

Section 3

General Provisions

3.1 Application

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

3.2 Frontage on a Street

All lots shall front on a street.

3.3 Services

No buildings or structures may be erected, used or occupied unless the building or structure has been approved by the appropriate approval authority for water and wastewater service connections.

3.4 One Dwelling Per Lot (2013-110-ZO)

Subject to Section 3.5, not more than one single detached dwelling, semi-detached dwelling, duplex dwelling, street townhouse or back-to-back townhouses with frontage on a street shall be erected on a lot, except as established on a Plan of Condominium.

3.5 Accessory Farm Dwelling Unit (2013-110-ZO)

An accessory farm dwelling unit is permitted as an accessory use to a permitted agricultural use, provided that:

3.5.1 The farm is greater than 10 ha in area.

3.5.2 In ORM-C, ORM-L, ORM-NC or ENV Zones within the Oak Ridges Moraine Area, the accessory farm dwelling unit shall be subject to the execution of a Development Agreement with the Town specifying the conditions and duration of the use in accordance with the Oak Ridges Moraine Conservation Plan. **(2016-143-ZO)**

3.5.3 The accessory farm dwelling unit is used by the owner of the farm or farm help engaged full time in the farm enterprise.

3.5.4 The accessory farm dwelling unit is located to the rear and within 50 m of the main dwelling unit on the farm.

3.5.5 The accessory farm dwelling unit complies with all other applicable provisions of this By-law.

3.5.6 No severance of land associated with an accessory farm dwelling unit shall be permitted from the remainder of the farm.

**3.6 Accessory Buildings and Structures (2011-094-ZO) (2011-123-ZO)
(2013-110-ZO)(2014-117-ZO)(2022-067-ZO)**

- 3.6.1 Buildings and structures accessory to a lawful use are permitted in any zone, subject to this Section 3.6, and in the case of ORM-C, ORM-L, ORM-NC, ENV and FH Zones to Sections 3.14, 3.18 and 3.20. Notwithstanding the foregoing, human habitation of an accessory building or structure is not permitted except in accordance with Section 3.5.
- 3.6.2 A pergola or open sports court (e.g. tennis) is deemed to be an accessory structure for the purposes of this section and shall not be included in the calculation of lot coverage. **(2020-058-ZO)(2022-067-ZO)**
- 3.6.3 An accessory building or structure shall not be located closer to a street than the main building on a lot. In the case of through lots, an accessory building or structure may be located closer to a street than the main building in the rear yard provided that it is not located closer to the rear lot line than 50% of the distance of the main building to the rear lot line. **(2016-143-ZO)**
- 3.6.4 An accessory building or structure shall not exceed 4 m in height in R1, R2, R3, R4, RM1, RM2, RN1, RN2, RN3, RN4, RN5, CM1, CM2 and CMB Zones, and shall not exceed 5 m in height in all other zones.
- 3.6.5 An accessory building or structure shall be set back a minimum of 1.2 m from a rear lot line.
- 3.6.6 Notwithstanding Section 3.6.3 and 3.6.4 and the definition of height to the contrary, in any RN1, RN2, RN3, RN4, RN5, R1, R2, R3, R4, RM1 or RM2 zone, an accessory building may be permitted in an interior side yard, exterior side yard and that portion of a rear yard which extends from an abutting street to a depth less than the required minimum exterior side yard depth provided that it is no closer than 0.6 m to any side lot line and provided it has a maximum height of 2.2 m for flat roofed, domed and Quonset structures and 2.5 m for pitched, or mansard roofed structures. Such structures shall be permitted to a maximum ground floor area not exceeding 12 m² or 5% of the lot area whichever is the lesser. For the purposes of this Section, the height of a pitched or mansard roof shall be the greatest vertical distance between the average grade level and the ridge of the roof.
- 3.6.7 An accessory building or structure shall comply with all other provisions of this By-law relating to the zone in which it is located.
- 3.6.8 Notwithstanding Section 3.6.3 of this By-law, in any AG, ENV, ORM-C, ORM-L, ORM-NC, RPS, RV, EH, EBP, EX or EL zone, an entrance/ security gatehouse related to a permitted use is permitted in a front or exterior side yard with a maximum ground floor area of 15 m² provided it is located a minimum 3 m from any lot line.

3.7 Utilities and Public Service Facilities ((2023-111-ZO))

Nothing in this By-law shall prevent the use of any land, building or structure for the provision of any utilities or public service facilities, provided that:

- 3.7.1 All such buildings and structures comply with the provisions of this By-law relating to the zone in which they are located.
- 3.7.2 In any Traditional Residential Zone as set out in Section 5, or any New Residential Zone as set out in Section 5A, outdoor storage of goods, materials or equipment is not permitted.
- 3.7.3 Transportation, infrastructure or utilities are only permitted in the Oak Ridges Moraine Conservation Plan Area subject to Section 41 of the Oak Ridges Moraine Conservation Plan as identified in Schedule 65. (2016-143-20)
- 3.7.4 Notwithstanding, any other requirement of the by-law, any land utilized for a Public Service Facility shall provide a minimum of 50% of the front yard as landscaped and shall provide a minimum of 3 metres of landscaping at the property limits.
- 3.7.5 Notwithstanding, 3.7.1, 3.7.2 & 3.7.3 any land, buildings or structures constructed on behalf of, in partnership with or for operation by the Town of Whitchurch-Stouffville or the Regional Municipality of York shall comply with all minimum or maximum yard regulations for the zone in which it is located."

3.8 Mechanical Systems (2011-115-ZO)

- 3.8.1 Mechanical systems are permitted in any zone, except Flood Hazard (FH) Zones and Open Space (OS) Zones.
- 3.8.2 In all R and RN zones, mechanical systems may only be located in interior side yards and rear yards. Mechanical systems permitted by this By-law are not to exceed a manufacturer's sound rating of 76 dBA.
- 3.8.3 Notwithstanding Section 3.8.2, mechanical systems may also be located in the front yard and exterior side yard for lots containing Back-to-Back Townhouse Dwellings and Stacked Back-to-Back Townhouse Dwellings. (2016-143-ZO)

3.9 Temporary Construction Uses/Other Temporary Buildings (2013-110-ZO)

Temporary uses accessory to construction, such as a construction camp, a temporary tool shed, scaffold, or other temporary building or structure otherwise permitted by the Zoning By-law that is to be constructed on the

same lot, are permitted only for as long as the same are necessary for work in progress, which has neither been finished nor abandoned, and for which a building permit has been issued.

3.10 Household Sales

No more than two household sales per annum may be conducted at one location and no sale shall exceed two days' duration.

3.11 Road Reserves

Any yard which abuts a 0.3 m reserve or a sight triangle shall be deemed to abut the street adjacent to such 0.3 m reserve or sight triangle. Yard requirements shall be measured from the property line and shall not include the 0.3 m reserve or sight triangle.

3.12 Storage of Recreational Vehicles and Equipment (2013-110-ZO)

The outdoor storage of any boat, tourist trailer, snowmobile or other similar vehicle on any lot in a zone permitting residential use is limited to one such vehicle per lot, and such vehicle may be stored only in a rear yard.

No storage containers, trucks, bus, coach, streetcar, caboose, boat, or part thereof, whether original or modified, shall be used for any purpose other than that for which it was originally designed and intended, and except for recreational vehicles in Commercial Recreation (CR) zoned lands, shall not in any case be used for human habitation.

3.13 Non-conforming Buildings, Uses and Lots

3.13.1 Nothing in this By-law shall 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.

3.13.2 Non-Conforming Vacant Lots (2016-143-ZO)

In any RN Zone as set out in Section 5A or any RPS or RV Zone as set out in Section 5, a building and/or accessory building may be constructed on any lot or block contained within a draft approved plan of subdivision or legally created prior to the effective date of this By-law, provided that any building and/or accessory building so constructed complies with the provisions of the zoning by-law to which such lot or block was subject on the day prior to the effective date of this By-law, subject to any Committee of Adjustment minor variance, Holding (h) provisions or Development (D) provisions then applicable to such lot or block. Once such building and/or accessory building has been constructed, the provisions of this By-law that are applicable to such lot or block shall govern any redevelopment thereof.

3.14 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening, restoration or reconstruction of any building, structure or part thereof which is used for a use, or in a manner not conforming to, or complying with the provisions of this By-law, so long as the strengthening, restoration or reconstruction does not increase the height, footprint or GFA of the building or structure.

3.15 Existing Undersized Lots

Notwithstanding any other provisions of this By-law, a lot held in separate ownership from adjoining lots on the effective date of this By-law, or a lot for which a consent to severance has been granted and is still in force prior to the effective date of this By-law, having less than the minimum frontage or less than the minimum lot area required by this By-law, or both, may be used for a purpose permitted in the zone in which the said lot is located, provided that all other applicable provisions of this By-law are complied with.

3.16 Existing Buildings (OMB PL100392) (2011-115-ZO) (2013-110-ZO)

Notwithstanding Section 3.14, but subject to the provisions of Section 3.18, 3.19 and 3.20 relating to ORM, ENV and FH zones, where a building has been erected prior to the effective date of this By-law on a lot having less than the minimum frontage, lot area, front yard, side yard, rear yard or other such requirement established by this By-law, the building may be enlarged, reconstructed, repaired or renovated, provided that the enlargement, reconstruction, repair or renovation does not further increase the extent of the non-compliance with any such requirement.

3.17 Lots Reduced by Government Action (2011-115-ZO)

Where a lot does not comply with one or more of the lot specifications stipulated in this By-law as a result of expropriation, highway widening, or other land acquisition by the Town, The Regional Municipality of York, Her Majesty in Right of Ontario, or Her Majesty in Right of Canada, a building or structure may be erected, altered, repaired or used on such lot, provided that such erection, alteration or repair does not further increase the extent of such non-compliance.

3.17.1 Existing Lots Without Frontage

Notwithstanding Section 3.2 of this by-law, for any lot not fronting on a street but having a lot line abutting a legal right-of-way providing access to the lot, the lot shall, for the purposes of this By-law, be deemed to front on a street, and the lot line abutting the right-of-way shall be the front lot line.

3.18 Non-Conforming Buildings and Uses in the Oak Ridges Moraine Conservation Plan Area (ENV, FH and ORM Zones) (2013-110-ZO) (2020-058-ZO)

3.18.1 In this Section 3.18, “existing” means lawfully in existence on November 15, 2001 and does not include a use, building or structure that is in existence on that date without being lawful, and “institutional use” includes, without limitation, a long-term care facility, hospital, school, university or college.

3.18.2 Where this By-law requires that the ecological integrity of the Oak Ridges Moraine Plan Area or of land within an ORM Zone shall not be adversely affected, such determination shall be made by the Town based on a Natural Heritage Evaluation and/or a Hydrological Evaluation, as the case may be, in accordance with the relevant provisions of the Oak Ridges Moraine Conservation Plan, as amended from time to time. The Natural Heritage Evaluation and/or Hydrological Evaluation shall be prepared by the applicant and filed with the Town, and shall assess to the Town’s satisfaction the impact of the proposed development on the ecological integrity of the Oak Ridges Moraine Plan Area.

3.18.3 In an ORM-C, ORM-L, ORM-NC or ENV Zone in the Oak Ridges Moraine Conservation Plan Area, nothing in this By-law shall prevent:

- i) the use of any land, building or structure for a purpose prohibited in that zone, if the land, building or structure was lawfully used for that purpose on November 15, 2001, and continues to be used for that purpose; or
- ii) the erection or use, for a purpose prohibited in that zone, of a building or structure for which a permit has been issued under subsection 8 (2) of the *Building Code Act, 1992* on or before November 15, 2001, if,
 - a) the permit has not been revoked under subsection 8(10) of the *Building Code Act, 1992*; and
 - b) the building or structure, when erected, is used and continues to be used for the purpose for which it was erected

Such uses shall remain subject to the development regulations tables only, of the zoning by-law to which the land, building or structure was subject on November 15, 2001 and as contained in Section 3.43 of this By-law.

3.18.4 In any ORM-C, ORM-L, ORM-NC or ENV Zone in the Oak Ridges Moraine Conservation Plan Area **(2016-143-ZO) (2020-058-ZO)**

i) Existing Residential Buildings and Structures

A single detached dwelling lawfully existing prior to November 15, 2001 shall be permitted and may be expanded, provided that there will be no change in use and that such expansion does not intrude into a Key Natural Heritage Feature, a Hydrological Feature, or an

associated Minimum Vegetation Protection Zone required by the Oak Ridges Moraine Conservation Plan, and in which case the zone regulations applicable to such expansion shall be those contained in the development regulation tables only of the Zoning By-law on the day prior to the effective date of this By-law as contained in Section 3.43 of this By-law.

ii) Existing Non-Residential Buildings and Structures

A non-residential use, building or structure lawfully existing prior to November 15, 2001 shall be permitted and may be expanded, provided that there will be no change in use and that such use, building, structure or expansion does not intrude into a Key Natural Heritage Feature, a Hydrological Feature, or an associated Minimum Vegetation Protection Zone required by the Oak Ridges Moraine Conservation Plan, and in which case the zone regulations applicable to such expansion shall be those contained in Section 3.43 of this By-law.

iii) Accessory Uses, Buildings and Structures

New accessory uses, buildings and structures related to single detached dwellings, including swimming pools, shall be permitted and may be expanded, provided that any such new use, building, structure or expansion does not intrude into a Key Natural Heritage Feature, a Hydrological Feature, or an associated Minimum Vegetation Protection Zone required by the Oak Ridges Moraine Conservation Plan, and in which case the zone regulations applicable shall be those contained in the Zoning By-law on the day prior to the effective date of this By-law, as contained in Section 3.43 of this By-law Furthermore, the maximum lot coverage of all accessory buildings shall not exceed 5% of the lot area, to a maximum gross floor area of 200 m². **(2016-143-ZO)**

3.18.5 Notwithstanding Section 3.18.4, an existing mineral aggregate operation or existing wayside pit within an ORM-NC Zone may not be expanded beyond the boundary of the area under license or permit.

3.18.6 In any ORM-C, ORM-L, ORM-NC or ENV Zone, nothing in this By-law shall prevent the expansion of an existing institutional use, if the applicant demonstrates to the Town's satisfaction that:

- i) there will be no change in land use
- ii) the expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine Plan Area

3.18.7 In any ORM-C, ORM-L, ORM-NC or ENV Zone, nothing in this By-law shall prevent the reconstruction, within the same location and dimensions, of an

existing building or structure that is damaged or destroyed, and the reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in or intensification of the existing use.

3.18.8 In any ORM-C, ORM-L, ORM-NC or ENV Zone, nothing in this By-law shall prevent the conversion of an existing use to a similar use, if the applicant demonstrates to the Town's satisfaction that the conversion:

- i) will bring the use into closer conformity with the provisions of this By-law that are applicable to the zone in which it is located
- ii) will not adversely affect the ecological integrity of the Oak Ridges Moraine Conservation Plan Area

3.18.9 In any ORM-C, ORM-L, ORM-NC or ENV Zone, if an existing use has adverse effects on the ecological integrity of the Oak Ridges Moraine Conservation Plan Area, any application to expand the use, to expand a building or structure containing such use, or to convert the existing use to a similar use shall be considered with the objective of bringing the use into closer conformity with the Oak Ridges Moraine Conservation Plan Area.

3.19 Previously Authorized by Zoning in the Oak Ridges Moraine Conservation Plan Area (2013-110-ZO) (2020-058-ZO)

3.19.1 In any ORM-C, ORM-L, ORM-NC or ENV Zone, nothing in this By-law shall prevent the use, erection or location of a single detached dwelling (which shall, for the purposes of this Section 3.19.1, include buildings or structures accessory thereto), if:

- i) the use, erection and location of such single detached dwelling would have been permitted by the applicable zoning by-law on November 15, 2001
- ii) the applicant demonstrates to the Town's satisfaction that the use, erection and location of such single detached dwelling will not adversely affect the ecological integrity of the Oak Ridges Moraine Plan Area, in which case the zone regulations applicable to the said single detached dwelling shall be those contained in the Zoning By-law on the day prior to the effective date of this By-law, as contained in Section 3.43 of this By-law.

3.19.2 In any ORM-C, ORM-L, ORM-NC or ENV Zone, nothing in this By-law shall prevent the use, erection or location of a building or structure if:

- i) the use, erection and location of such building or structure were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or

- ii) the use, erection and location of such building or structure were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with Subsection 17 (1) of the *Oak Ridges Moraine Conservation Act, 2001*.

3.20 Environmental (ENV) and Flood Hazard (FH) Zones in the Oak Ridges Moraine Conservation Plan Area (2011-115-ZO) (2016-143-ZO)

- 3.20.1 Environmental (ENV) Zones identify Key Natural Heritage Features and Hydrologically Sensitive Features, as set out in the *Oak Ridges Moraine Conservation Plan*. The ENV Zones shown on Schedules 2 to 57 within the Oak Ridges Moraine Conservation Plan Area represent the Key Natural Heritage Features and the Hydrologically Sensitive Features, including adjacent 30 metre Minimum Vegetation Protection Zone, established by the *Oak Ridges Moraine Conservation Plan*. The extent of the natural heritage system in the Ballantrae and Musselman's Lake settlement areas is also based on the Ballantrae-Musselman's Lake and Environs Environmental Management Strategy adjusted where development has already occurred or has been approved to reflect existing and/or approved conditions. Outside of the Oak Ridges Moraine Conservation Plan Area, ENV Zones represent the extent of such features, based upon best available mapping.
- 3.20.2 No development, site alteration or change of use shall occur within 90 m of the boundaries of any Environmental (ENV) Zone shown on Schedules 2 to 57 within the Oak Ridges Moraine Conservation Plan Area, unless such development is in accordance with a Natural Heritage Evaluation and/or a Hydrological Evaluation, prepared by the applicant and filed with the Town, establishing to the Town's satisfaction that the development or site alteration will have no adverse effects on the Key Natural Heritage Feature or on the related ecological functions as required by the Oak Ridges Moraine Conservation Plan.
- 3.20.3 Notwithstanding any other provision of this By-law, for ENV and FH zones in the Ballantrae-Musselman's Lake and Community of Stouffville Secondary Plan areas, where the Secondary Plan, Official Plan, Zoning By-law, Master Environmental Servicing or Functional Servicing Plans (the "Approved Documents") are approved based on environmental studies, including the Ballantrae-Musselman's Lake and Environs Environmental Management Strategy, that have identified Minimum Vegetative Protection Zones or setbacks that are different from those in the Oak Ridges Moraine Conservation Plan Area, than the standards within the Approved Documents shall prevail, and the provisions of Section 3.20.2 and Section 3.20.5 shall not apply.
- 3.20.4 The Flood Hazard (FH) Zones conceptually represent the regulated floodplain limits established by the Conservation Authority having jurisdiction, as may be amended from time to time. In some cases, a Flood

Hazard (FH) Zone may contain erosion-prone or hazardous lands. In most cases, Flood Hazard (FH) Zones contain permanent or intermittent streams, which are Hydrologically Sensitive Features as established by the Oak Ridges Moraine Conservation Plan. Where detailed flood plain information is not available, FH Zones represent a 30 m setback from each side of the meanderbelt of the watercourses within such zones, representing the Minimum Vegetation Protection Zone established by the Oak Ridges Moraine Conservation Plan. No new building or structure shall be constructed less than 30 m from the meanderbelt of a watercourse, except as may be provided in Section 3.20.3.

3.20.5 Notwithstanding Section 2.3(iv), no development, site alteration or change of use shall occur within 120 m of the boundaries of the meanderbelt of any watercourse within a Flood Hazard (FH) Zone as shown on Schedules 2 to 57 unless such development is in accordance with a Hydrological Evaluation, prepared by the applicant and filed with the Town, establishing to the Town's satisfaction that the development or site alteration will have no adverse effects on Hydrologically Sensitive Features or on the related ecological functions, as required by the Oak Ridges Moraine Conservation Plan.

3.20.6 This By-law recognizes that due to the close proximity of Flood Hazard (FH) Zones and Environmental (ENV) Zones, proposed developments, site alterations or changes of use within 120 m of Key Natural Heritage Features or Hydrologically Sensitive Features may require both a Hydrological Evaluation and a Natural Heritage Evaluation establishing to the Town's satisfaction that the development or site alteration will have no adverse effects on the Key Natural Heritage Features or Hydrologically Sensitive Features and on the related ecological functions as required by the Oak Ridges Moraine Conservation Plan.

3.21 Sight Triangles (2011-115-ZO) (2013-110-ZO) (2016-143-ZO)

3.21.1 Notwithstanding any other provision in this By-law, in any RN1, RN2, RN3 and RN4 Zones, the required minimum setback from a sight triangle to the nearest point on a wall or any projecting element, excluding roof eaves of a building, shall be 1 m.

3.22 Permitted Yard Encroachments
(2011-115-ZO) (2011-152-ZO) (2013-110-ZO) (2013-112-ZO)
(2016-143-ZO) (2020-058-ZO)(2022-067-ZO)(2025-046-ZO)

These yard encroachments are permitted in accordance with the following table:

	Structure	Yard in which projection is permitted	Maximum Projection into the Required Yard
1.	Sill, belt courses, cornices, eaves, gutters, chimneys, pilasters, canopies, or similar non-structural architectural features	Front Rear Interior Side Exterior Side	0.7 m in addition to permitted encroachments in rows 2 to 7 inclusive
2.	Window Bays	Front Rear Interior Side Exterior Side	0.6 m over a maximum width of 3 m
3.	Non-street entrance stairs, landings, access ramps or fire escapes	Rear Interior Side Exterior Side	1.8 m over a maximum horizontal length of 5 m
4.	Street entrance stairs, landings or access ramps	Front Exterior Side	Subject to row 10 below
5.	Balconies for single detached dwellings, semi-detached dwellings, duplex dwellings and all types of townhouses	Front Rear Exterior Side	2 m
6.	Balconies for any other residential building, apartment building	Front Rear Interior Side Exterior Side	2 m
7.	Porches not exceeding one storey in height	Front Exterior Side	3 m including eaves and cornices
8.	Underground structures	Front Rear Interior Side Exterior Side	To the lot line
9.	Decks	Rear Interior Side Exterior Side	See (A)
10.	Notwithstanding row 1-9 above, no above grade projection is permitted closer than 1.5m to the front lot line and exterior side lot line.		
11.	Mechanical equipment, and swimming pool pumps/filters/heaters	Rear Interior Side Exterior Side	Unrestricted, but no closer than 0.6m from rear lot line, interior lot line and exterior

	Structure	Yard in which projection is permitted	Maximum Projection into the Required Yard
			side lot line, where the required setback is more than 0.6m.

(A) Deck Regulations

In all zones set out in Section 4, all Residential Zones set out in Section 5, and all New Residential Zones set out in Section 5A, where a deck adjoins a dwelling unit or accessory building, the following provisions shall apply:

- i) a deck and associated stairs shall be set back at least 3 m from the rear lot line
- ii) a deck shall not be permitted in a front yard or a minimum side yard

3.23 Parking Standards (2011-115-ZO) (2013-110-ZO) (2013-112-ZO) (2016-143-ZO) (2023-111-ZO) (2026-030-ZO)

3.23.1 Table of Parking Standards

For every building or structure to be erected or enlarged, off-street parking located in the same lot as the use and having unobstructed access to a street or lane shall be provided and maintained in conformity with the following table. The term “GFA”, used in the table, means gross floor area.

Use of Building or Lot	Minimum Number of Parking Spaces
Residential Dwellings	
Detached Dwelling (3)	2 parking spaces for each dwelling unit
Accessory Residential Unit (3) (5)	1 parking space for each dwelling unit
Bed and Breakfast Establishment	1 parking space per guest suite in addition to the parking required for the detached dwelling. The additional parking spaces may be located in tandem with other parking spaces.
Semi-Detached Dwelling (3)	2 parking spaces for each dwelling unit
Converted Dwelling	1 parking space for each dwelling unit
Duplex Dwelling (4)	3 parking spaces for each Duplex Dwelling
Triplex Dwelling (4)	4 parking spaces for each Triple Dwelling
Fourplex Dwelling (4)	5 parking spaces for each Fourplex Dwelling
Group Home	1 parking space for each dwelling unit
Street Townhouse Dwelling (3)	2 parking spaces for each dwelling unit
Back-to-Back Townhouse Dwelling (3)	2 parking spaces for each dwelling unit plus 0.25 parking spaces reserved for visitors
Townhouse Dwelling (3)	2 parking spaces for each dwelling unit for residents plus 0.25 parking spaces reserved for visitors
Stacked Townhouse Dwelling (1) (3)	2 parking spaces for each dwelling unit plus 0.25 parking spaces reserved for visitors
Apartment Building (2)	1.25 parking spaces per dwelling unit for residents plus 0.25 parking spaces reserved for visitors
Dwelling Units over Commercial Uses (2)	1.25 parking spaces per dwelling unit for residents plus 0.25 parking spaces reserved for visitors

Use of Building or Lot	Minimum Number of Parking Spaces
Long Term Care Facility	1 parking space for every 3 beds
Senior Citizens' Home	1 parking space for every 3 beds
Non-Residential Uses	
Assembly Hall/ Space	4 spaces per 100 sq.m.
Athletic Court (Tennis/Racquet/Pickleball/Basketball)	6 spaces per court
Automotive Sales and Service Uses	4 parking spaces for each repair bay, stationary car wash bay or detailing bay, plus 5 parking spaces for each 100m ² of GFA, exclusive of repair bays
Bowling Alley	4 parking spaces for each lane, plus for a restaurant, 1 parking space for each 4 persons seating capacity or 11 parking spaces for each 100 m ² of GFA, whichever is greater
Cannabis Processing	3000.0 m ² or less GFA: 1.6 parking spaces for each 100m ² of GFA Greater than 3000m ² of GFA: 1.6 parking spaces for each 100m ² of GFA for the first 3000 m ² of GFA and 1 parking space for each 100 m ² of GFA in excess of 3000 m ²
Car Wash	5 parking spaces
Commercial School	5 parking spaces for each 100m ² GFA
Community Centre	Assembly Hall parking rates to apply to all uses except for athletic courts, which are to be supplied at 6 parking spaces per court and for sports fields or rinks at 2.0 parking spaces per 100 m ² of GFA. Parking for accessory office uses are to be provided at the same rate as for the main use. Parking for any other uses are to be provided at that use's rate where provided within this B -law. (2023-111-ZO)
Curling Rink	4 parking spaces for each ice sheet, plus for a restaurant, 1 parking space for each 4 persons seating capacity or 11 spaces for each 100 m ² of GFA, whichever is greater
Day Care Centre	1.5 parking spaces for each classroom plus 1 parking space for each 5 person capacity as determined by the total occupant load
Elementary School	2 parking spaces per classroom
Energy Generation Facility	<u>3000 m² or less GFA:</u> 1.6 parking spaces for each 100 m ² of GFA <u>Greater than 3000 m² of GFA:</u> 1.6 parking spaces for each 100 m ² of GFA for the first 3000 m ² and 1 parking space for each 100 m ² of GFA in excess of 3000 m ²
Farm Produce Sales Outlet	5 parking spaces for each 100 m ² of sales area
Financial Institution	5 parking spaces for each 100 m ² of GFA
Fitness and Recreational Facility	6 parking spaces per 100 m ² of GFA plus 6 per racquet court

Use of Building or Lot	Minimum Number of Parking Spaces
Funeral Home	7.5 parking spaces per 100 m ² of GFA
Gas Bar	3 parking spaces for each 100m ² of GFA of the convenience store or 5 parking spaces, whichever is greater
Golf Course	27 parking spaces for each 9 holes of the golf course and 3.75 parking spaces for each 100m ² of GFA for the clubhouse, pro shop and public use areas
Grocery Store, Supermarket	5 parking spaces for each 100 m ² GFA
High School	3 parking spaces for each classroom
Hospitals	1 parking space for every 2 beds
Hotel or Motel	1 parking space for each guest suite, plus 10 parking spaces for each 100m ² of GFA excluding guest suites and guest suite access hallways
Indoor Sports Field/Rink	2 spaces per 100 sq.m.
Industrial Mall	2 parking spaces for each 100 m ² within each unit, provided that where an industrial unit has a GFA greater than 500 m ² , the individual parking requirement for the use in that unit shall apply to the GFA devoted to that use, in lieu of the foregoing.
Industrial Training School	1 parking space per 20 m ² of GFA
Manufacturing, Processing or Assembly Use	3000 m ² or less GFA: 1.6 parking spaces for each 100 m ² of GFA Greater than 3000 m ² of GFA: 1.6 parking spaces for each 100 m ² of GFA for the first 3000 m ² and 1 parking space for each 100 m ² of GFA in excess of 3000 m ²
Media Production Studio	3.5 parking spaces per 100 m ² of GFA
Miniature Golf Course, Golf Driving Range	1.5 parking spaces for each tee
Motor Vehicle Body Repair Shop	4 parking spaces for each repair bay, stationary wash bay or any other work bay
Museums and Art Galleries	2.5 parking spaces for each 100 m ² of GFA
Office	5 parking spaces for each 100 m ² of GFA
Place of Amusement	1 parking space for each 4 persons capacity
Place of Worship, Commercial Recreation Use	1 parking space for each 5 seats or 3 m of bench space. Where there are no fixed seats, 10 parking spaces for each 100 m ² of GFA devoted to public use. Where there is a combination of floor area containing fixed seating and floor area devoted to public use containing no fixed seating, 10 parking spaces for each 100 m ² of GFA devoted to public use
Restaurant	1 parking space for each 4 persons seating capacity or 11 parking spaces for each 100 m ² of GFA, whichever is greater. The required number of parking spaces may be reduced by a factor of 20% where a drive thru facility is present.

Use of Building or Lot	Minimum Number of Parking Spaces
Restaurant with Take-out Facilities	6 parking spaces, plus 1 space for each 4 persons seating capacity or 11 parking spaces for each 100 m ² of GFA, whichever is greater
Retail Store, Personal Service Establishment, Service Establishment	1,200 m ² or less of GFA - 3 parking spaces for each 100 m ² of GFA. Greater than 1,200 m ² of GFA - 2 parking spaces per 100 m ² of GFA
Sawmill	<u>3000 m² or less GFA:</u> 1.6 parking spaces for each 100 m ² of GFA <u>Greater than 3000 m² of GFA:</u> 1.6 parking spaces for each 100 m ² of GFA for the first 3000 m ² and 1 parking space for each 100 m ² of GFA in excess of 3000 m ²
Shopping Centre	Maximum 6 parking spaces for each 100 m ² of GFA; Minimum 3.3 parking spaces for each 100 m ² of GFA
Veterinary Clinic	4 parking spaces for each 100 m ² of GFA
Warehouse	2,000 m ² or less of GFA: (1 parking space for each 100 m ² of GFA) Greater than 2,000 m ² of GFA: 0.6 parking space for each 100 m ² of GFA
All other Commercial Uses	3.5 parking spaces for each 100 m ² of GFA

(2026-057-ZO)

3.23.1.1 Qualifying Notes to Parking Regulations (2026-030-ZO)

- 1) In the R1, R2, R3, R4, RN1, RN2, RN3, and RN4 zones, a minimum of 1.5 parking spaces per dwelling unit plus 0.25 visitor parking spaces per unit are required for a Stacked Townhouse if located at an identified lot within Schedule 70 – HAF 1.
- 2) In the RM1, RM2, RN5, CG, CL, CV, CM1, and CM2, zones, a minimum of 1 parking spaces per dwelling unit plus 0.25 visitor parking spaces per unit are required for a dwelling unit within an Apartment and a Dwelling Unit over Commercial Uses if located on an identified lot within Schedule 70 – HAF 1.
- 3) In the R1, R2, R3, R4, RN2, RN3, and RN4 Zones, no parking space is required for the first Additional Residential Unit if located at an identified lot within Schedule 71 – HAF 2.
- 4) In the R1, R2, R3, R4, RN1, RN2, RN3, and RN4 Zones, the minimum number of parking spaces required is reduced by 1 if located at an identified lot within Schedule 71 – HAF 2.
- 5) Additional Residential Units are subject to the regulations in Section 3.28.

3.23.2 Barrier Free Parking Requirements (2016-143-ZO)

3.23.2.1 Minimum Barrier Free Parking Space Dimensions

Dimension	Type A (large)	Type B (small)
Minimum width	3.4 m	2.4 m
Minimum length	5.5 m	5.5 m
Minimum vertical clearance	2.75 m	2.75 m

3.23.2.2 The apportionment of barrier free parking spaces of the total parking spaces required is as follows:

Total Parking Space(s) Required	Barrier Free Parking Space(s) Required
1 to 25	1 Type A parking space
26 to 100	4% of total required parking
101 to 200	1 space + 3% of total required parking
201 to 1000	2 spaces + 2% of total required parking
1001+	11 spaces + 1% of total required parking

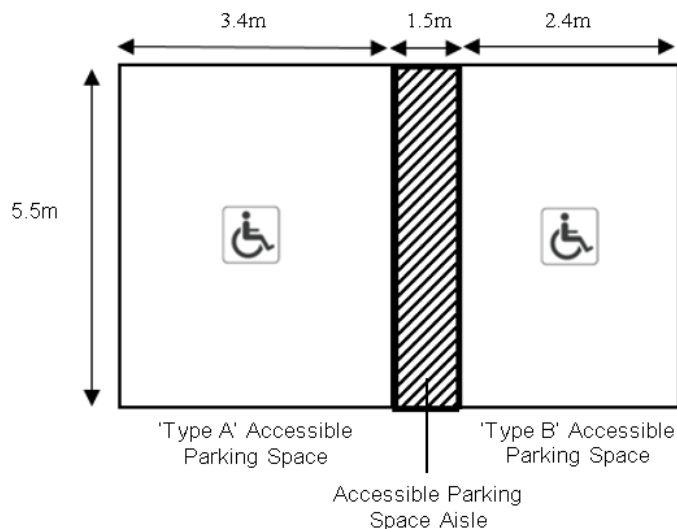
(All parking spaces shall be rounded up to the nearest whole number)

3.23.2.3 Where an even number of barrier free parking spaces are required, 50% of the required barrier free spaces must be *Type A* and 50% must be *Type B*.

Where an odd number of barrier free parking spaces are required, the additional parking space may be either a *Type A* or a *Type B*.

3.23.2.4 An access aisle must be provided for each barrier free parking space and shall meet the following requirements:

- i) a minimum width of 1.5 m
- ii) extends the full length of the parking space
- iii) is marked with contrasting diagonal lines
- iv) the required access aisle may be shared by two barrier free parking spaces



3.23.3 Multiple Uses (2016-143-ZO)

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

3.23.4 Parking Minimums in Major Transit Station Areas (2026-030-ZO)

Notwithstanding any other provisions of this By-law to the contrary, for development or redevelopment on lands in a designated Major Transit Station Area, as identified on Schedule D – Stouffville Land Use Designations of the Town of Whitchurch-Stouffville Official Plan, there are no minimum requirements in accordance with the *Planning Act*.

3.23.5 Compact Motor Vehicle Parking Spaces (2026-030-ZO)

Where 10 or more parking spaces are required for dwelling units, a maximum of 10 percent of the required residential parking spaces may be reduced to a minimum of 2.4 metres in width and a minimum of 4.8 metres in length and where reduced, shall be clearly identified, demarcated, and reserved for compact motor vehicles. Visitor parking spaces are to be provided in accordance with the space dimensions established in Section 3.24.

3.24 General Parking Area Regulations (2013-110-ZO) (2016-143-ZO)

3.24.1 Where the calculation of parking in Section 3.23.1 - Table of Parking Standards results in a fraction of a parking space, the fraction shall be rounded up to the nearest whole number of parking spaces.

3.24.2 Parking spaces shall be on the same lot as the building or use for which they are required.

3.24.3 Each parking space shall be clearly demarcated and shall have a minimum width, length and adjoining aisle width, as set out in the following table:

Parking Angle (degrees)	Parking Space Width (m)	Parking Space Length (m)	Aisle Width (m)
0 to 20	2.75	6.7	3.5
21 to 45	2.75	5.5	3.2
46 to 60	2.75	5.5	3.9
61 to 75	2.75	5.5	5.1
76 to 90	2.75	5.5	6.5

3.24.4 The minimum width of a driveway leading to any parking area shall be 3 m for a one-way driveway and 6.5 m for a two-way driveway.

3.24.5 Downtown Area Parking Reduction Area

For that part of the Downtown area on both sides of Main Street, between Albert Street and Park Drive, as shown on Schedule 64, the amount of parking required by Section 3.23.1 – Table of Parking Standards may be reduced to an amount equal to 60% of the standard shown in the Table of Parking Standards for all uses except residential uses and office uses exceeding 1,858 m².

3.24.6 Parking Provisions:

3.24.6.1 Location of Parking in Residential and New Residential Zones

In all Residential and New Residential Zones:

- i. Within a front, rear, interior or exterior side yard, motor vehicle parking is only permitted on a driveway or a parking pad having a minimum unobstructed dimension of 2.75 m in width and 5.5 m in length.(2026-030-ZO)
- ii. Parking is permitted within a garage having an unobstructed dimension of 2.75 min width and 6 min length.
- iii. Parking is permitted in a garage having a dimension of 2.75 m in width and 6 min length with up to 0.6 m of encroachment by stairs located within 1 m from the end of the parking space.
- iv. Parking is permitted in a garage having a dimension of 3.25 m in width and 6 m in length if stairs intrude into the garage beyond 0.6 m., or are located more than 1 m away from the end of the parking space.

- v. Parking is permitted in a garage having a dimension of 5.6 m in width and 6 m in length for a double vehicle garage, with up to 0.6 m of encroachment by stairs located within 1 m of the end of the parking space.
- vi. Subject to the provisions for circular driveways, only one driveway or one parking pad is permitted per lot.
- vii. No parking is permitted on any Residential Walkway or hardscaped outdoor amenity space.
- viii. Where parking is provided in a rear yard or interior side yard on a lot in a Traditional Residential or New Residential Zone: **(2026-030-ZO)**
 - a. A 1.2 m wide soft landscaped area shall be provided between the perimeter of the parking pad and parking aisle and any rear lot line and interior side lot line;
 - b. A 1.5 m high privacy fence shall be provided between the perimeter of the parking pad and parking aisle and the rear lot line and interior side lot line; and
 - c. A minimum of 50% of the rear yard shall be soft landscaped area.

3.24.6.2 Maximum Driveway Width for All Residential Zones (2016-143-ZO)

In all Residential and New Residential Zones, the maximum driveway width within the property boundary shall be equal to the greater of:

- i. The garage door width plus 2 m, provided that:
 - a) in the case of a lot with a lot frontage less than 11 m, a minimum of 20% soft landscaped area is provided in the front or exterior side yard in which the driveway is located
 - b) in the case of a lot with a lot frontage 11 m or greater, a minimum of 35% soft landscaped area is provided in the front or exterior side yard in which the driveway is located
- or,
- ii) 6 m, provided that a minimum of 35% soft landscaped area is provided in the front or exterior side yard in which the driveway is located
- or,

- iii) in the case of a lot with a three-bay garage, 9 m, provided that a minimum of 35% soft landscaped area is provided in the front or exterior side yard in which the driveway is located

3.24.6.3 Setbacks for Driveways or Parking Pads (2016-143-ZO)

3.24.6.3.1 In all Traditional Residential and New Residential Zones (excluding RPS, RV, RM1, RM2 and RN5 Zones):

- i) Driveways or parking pads accessed from the front lot line shall be located:
 - a) No closer to the interior side lot line than the minimum interior side yard setback requirement for the main building
 - b) No closer to the exterior side lot line than the minimum exterior side yard setback requirement for the main building
- ii) Driveways or parking pads accessed from the exterior side lot line shall be at least 6 m in depth and shall be located:
 - a) no closer than 1.2m from the rear lot line
 - b) no closer to the front lot line than the minimum front yard setback yard requirement for the main building

3.24.6.3.2 In RPS, RV, RM1, RM2, RN5 and all Zones set out in Section 4

Driveways or parking pads accessed from the front lot line shall be located:

- a) no closer than 1.5 m from the interior side lot line
 - b) no closer to the exterior side lot line than the minimum exterior side yard setback requirement for the main building
- i) Driveways or parking pads accessed from the exterior side lot line shall be at least 6 m in depth and shall be located:
 - a) no closer than 1.2m from the rear lot line
 - b) no closer to a front lot line than the minimum front yard setback requirement for the main building

3.24.6.3.4 Provisions for Circular Driveways

On lots with lot frontages greater than 19 m, a second minimum 3.7 m wide driveway is permitted, provided that:

- i) the main building is at least 8 m from the street line
- ii) the driveways are at least 7 m apart at the street line
- iii) the second driveway connects the street to the other driveway that provides direct access to the street

3.24.6.3.5 Second Driveway – Corner Lots

A second driveway may be permitted on a corner lot to access a garage or accessory building provided:

- i) the accessory building is a minimum of 6 m from the street line
- ii) the second driveway is approved by the authority having jurisdiction for the road

3.24.7 Parking of Commercial Vehicles

- i) No commercial vehicle, the net weight of which exceeds 4,000 kg, may be parked or stored on a lot in a zone referred to in Section 5 or Section 5A, except within a wholly enclosed building
- ii) Not more than one commercially licensed vehicle, the net weight of which does not exceed 4,000 kg, may be parked or stored outside of a wholly enclosed building on a lot in a zone permitting a residential use
- iii) No bus, the net weight of which exceeds 4,000 kg, may be parked or stored on a lot having a lot area less than 0.8 ha in any zone permitting a residential use

3.24.8 Maximum Length of Private Laneways

The maximum length of a private laneway shall be 150 m.

3.24.9 Tandem Parking (2026-030-ZO)

Notwithstanding any provision of this By-law to the contrary, tandem parking for dwelling units shall be permitted where parking spaces are allowed on any driveway or in a private garage.

Where a parking area serves four or fewer dwelling units, up to three tandem parking spaces may be provided, for a total of six parking spaces, in any configuration.

Where a parking area serves more than four dwelling units, including within a parking structure, tandem parking spaces shall only be permitted where each space in a tandem pair is legally tied to the same dwelling unit.

3.25 Loading Space Requirements

Off-street loading spaces shall be provided and maintained in accordance with the following provisions:

3.25.1 Location of Loading Spaces

- i) Loading spaces must be located either within or abutting the building containing the use to which such loading space is appurtenant. No loading space shall be located within a front yard or exterior side yard. Loading spaces may only be located in interior side yards and rear yards.
- ii) Loading spaces shall be located at least 10 m from a street and 10 m from the boundary of any Residential or New Residential Zone.

3.25.2 Minimum Loading Space Dimensions

Small Loading Space:

Length	9 m
Width	3.6 m
Clear Height	4.25 m

Large Loading Space:

Length	15 m
Width	3.6 m
Clear height	4.25 m

3.25.3 Minimum Number of Loading Spaces (2016-143-ZO)

The type and minimum number of loading spaces shall be provided in accordance with the following:

<u>Uses</u>	<u>Required Loading Space</u>
Multiple Unit Commercial or Industrial Buildings	1 small loading space per unit

Retail stores, shopping centres, restaurants, places of entertainment, long term care facilities, hospitals, hotels, and all industrial and manufacturing uses, warehouses or any other similar uses involving frequent shipping, loading and unloading:

- i) up to 450m² of GFA no loading space
- ii) over 450m² up to 950m² of GFA 1 small loading space
- iii) over 950m² up to 2,400m² of GFA 2 large loading spaces
- iv) over 2,400m² up to 7,500m² of GFA 4 large loading spaces
- v) over 7,500m² up to 9,000m² of GFA 5 large loading spaces

vi) over 9,000m² of GFA

5 large loading spaces plus
one large loading space for
each 9,000 m² of GFA

3.25.4 Drive Thrus (OMB PL100392)

Subject to Section 3.25.4.1, the minimum number of queuing spaces shall be as follows:

Drive Thru Facility	Minimum Required Spaces
Financial Institution	5
Restaurant	12
Motor Vehicle Washing Establishment (Automatic)	12
Motor Vehicle Washing Establishment (Self Serve)	5
Motor Vehicle Service Station/Gas Bar	2
All Other Facilities	4

3.25.4.1 Traffic Impact Study

A Traffic Study is required to confirm the adequacy of the queuing requirements associated with a Drive Thru proposed in conjunction with a permitted use. A greater number of ingress and egress spaces are required, if so established by a Traffic Impact Analysis prepared in support of a Drive thru facility as accepted by the Town.

3.25.4.2 Exclusive Use of Queuing Space

Queuing lanes and spaces shall be exclusive of any other parking space and aisle requirements contained within this By-law.

3.25.4.3 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum length of 5.5 m and width of 2.6 m.

3.25.4.4 Setbacks for Queuing Lanes (2020-058-ZO)

Queuing lanes shall be located in accordance with the following:

- i) Queuing lanes shall not obstruct access to parking aisles or parking spaces on the lot
- ii) No queuing lane shall be located closer than 4.5 m to any Residential Zone

- iii) No part of a queuing lane or queuing space shall be located in the required minimum front yard or required minimum exterior side yard.

3.25.4.5 Calculation of Uses

Where the use of any land, building or structure is a component of a combination of a drive thru facility and any one or more other uses, these uses shall not be considered as accessory to one another and all provisions pertaining to each use shall apply.

3.26 Home Industry Uses

Home industry uses may include production of custom or artisanal products and services such as carpentry, metalworking, welding, electrical work, gardening or blacksmithing, primarily for the farming community. Home industry uses are permitted in all zones set out in Section 4 that permit a single detached dwelling, provided that the lot containing any such home industry use is a minimum of 5 ha in lot area, that the use complies with all of the provisions of this By-law relating to the zone in which it is located, and that:

- i) In addition to persons living in the dwelling unit, a maximum of one person who is not resident in the dwelling unit may be engaged in the home industry use
- ii) The home industry use may be located in part of a dwelling unit or in any accessory building or structure, provided that no more than 25% of the GFA of the dwelling unit or accessory building or structure shall be used for the home industry use to a maximum of 140 m²
- iii) There is no outdoor storage or display or signage associated with the home industry use
- iv) A maximum of one home industry use is permitted on a lot
- v) The home industry does not involve any changes to the outward appearance of the building except for any modifications required to accommodate barrier free access
- vi) The single detached dwelling in which the home industry is located is the principal residence, as defined in the Income Tax Act, of the person or persons engaged in the home industry use
- vii) No retail sales are permitted as part of a home industry use other than the sale of what is produced or repaired on site
- viii) The home industry does not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise, or odour

3.27 Home Occupations (2022-067-ZO)

Home occupations are permitted in single detached dwellings and/or accessory buildings in all Rural and Environmental Zones set out in Section 4, in single detached dwellings, and semi-detached dwellings, stacked townhouse dwellings, back to back townhouse dwellings and/or accessory buildings in all traditional Residential Zones set out in Section 5, and all New Residential Zones set out in Section 5A, provided that every home occupation complies with all of the provisions of this By-law relating to the zone in which it is located and provided that:

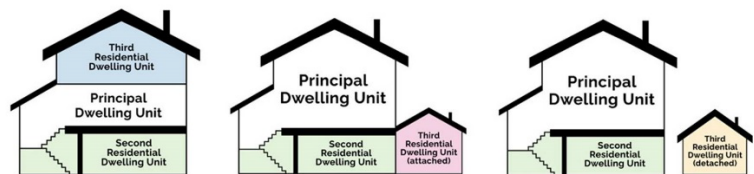
- i) In addition to persons living in the dwelling, a maximum of one person who is not resident in the single detached dwelling may be engaged in the home occupation use;
- ii) No more than 25% of the GFA of the dwelling or accessory building may be used for the home occupation use, to a maximum of 90 m²;
- iii) There is no outdoor storage or display or signage associated with the home occupation use;
- iv) The home occupation is clearly secondary to the use of the dwelling;
- v) The home occupation does not involve any changes to the outward appearance of the building except for any modifications required to accommodate barrier free access;
- vi) The dwelling in which the home occupation is located is the principal residence, as defined in the *Income Tax Act*, of the person or persons engaged in the home occupation use;
- vii) No retail sales are permitted as part of a home occupation use other than the sale of what is produced or repaired on site;
- viii) The home occupation does not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise, or odour; and
- ix) Home occupations do not include kennels, animal services, automotive sales and service uses, motor vehicle body repair shop, paint shops, medical offices, restaurants, taxi services, bed and breakfast establishment or distribution centres.

3.28 Additional Residential Units (2024-078-ZO)(2025-046-ZO)

Notwithstanding any other provisions of this By-law to the contrary, Additional Residential Units (ARUs) must comply with Section 3.28, Schedule 66 – Additional Residential Unit – Permission Map, and all other applicable provisions of this By-law.

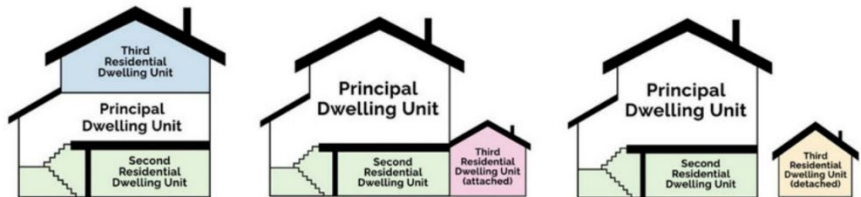
Refer to Schedule 66 – Additional Residential Unit – Permission Map for 3.28 (i) to (vii) to confirm locational use permissions as it relates to Provincial Plans and restrictive zones.

- i) A Semi-Detached Dwelling or Townhouse Dwelling Unit on both Municipal Sewage Services and Municipal Water Services, may have one of the following ARU configurations in addition to a Principal Dwelling Unit:
 - i. A maximum of two (2) ‘integrated’ ARUs are permitted in addition to the principal Dwelling located within a Semi-Detached Dwelling or Townhouse Dwelling Unit; or,
 - ii. A maximum of one (1) ‘integrated’ ARU and one (1) ‘ancillary ARU are permitted in addition to the principal Dwelling located within a Semi-Detached Dwelling, or Townhouse Dwelling Unit.
 - iii. A maximum of two (2) ‘ancillary’ ARU within a single building are permitted in addition to the principal Dwelling located within a Semi-Detached Dwelling or Townhouse Dwelling Unit. **(2026-030-ZO)**



- ii) For the purposes of this section only (section 3.28) a Townhouse Dwelling Unit shall include, Back-to-Back Townhouse Dwelling, Stacked Back-to-Back Townhouse Dwelling, Stacked Townhouse Dwelling, Street Townhouse Dwelling, and Townhouse Dwelling as defined by this By-law.
- iii) A Single Detached Dwelling on both Municipal Sewage Services and Municipal Water Services, may have one of the following ARU configurations in addition to a Principal Dwelling Unit **(2026-030-ZO)**:
 - i. A maximum of three (3) ‘integrated’ ARUs are permitted in addition to the Principal Dwelling Unit located within a Single Detached Dwelling; or,
 - ii. A maximum of two (2) ‘integrated’ ARU and one (1) ‘ancillary’ ARU are permitted in addition to the Principal Dwelling Unit located within a Single Detached Dwelling; or,

- iii. A maximum of one (1) 'integrated' ARU and two (2) 'ancillary' ARU within a single building are permitted in addition to the Principal Dwelling Unit located within a Single Detached Dwelling.



- iv. Three (3) ARUs are only permitted on lots with a minimum frontage of 15 m and a minimum lot area of 555 m² subject to the zoning regulations for the Principal Dwelling Unit on the lot
- iv) An ARU can only be permitted subject to availability of water and sanitary servicing and to the satisfaction of the Town.
- v) A total of one (1) ARU in the form of an 'integrated' ARU or 'ancillary' ARU is permitted on an un-serviced or partially serviced Lot with a Single Detached Dwelling, Semi-Detached Dwelling or Townhouse Dwelling Unit within the settlement area boundaries of Vandorf, Gormley, Bloomington, Musselman's Lake and Ballantrae. This also applies to lands identified as New Urban Areas on Schedule A of the 2024 Town Official Plan until Municipal Sewage Services and Municipal Water Services are available.
- vi) Within the Oak Ridges Moraine Conservation Countryside Zone (ORM-C), a total of one (1) 'integrated' ARU is permitted within a Single Detached Dwelling
- vii) Outside a settlement area located within the greenbelt Plan's Protected Countryside Area, but outside it's Natural Heritage System a total of one (1) 'ARU is permitted as an 'integrated ARU' within a Single Detached Dwelling or as an 'ancillary ARU' within an existing Accessory Structure.
- viii) An ARU is not permitted within lands zoned Flood Hazard (FH) and/or Environmental (ENV). Should use permission conflict occur in Section 3.28 this provision prevails.
- ix) Ancillary ARUs must conform to 'Table 1 – Ancillary ARU – Regulations' and associated 'Qualifying Notes to Regulations'.

Table 1 – Ancillary Additional Residential Unit (ARU) Regulations

Lot Size	Maximum Lot Coverage (4)	Minimum 'Actual Rear Yard' 'Landscaped Area' Coverage (3)	Maximum Gross Floor Area	Minimum Front Yard	Minimum Exterior Side Yard	Minimum Interior Side Yard	Minimum Rear Yard (5)	Maximum Building Height
Lots with an area less than 500 sq. m	Parent Zone Maximum Lot Coverage + 10% (2)	50%	50% of the Gross Floor Area of the 'Principal Dwelling Unit' or 'Principal Dwelling Unit with Integrated ARU (2-dwelling units)' on the lot. An Ancillary ARU shall not exceed 56 sq. m in Gross Floor Area	Not Permitted in Front Yard	Refer to Parent Zone	Refer to Parent Zone	1.2 m	5.0 m
Lots with an area 500 to 1,499 sq. m	Parent Zone Maximum Lot Coverage + 5% (2)	60%	50% of the Gross Floor Area of the 'Principal Dwelling Unit' or 'Principal Dwelling Unit with Integrated ARU (2-dwelling units)' on the lot. An Ancillary ARU shall not exceed 140 sq. m in Gross Floor Area If 50% of the Gross Floor Area of the 'Principal Dwelling Unit' or 'Principal Dwelling Unit with Integrated ARU (2-dwelling units)' is less than 93 sq.m., then the lot is permitted to have an Ancillary ARU with up to 93 sq.m. of Gross Floor Area.	Not Permitted in Front Yard	Refer to Parent Zone	1.2 m if Gross Floor Area is 93 square metres or less. 4.5 m if Gross Floor Area is greater than 93 square metres.	1.2 m if Gross Floor Area is 93 square metres or less. 4.5 m if Gross Floor Area is greater than 93 square metres.	5.0 m if minimum 1.2 m Rear Yard is provided. 6.5 m if minimum 4.5 m Rear Yard is provided.
Lots with an area of 1,500 sq. m or more (1)%	Parent Zone Maximum Lot Coverage + 2.5% (2)	75%	Permitted to have an Ancillary ARU up to 233 sq. m in Gross Floor Area.	Refer to Parent Zone	Refer to Parent Zone	Refer to Parent Zone	6.0 m	6.5 m

Qualifying Notes to Regulations

- 1) Lots zoned AG or ORM-C are not granted any additional Lot Coverage.
- 2) If the Parent Zone does not have a Maximum Lot Coverage Provision, the Lot Coverage of existing Buildings and Structures is equal to the Maximum Lot Coverage plus permissions identified in Table 1

- 3) A swimming pool, hot tub, or water feature will be considered Landscaped Area.
 - 4) Lots on both Municipal Sewage Services and Municipal Water Services are permitted to receive greater maximum lot coverage value between 45% or the calculation as determined in by Maximum Lot Coverage column.
 - 5) Notwithstanding anything to the contrary in this By-law, no part of any building may protrude into the minimum rear yard **(2026-030-ZO)**.
- x) Integrated ARUs must conform to 'Table 2 – Integrated ARU – Regulation' and associated 'Qualifying Notes to Regulations.'

Table 2 – Integrated Additional Residential Unit (ARU) Regulations

Lot Size	Maximum Lot Coverage (4)	Minimum 'Actual Rear Yard' 'Landscaped Area' Coverage (3)	Minimum Front Yard	Minimum Exterior Side Yard	Minimum Interior Side Yard	Minimum Rear Yard (5)	Maximum Building Height
Lots with an area less than 500 sq. m	Parent Zone Maximum Lot Coverage + 10% (2)	50%	Refer to Parent Zone	Refer to Parent Zone	Refer to Parent Zone	4.5 m	Refer to Parent Zone
Lots with an area 500 to 1,499 sq. m	Parent Zone Maximum Lot Coverage + 5% (2)	60%	Refer to Parent Zone	Refer to Parent Zone	Refer to Parent Zone	4.5 m	Refer to Parent Zone
Lots with an area of 1,500 sq. m or more (1)	Parent Zone Maximum Lot Coverage + 2.5% (2)	75%	Refer to Parent Zone	Refer to Parent Zone	Refer to Parent Zone	6.0 m	Refer to Parent Zone

Qualifying Notes to Regulations

- 1) Lots zoned AG or ORM-C are not granted any additional Lot Coverage.
- 2) If the Parent Zone does not have a Maximum Lot Coverage provision, the Lot Coverage of existing Buildings and Structures is equal to the Maximum Lot Coverage plus permissions identified in Table 2.
- 3) A swimming pool, hot tub, or water feature will be considered Landscaped Area.
- 4) Lots on both Municipal Sewage Services and Municipal Water Services are permitted to receive greater maximum lot coverage value between 45% or the calculation as determined in by Maximum Lot Coverage column.

- 5) Notwithstanding anything to the contrary in this By-law, no part of any building may protrude into the minimum rear yard **(2026-030-ZO)**
- xi) Balconies or rooftop patios are not permitted on ‘ancillary’ ARUs on lots with an area of less than 1500 square metres.
- xii) Any required parking space for the ARU must be located on private property and comply with all other applicable provisions of this By-law. **(2026-030-ZO)**
- xiii) One (1) Parking Space is required for each ARU in addition to parking requirements for the Single Detached Dwelling, Semi-Detached Dwelling, or Townhouse Dwelling Unit in which the principal Dwelling is located. A Parking Space required for an ARU is permitted in a tandem Parking Space configuration. The Parking Space for the ARU must be located on private property and comply with all other applicable provisions of this By-law.
- xiv) An ARU may be located above an attached or detached Garage. An attached Garage shall comply with the Parent Zone provisions and Table 2 – Integrated ARU Regulations. A detached Garage, containing an ARU above the required Parking Space in the Garage, may have a height 6.5m and shall comply with Table 1 – Ancillary ARU Regulations.
- xv) An ‘ancillary’ ARU may be located within an existing Accessory Building and shall comply with Section 3.28 of this by-law, except Table 1 – Ancillary ARU Regulation’s Maximum Gross Floor Area requirements.
- xvi) An Ancillary ARU shall be at least 4 m from another building or structure on the parcel if the other building or structure contains a dwelling unit.
- xvii) An Ancillary ARU shall be at least 4 m from another building or structure on the parcel if the other building or structure contains a dwelling unit. **(2026-030-ZO)**
- xviii) Where the principal entrance to an ARU is located in the side yard or rear yard, an unobstructed pedestrian path of travel having a minimum width of 1.2 m shall be provided along any portion of the yard extending from the front wall of the building to the door used as the principal entrance for the ARU unless the principal entrance to the ARU has direct unobstructed access having a minimum width of 1.2 m from a public street or private lane at the rear of the property **(2026-030-ZO)**

3.29 Conservation Uses

Fish, wildlife, forest management, conservation projects and flood and erosion control uses are permitted in all zones established by this By-law.

3.30 Deck Regulations

In all zones set out in Section 4, all Residential Zones set out in Section 5, and all New Residential Zones set out in Section 5A, where a deck adjoins a dwelling unit or accessory building, the following provisions shall apply:

- iii) Notwithstanding any other provision of this By-law, a deck shall be set back at least 3 m from the rear lot line
- iv) a deck shall not be permitted in a front yard or a minimum side yard

3.31 Lot Coverage Exemptions (2020-058-ZO)(2022-067-ZO)

The following structures shall not be considered to be buildings for the purpose of calculating lot coverage:

- i) a deck;
- ii) an open sports court (e.g. tennis court);and
- iii) all permitted yard encroachments, with the exception of porches; and
- iv) a pergola

3.32 Residential Setback from Rail Corridors

No residential building shall be located less than 30 m from any operating rail corridor right-of-way.

3.33 Temporary Sales Centres and Model Homes (2013-110-ZO) (2016-143-ZO)(2022-067-ZO)

3.33.1 Temporary Property Sales Centre

- i) In accordance with this clause, at the Town's discretion and subject to the execution of a Temporary Property Sales Centre Agreement, nothing in this By-law shall apply to prevent the issuance of building permits for the erection and use of a Temporary Property Sales Centre used exclusively for the sale of lots and/or units in a proposed plan of subdivision or condominium which has received draft plan approval.
- ii) A Temporary Property Sales Centre shall be located on lands within the approved draft plan of subdivision or condominium and shall be removed when the sales have concluded.
- iii) A Temporary Property Sales Centre Agreement shall have the same force and effect of a Conditional Building Permit Agreement;

- iv) If Section 3.33.1 ii) cannot be complied with, a Temporary Property Sales Centre may be located within two(2) kilometers of the related approved draft plan of subdivision or condominium, as approved by Town staff, and shall be removed when the sales have concluded.

3.33.2 Temporary Model Home

- i) In accordance with this clause, at the Town's discretion and subject to the execution of a Temporary Model Home Agreement, nothing in this By-law shall apply to prevent the issuance of building permits for the erection and use of Temporary Model Homes in a proposed plan of subdivision which has received draft plan approval.
- ii) The proposed location of a Temporary Model Home must comply with the applicable provisions for a dwelling in the applicable zone category as approved at the time of draft plan approval.
- iii) Detached dwellings may be temporarily physically connected while they are used as Temporary Model Homes.
- iv) A Temporary Model Home Agreement shall have the same force and effect of a Conditional Building Permit Agreement.

3.33.3 Temporary Commercial Sales Centre

- i) In accordance with this clause, at the Town's discretion and subject to the execution of a Temporary Commercial Sales Centre Agreement, nothing in this By-law shall apply to prevent the issuance of a building permit for the erection and use of a Temporary Commercial Sales Centre to facilitate the transition of business to a permanent building.
- ii) A Temporary Commercial Sales Centre shall be located on the same lot as the proposed permanent facility.
- iii) The Temporary Commercial Sales Centre shall be either removed or satisfactorily re-purposed into the site when the permanent building is ready to be occupied.
- iv) No Temporary Commercial Sales Centre shall remain on the lands longer than 2 years from the issuance date of the temporary building permit.
- v) A Temporary Commercial Sales Agreement shall have the same force and effect of a Conditional Building Permit Agreement.

3.34 Multiple Zoned Properties – Access

Notwithstanding any other provision of this By-law, road or driveway access may be permitted from a portion of a lot zoned to permit a use related to the access across a zone on which the use is not permitted, provided that no alternative exists for access on the lands zoned to permit the use.

3.35 Multiple Zoned Properties – Uses and Regulations (2013-110-ZO) (2016-143-ZO)

- i) Except as provided in Section 2.10 or by Exception, on a lot containing two or more zones, permitted uses are confined to the respective portions of such lot which are zoned to permit such uses.
- ii) The zone regulations relating to each zone shall apply to the portion of the lot that is within that zone, and each zone boundary within the lot shall be deemed to be a lot line for the purpose of satisfying required zone regulations.
- iii) Notwithstanding Section 3.35 (ii), where a property is partially zoned ENV or FH, the ENV or FH zone boundaries shall not be deemed to be lot lines for the purpose of satisfying required zone regulations.
- iv) Notwithstanding Section 3.35 (ii), where a property contains only a combination of ENV, FH, AG, ORM-C, ORM-L or ORM-NC zones, the zone boundaries shall not be deemed to be lot lines for the purpose of satisfying required zone regulations.

3.36 Conditional Building Permit Issuance in any Zone

No Holding provision or required property division shall prevent the issuance of a Conditional Building Permit if it is so authorized by the Town through the execution of a Conditional Building Permit Agreement.

3.37 Temporary Buildings or Structures (2013-110-ZO)

Nothing in this By-law shall prevent the erection of a temporary seasonal bug shelter or sun shelter on a lot associated with a residential dwelling having a maximum structure area of 20 m² and located only in a rear or interior side yard.

Nothing in this By-law shall prevent the lawful erection, in connection with a special event, of a temporary building or structure for a period of time not exceeding 1 week in duration, once per calendar year, subject to the following provisions:

- i) that the use is ancillary and related to the main lawful use of the lot upon which the temporary building or structure is to be erected
- ii) that adequate sanitary facilities are made available on the lot

- iii) that compliance with the *Ontario Building Code* is maintained
- iv) that the lot is restored to its original state after the event has concluded

3.38 Height and Density Bonuses (2011-115-ZO)

Notwithstanding any provisions of this By-law to the contrary, an agreement entered into under Section 37 of the *Planning Act* may provide for increased density for medium or high-density residential development in excess of the maximum otherwise permitted for in the zoning by-law to a maximum density bonus of 20% and a maximum height bonus of 3 storeys. The provisions of the agreement with the Town relating to a bonus shall be deemed to be the zoning provisions for height and density under this By-law, as applicable.

3.39 Minimum Distance Separation Formulae (2013-110-ZO) (2016-143-ZO)

New residential land uses and new or expanding livestock facilities shall comply with the Minimum Distance Separation (MDS) formulae as follows:

- i) No new building shall be constructed on a lot which is adjacent to a property containing any buildings or structures used for the raising of livestock, except in accordance with the requirements of the MDS One (MDS I). This provision shall not apply to a dwelling on the same property as the livestock use, additions to existing dwellings, or new dwellings on lots within a registered plan of subdivision.
- ii) No building or structure used or intended to be used for the raising of livestock shall be constructed or enlarged, except in accordance with the requirements of the MDS Two (MDS II).

3.40 Exceptions to Height requirement (2020-058-ZO)

The height requirements of this By-law shall not apply, but are not limited to, the following structures:

- i) a spire or steeple or other ornamental feature associated with a place of worship;
- ii) a belfry;
- iii) a flag pole;
- iv) a clock tower;
- v) a cupola;
- vi) a chimney;
- vii) a parapet and other ornamental features;

- viii) a water tank or water tower;
- ix) a radio, communications or television tower or antenna;
- x) an air conditioner duct;
- xi) a ventilator or skylight;
- xii) elevator or stairwell enclosures and rooftop mechanical equipment, provided it does not exceed 4.0m in height;
- xiii) a windmill; and
- xiv) a grain elevator or silo related to an agricultural use

3.41 Accessory Outdoor Storage (2020-058-ZO)

Where permitted by this By-law, accessory outdoor storage shall be in accordance with the following provisions:

- i) accessory outdoor storage shall only be permitted as an accessory use where it is permitted by this By-law. For the purposes of clarity and without limiting the generality of the foregoing, accessory open storage shall not be permitted on a vacant lot;
- ii) accessory outdoor storage shall be prohibited in the actual front yard and actual exterior side yard;
- iii) accessory outdoor storage shall be prohibited in any yard abutting a Residential Zone found in Section 5 and 5A of this By-law or Institutional Zone found in Section 8 of this By-law;
- iv) accessory outdoor storage shall not apply to prevent the parking of motor vehicles or commercial vehicles for sale or awaiting repair in association with a permitted use;
- v) accessory outdoor storage shall be prohibited within any of the required yards in the applicable zone. Notwithstanding this provision, where a interior side yard or rear yard abuts an Employment or Commercial zone, the minimum distance between the accessory outdoor storage and the rear or interior side lot line shall be 3.0m; and,
- vi) accessory outdoor storage areas shall be screened on all sides with an opaque fence or Landscaped Area or a combination of both. Any such fence shall be in accordance with the Town's Fence By-law.

3.42 Swimming Pool and Hot Tub (2020-058-ZO)

- i) a swimming pool or hot tub shall be permitted as an accessory use to a residential use;
- ii) a swimming pool or hot tub shall not be permitted in the actual front yard in any zone;
- iii) a swimming pool or hot tub shall be permitted in the actual or required rear yard, exterior side yard, or interior side yard of any lot provided that the edge of the water of the swimming pool shall not be located any closer to any lot line or street line than 1.2m; and,
- iv) notwithstanding any other provision of this By-law, a swimming pool or hot tub shall be excluded in the calculation of lot coverage.

3.43 Development Regulation Tables from Town's Former By-law 87-34 (2020-058-ZO)

**Table 4A
Rural Residential Zone Regulations**

Rural Residential Zones	Min. Lot Area	Min. Frontage	Minimum Yards					Max. Lot Coverage
			Front	Rear	One Side/Other side/ Exterior Side			
1	0.1855 ha	30 m	10 m	12 m	1.5m	3.5 m	3.5 m	15%
2	0.8 ha	45m	15 m	22.5 m	9m	9m	9m	15%
3	2 ha	60 m	15 m	22.5 m	9m	9m	9m	5%
4	4 ha	60 m	15 m	22.5 m	9m	9m	9m	5%
5	0.35 ha	39 m	15 m	18 m	9m	9m	9m	15%
6	1.9 ha	51 m	15 m	22.5 m	9m	9m	9m	5%
7	0.2785 ha	30 m	10 m	12 m	1.5m	3.5 m	3.5 m	15%
7S	0.2785 ha	30 m	7.5 m	7.5 m	1.5m	3.5 m	3.5 m	35%
8	0.2785 ha	30 m	15 m	12 m	1.5m	3.5 m	3.5 m	15%
9	6 ha	20 m	10 m	12 m	1.5m	3.5 m	3.5 m	15%
10	1.6 ha	60 m	15 m	22.5 m	9m	9m	9m	5%
11	0.49 ha	52 m	15 m	22.5 m	9m	9m	9m	15%
12	0.31 ha	36 m	10 m	12 m	1.5m	3.5 m	3.5 m	15%
14	0.43 ha	21 m	15 m	22.5 m	9m	9m	9m	15%

Table 5B
Commercial Zone Regulations
With Municipal Water and Sanitary Sewer/With Municipal Water Only/ Without
Municipal Water or Sanitary Sewers

	Minimum Lot Area	Minimum Frontage	Minimum Yards			Maximum Lot Coverage
			Front	Rear	Side	
GC	0ha/0.695ha/0.139 ha	0 / 18 m/ 24 m	3 m	7.5 m/ 7.5 m/ 9 m	0/3 m/ 3 m	75%/ 50%/ 40%
HC	0ha/ 0.695 ha/ 0.139 ha	22 m/ 22 m/30 m	7.5 m	7.5 m	6 m	30%
LC	0ha/ 0.695 ha/ 0.139 ha	0 / 18 m/ 24 m	7.5 m	7.5 m	0 m	50%/50%/40%
SC	0 ha	60 m	7.5 m	7.5 m	7.5 m	35%
RC	10 ha	120 m	15 m	22.5 m	15 m	5%

Table 6B
Industrial Zone Regulations

	Minimum Lot Area	Minimum Frontage	Minimum Yards			Maximum Lot Coverage
			Front	Rear	Side	
IP	0.4 ha	60 m	30 m	15 m	15 m	35%
IL	0.4 ha	30 m	15 m	10 m	6 m	50%
IG		18 m	15 m	10 m	3 m	65%
IE			15 m	15 m	15 m	
IS		18 m	15 m	10 m	6 m	65%

**Table 7B
Regulations Applicable to Other Zones**

	Minimum Lot Area	Minimum Frontage	Minimum Yards			Maximum Lot Coverage
			Front	Rear	One Side/Other Side/Exterior Side	
RA	10 ha	180 m	15 m	22.5 m	9 m	5%
RU - Detached Dwelling Units	10 ha	180 m	15 m	22.5 m	9 m	5%
RU - Detached Dwelling Units on lots less than 2 ha existing on the effective date of the 87-34 By-law		180 m	10.5 m	12 m	1.5 m/3.5 m/4.5 m	15%
RU - All other uses	0.28 ha	30 m	18 m	22.5 m	4 m	20%
I	0.185 ha	30 m	10.5 m	15 m	The greater of ½ the height of the main Building and 4.5 m	30%
OS	0 ha	0 m	9 m	9 m	9 m	20%

**Table 8B
Open Space Environmental Zones**

	Minimum Lot Area	Minimum Frontage	Minimum Yards			Maximum Lot Coverage
			Front	Rear	Side	
OSE			18 m	22.5 m	9 m	10%