

5.0 RESIDENTIAL ZONES

5.1 PERMITTED USES

Unless otherwise permitted in this By-law, no person shall, within any Residential Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in **Table 5.1**.

Table 5.1 - Uses Permitted in the Residential Zones

The following uses are permitted in the zones corresponding to the columns where an “X” is identified.

| Use | Residential – Singles | | | Residential – General | | | | Residential – Multiple | | | | |
|--------------------------------|-----------------------|----|-----|-----------------------|-----|----|-----|------------------------|----|----|----|----|
| | R1 | R2 | R2A | R3 | R3A | R4 | R4A | R5 | R6 | R7 | R8 | R9 |
| Single Detached Dwelling | X | X | X | X | X | X | X | | | | | |
| Linked Dwelling | | | X | X | X | X | X | | | | | |
| Semi-Detached Dwelling | | | | X | X | X | X | | | | | |
| Duplex Dwelling | | | | X | X | X | X | | | | | |
| Triplex Dwelling | | | | X | X | X | X | | | | | |
| Townhouse Dwelling (Street) | | | | | | X | X | X | | | | |
| Townhouse Dwelling | | | | | | X | X | X | | | | |
| Maisonette Dwelling | | | | | | X | X | X | X | X | | |
| Boarding/Rooming/Lodging House | | | | | | X | | X | | | | |
| Apartment Dwelling | | | | | | | | X | X | X | X | X |
| Retirement Home | | | | | | | | X | X | X | X | |
| Group Home Dwelling (1) | X | X | X | X | X | X | X | X | X | X | X | X |
| Institutional Residence (1) | | | | | | X | | X | | | | |
| Converted Dwelling | X | X | | X | | X | | X | | | | |
| Bed and Breakfast | X | X | X | X | X | X | X | | | | | |
| Second Suite (1) | X | X | X | X | X | X | X | | | | | |
| Garden Suite (1) | X | X | X | X | X | X | X | | | | | |

Notes to Table 5.1:

- (1) This use is subject to specific use provisions under the General Provisions (Section 3.0).

5.2 LOT AND BUILDING REQUIREMENTS

Unless otherwise permitted in this By-law, no person shall, within any Residential Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the lot and building requirements indicated in **Table 5.2**, which is inclusive of **Table 5.2(a) – (c)**.

Table 5.2 – Lot and Building Requirements for Residential Zones

| Table 5.2(a): Lot and Building Requirements for Residential – Singles Zones | | | | |
|---|--|--|--|---|
| Requirement | Use | R1 | R2 | R2A |
| Minimum Lot Frontage | All permitted uses | 17.0 m interior lots 20.0 m exterior lots | 14.0 m interior lots 17.0 m exterior lots | 10.0 m linked dwellings (interior lots) 12.0 m interior lots 14.0 m exterior lots |
| Minimum Lot Area | All permitted uses except Converted Dwelling | 525.0 m ² | 425.0 m ² | 300.0 m ² or 270.0 m ² for linked dwellings |
| | Converted Dwelling | 540.0 m ² | 540.0 m ² | Not permitted |
| Minimum Front Yard | All permitted uses | 6.0 m | 6.0 m | 4.5 m |
| Minimum Exterior Side Yard | All permitted uses | 4.5 m | 4.5 m | 3.0 m |
| Minimum Interior Side Yard (1) | All permitted uses | 1.2 m | 1.2 m | 1.0 m |
| Minimum Rear Yard | All permitted uses | 7.5 m | 7.5 m | 6.0 m |
| Minimum Landscaped Open Space | All permitted uses | 40% | 40% | 40% |
| Maximum Height | All permitted uses | 10.5 m | 10.5 m | 11.0 m |
| Other Provisions | All permitted uses | | | The maximum width of an attached private garage shall be 6.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch. |

Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.

Notes to Table 5.2(a):

- (1) Attached garages to residential dwellings, which existed prior to the effective date of this By-law, having a setback to a side property line of 1.0 m or greater shall be deemed to be legally complying to this By-law with respect to location.

Table 5.2(b): Lot and Building Requirements for Residential – General Zones

| Requirement | Use | R3 | R3A | R4 | R4A |
|----------------------|---|--|--|--|--|
| Minimum Lot Frontage | Single Detached Dwelling, Group Home, Bed and Breakfast | 12.0 m interior lots 15.0 m exterior lots | 9.0 m interior lots 12.0 m exterior lots | 12.0 m interior lots 15.0 m exterior lots | 9.0 m interior lots 12.0 m exterior lots |
| | Semi-Detached Dwelling, Duplex Dwelling | 9.0 m per unit, plus 3.0 m for exterior lots | 7.5 m per unit, plus 3.0 m for exterior lots | 9.0 m per unit, plus 3.0 m for exterior lots | 7.5 m per unit, plus 3.0 m for exterior lots |
| | Triplex Dwelling | 21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls | 21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls | 21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls | 21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls |
| | Street Townhouse Dwelling | 6.0 m per unit, plus 3.0 m for exterior lots | 6.0 m per unit, plus 3.0 m for exterior lots | 6.0 m per unit, plus 3.0 m for exterior lots | 6.0 m per unit, plus 3.0 m for exterior lots |
| | Converted Dwelling | As legally existing | Not permitted | As legally existing | Not permitted |
| | Townhouse Dwelling | 30.0 m | 30.0 m | 30.0 m | 30.0 m |
| | Maisonette Dwelling | Not permitted | Not permitted | 25.0 m | 25.0 m |
| | Boarding/Rooming/Lodging House | Not permitted | Not permitted | 18.0 m | 18.0 m |
| Minimum Lot Area | Single Detached Dwelling, Group Home, Bed and Breakfast | 360.0 m ² | 250.0 m ² | 360.0 m ² | 250.0 m ² |
| | Semi-Detached Dwelling, Duplex Dwelling | 270.0 m ² per unit | 200.0 m ² per unit | 270.0 m ² per unit | 200.0 m ² per unit |
| | Triplex Dwelling | 600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls | 600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls | 600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls | 600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls |
| | Street Townhouse Dwelling | 180.0 m ² | 180.0 m ² | 180.0 m ² | 180.0 m ² |
| | Converted Dwelling | 540.0 m ² | Not permitted | 540.0 m ² | Not permitted |
| | Townhouse Dwelling | 180.0 m ² per unit | 180.0 m ² per unit | 180.0 m ² per unit | 180.0 m ² per unit |
| | Maisonette Dwelling | Not permitted | Not permitted | 1000.0 m ² | 1000.0 m ² |
| | Boarding/Rooming/Lodging Dwelling | Not permitted | Not permitted | 700.0 m ² | Not permitted |

Table 5.2(b): Lot and Building Requirements for Residential – General Zones (Continued)

| Requirement | Use | R3 | R3A | R4 | R4A |
|-----------------------------------|--|---------------------|---|---------------------|---|
| Minimum Front Yard | All uses except Converted Dwellings and Maisonette Dwellings | 6.0 m | 4.5 m | 8.0 m | 4.5 m |
| | Converted Dwellings | As legally existing | Not permitted | As legally existing | Not permitted |
| | Maisonette Dwelling | Not permitted | Not permitted | 8.0 m | 4.5 m |
| Minimum Exterior Side | All uses except Converted Dwellings and Maisonette Dwellings | 4.5 m | 4.5 m | 6.0 m | 4.5 m |
| | Converted Dwellings | As legally existing | Not permitted | As legally existing | Not permitted |
| | Maisonette Dwellings | Not permitted | Not permitted | 8.0 m | 4.5 m |
| Minimum Interior Side Yard (1, 2) | All uses except Converted Dwellings and Maisonette Dwellings | 1.2 m | 1.0 m | 1.2 m | 1.0 m |
| | Converted Dwellings | As legally existing | Not permitted | As legally existing | Not permitted |
| | Maisonette Dwelling | Not permitted | Not permitted | 5.0 m | 1.0 |
| Minimum Rear Yard | All permitted uses except Converted Dwellings | 7.5 m | 6.0 m | 7.5 m | 6.0 m |
| | Converted Dwellings | As legally existing | Not permitted | As legally existing | Not permitted |
| Minimum Landscaped Open Space | Single Detached Dwelling, Group Home, Bed and Breakfast | 40% | 35% | 40% | 35% |
| | Boarding, Rooming, Lodging House | Not permitted | Not permitted | 30% | Not permitted |
| | All other uses | 30% | 30% | 30% | 30% |
| Maximum Height | All permitted uses | 10.5 m | 10.5 m | 10.5 m | 11.0 m |
| Other Provisions | All permitted uses | | The maximum width of an attached private garage shall be 4.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch. | | The maximum width of an attached private garage shall be 4.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch. |

Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.

Notes to Table 5.2(b):

- (1) Attached garages to residential dwellings, which existed prior to the effective date of this by-law, having a setback to a side or rear property line of 1.0 m or greater shall be deemed to be legally complying to this By-law with respect to location.
- (2) An interior side yard shall not be required where dwelling units share a common wall.

| Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones | | | | | | |
|--|---|--|------------------------|------------------------|------------------------|------------------------------------|
| Requirement | Use | R5 | R6 | R7 | R8 | R9 |
| Minimum Lot Frontage | Street Townhouse Dwelling | 6.0 m per unit, plus 3.0 m for exterior lots | Not permitted | | | |
| | Townhouse Dwelling | 30.0 m | Not permitted | | | |
| | Maisonette Dwelling | 25.0 m | 25.0 m | 25.0 m | Not permitted | |
| | Boarding/Rooming/Lodging House | 18.0 m | Not permitted | | | |
| | Apartment Dwelling | 25.0 m | 25.0 m | 25.0 m | 25.0 m | 25.0 m |
| | Retirement Home | 25.0 m | Not permitted | | | |
| | Converted Dwelling | As legally existing | Not permitted | | | |
| Minimum Lot Area | Street Townhouse Dwelling | 180.0 m ² | Not permitted | | | |
| | Townhouse Dwelling | 180.0 m ² per unit | Not permitted | | | |
| | Maisonette Dwelling | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² | Not permitted | |
| | Boarding/Rooming/Lodging House | 900.0 m ² | Not permitted | | | |
| | Apartment Dwelling | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² |
| | Retirement Home | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² | 1,000.0 m ² | Not permitted |
| | Converted Dwelling | 540.0 m ² | Not permitted | | | |
| Minimum Front Yard | Townhouse Dwelling or Street Townhouse Dwelling | 4.5 m | Not permitted | | | |
| | All other Uses | 6.0 m | 8.0 m | 8.0 m | 8.0 m | 8.0 m |
| Minimum Exterior Side Yard | Townhouse Dwelling or Street Townhouse Dwelling | 4.5 m | Not permitted | | | |
| | All other Uses | 6.0 m | 6.0 m | 6.0 m | 6.0 m | 6.0 m |
| Minimum Interior Side Yard | Townhouse Dwelling or Street Townhouse Dwelling | 1.2 m | Not permitted | | | |
| | All other Uses | 5.0 m | 5.0 m | 5.0 m | 5.0 m | 5.0 m |
| Minimum Rear Yard | All permitted uses | 7.5 m | 7.5 m | 7.5 m | 7.5 m | 7.5 m |
| Minimum Lot Depth | All permitted uses | 25.0 m | 25.0 m | 25.0 m | 25.0 m | 25.0 m |
| Minimum Landscaped Open Space | All permitted uses | 30% | 30% | 30% | 30% | 30% |
| Maximum Height | All permitted uses | 12.5 m | 14.5 m | 16.5 m | 18.5 m | 22.5 m |
| Maximum Density | All permitted uses | 75 units per hectare | 100 units per hectare | 125 units per hectare | 160 units per hectare | Greater than 160 units per hectare |

Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.

5.3 Residential Special Exception Zones

Notwithstanding any other provision of this By-law, the following special provisions shall apply to the areas identified below and shown on Schedule “A”:

5.3.1 R1 Zone

(None)

5.3.2 R2 Zone

5.3.2.1 R2-1 Zone (168 Brock Street)

Notwithstanding Section 3.42 – Setback from Railways, the uses permitted in the R2-1 Zone shall be those permitted in the R2 Zone.

Furthermore, notwithstanding the minimum front and rear yard requirements for a single unit dwelling contained in Section 5.2, the minimum front yard and rear yard requirements shall be 4.0 metres and 6.0 metres respectively. No part of the main building shall be located within 14.0 metres of the edge of Butlers Creek, although an accessory building less than 10.0 square metres in size may be located within such 14.0 metre setback. No building openings shall be below 80.3 metres geodetic. The rear yard is to be fully fenced to a minimum height of 1.2 metres.

5.3.2.2 R2-2 Zone (west end of Brock Street - Lots 80 to 90 incl., Plan 388)

The uses permitted in the R2-2 Zone shall be those uses permitted in an R2-General Residential Zone.

Notwithstanding the minimum lot frontage requirement for a single unit dwelling contained in Section 5.0 of this By-law, the minimum lot frontage for a single unit dwelling within the R2-2 Zone shall be 13.5 metres.

5.3.3 R2A Zone

(None)

5.3.4 R3 Zone

5.3.4.1 R3-1 Zone (Brockwoods Subdivision)

The uses permitted in the R3-1 Zone shall be single unit dwellings, semi-detached dwellings and triplex dwellings.

Notwithstanding the minimum lot frontage for a triplex dwelling contained in Section 5.2, the minimum lot frontage for a triplex dwelling within the R3-1 Zone shall be 26.0 metres.

A maximum of 40 percent of all lots contained within the R3-1 Zone are to be occupied by any combination of semi-detached dwellings and triplex dwellings.

A minimum of 50 percent of all lots contained with the R3-1 Zone are to be occupied by single unit dwellings.

Where a triplex dwelling located in a R3-1 Zone is divided vertically into three (3) separate dwelling units, a minimum lot area of 185.0 square metres and minimum lot frontage of 6.0 metres will apply if the triplex dwelling is to be severed into freehold units.

5.3.4.2 R3-2 Zone (East side of Centre Street)

The uses permitted in the R3-2 Zone shall be those uses permitted in the R3 Zone.

The zone provisions for the R3-2 Zone shall be the R3-General Residential Zone provisions save and except that the minimum front yard set back shall be 9.0 metres for all permitted uses.

5.3.4.3 R3-3 Zone (16 Reynolds Drive)

The uses permitted in the R3-3 Zone shall be a residential unit, an unlicensed private club for the Brockville and District Shrine Club, a single unit dwelling, and a semi-detached dwelling only.

5.3.4.4 R3-4 Zone (63 Waverly Drive)

The uses permitted in the R3-4 Zone shall be those uses permitted in the R3 Zone with the exception of a triplex dwelling.

5.3.4.5 R3-5 Zone (Hunter's Hill Subdivision)

The uses permitted in the R3-5 Zone shall be limited to single unit dwellings and semi-detached dwellings only.

The minimum lot frontage, within the R3-5 Zone, for single unit dwellings shall be 15.2 metres and for semi-detached dwellings shall be 21.3 metres.

5.3.4.6 R3-6 Zone (40, 42 Edward Street)

Notwithstanding Section 3.17 of this By-law, the lands zoned R3-6 Zone may be developed in accordance with the provisions of this By-law as they apply to the R3 Zone.

5.3.4.7 R3-7 Zone (42 Bartholomew Street)

The uses permitted in the R3-7 Zone shall be those permitted in the R3 Zone.

The zone provisions for the R3-7 Zone shall be the same as the R3 Zone, save and except for the following:

| | |
|--|--|
| Minimum Lot Area (existing) | 215.58 m ² |
| Minimum Lot Frontage (Wellington Street) | 14.15 m |
| Minimum Lot Depth | 15.24 m |
| Minimum Landscaped Open Space | 25% |
| Minimum Yards | All existing yards, as of April 10, 2012, are the minimum yards. |
| Minimum Required Parking | Two (2) parking spaces |
| Maximum Number of Dwelling Units | Two (2) |

5.3.5 R3A Zone

(None)

5.3.6 R4 Zone

5.3.6.1 R4-1 Zone (84 Perth Street)

That the permitted uses in the R4-1 Zone shall be those uses permitted in an R4 Zone and the office of a chiropractor.

5.3.6.2 R4-2 Zone (Leeder - Edward Street)

The zone provisions for the R4-2 Zone shall be as follows:

| | |
|--|------------------------|
| Minimum Lot Area | 4,400.0 m ² |
| Minimum Lot Frontage | 42.5 m |
| Minimum Front Yard | 2.0 m |
| Minimum Interior Side Yard | 3.0 m |
| Minimum Rear Yard | 5.0 m |
| Minimum Lot Depth | 60.0 m |
| Minimum Unit Size | 110.0 m ² |
| Minimum Landscaped Open Space | 30% |
| Maximum Building Height | 10.5 m |
| Maximum Number of Dwelling Units | 18 |
| No building shall be constructed in the R4-2 Zone with an opening below 78.2 metres - Canadian Geodetic Datum. | |

5.3.6.3 R4-3 Zone (Blocks B & C and Lot 1, Plan 28M-1 - Suzanna Lane)

The uses permitted in the R4-3 Zone shall be a maximum of 11 townhouse units.

Notwithstanding Section 3.17 - Frontage on an Improved Public Street, lots may be created with frontage on a private right-of-way held in common by all dwelling unit owners.

| | |
|--|----------------------|
| Minimum lot area | 240.0 m ² |
| Minimum lot frontage on private right-of-way | 8.0 m |

| | |
|--|--------|
| Minimum front yard measured from private right-of-way | 6.0 m |
| Minimum setback from King Street West | 10.0 m |
| Minimum setback from Centre Street | 10.0 m |
| Minimum interior side yard (<i>No side yard is required for the side of a dwelling which is attached to an adjoining dwelling unit.</i>) | 1.5 m |
| Minimum rear yard (<i>with rear lot line being opposite Centre Street</i>) | 7.5 m |
| Minimum landscaped open space | 30% |
| Maximum building height as measured from grade at the front of the building | 10.5 m |
| Dwelling units per freehold lot | 1 |
| Minimum parking spaces per dwelling unit | 2 |
| Maximum lot coverage | 30% |

No accessory buildings shall be permitted in the yards between the public streets and the dwelling units, nor in the yards between the rows of dwelling units.

5.3.6.4 R4-4 Zone (South side of Downey Street)

The uses permitted in the R4-4 Zone shall be those permitted in the R4 Zone and a mini warehouse.

The zone provisions for development of uses permitted in the R4 Zone shall be those applicable for such permitted uses.

The zone provisions for development of a mini warehouse in the R4-4 Zone shall be as follows:

| | |
|---|-----------------------|
| Minimum Lot Area | 2189.0 m ² |
| Minimum Lot Frontage | 87.0 m |
| Minimum Front Yard | 6.0 m |
| Interior Side Yard | 1.5 m |
| Rear Yard Setback to Existing Garage | 1.5 m |
| Rear Yard Setback to Mini Warehouse | 6.0 m |
| Minimum Lot Depth | 25 m |
| Minimum Landscaped Open Space | 16% |
| Maximum Height | 5.5 m |
| Minimum Number of Parking Spaces | 5 |
| Loading Spaces Required | 0 |
| A minimum setback of 3.5 metres for parking shall be required from the Downey Street lot line. | |
| Open storage of vehicles, boats and trailers only is permitted in accordance with Section 3.33. Said open storage shall not exceed 10% of the lot area, and shall only be permitted at the west end of the site and screened from view from the street. | |
| Security fencing in the front yard may not exceed 2.0 m in height. | |
| A solid wood fence 2.0 metres in height is to be provided along the east and south property lines. | |

5.3.6.5 R4-5 Zone (597 - 607 King Street West)

The uses permitted in the R4- 5 Zone shall be those uses permitted in the R4 Zone.

The zone provisions for the R4-5 Zone shall be the same as for the R4 Zone, save and except for the following:

| | |
|---|-------|
| Maximum number of dwelling units | 6 |
| Minimum Rear Yard Setback | 9.5 m |
| A landscaped buffer is required abutting any low density residential zone to include retention of as many mature trees as possible in addition to additional plantings. | |
| Access shall be provided via a common driveway off of King Street West. | |

5.3.6.6 T-R4-6 Zone (67 Church Street)

The uses permitted in the T-R4-6 Zone shall be a maximum of one (1) owner-occupied bachelor dwelling unit and five (5) rental rooms within the definition of a "Boarding/Rooming/Lodging House" only.

The zone provisions for the T-R4-6 Zone shall be the same as the zone provisions for the R4 Zone, save and except for the following zone provisions:

| | |
|--|----------------------|
| Minimum Lot Area | 232.0 m ² |
| Minimum Landscaped Open Space | 4% |
| Minimum On-Site Parking | 2 spaces |
| Minimum 90° On-Site Parking Space Length | 5.4 m |

The T-R4-6 Zone shall be in effect for a three (3) year period commencing on October 26, 2013 to October 25, 2016, in accordance with Section 39 of the *Planning Act*.

5.3.6.7 R4-7 Zone (69 King Street East)

The uses permitted in the R4-7 Zone shall be a Boarding, Rooming or Lodging House with a maximum of six (6) rooms and one (1) apartment unit only.

The zone provisions for the R4-7 Zone shall be the same as the zone provisions for a Boarding, Rooming or Lodging House within the R4 Zone, save and except for the following:

Parking - Maximum two (2) parking spaces

Landscaped Open Space – Nil

5.3.6.8 R4-8 Zone (58 James Street West and 61-67 Buell Street)

The uses permitted in the R4-8 Zone shall be:

- a) 58 James Street West - two dwelling units.
- b) 65 Buell Street - two (2) dwelling units. Should one of the dwelling units be owner occupied, a “bed and breakfast establishment” would be permitted.

The zone provisions for 58 James Street West and 65 Buell Street shall be as follows:

| | |
|-------------------------------|--|
| Minimum Lot Area | 450.0 m ² |
| Minimum Lot Frontage | 15.0 m |
| Minimum Front Yard | Nil |
| Minimum Exterior Side Yard | Nil |
| Minimum Interior Side Yard | Nil |
| Minimum Rear Yard | 7.5 m |
| Minimum Lot Depth | 25.0 m |
| Minimum Landscaped Open Space | 15% |
| Maximum No. of Dwelling Units | 4 |
| Maximum Building Height: | As existing as of the date of the by-law to establish the R4-8 Zone. |
| Minimum Required Parking: | 1.25 spaces per dwelling unit plus an additional 2 spaces for the owner occupied dwelling unit when utilized as a “Bed and Breakfast Establishment”. |

The parking lot, located at 67 Buell Street, shall be used in association with the uses zoned R4-8 on adjacent lands and in accordance with the following:

| | |
|---|-------|
| Minimum Setback of Parking from Buell Street | 2.5 m |
| Minimum Landscaped Open Space (67 Buell Street) | 10.7% |

5.3.6.9 R4-9 Zone (89 Church Street)

The uses permitted in the R4-9 Zone shall be a maximum of two (2) dwelling units, a home occupation, private home daycare and a bed and breakfast establishment. Said bed and breakfast establishment may operate within a single detached dwelling only.

The zone provisions for the R4-9 Zone shall be the same as for the R4 Zone; except that a minimum of 30 percent landscaped open space must be maintained.

5.3.6.10 R4-10 Zone (119-121 James Street West)

The uses permitted in the R4-10 Zone shall be those permitted in the R4 General Residential Zone.

The zone provisions for the R4-10 Zone shall be the same as for the R4 Zone, except for the following:

| Zone Provision | 119 James Street West | 121 James Street West |
|-----------------------------------|---|------------------------------|
| Minimum Lot Area | 170.4 m ² | 157.2 m ² |
| Minimum Lot Frontage | 7.49 m | 4.69 m |
| Minimum Interior Side Yard (west) | N/A | 0.0 m |
| Minimum Setbacks | All existing setbacks, for the existing main building only, as of the date of passing of this by-law with the exception of the above noted western setback. | |
| Minimum Required Parking | One (1) legal parking space per unit. | |

5.3.6.11 R4-11 Zone (7 - 29 Maple Avenue)

In the R4-11 Zone, at least one (1) parking space per unit shall be provided per dwelling unit. Additionally, the required parking may be provided in a common parking area located within 60.0 metres of all dwelling units.

5.3.6.12 R4-12 Zone (Extension of Deer Trails Subdivision – Flanders Road)

Those uses permitted in the R4-12 Zone shall be limited to semi-detached, triplex, and street townhouse dwelling types, as well as home occupation and private home day nursery.

The maximum building height for dwellings within this zone shall be 4.0 metres [one (1) storey].

5.3.6.13 R4-13 Zone (1 - 54 Country Club Place)

The uses permitted in the R4-13 Zone shall be restricted to 54 townhouses along with normal accessory uses except for any facilities which would provide for or aid with the launching or docking of boats. The zone provisions for the R4-13 Zone shall be as follows:

| | |
|--|---------------|
| Minimum Lot Size | 2.80 hectares |
| Minimum Frontage | 105 m |
| Minimum Front Yard | 30 m |
| Minimum East Side Yard (<i>for a distance of 230.0 metres south of Highway No. 2</i>) | 16 m |
| Minimum East Side Yard (<i>from a distance of 230.1 metres south of Highway No. 2 south to the St. Lawrence River</i>) | 6.5 m |
| Minimum West Side Yard | 6 m |

| | |
|---|--------------------|
| Minimum Rear Yard | 15 m |
| Minimum Dwelling Unit Size | 140 m ² |
| Maximum Lot Coverage | 18% |
| Maximum Main Building Height | 10.5 m |
| Number of parking spaces per dwelling unit | 2 spaces |
| Minimum Distance Between any Group of Townhouses | 6.5 m |
| There shall be no Habitable Space constructed or occupied below the 76.8 m contour. | |
| No Children's Play Area shall be required. | |
| Curbs on the internal road system shall not be required. | |
| Notwithstanding Subsection 3.3 of this By-law, accessory recreational facilities may be erected and carried on in the front yard. Additionally, entrance gates with required supporting pillars to a maximum height of 2.5 metres shall be permitted. | |

5.3.6.14 R4-14 Zone (23 Abbott Street)

In addition to those uses permitted in the R4 Zone, business and professional office(s) and/or clinic(s) shall be permitted in the existing building only.

5.3.6.15 R4-15 Zone (33 James Street East)

The uses permitted in the R4-15 Zone shall be an apartment unit and two (2) doctors' offices.

5.3.6.16 R4-16 Zone (8, 10, 12 George Street)

The uses permitted in the R4-16 Zone shall be those uses permitted in an R4 Zone and a three (3) unit dwelling converted to contain a maximum of six (6) dwelling units.

The zone provisions for the R4-16 Zone shall be as follows: all provisions shall be those which were in existence on June 14, 1988.

5.3.6.17 R4-17 Zone (86-88 George Street)

The uses permitted in the R4-17 Zone shall be a semi-detached dwelling. The zone provisions for the R4-17 Zone shall be as follows:

| | |
|--|--|
| Minimum Lot Area | 52.0 m ² |
| Minimum Lot Frontage | 6.0 m |
| Minimum Front Yard | Nil |
| Minimum Interior Side Yard on the West | Nil |
| Minimum Interior Side yard on the East | 3.0 m |
| Minimum Rear Yard | 14.0 m |
| Minimum Lot Depth | 24.0 m |
| Minimum Landscaped Open Space | 17% |
| Maximum Building Height | As existing at date of passing of this By-law. |
| Minimum Parking | One (1) parking space per unit |

5.3.6.18 R4-18 Zone (581 King Street West)

The uses permitted in the R4-18 Zone shall be restricted to a twelve (12) bed alcohol and drug recovery home for women. The zone provisions in the R4-18 Zone shall be as follows:

| | |
|--|----------------------|
| Minimum Lot Area | 840.0 m ² |
| Minimum Lot Frontage | 29.0 m |
| Minimum Front Yard (King Street Frontage) | 6.0 m |
| Minimum Interior Side Yard | 3.0 m |
| Minimum Rear Yard (Jones Street Frontage) | 6.0 m |
| Minimum Landscaped Open Space | 30% |
| Maximum Building Height | 10.5 m |
| Minimum Number of Parking Spaces (stacked permitted) | 4 spaces |

5.3.6.19 R4-19 Zone (58 Wall Street)

The uses permitted in the R4-19 Zone shall be restricted to an eighteen (18) bed alcohol and drug recovery home for men.

5.3.6.20 R4-20 Zone (58 Davison Avenue)

The use permitted in the R4-20 Zone shall be an institutional residence for a maximum of ten (10) residents.

The zone provisions in the R4-20 Zone shall be as follows:

| | |
|----------------------------------|------------------------|
| Minimum Lot Area | 3,185.0 m ² |
| Minimum Lot Frontage | 25.0 m |
| Minimum Front Yard | 5.75 m |
| Minimum Interior Side Yard | 3.5 m |
| Minimum Rear Yard | 50.0 m |
| Minimum Landscaped Open Space | 50% |
| Maximum Building Height | 10.5 m |
| Minimum Number of Parking Spaces | 5 |

5.3.6.21 R4-21 Zone (17 Edgewood Avenue)

The use permitted in the R4-21 Zone shall be an institutional residence for a maximum of nine (9) residents.

The zone provisions for the R4-21 Zone shall be the same as the zone provisions for the R4 Zone, save and except for the following:

| | |
|----------------------------|----------------------|
| Minimum Lot Area | 511.0 m ² |
| Minimum Lot Frontage | 15.24 m |
| Minimum Front Yard | 4.45 m |
| Minimum Interior Side Yard | 1.14 m |

Parking - a minimum of two (2) on-site parking spaces shall be provided for staff parking only. No parking area shall be provided for residents of the facility.

5.3.7 R4A Zone

(None)

5.3.8 R5 Zone

5.3.8.1 R5-1 Zone (4 James Street East) (75 & 75A Victoria Avenue)

The permitted uses in the R5-1 Zone shall be restricted to a funeral home and chapel with apartment unit above, a six (6) unit apartment building and an eight (8) unit apartment building and associated parking. The zone provisions for the R5-1 Zone shall be as follows:

| |
|---|
| Minimum Lot Area, Minimum Lot Frontage, Minimum Front Yard, Minimum Interior Side Yard, Minimum Rear Yard, Maximum Height and Maximum Lot Coverage - As legally existing at the date of passing of this By-law. |
| Minimum Landscaped Open Space - 25% |
| Parking may be provided in the interior side yard or rear yard without providing a planting strip as required in Subsection 3.34 of this By-law, so long as a solid fence or wall of at least 1.2 metres in height is constructed adjacent to the parking areas provided. |

5.3.8.2 R5-2 Zone (10 John Street and 31 Saint Paul Street)

The uses permitted in the R5-2 Zone shall be those uses permitted in the R5 Zone. The zone provisions for the R5 Zone shall apply to the R5-2 Zone except as follows:

| | |
|----------------------------------|---|
| Parking Spaces | Not less than 1.0 spaces per dwelling unit. |
| Maximum Building Height | 10.5 m |
| Parking Setback, Saint Paul St. | Minimum 3.0 m from property line. Area is to be landscaped, including street trees. |
| Maximum Number of Dwelling Units | 23 |

5.3.8.3 R5-3 Zone (244 Ormond Street)

The uses permitted in the R5-3 Zone shall be limited to an apartment dwelling containing a maximum of four (4) dwelling units and a home occupation.

The zone provisions for the R5-3 Zone shall be as follows:

| | |
|--|---|
| Minimum Lot Area | 754.0 m ² |
| Minimum Lot Frontage | 16.8 m |
| Number of Parking Spaces per Dwelling Unit | 1 space |
| Minimum Setbacks | All existing setbacks as of January 24, 2012. |

5.3.8.4 R5-4 Zone (Liston Avenue)

The zone provisions for the R5-4 Zone shall be the zone provisions as outlined in Section 5.0 of this By-law for a particular use, save and except that the maximum required height shall be 18.5 metres. Additionally, a buffer consisting of a 2.5 metre high pressure treated wood or cedar fence and a 3.0 metre wide planting strip along the west limit of Lots 3, 4 and 5, Registered Plan 380, commencing at the north limit of the drainage easement, is required.

5.3.8.5 R5-5 Zone (245 King Street East)

In the R5-5 Zone, the permitted uses shall be restricted to a twenty-five (25) unit apartment dwelling and accessory uses thereto.

The zone provisions for the R5-5 Zone shall be as follows:

| | |
|-------------------------------|-----------------|
| Minimum Front Yard | 15.0 m |
| Minimum Rear Yard | 30.0 m |
| Minimum North Side Yard | 2.0 m |
| Minimum South Side Yard | 23.0 m |
| Maximum Main Building Height | as per existing |
| Minimum Parking | 28 spaces |
| Minimum Landscaped Open Space | 25% |

5.3.8.6 R5-6 Zone (Bridlewood Manor - Bridlewood Drive)

The uses permitted in the R5-6 Zone shall be limited to a Retirement Home containing a maximum of seventy (70) units, and an Adult Day Care as a secondary use to the Retirement Home.

The zone provisions for the R5-6 Zone shall be the R5 Zone provisions except that the building height for any main building within the R5-6 Zone shall be 10.5 metres.

5.3.9 R6 Zone

5.3.9.1 R6-1 Zone (235 King Street East)

The R6-1 Zone, the permitted uses shall be limited to a twenty-seven (27) unit apartment dwelling containing four (4) one bedroom and twenty-three (23) two bedroom units.

The zone provisions for the R6-1 Zone shall be as follows:

| | |
|-------------------------------|----------------------|
| Minimum Lot Area | 500.0 m ² |
| Minimum Lot Frontage | 91.0 m |
| Minimum Front Yard | 4.0 m |
| Minimum West Side Yard | 9.5 m |
| Minimum East Side Yard | 30.0 m |
| Minimum Rear Yard | 2.0 m |
| Minimum Landscaped Open Space | 25% |
| Minimum Lot Depth | 27.5 m |
| Maximum Height | 12.2 m |

Parking - A total of 34 parking spaces shall be provided. Parking may be provided in the required front yard, east of the main building provided the said parking is screened from King Street by brick columns, a maximum of 1.5 metres in height with wrought iron fencing placed between the said brick columns which said wrought iron fencing being a maximum of 1.5 metres in height.

The exterior walls of any building erected in the R6-1 Zone shall be of brick construction.

5.3.9.2 R6-2 Zone (12 Central Avenue East)

The zone provisions in the R6-2 Zone shall be the zone provisions in the R6 Zone save and except where the R6-2 Zone abuts a low density residential use, the maximum building height of any building so abutting a low density residential use shall be 13.0 metres.

5.3.10 R7 Zone

5.3.10.1 R7-1 Zone (33 Pearl Street West)

The uses permitted in the R7-1 Zone shall be an apartment dwelling containing up to four (4) dwelling units.

A minimum of four (4) on-site parking spaces shall be provided. Three (3) of the said required parking spaces shall have a dimension not less than 2.75 metres in width and 5.5 metres in length. One (1) of the said required parking spaces shall have dimensions not less than 2.75 metres in width and 4.8 metres in length.

All required parking spaces shall be kept clear of snow and non-vehicular obstructions at all times.

5.3.10.2 R7-2 Zone (31 Pearl Street West)

The uses permitted in the R7-2 Zone shall be an apartment dwelling containing up to four (4) dwelling units. The zone provisions for the R7-2 Zone shall be as follows:

| | |
|-------------------------|---|
| Minimum On-site Parking | 4 parking spaces |
| Minimum Lot Frontage | 12.19 m |
| Minimum Lot Area | 371.6 m ² |
| Minimum Setbacks | All existing setbacks as of March 8, 2011 |

5.3.11 R8 Zone

5.3.11.1 R8-1 Zone (101 Water Street West)

The uses permitted in the R8-1 Zone shall be the uses permitted in the R8-Multiple Residential Zone. The zone provisions for the R8-1 Zone shall be as follows:

| | |
|---|------------------------|
| Minimum Lot Area | 5,000.0 m ² |
| Minimum Lot Frontage | 18.0 m |
| Front Yard | Build-to Plane (2.0 m) |
| Minimum Interior Side Yard | Nil |
| Exterior Side Yard | Build-to Plane (2.0 m) |
| Minimum Rear Yard (measured to the top of the bank of the St. Lawrence River) | 70.0 m |
| Minimum Landscaped Open Space | 10% |
| Maximum Building Height | 17.5 m |
| Minimum Building Height | 10.5 m |
| F.S.I. Requirement | 2.0 |
| Maximum Lot Coverage | 60% |

5.3.11.2 R8-2 Zone (19 Clarissa Street)

The uses permitted in the R8-2 Zone shall be a 45-unit apartment dwelling. The zone provisions for the R8-2 Zone shall be as follows:

| | |
|----------------------|------------------------|
| Minimum Lot Area | 2,700.0 m ² |
| Minimum Lot Frontage | 43.0 m |
| Minimum Front Yard | 20.0 m |

| | |
|---|----------------------|
| Minimum Interior Side Yard | 5.0 m |
| Minimum Rear Yard | 13.0 m |
| Minimum Lot Depth | 60.0 m |
| Minimum Dwelling Unit Sizes: | |
| 1 Bedroom | 39.0 m ² |
| 2 Bedroom | 60.0 m ² |
| Minimum Landscaped Open Space | 700.0 m ² |
| Maximum Number of Dwelling Units | 45 |
| Maximum Building Height | 18.25 m |
| Parking (which may be provided in the front yard) | 12 spaces |

5.3.12 R9 Zone

5.3.12.1 R9-1 Zone (South East Corner of George Street and Gilmour Street)

The uses permitted in the R9-1 Zone shall be an apartment dwelling. The zone provisions for the R9-1 Zone shall be as follows:

| | |
|---|--|
| Minimum Lot Area | 2215.0 m ² |
| Minimum Lot Frontage | 31.0 m |
| Minimum Lot Depth | 68.0 m |
| Minimum Front Yard Setback | 13.5 m |
| Minimum Exterior Side Yard Setback | 0.0 m |
| Minimum Interior Side Yard Setback | 0.0 m |
| Minimum Rear Yard Setback | 1.5 m |
| Maximum Building Height | 17.0 m subject to the bonus provisions outlined in this subsection |
| Maximum No. of Storeys | 5, subject to the bonus provisions outlined in this subsection |
| Maximum No. of Residential Units | 45, subject to the bonus provisions outlined in this subsection |
| Minimum Landscaping Open Space | 30% |
| Parking Spaces | 1.1 spaces per residential dwelling unit |
| Location of Parking: Surface parking to a maximum of 10 parking spaces may be provided in the front yard (adjacent to Gilmour Street) with a minimum 1.5 m planting strip | |
| Minimum Amenity Area: One Bedroom: 10.0 m ² per unit; Two Bedroom: 20.0 m ² per unit | |

Bonus Provisions Specific to the R9-1 Zone:

A bonus of additional building height (maximum height: 37.0 m; maximum number of storeys: 11) and density (maximum number of residential units: 94) is permitted where the developer has agreed to all of the following:

- a) development to contain a minimum of six (6) affordable units, that is, at selling prices which would meet the United Counties of Leeds and Grenville definition of affordable;
- b) development to include sustainable (LEED-NC or equivalent) building design elements including a five (5) vehicle car share program; and
- c) off-site improvements to municipal lands at Rotary Park, including but not limited to development of approximately 28 paved and curbed parking spaces, and installation of a footbridge or other tangible element, as determined by the City in consultation with the Rotary Park Revitalization Committee, equivalent in value to not less than \$30,000.00.

5.3.12.2 R9-2 Zone (119 Water Street West)

The uses permitted in the R9-2 Zone shall be an apartment dwelling containing a maximum of one hundred and six (106) dwelling units. The zone provisions for the R9-2 Zone shall be as follows:

| | |
|---|--|
| Minimum Lot Frontage | 27.0 m |
| Minimum Front Yard (measured to the main building face) | 49.0 m |
| Minimum Exterior Side Yard | 2.8 m |
| Minimum Interior Side Yard | 2.2 m |
| Minimum Rear Yard (measured from the south edge of the waterlot abutting lands zoned R9-2 Zone) | 36.5 m |
| Landscaped Open Space | 30% |
| Maximum Building height | 33.0 m above grade at front door of building |
| Children's Play Area | Not required |
| Parking | 1.08 spaces/unit |

Notwithstanding the minimum front yard setback required for a building within the R9-2 Zone, a tiered parking structure may be permitted in the front yard but not within 9.5 m of the front lot line. The elevation on top of the parking structure, located in the front yard, shall not be more than 3.0 metres above the finished grade of Water Street where it abuts the front lot line.

Notwithstanding the minimum exterior side yard required for a building within the R9-2 Zone, a canopy over the main entry to the building shall be permitted within the exterior side yard.

Notwithstanding the minimum rear yard required for a building within the R9-2 Zone, a pool enclosure shall be permitted to encroach into the required rear yard.

Notwithstanding clause 3.51 b) of this By-law, the maximum width of bay windows within a building in the R9-2 Zone shall be 3.7 metres.

Notwithstanding clause 3.51 c) of this By-law, balconies for individual dwelling units within a building in the R9-2 Zone shall be permitted to project 1.7 metres into any required yard.

In no case shall any habitable space within any building built in the R9-2 Zone be constructed below an elevation of 77.3 metres Canadian Geodetic Datum. Further, no main building shall be constructed in the R9-2 Zone with any opening, save for an opening leading to a parking area, below an elevation of 77.3 metres Canadian Geodetic Datum.

Section 3.44 of this By-law does not apply.

5.3.12.3 R9-3 Zone (Wall Street Village)

The uses permitted in the R9-3 Zone shall be an apartment dwelling containing a maximum of eighty-five (85) dwelling units. The zone provisions for the R9-3 Zone shall be the same as for the R9 Zone save and except for the following:

| | |
|--|-----------------------|
| Minimum Front Yard (measured to the building face) | 3.0 m |
| Minimum Interior Side Yard (measured to the building face) | 0.9 m |
| Maximum Density | 234 units per hectare |
| Landscaped Open Space | 28% |
| Maximum Building Height | 21.5 m |
| Minimum Parking Requirement | 0.5 spaces per unit |

Notwithstanding Section 3.33, access through the R9-3 Zone from Wall Street and/or from Victoria Avenue for vehicular access purposes shall be permitted to any adjacent land which is non-residentially zoned.

Notwithstanding Section 3.33 of this By-law, parking may be permitted in the front yard adjacent to Wall Street.

5.3.12.4 T-R9-4 Zone (South east Corner of James Street East and Victoria Avenue)

The uses permitted in the T-R9-4 Zone shall be those uses permitted in the R9-4 Zone and a temporary gravel parking lot. The temporary gravel parking lot shall be permitted for a three (3) year period ending October 9, 2015.

The zone provisions for the T-R9-4 Zone shall be the same as for the R9-3 Zone.

5.3.12.5 R9-5 Zone (48 Church Street)

Notwithstanding any other provision of this By-law, the maximum number of dwelling units shall be 79 and the minimum number of parking spaces shall be 35.

5.3.12.6 R9-6 Zone (10 and 12 Charlotte Place)

The maximum number of units shall be 50 at 10 Charlotte Place and 40 at 12 Charlotte Place. The minimum number of parking spaces shall be 20 at 10 Charlotte Place and 16 at 12 Charlotte Place.

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