard requirements for buildings or structures other than a dwelling - front, side and rear yards - Minimum - 12m,
- d) Lot area - Minimum - 0.8 ha,
- e) Lot frontage - Minimum - 61m,
- f) Building height - Maximum - 10.5m,
- g) Lot coverage - Maximum - 25%, and
- h) Except on detached dwellings, all metal vents, stacks, louvres, roof ventilators and the like shall be finished in a colour compatible with adjacent finished materials.

79. PROVISIONS FOR PRIVATE OPEN SPACE - 02 ZONE

(1) **Permitted Uses**

In the 02 Zone the following uses shall be permitted:

Uses permitted in the 01 Zone, radio or television transmission towers, and accessory uses, a privately owned or operated park, to which the public is admitted without charge.

(2) **Regulations**

The regulations provided in Section 78 (2) shall apply to the uses permitted in the 02 Zone.

80. PROVISIONS FOR SEMI PUBLIC OPEN SPACE - 03 ZONE

(1) **Permitted Uses**

In the 03 Zone the following uses shall be permitted:

The uses permitted in the 01 Zone, a golf course or a “par-three” course but not a driving range or a miniature course, golf, country and private recreation clubs, and a cemetery.

(2) **Regulations**

The regulations provided in Section 78 (2) shall apply to the uses permitted in the 03 Zone.

81. PROVISIONS FOR CONSERVATION - 04 ZONE

(1) **Permitted Uses**

In the 04 Zone the following uses shall be permitted:

Agricultural uses; detached dwellings; conservation projects and uses incidental thereto; public parks.

(2) **Regulations**

The regulations provided in Section 78 (2) shall apply to the uses permitted in the 04 Zone.

82. PROVISIONS FOR PARKWAY BELT PUBLIC USE - 05 ZONE

(1) **Permitted Uses**

In the 05 Zone the following uses shall be permitted:

- a) Public parks and the like, refreshment pavilions operated by public authorities, a golf course or a “par-three” course that is open to the general public but not a driving range or a miniature golf course, golf, country and recreation clubs that are open to the general public, conservation projects and uses incidental thereto,
- b) Public works, public utilities, private utilities not including power generation facilities, marinas and private recreation facilities all authorized by a government authority subject to municipal approval,
- c) All other legal uses of land, buildings and structures which existed on September 22, 1983, and
- d) Parking facilities incidental to permitted uses.

(2) **Regulations**

- a) the regulations provided in Section 78 (2) shall apply to the uses permitted in the 05 Zone.
- b) For buildings and lands legally permitted pursuant to clause (1) (c) the following regulations apply:
 - (i) Lot frontage - Minimum - as it existed on September 22, 1983,
 - (ii) Lot area - Minimum - as it existed on September 22, 1983,
 - (iii) Building height - Maximum - as it existed on September 22, 1983, and
 - (iv) Yards - Minimum - as they existed on September 22, 1983.

83. PROVISIONS FOR MARINE COMMERCIAL - 06 ZONE

(1) **Permitted Uses**

In the 06 Zone the following uses shall be permitted:

Marinas, boat repair establishments which may include custom boat buildings, marine equipment and ship chandler's shops, provisioners, restaurants, hotels specifically catering to waterborne travelers, private clubs which have marine activities as part of their objects, facilities for Sea Scouts and the like.

84. PROVISIONS FOR PUBLIC USE - G ZONE

(1) **Permitted Uses**

Any undertaking established or maintained by governmental authority shall be permitted in the G Zone.

(2) **Regulations**

The following regulations apply to uses permitted in the G Zone:

Yards - Minimum - 4.5m but in no case less than 50% of the building height subject also to the regulations in Section 29.

84.A PUBLIC USE/EDUCATION - P/E ZONE

(1) **Permitted Uses**

- a) Public and private schools;
- b) Day nurseries;
- c) Parks, playgrounds, recreational areas and community centres under the control of a public authority;
- d) Churches and other places of worship (with or without church halls for functions conducted by church organizations).

(2) **Regulations**

- a) The following regulations apply to uses permitted in the P/E zone with the exception of private school uses:
 - (i) Minimum front yard - 12 metres;
 - (ii) Minimum side yard - 4.5 metres;

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- (iii) Minimum rear yard - 12 metres;
 - (iv) The parking requirements and regulations set out in Section 77 shall apply to the uses set out above;
 - (v) Section 12.2 does not apply to lands zoned P/E, Public Use/Education.
- b) The following regulations shall apply to all private school uses permitted in the P/E zone.
- (i) Minimum front yard - 12 metres;
 - (ii) Minimum side yard - 4.5 metres however in no case shall the minimum side yard be less than 50% of the building height;
 - (iii) Minimum rear yard - 12 metres;
 - (iv) Maximum lot coverage - 30% of Lot Area;
 - (v) Minimum landscaped area - 25% of Lot Area;
 - (vi) Maximum height - 2 storeys;
 - (vii) Parking structures above grade shall not be permitted;
 - (viii) A private school shall only be located on a lot fronting onto a street which has a right-of-way width greater than 20 metres as defined in Section 14 subsection (3);
 - (ix) The parking requirements and regulations as set out in Section 77 shall apply to private school uses in the P/E Zone.

85. PROVISIONS FOR AGRICULTURAL - A ZONE

(1) **Permitted Uses**

In the A Zone the following uses shall be permitted:

- a) An agricultural use,
- b) One detached dwelling,
- c) The office of a physician used for consulting and emergency treatment only in the detached dwelling used by him as his private residence,
- d) The office of a veterinary surgeon, and premises for the treatment or boarding of animals,
- e) Parks, playgrounds, recreational areas and community centres established by a public authority,
- f) churches and other places of worship, with or without church halls used for functions conducted by church organizations only, and not including their use as public halls,
- g) Public and private schools,

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- h) A public hospital or private hospital or clinic licensed or approved under a Statute of Ontario,
- i) The conduct of a trade or business, provided not more than 25% of the floor area is used for the purpose, no sign is displayed, no person outside members of the family residing on the premises is employed, no goods are stored on the premises and no shipping is done from them, and there is no public office or visiting of the premises by customers, clients, or salesmen on business, and
- j) Provision of private-home day care.
- k) A group home provided that it is no closer than 800 metres to any other group home and that no more than one group home is permitted on each of maps 91 (1) to 91 (27) of this by-law;
- l) A foster home;
- m) Shared accommodation licensed or approved under Provincial statute for 5 or fewer residents.
- n) A bed and breakfast establishment in a detached dwelling.

(2) **Regulations**

The following regulations shall apply to uses permitted in the A Zone:

- a) Continuous lot frontage - Minimum
 - For lots of 4 ha or more - 152.5m,
 - For other lots - 45.5m,
- b) Lot depth - Minimum - 45.5m,
- c) Lot coverage - Maximum - 25%,
- d) Building height, except for agricultural buildings - Maximum -10.5m,
- e) Floor area for a dwelling - Minimum
 - 1 storey - 88m²,
 - 1 ½ storey - 102m²,
 - 2 storey - 116m²,
- f) Yards - minimum
 - (i) For a dwelling or garage
 - Front yard - 9m,
 - Side yards - on a lot owned separately and distinctly from any adjoining land on the date of passing of this by-law - 2.4m each side, and on other lots 2.4m and 20.5m,
 - Rear yard - 7.5m, and
 - (ii) For buildings other than a dwelling or a garage

- Front yard - 15m,
- Side yard - 15m,
- Rear yard - 15m.

86. PROVISIONS FOR PARKWAY BELT AGRICULTURAL - PBA ZONE

(1) **Permitted Uses**

In the PBA Zone the following uses shall be permitted:

- a) An agricultural use,
- b) The office of a physician used for consulting and emergency treatment only in the detached dwelling used by him as his private residence,
- c) The office of a veterinary surgeon, and premises for the treatment or boarding of animals,
- d) Parks, playgrounds, recreational areas and community centres established by a public authority subject to municipal approval,
- e) Churches and other places of worship, with or without church halls used for functions conducted by church organizations only, and not including their use as public halls,
- f) Public and private schools and day nurseries,
- g) A public hospital or private hospital or clinic licensed or approved under a Statute of Ontario,
- h) The conduct of a trade or business, provided not more than 25% of the floor area is used for the purpose, no sign is displayed, no person outside members of the family residing on the premises is employed, no goods are stored on the premises and no shipping is done from them, and there is no public office or visiting of the premises by customers, clients or salesmen on business,
- i) Provision of private home day care,
- j) A vacant lot existing on September 22, 1983 may be used for the construction of a detached dwelling and thereafter the building may be used as a detached dwelling,
- k) All other legal uses of land, buildings or structures which existed on September 22, 1983,
- l) Parking facilities incidental to permitted uses, and
- m) Public works, public utilities and private utilities not including power generation facilities, all authorized by a government authority subject to municipal approval.

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- n) A group home provided that it is no closer than 800m to any other group home, and that no more than one group home is permitted on each of maps 91(1) to 91(27) of this by-law.

(2) **Regulations**

- a) The following regulations apply to all uses permitted in the PBA Zone:
- (i) Lot area for dwelling - Minimum 2,787m²,
 - (ii) Lot frontage for a dwelling - Minimum 45.5m,
 - (iii) Continuous lot frontage – Minimum
 - for lots 4 ha or more - 152.5m
 - for other lots - 45.5m.
 - (iv) Lot depth - Minimum 45.5m,
 - (v) Lot coverage - Maximum 25%,
 - (vi) Building height, except for agricultural buildings
 - Maximum - 10.5m,
 - (vii) Floor area for a dwelling – Minimum
 - 1 storey - 88m²,
 - 1 ½ storeys - 102m²,
 - 2 storeys - 116m²
 - (viii) Yards - Minimum
 - For a dwelling including attached garage front yard - 9m;
 - Side yards - on a lot owned separately and distinctly from any adjoining land on September 22, 1983 - 2.4m each side, and on other lots - 2.4m and 20.5m,
 - Rear yard - 7.5m,
 - For all other buildings - Minimum
 - Front yard - 15m,
 - Side yard - 15m,
 - Rear yard - 15m.

87. PROVISIONS FOR PARKWAY BELT RURAL - PBR ZONE

(1) **Permitted Uses**

In the PBR Zone the following uses shall be permitted:

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- a) An agricultural use such as tree crops, vine crops, fruits, vegetables, cash crops, nurseries, sod and green houses, but excluding feed crops, mushrooms or any animal or livestock operations such as beef and dairy cattle, poultry, sheep, hogs and horse breeding, horse training and stables, and pasture,
- b) The office of a physician used for consulting and emergency treatment only in the detached dwelling used by him as his private residence,
- c) The office of a veterinary surgeon, and premises for the treatment of animals,
- d) Parks, playgrounds, recreational areas and community centres established by a public authority subject to municipal approval,
- e) Churches and other places of worship, with or without church halls used for functions conducted by church organizations only, and not including their use as public halls,
- f) Public and private schools and day nurseries,
- g) A public hospital or private hospital or clinic licensed or approved under a Statute of Ontario,
- h) The conduct of a trade or business, provided not more than 25% of the floor area is used for the purpose, no sign is displayed, no person outside members of the family residing on the premises is employed, no goods are stored on the premises and no shipping is done from them, and there is no public office or visiting of the premises by customers, clients or salesmen on business,
- i) Provision of private home day care,
- j) A vacant lot existing on September 22, 1983 may be used for the construction of a detached dwelling and thereafter the building may be used as a detached dwelling,
- k) All other legal uses of land, buildings or structures which existed on September 22, 1983, and
- l) Parking facilities incidental to permitted uses.
- m) A group home provided that it is no closer than 800m to any other group home, and that no more than one group home is permitted on each of maps 91(1) to 91(27) of this by-law.

(2) **Regulations**

The regulations provided in Section 86 (2) shall apply to the uses permitted in the PBR Zone.

88. PROVISIONS FOR PARKWAY BELT - PB ZONE

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(1) **Permitted Uses**

- a) Lands zoned PB are subject to the applicable provisions of Ontario Regulation 481/73 as amended.

- b) A group home provided that it is no closer than 800m to any other group home, and that no more than one group home is permitted on each of maps 91(1) to 91(27) of this by-law.

(2) **Regulations**

- a) The regulations provided in Ontario Regulation 481/73 as amended shall apply to the uses permitted in the PB Zone.