

SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE

9.1 PERMITTED RESIDENTIAL USES

- apartment dwelling
- linked dwelling comprising more than two single family dwellings
- townhouse dwelling
- (500-2025-0008) - townhouse single-lot dwelling
- fourplex dwelling

9.2 PERMITTED NON-RESIDENTIAL USES

- day care, private home use if within a linked dwelling
- day nursery within an apartment dwelling containing 25 units or more
- (2015-0057) - kennel, pursuant to the provisions of Section 2.105 and 5.21(A) of this By-law
- accessory buildings, structures and uses to any permitted use

9.3 ZONE REQUIREMENTS - RESIDENTIAL USES

In accordance with the requirements of Section 6 hereof.

9.4 ZONE REQUIREMENTS - NON-RESIDENTIAL USES

In accordance with the requirements of Section 5 hereof

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Further, notwithstanding Section 6.8 (l), a planting strip along the rear lot line shall have a minimum width of 2 metres and the planting strip along the east lot line may be interrupted by a parking area.

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

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

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

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

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

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

Notwithstanding Sections 5.28 (h) and (i), in that area designated 'R3-5' in Schedule 'A' hereto, an uncovered parking area is permitted in the front

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yard and parking aisles within such parking area may have a minimum width of 6 metres. On the said lot, the maximum number of apartment dwelling units shall be eighteen, and notwithstanding Section 6.8 (i), the maximum height of any buildings or structures shall not exceed 241 metres above sea level.

9.5.5 PART LOT 19, BLOCK 60, PLAN 69; 'R3-7'
(Map 6)

In the area designated 'R3-7' in Schedule 'A' hereto, the maximum number of dwelling units permitted within an apartment dwelling shall not exceed thirty-six.

9.5.6 LOTS 1-13 AND BLOCKS A-D INCLUSIVE, 'R3-8'
AND PART OF LIONS BLVD., PLAN M-26; (Map 10)

Notwithstanding Section 5.17, in the area designated 'R3-8' in Schedule 'A' hereto, a Senior Citizens' apartment dwelling having a maximum of thirty units may be permitted on a private sewage disposal system and a private water supply system, subject to the approval of the Director, Part 8 of the Environmental Protection Act.

9.5.7 PART OF LOTS 97, 98 & 99, PLAN 317, 'R3-9'
PART OF LOT 13, CONCESSION 3 (NG); (Map 3)

Notwithstanding Section 6.7 (d), four townhouse dwellings containing a maximum of 24 dwelling units shall be permitted on the lot designated 'R3-9' in Schedule 'A' hereto. Further, notwithstanding Section 6.7 (i), the minimum floor area for a dwelling unit shall be 70 square metres.

9.5.8 PART LOT 6, CONCESSION 3 (NG); 'R3-10'
(Map 2)

Notwithstanding Sections 5.28 (b) and (h), in the area designated 'R3-10' in Schedule 'A' hereto, parking shall be permitted in all yards, provided no

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PRIVACY YARDS NIL

PLANTING STRIPS NIL

Further, notwithstanding Section 5.1(d), the minimum yard requirement for a detached garage where access to same is not provided from the abutting laneway, shall be 3.7 metres.

**9.5.14 PART OF LOTS 21 & 22, 'R3-16'
BLOCK 60, PLAN 69; (Map 6)**

Not more than eight dwelling units shall be permitted in each townhouse dwelling. Further, notwithstanding Section 6.7 (h), the minimum interior side yard for a block townhouse dwelling shall be 8 metres.

**9.5.15 PART LOT 7, BLOCK 60, PLAN 69; 'R3-17'
(Map 6)**

In the area designated 'R3-17' in Schedule 'A' hereto, an apartment dwelling containing a maximum of twelve dwelling units shall be permitted.

Further, notwithstanding Section 6.8 (k), a minimum privacy yard of 2.4 metres shall be permitted.

**9.5.16 LOTS 14 & 15, PLAN 79; 'R3-18'
(Map 6)**

Notwithstanding Section 9.1 and the provisions of Sections 6.6 and 6.7, in that area designated 'R3-18', any townhouse dwelling shall have a maximum of four dwelling units.

**9.5.17 PART LOT 22, CONCESSION 5 (G); 'R3-19'
(Map 10)**

Notwithstanding Section 5.17, in that area designated 'R3-19', an apartment dwelling containing a maximum of six dwelling units shall be permitted.

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Notwithstanding Section 9.1, in the area designated 'R3-29' in Schedule 'A' hereto, an apartment dwelling having a maximum of 19 dwelling units and not exceeding two stories in height shall be the only permitted use.

9.5.26 **PART LOT 85, LOTS 86-88, PLAN 454** **'R3-30'**
(500-97-068) **PART OF BLOCK A, PLAN 528** **(Map 2)**

Notwithstanding Section 9.1, on lands designated 'R3-30' the only permitted uses shall be two townhouse dwellings, one dwelling containing five units and the other containing three units. And further, notwithstanding Section 6.6(c), the minimum front yard setback shall be 12 metres.

9.5.27 **LOTS 104 & 105, PLAN 317** **'R3-31'**
(500-97-070) **(Map 3)**

Notwithstanding Sections 6.8(g), (k) and (l), and 5.28(h), on those lands described as Lots 104 & 105, Plan 317, shown in heavy outline and zoned 'R3-31' in Schedule 'A' hereto, the following shall apply:

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

9.5.28 **PART OF LOT 1 AND 2** **'R3-32' and**

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(500-97-081)

CONCESSION 3 (NG)

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

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

ZONE	R3-32		R3-32 (WS)	
PERMITTED USE ¹	SD	TH	SD	TH
ZONE REQUIREMENT				
LOT FRONTAGE PER UNIT (MINIMUM) M.	7.0 ^{2, 15}	6.0 ^{3, 15}	9.0 ⁴	7.5 ⁵
LOT AREA PER UNIT (MINIMUM) SQ. M.	210 ⁶	180 ⁷	210 ⁸	175 ⁹
FRONT YARD (MINIMUM) M.				
TO GARAGE	5.7 ¹⁰	5.7 ¹⁰	5.7 ¹⁰	5.7 ¹⁰
TO DWELLING	4.5 ^{10, 16}	4.5 ^{10, 16}	4.0 ^{10, 17}	4.0 ^{10, 17}
EXTERIOR SIDE YARD (MINIMUM) M.	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}	2.4 ^{10, 11, 12}
REAR YARD (MINIMUM) M.	7.5	7.5	6.0	6.0
INTERIOR SIDE YARDS (MINIMUM) M.	1.2 ¹³	1.2 ¹³	1.2 ¹³	1.2 ¹³
NUMBER OF DWELLINGS PER LOT (MAXIMUM)	1 ¹⁴	1 ¹⁴	1 ¹⁴	1 ¹⁴

¹ Permitted Use -
SD = Semi Detached Dwelling
TH = Townhouse Dwelling - Freehold

² Except that in the case of a corner lot the minimum lot frontage shall be 8.2 metres.

³ Except that in the case of a corner lot the minimum lot frontage shall be 8.4 metres.

⁴ Except that in the case of a corner lot the minimum lot frontage shall be 10.2 metres.

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- ⁵ Except that in the case of a corner lot the minimum lot frontage shall be 9.9 metres.
- ⁶ Except that in the case of a corner lot the minimum lot area shall be 246 square metres.
- ⁷ Except that in the case of a corner lot the minimum lot area shall be 252 square metres.
- ⁸ Except that in the case of a corner lot the minimum lot area shall be 239 square metres.
- ⁹ Except that in the case of a corner lot the minimum lot area shall be 232 square metres.
- ¹⁰ The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.
- ¹¹ The minimum exterior side yard setback shall be 3.0 metres if the exterior side yard abuts a road having a width of 23 metres or greater.
- ¹² Except where a driveway, providing access to an attached garage or carport, is located in the exterior side yard, the minimum exterior side yard for the garage or carport shall be 5.7 metres.
- ¹³ Provided that between attached dwelling units the minimum shall be nil.
- ¹⁴ Except that, pre-registration dwelling units not exceeding 20% of the total number of dwelling units which are to be built on proposed lots, which have been draft plan of subdivision approved, are permitted.
- ¹⁵ Where a dwelling unit is constructed on a lot with a frontage of less than 12.0 metres, the maximum driveway width and interior garage width for each dwelling unit shall not exceed 53% of the lot frontage.
- ¹⁶ No garage shall project more than:
- 2.5 metres forward of the ground floor main wall of the dwelling, or an Unenclosed Porch or covered entry feature adjacent to the private

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garage; and,

- 3.0 metres forward from the second floor main wall over the private garage; and,
- 4.5 metres forward from the second floor front wall not located above the private garage.

¹⁷ Where there is no sidewalk crossing the front yard, the minimum front yard setback may be reduced to 3.0 metres, provided the minimum rear yard setback is 7.0 metres.

- b) Notwithstanding Section 2.230, in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, in the case of a corner lot in a residential zone where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the Exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would intersect at a point.
- c) Notwithstanding Sections 5.28(a) in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, a Standard Parking Space shall have a minimum dimension of 2.75 metres x 5.7 metres.
- d) Notwithstanding Sections 5.28(b), in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, a minimum of two parking spaces per dwelling unit shall be provided. Parking shall be allowed in a garage and in a driveway, private to the unit, leading to a garage which may be located in the front yard or in the exterior side yard in the case where a garage is accessed by a driveway crossing an exterior side lot line. Every lot shall provide a garage.
- e) Notwithstanding Section 5.28(i), as it applies

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to the minimum distance between a driveway and the intersection of street lines, in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Notwithstanding the above, if the driveway of a semi-detached or townhouse dwelling unit is to be shared with a driveway of an abutting semi-detached or townhouse dwelling unit, the setback between the driveway and the lot line shall be nil.

- f) Notwithstanding Sections 5.35, in the areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, where local street lines intersect, a 5 metre sight triangle shall be required to be maintained in accordance with the provisions of Section 5.35(b).
- g) Notwithstanding Section 5.45(a) as it applies to yard encroachments for Balconies, Unenclosed Porches and Steps, Decks, Handicap Ramps and Elevators in the required front yard and exterior side yard areas in areas zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, such encroachments may be permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment for steps, provided they are not located any closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45(a) within By-law Number 500, as amended, continue to apply.
- h) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots or blocks within lands zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, shall be subject to the following:
 - i) Fences not exceeding 2 metres in height

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are permitted in the side and rear yards only. Such fences are exempt from the minimum yard provisions of the by-law. Any fence within the side or rear yard that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

- ii) Fences are permitted in the front yard area provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - iii) Notwithstanding ii) above, where the front yard abuts a side yard or a rear yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted.
 - iv) Notwithstanding i) and ii) above, where a lot or block zoned commercial or institutional abuts a lot or block zoned residential, a fence may be erected in the commercial or institutional zone to a height not exceeding 3.0 metres.
- i) Notwithstanding Section 5.34(b) insofar as it affects the lands zoned 'R3-32' and 'R3-32(WS)' on Schedule 'A' hereto, only wall or roof mounted satellite receiving dishes shall be permitted. Wall mounted satellite receiving dishes shall only be permitted on the rear or interior side walls of the dwelling.

9.5.30
(500-98-024)

PART OF LOT 1, CONCESSION 8(G)
PARTS 2, 3, AND 5, PLAN 65R-11686

'R3-33'
(Map 6)

Notwithstanding Sections 9.1 and 9.2, in the area designated 'R3-33' on Schedule 'A' hereto, the only permitted use shall be a townhouse dwelling as well as accessory uses, buildings and structures.

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INTERIOR SIDE YARD (MINIMUM)

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

- b) Notwithstanding Section 2.230, in the area zoned 'R3-40' on Schedule 'A' attached hereto, in the case of a corner lot where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would intersect at a point.

- c) Notwithstanding Sections 2.123 and 2.124, in the case of the through lots abutting both Parkway Avenue and Lancaster Court, and zoned 'R3-36' on Schedule 'A' attached hereto, the lot line abutting Parkway Avenue shall be deemed to be the rear lot line and, the lot line abutting Lancaster Court shall be deemed to be the front lot line.

- d) In those areas designated 'R3-34', 'R3-35', 'R3-36', 'R3-37', 'R3-38', 'R3-39', 'R3-40' and 'R3-41' on Schedule 'A' attached hereto, the provisions of Section 5.44 shall not apply.

9.5.32
(500-99-002)
(500-2011-0008)

PART OF LOT 16, CONCESSION 2 (NG) 'R3-42'
(Map 3)

- a) Notwithstanding Section 6.6 (a), (b), (c), (e), (f), (h) and (i) the following requirements shall apply on lands shown in heavy outline and designated 'R3-42' in Schedule 'A' attached hereto:

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Lot Frontage Per Unit (Minimum) Interior Lot End Lot	6 metres 7.5 metres
Lot Area Per Unit (Minimum) Interior Lot End Lot	135 m ² 180 m ²
Front Yard (Minimum)	3 metres ⁽ⁱ⁾
Rear Yard (Minimum)	3 metres
Interior Side Yard (Minimum) End Lot	1.2 metres plus 0.5 metres for each additional or partial storey above the second.
End Lot (abutting a common pedestrian walkway)	0.1 metres
Height (Maximum)	12 metres
Lot Coverage (Maximum)	Not Applicable

- i) The minimum setback for the main wall of dwelling to a sight triangle which forms part of the street shall be 3 metres.
- b) Notwithstanding Sections 2.123, 2.124 and any other provisions to the contrary, the lot line abutting Metro Road, Old Homestead Road and the hypotenuse of the sight triangle between the two roads, shall be deemed to be the front line. The lot line abutting the private access street/road shall be deemed the rear lot line.
- c) Notwithstanding Sections 5.28 (a) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
- i) Every lot shall provide a garage.
 - ii) The minimum interior dimensions of a garage shall be 2.95 metres in width by 5.7 metres in length.
 - iii) The minimum parking space size shall be

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2.95 metres in width by 5.7 metres in length.

- iv) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - v) The minimum and maximum width of an access street shall be in accordance with the requirements and approval of the respective road authority.
- d) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
- i) Fences not exceeding 2 metres in height are permitted in the rear yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yard that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front and interior side yards, provided such fence does not exceed 1.2 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - iii) Notwithstanding ii) above, where the front or interior side yard abuts a lot containing a non-residential use, fences not exceeding 2 metres in height are permitted along the common lot line.
- e) Notwithstanding Section 5.13, a townhouse dwelling and accessory buildings, structures and uses are permitted on a lot which has access onto a private street/road that is subject to a registered plan of common

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elements condominium.

- f) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and interior yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard with an additional 0.5 metres encroachment permitted for steps. Furthermore, unenclosed porches and steps are permitted to encroach into an interior side yard setback to a setback of nil. Provided that where an interior lot line abuts a lot containing a non-residential use that minimum interior side yard setback shall be 1.2 metres. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

- g) Notwithstanding any provisions to the contrary, a maximum of 7 pre-registration dwellings may be constructed on lands shown in heavy outline and designated 'R3-42' and 'R3-54' in Schedule 'A' attached hereto.

9.5.33 **PART OF LOT 12, CONCESSION 3 (NG)** **'R3-43'**
 (500-2018-0022) **4 LEY BLVD** **(Map 3)**

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

- Single Family Dwelling
- Duplex
- Triplex
- An apartment, with a maximum of 6 dwelling units
- Accessory buildings, structures and uses to any permitted use.

Notwithstanding Section 5.45 and Section 6, the following special provisions shall only apply to the existing building and accessory structures:

Exterior Side Yard (Minimum)	To Dwelling	3.7m
	To Unenclosed Porches	0m

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Rear Yard (Minimum)	To Dwelling To Deck	4.82m 4.7m
Interior Side Yard (Minimum)	To Dwelling To Deck/Balcony	2.34m 0.4m
Lot Coverage (Maximum)		42%
Lot Frontage (Minimum)		22m
Lot Area (Minimum)		680 sq.m
Landscaped Open Space (Minimum)		24%

Section 6.8(k) **PRIVACY YARDS** and Section 6.8(l) **PLANTING STRIP** do not apply to the existing building and accessory structures.

Notwithstanding Sections 2.63 and 2.72, the building may be divided horizontally and vertically.

Notwithstanding any other provisions of Zoning By-law 500, the maximum number of bedrooms within the building shall be 9. Further, the maximum number of bedrooms within one dwelling unit shall be 4.

Notwithstanding any other provision of Zoning By-law 500, the maximum number of kitchens per dwelling unit shall be 1.

Notwithstanding any other provisions of Zoning By-law 500, a balcony over the deck shall be permitted in the interior side yard.

Notwithstanding Section 5.28(a), parking spaces shall have a minimum length of 5.5m.

Notwithstanding Section 5.28(b), parking shall be provided at a rate of 1.15 spaces per dwelling unit as follows: 1 space per dwelling unit, plus 0.15 visitor space per dwelling unit.

Notwithstanding Section 5.28(h), parking spaces shall be permitted in the front and exterior side yards.

Notwithstanding Section 5.28(i), 2 tandem parking

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spaces shall be permitted and 3 tandem parking spaces shall be permitted where the third space is for visitor parking.

Notwithstanding Section 5.28(i), the minimum setback from the intersection of street lines to the existing driveway shall be 2.0m.

Notwithstanding Section 5.35, the minimum size of a sight triangle shall be 2.0m.

Notwithstanding the above provisions, any expansion of the building or accessory structures shall require further planning approval.

9.5.34
(500-2003-0011)

LOT 1, REGISTERED PLAN 181

'R3-44'
(Map 3)

Notwithstanding Section 9.1, in the area designated 'R3-44' in Schedule 'A' attached hereto, the maximum number of dwelling units permitted within an apartment dwelling shall not exceed six.

Notwithstanding Section 5.28 (h), the required parking areas shall be permitted within the minimum front yard.

Notwithstanding Section 6.8 (f) the following shall apply:

INTERIOR SIDE YARD (MINIMUM) 7 metres (west side)
4.5 metres (east side)

Notwithstanding Section 6.8 (k), privacy yards shall not be required.

Notwithstanding Section 6.8 (l), a planting strip 3 metres in width, shall be provided along the rear and interior side lot lines only, except where an existing parking area interrupts the planting strip along the easterly side lot line, the planting strip may be reduced to 0.8 metres.

9.5.35
(500-2005-0023)

PART OF LOTS 1 AND 2,
CONCESSION 3 (NG)

'R3-45 (WS)'
(Maps 1 and 2)

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(2013-0140)

Notwithstanding Section 6.2(a), (b), (c), (d), (e), (f), (h), (j), Section 6.6(a), (b), (c), (d), (e), (f), (h), (j) and Section 9.1 insofar as it affects the lands zoned 'R3-45(Ws)' on Schedule 'A' hereto, the following zone requirements shall apply:

ZONE	R3-45 (WS)
PERMITTED USE ¹	TH
ZONE PROVISION	
LOT FRONTAGE (MINIMUM) M.	7.5 ²
LOT AREA (MINIMUM) SQ. M.	190 ³
FRONT YARD (MINIMUM) M.	
TO GARAGE	5.8 ⁴
TO DWELLING	4.0 ^{4,9}
EXTERIOR SIDE YARD (MINIMUM) M.	2.4 ^{4,5,6}
REAR YARD (MINIMUM) M.	6.0
INTERIOR SIDE YARD (MINIMUM) M.	1.2 ⁷
NUMBER OF DWELLINGS PER LOT	1 ⁸

- ¹ Permitted Use - TH = Townhouse Dwelling Freehold
- ² Except that in the case of a corner lot the minimum lot frontage shall be 9.9 metres.
- ³ Except that in the case of a corner lot the minimum lot area shall be 232 square metres.
- ⁴ The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.
- ⁵ The minimum exterior side yard setback shall be 3.0 metres if the exterior side yard abuts a road having a width of 23 metres or greater.
- ⁶ Except where a driveway, providing access to an attached garage or carport, is located in the exterior side yard, the minimum exterior side yard for the garage or carport shall be 5.8 metres.
- ⁷ Provided that between attached dwelling units the minimum shall be nil.
- ⁸ Except that, pre-registration dwelling units not exceeding 20% of the total number of dwelling units which are to be built on proposed lots, which have

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been draft plan of subdivision approved, are permitted.

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

b) Notwithstanding Section 2.230, in areas zoned 'R3-45(WS)' on Schedule 'A' hereto, in the case of a corner lot in a residential zone where a sight triangle forms part of the street, the portion of the sight triangle forming part of the lot line shall not be deemed to be a front lot line or a side lot line for purposes of calculating Minimum Front or Minimum Exterior Side Yards. For purposes of such calculations, the Exterior Side Lot Line and Front Lot Line shall be deemed to be the continued projection of the Exterior Side Lot Line and Front Lot Line so that they would intersect at a point.

(500-2007-0009) c) Notwithstanding Section 5.28(b), in the areas zoned 'R3-45(WS)' on Schedule 'A' hereto, a minimum of two parking spaces per dwelling unit shall be provided. Parking shall be allowed in a garage and in a driveway, private to the unit, leading to a garage which may be located in the front yard or in the exterior side yard in the case where a garage is accessed by a driveway crossing an exterior side lot line. Every lot shall provide a garage.

d) Notwithstanding Section 5.28(i), as it applies to the minimum distance between a driveway and the intersection of street lines, in areas zoned 'R3-45(WS)' on Schedule 'A' hereto, driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Notwithstanding the above, if the driveway of a townhouse dwelling unit is to be shared with a driveway of an abutting townhouse dwelling unit, the setback between the driveway and the

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lot line shall be nil.

- (500-2007-0009) e) Notwithstanding Section 5.35, in the areas zoned 'R3-45(W.S)' on Schedule 'A' hereto, where local street lines intersect, a 5 metre sight triangle shall be required to be maintained in accordance with the provisions of Section 5.35(b).
- f) Notwithstanding Section 5.45(a) as it applies to yard encroachments for Balconies, Unenclosed Porches and Steps, Decks, Handicap Ramps and Elevators in the required front yard and exterior side yard areas in areas zoned 'R3-45(W.S)' on Schedule 'A' hereto, such encroachments may be permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment for steps, provided they are not located any closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45(a) within By-law Number 500, as amended, continue to apply.
- g) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots or blocks within lands zoned 'R3-45(W.S)' on Schedule 'A' hereto, shall be subject to the following:
- i) Fences not exceeding 2 metres in height are permitted in the side and rear yards only. Such fences are exempt from the minimum yard provisions of the by-law. Any fence within the side or rear yard that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front yard area provided such fence does not exceed 0.9

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

structures.

- iii) No building or structure shall be constructed except within the 'R3-46' zone, and only within that area identified as "*Buildable Land Area*" in Schedule 'B-55', attached hereto and in accordance with an approved site plan.

Notwithstanding, the "*Buildable Land Area*" identified on Schedule 'B-55', the following yard requirements shall apply to all buildings:

NORTHERLY INTERIOR SIDE YARD (MINIMUM)

1 st storey	11 m
2 nd storey	11 m
3 rd storey	11 m
4 th storey	14 m
5 th storey	17 m
6 th storey	20 m

- iv) A loading space may be located in any yard in accordance with an approved site plan.
- v) Minimum width of an accessible parking space may be reduced to 4.5 metres only where a space abuts an at-grade sidewalk in accordance with an approved site plan.
- vi) Minimum number of parking spaces per apartment unit shall be 1.5 and, further, a maximum of 20 parking spaces for these units may be permitted in tandem in accordance with an approved site plan.
- vii) Required parking spaces shall only be provided within the '*Buildable Land Area*' as indicated on Schedule 'B-55', except where a cash-in-lieu of parking agreement has been executed.
- viii) Parking areas may be permitted in all yards in accordance with an approved site plan.

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

- ix) An apartment dwelling shall be a minimum of 3 metres from a public street.
- x) Notwithstanding (ix) above, a parking area/podium may be located at a setback of nil from a public street. Further, the maximum height of a parking podium shall be 4.5 metres to the surface of the parking deck measured from average finished grade.
- xi) Floor Area (minimum) for an apartment dwelling unit:
 - one bedroom unit 55 sq. metres
 - two bedroom unit 65 sq. metres
 - three bedroom unit 75 sq. metres
- xii) Height (maximum) for an apartment dwelling containing 62 to 93 units
..... 24 metres
- xiii) Height (maximum) for an apartment dwelling containing a maximum of 61 units
..... 18 metres

9.5.37 (Deleted by By-law 500-2008-0022)

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

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

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

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

Exterior Side Yard (Minimum) To Attached Garage To Dwelling	5.7 metres (i) (ii) 2.4 metres (i) (ii)
Rear Yard (Minimum)	7.5 metres
Interior Side Yard (Minimum)	1.2 metres (iii)

- (i) The minimum setback for any building or structure to a sight triangle shall be 0.6 metres.
 - (ii) No attached garage shall project more than 2.5 metres forward from either the ground or second floor main wall of the dwelling.
 - (iii) Except that in the case of attached dwelling units the minimum interior side yard shall be nil.
- b) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
- i) Fences not exceeding 2 metres in height are permitted in the rear yard as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front and exterior side yards as well as the front half of the interior side yard provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
- c) Notwithstanding Section 5.28 (b), a minimum of two parking spaces per dwelling unit shall be provided, one of which may be in a driveway private to the unit and leading to an attached garage in the front yard or in the exterior side yard. Every lot shall provide an attached

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

garage.

- d) Notwithstanding Section 5.28 (h) and (i), driveways shall be located no closer than 0.6 metres from any required sight triangle and 0.9 metres from the interior side lot line. Furthermore, the maximum width of a driveway shall be 3 metres. Notwithstanding the above, if the driveway of a townhouse dwelling unit is to be shared with a driveway of an abutting townhouse dwelling unit, the setback requirement between the shared driveway and the mutual interior side lot line shall be nil and the maximum width of the shared driveway shall be 6 metres.

- e) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard area, unenclosed porches are permitted to encroach 1.5 metres into any required front yard or exterior side yard with an additional encroachment permitted for steps provided they are not located closer than 0.9 metres to the front lot line or exterior side lot line. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

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

- a) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), and (h), the following requirements shall apply on lands shown in heavy outline and designated 'R3-49' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (min)	
Interior Lot	6 metres
End Lot	8 metres
Corner Lot	11 metres
Lot Area Per Unit (Min)	

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

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

- (i) The minimum setback for the main wall of a dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.
- (ii) Pursuant to By-law Number 2004-0078 (PWO-2), as amended, no entrance shall be permitted to provide access to the exterior flankage of a corner lot.
- b) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
 - i) Every lot shall provide a garage.
 - ii) The minimum interior dimensions of a garage shall be 3 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.
 - iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - iv) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground

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

floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

- v) No part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

 - ii) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the

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

minimum yard requirements of the by-law.

iii) Notwithstanding ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.

d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

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

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

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

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

Notwithstanding Section 5.28 (a), the minimum parking space size shall be 2.5 m x 5.5 m for the first 21 required parking spaces. Additional parking spaces beyond the 21 noted, shall be sized in accordance with the minimum parking space size as provided in Section 5.28 (a).

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

Notwithstanding Section 5.28 (b), a total of 22 parking spaces and 1 visitor parking space, for a total of 23 on-site parking spaces shall be provided for the 7 dwelling units within the apartment dwelling and 5 dwelling units within the townhouse dwelling.

Notwithstanding Section 5.28 (i), the minimum aisle width shall be 6.7 metres for two-way traffic where the angle of parking space to aisle is 90 degrees.

Notwithstanding Section 6.8 (f), the northerly interior side yard setback for the existing apartment dwelling shall be 4.2 metres.

Notwithstanding Section 6.8(k), privacy yards shall not apply.

Notwithstanding 6.8 (l), the following planting strips shall be provided:

- 1 metre planting strip width along the southerly lot line where it abuts the existing driveway
- 1.75 metre planting strip width along the westerly portion of the northerly lot line (north of the apartment dwelling)
- 2.4 metre planting strip width along the easterly portion of the northerly lot line (north of the townhouse dwelling)
- 1.5 metre planting strip width along the westerly lot line adjacent to the parking lot.

9.5.41 **PART OF LOT 3, CONCESSION 7 (G)** **'R3-51'**
(500-2008-0015) **N/S HIGHWAY 48** **(Map 7)**

- a) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), (h), and 9.1, the following requirements shall apply on lands shown in heavy outline and designated 'R3-51' in Schedule 'A' attached hereto:

b)

Permitted Use	Townhouse Dwelling
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SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

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

-
- (i) The minimum setback for the main wall of a dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.
 - (ii) Pursuant to By-law Number 2004-0078 (PWO-2), as amended, no entrance shall be permitted to provide vehicular access to the exterior flankage of a corner lot.
- c) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
- i) An attached garage shall be provided for every lot.
 - ii) The minimum interior dimensions of an attached garage shall be 3 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.
 - iii) No encroachments shall be permitted into a required parking space located within an attached garage, save and except for one step (2 risers) into the minimum garage length.
 - iv) No attached garage shall project into the front yard more than 1 metre beyond the

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

most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

- v) No part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

 - ii) Fences are permitted in the front and

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

exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.

iii) Notwithstanding ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.

iv) Notwithstanding i) and ii) above, where a lot or block abuts a commercial zone, a fence may be erected along the common lot line or in the commercial zone to a maximum height of 3 metres.

d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

9.5.42 **PART OF LOTS 18, CONCESSION 9 (NG)** **'R3-52'**
 (500-2010-0013) **N/S BASELINE ROAD** **(Map 7)**

a) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), and (h), the following requirements shall apply on lands shown in heavy outline and designated 'R3-52' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Minimum)	
Interior Lot	6.0 metres
End Lot	7.5 metres
Corner Lot	11 metres

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

Lot Area Per Unit (Minimum)	
Interior Lot	180 m ²
End Lot	225 m ²
Corner Lot	330 m ²
Front Yard (Minimum)	
To Attached Garage	6.0 metres (i)
To Dwelling	5.0 metres (i)
Exterior Side Yard (Minimum)	4.0 metres (i) (ii)
Rear Yard (Minimum)	7.5 metres
Lot Coverage (Maximum)	Not Applicable

- i) The minimum setback for the main wall of dwelling to a sight triangle which forms part of the street shall be 2.5 metres, and the minimum setback for any other building or structure to a sight triangle which forms part of the street shall be 0.6 metres.
 - ii) Pursuant to By-law Number 2004-0078 (PWO-2), as amended, no entrance shall be permitted to provide access to the exterior flankage of a corner lot.
- b) Notwithstanding Sections 5.28 (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
- i) Every lot shall provide a garage.
 - ii) The minimum interior dimensions of a garage shall be 3.0 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.
 - iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - iv) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the

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

ground floor level, or more than 2.0 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

- v) No part of any driveway or parking area in the front yard shall be located closer than 0.6 metres from a sight triangle and 0.9 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2.0 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2.0 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

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

- ii) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
- iii) Notwithstanding ii) above, where the front yard abuts the rear yard or back half of the interior side yard of an abutting residential lot, fences not exceeding 2.0 metres in height are permitted along the common lot line.
- d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2.0 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

9.5.43 **LOTS 8 TO 11, BLOCK 16, PLAN 69** **'R3-53'**
 (500-2011-0004) **PART OF LOTS 6 AND 7, BLOCK 16, PLAN 69** **(Map 3)**
PART OF LOTS 3 AND 4, BLOCK 15, PLAN 69
PART OF UNNAMED LANE BLOCK 16, PLAN 69
PART OF HIGH STREET, PLAN 69

- a) Notwithstanding Sections 2.123, 2.124, 5.12, 5.13, 5.28 (h and i) 6.6 (a), (b), (c), (d), (e), (f), (h) and (i) the following requirements shall apply on lands shown in heavy outline and designated 'R3-53' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Minimum)	
Interior Lot	6.0 metres
End Lot	7.5 metres
Corner Lot	9.5 metres
Lot Area Per Unit (Minimum)	

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

Interior Lot	155 m ²
End Lot	190 m ²
Corner Lot	245 m ²
Front Yard (Minimum)	2.8 metres
Exterior Side Yard (Minimum)	3.0 metres
Rear Yard (Minimum)	0.9 metres
Interior Side Yard (Minimum) End Lot	1.2 metres plus 0.5 metres for each additional or partial storey above the second.
Lot Coverage (Maximum)	Not Applicable

- b) Notwithstanding Sections 2.123, 2.124 and any other provisions to the contrary, the lot line abutting High Street, Burke Street and the hypotenuse of the entrance feature abutting the sight triangle between the two roads, shall be deemed to be the front lot line. The opposite lot line abutting the private street/road shall be deemed the rear lot line.
- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
- i) Fences not exceeding 2 metres in height are permitted in the rear and interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - ii) Fences are permitted in the front and exterior side yards, provided such fence does not exceed 0.9 metres in height, save and except the planned stone columns which shall not exceed 1.4 metres in height. Such fences are

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

exempt from the minimum yard requirements of the by-law.

iii) Notwithstanding ii) above, where the front yard abuts the rear lot line of an abutting residential lot, or a lot containing a non-residential use, fences not exceeding 2 metres in height are permitted along the common lot line.

d) Notwithstanding Section 5.13, a townhouse dwelling and accessory buildings, structures and uses are permitted on a lot which has access to a private street/road that is subject to a registered plan of common elements condominium.

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

i) Every lot shall provide a garage and a parking pad adjacent to the garage.

ii) The minimum interior dimensions of a garage shall be 3 metres in width by 5.7 metres in length.

iii) The minimum width of a parking pad shall be 2.5 metres in width by 5.7 metres in length.

iv) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.

v) A minimum of 7 visitor parking spaces (including 1 accessible parking space) shall be provided along a private street/road that is subject to a

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

registered plan of common elements condominium.

- f) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front, exterior and interior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front or exterior side yard area and 1 metre into any interior side yard. An additional 0.5 metre encroachment for steps is permitted within the front or exterior side yard area. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

9.5.44
(500-2011-0008)

PART OF LOT 16, CONCESSION 2 (NG)

'R3-54'
(Map 3)

- a) Notwithstanding Sections 2.123, 2.124, 6.6 (a), (b), (c), (e), (f), (h) and (i) the following requirements shall apply on lands shown in heavy outline and designated 'R3-42' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Minimum)	
Interior Lot	6 metres
End Lot	7.5 metres
Lot Area Per Unit (Minimum)	
Interior Lot	180 m ²
End Lot	220 m ²
Front Yard (Minimum)	
To garage	6 metres ⁽ⁱ⁾
To dwelling	4.5 metres ⁽ⁱ⁾
Rear Yard (Minimum)	6.5 metres
Interior Side Yard (Minimum)	
End Lot	1.2 metres plus 0.5 metres for additional or partial storey above the second.
Height (Maximum)	12 metres
Lot Coverage (Maximum)	Not Applicable

i) In the case of an end unit, where a curve

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

forms part of the street, the minimum front yard setback to the dwelling shall be 2.9 metres and the minimum front yard setback to the attached garage shall be 4.0 metres.

- b) Notwithstanding Sections 2.123, 2.124, 2.125 and any other provisions to the contrary, the lot line abutting the private access street/road shall be deemed the front line; the lot line abutting the northerly extent of the property (ie. to the rear of the proposed townhouse units) shall be deemed the rear lot line.
- c) Notwithstanding Section 5.1 (d), where an accessory building, 10 square metres or less in size, is erected in the rear yard, the minimum setback to any interior or rear lot line shall be 0.6 metres.
- d) Notwithstanding Sections 5.28 (a), (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways, and parking areas:
 - i) Every lot shall provide a garage.
 - ii) The minimum interior dimensions of a garage shall be 3 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.5 metres.
 - iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - iv) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the

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

ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

- v) No part of any driveway or parking area in the front yard shall be located closer than 0.3 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- e) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
 - i) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.

 - ii) Fences are permitted in the front yard,

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

as well as the front half of the interior side yard, provided such fences does not exceed 1.2 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.

- iii) Notwithstanding ii) above, where the front or interior side yard abuts a lot containing a non-residential use, fences not exceeding 2 metres in height are permitted along the common lot line.

- f) Notwithstanding Section 5.13, a townhouse dwelling and accessory buildings, structures and uses are permitted on a lot which has access onto a private street/road that is subject to a registered plan of common elements condominium.

- g) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and interior yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard with an additional 0.5 metres encroachment permitted for steps. Furthermore, unenclosed porches and steps are permitted to encroach into an interior side yard to a setback of nil. Provided that where an interior lot line abuts a lot containing a non-residential use the minimum interior side yard setback shall be 1.2 metres. All other yard encroachments are provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

- h) Notwithstanding any provisions to the contrary, a maximum of 7 pre-registration dwellings may be constructed on lands shown in heavy outline and designated 'R3-42' and 'R3-54' in Schedule 'A' attached hereto.

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

(500-2012-0004) **(designated as Parts 1, 2, 3 on (Map 3)
Plan 65R-19679)
PART OF LOT 8 AND LOTS 9, 10, AND 11, PLAN 225**

- a) Notwithstanding Section 6.8 (b), in the area designated 'R3-55' in Schedule 'A' attached hereto, a six storey apartment dwelling containing a maximum of 97 bachelor, one and two-bedroom dwelling units shall be permitted on a lot having an area of 6,090 square metres.
- b) For the purpose of this By-law, a parking garage shall be considered to be a building for the purpose of applying minimum yard setbacks and lot coverage requirements.
- c) Notwithstanding Section 6.8 (d), the minimum exterior side yard setback for an apartment dwelling (abutting The Queensway South) shall be nil.
- d) Notwithstanding Section 6.8 (e), the minimum rear yard setback for the parking garage shall be 1 metre.
- e) Notwithstanding Section 5.44 and Section 6.8 (f), the minimum interior side yard setback between the apartment dwelling and Lot 12, Plan 225 shall be 7 metres.
- f) Notwithstanding Section 5.44 and Section 6.8 (f), the minimum interior side yard setback between the parking garage and Lots 12 and 13, Plan 225 shall be 2 metres, and between the parking garage and Lots 17 and 18, Plan 447 shall be 4 metres.
- g) Notwithstanding Section 6.8 (h), the maximum lot coverage shall be in accordance with an approved site plan.
- h) Notwithstanding Section 6.8 (i), the maximum height of the apartment dwelling shall be 18

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

metres. However, rooftop mechanical equipment and decorative roof spires are allowed to extend a maximum of 2 metres and 10 metres respectively, above the maximum height of the apartment dwelling.

- i) Notwithstanding Section 6.9 (k), unobstructed privacy yards shall not be required adjoining windows of habitable rooms in first storey dwelling units facing The Queensway South.
- j) Notwithstanding Section 6.8 (l), the minimum width of a planting strip shall be 2 metres along the northerly interior side lot line abutting Lots 12 and 13, Plan 225; 4 metres along the easterly interior side lot line abutting Lots 17 and 18, Plan 447; and, nil along the rear lot line.
- k) Notwithstanding Sections 5.30 and 5.28 (h), parking spaces shall be permitted within the planned width of street allowance and within the minimum front yard. And further notwithstanding Section 5.28 (h), parking spaces shall also be permitted within the minimum exterior side yard.
- l) Notwithstanding Section 5.28 (b), the minimum number of required parking spaces shall be 1.15 spaces per unit.
- m) With respect to the parking garage, notwithstanding Section 5.28 (a), the minimum dimensions for standard parking spaces (where the angle to the aisle is not parallel) shall be 2.75 metres x 5.7 metres. Further, notwithstanding Section 5.28 (i), the minimum width of a parking aisle within the parking garage shall be 6.0 metres.
- n) Notwithstanding Section 5.28 (i), the appropriate road authority through the site plan approval process shall determine the

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

maximum width of a driveway entrance.

9.5.46 **LOTS 3 TO 9 INCLUSIVE, PLAN 248** **'R3-56'**
 (500-2012-0012) **S/S LAKE DRIVE EAST** **(Map 6)**

On lands shown in heavy outline and designated 'R3-56' on Schedule 'A' attached hereto, the following provisions shall apply:

- a) Notwithstanding Section 9.1, the only permitted residential use shall be a condominium apartment dwelling containing a maximum of 33 dwelling units.
- b) Notwithstanding Section 9.2, the only permitted non-residential uses shall be:
 - bank
 - business or professional office
 - retail store, convenience
 - personal or light service shop
 - dry cleaning outlet
 - studio
 - tourist information centre
- c) Notwithstanding the above, all non-residential uses shall be restricted to the first storey of the condominium apartment dwelling.
- d) Notwithstanding Sections 6.8 (a), (b), (c), (e), (f), (h), (i), (k), (l) and (m), the following requirements shall apply:

Lot Frontage (Min.)	Nil
Lot Area (Min.)	Nil
Front Yard (Min.)	0.5 metres 1 st storey 0.5 metres 2 nd storey 0.5 metres 3 rd storey 2 metres 4 th storey
Rear Yard (Min.)	Nil
Interior Side Yard (Min.)	Nil Easterly 3.5 metres Westerly
Lot Coverage (Max.)	No maximum
Height of Building (Max.)	15 metres ⁽ⁱ⁾

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

Privacy Yards (Min.)	Not required
Planting Strips	Not required
Landscape Open Space (Min.)	Not required

- i) Notwithstanding the maximum permitted height, the maximum number of storeys shall not exceed four (4).

- e) Notwithstanding Section 2.82, for the purpose of calculating parking requirements, 'floor area, non-residential' shall mean the total floor area within the condominium apartment dwelling allocated for non-residential uses excluding any utility room, washroom, and permanent stock room associated with said uses, up to a maximum of ten percent (10%) of the ground floor area.

- f) Notwithstanding Section 5.12, a fence shall only be permitted along the westerly side and rear yards.

- g) Notwithstanding the provisions of Section 5.25, or any other provisions in this By-law to the contrary, one (1) loading space shall be provided on the abutting lands zoned 'C1-54' in accordance with the following requirements:
 - i) the required loading space shall have minimum dimensions of 11 metres long, 4 metres wide, and a vertical clearance of at least 4.5 metres,
 - ii) the location of the required loading space shall be determined through the site plan approval process;
 - iii) the required loading space be shared for the use of the condominium apartment dwelling located on the lands zoned 'R3-56' and the commercial building located on lands zoned 'C1-53'. For the purpose

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

of this provision, the owner of the subject lands shall enter into one or more agreements, to be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements.

- h) Notwithstanding Section 5.28 (a), where an indoor parking area is provided, a building support column may encroach into the required parking space length a maximum of 0.50 metres, and into the width a maximum of 0.25 metres. Further, where no support column is required the minimum parking space size shall be 2.75 metres in width and 5.7 metres in length.
- i) Notwithstanding Section 5.28(b), parking spaces shall be provided in accordance with the following requirements:
 - i) a minimum of 1.70 parking spaces per dwelling unit;
 - ii) a minimum of 3.5 parking spaces per 95 square metres of non-residential floor area.
- j) Notwithstanding Section 5.28 (g), required parking spaces may be provided on the abutting lands zoned 'C1-54' subject to the execution of a consent agreement granting an easement over the lands zoned 'C1-54' in favour of the lands zoned 'R3-56'.
- k) Notwithstanding Section 5.28 (i), the minimum width of a parking aisle located within a building and where the angle of the parking space to the aisle is 90 degrees shall be 6.5 metres.
- l) The provisions authorized under subsections 9.5.46 (a) and (d) above, in order to permit the increased maximum number of dwelling units

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

and height of the condominium apartment dwelling, respectively, are subject to the owner of the subject lands entering into one or more agreements with the Town of Georgina pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide the following facilities, services, or matters on terms satisfactory to the Town of Georgina:

- i) the construction of a pedestrian sidewalk along O'Connor Drive from the westerly lot line of the subject lands to Dalton Road; and,
- ii) high-quality landscaping and urban design elements throughout the site.

9.5.47 **LOTS 3 TO 9 INCLUSIVE, PLAN 248** **'R3-57'**
 (500-2012-0012) **N/S O'CONNOR DRIVE** **(Map 6)**

On lands shown in heavy outline and designated 'R3-57' on Schedule 'A' attached hereto, the following provisions shall apply:

- a) The maximum number of dwelling units shall be 11.
- b) Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), (f) and (h), the following requirements shall apply:

Lot Frontage (Min.)	Per Unit Interior Lot	6 metres
End Lot		7.5 metres
Corner Lot		8 metres

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

Lot Area Per Unit (Min.)	
Interior Lot	165 square metres
End Lot	200 square metres
Corner Lot	220 square metres
Front Yard (Min.)	3 metres ⁽ⁱ⁾
Exterior Side Yard (Min.)	1.5 metres
Rear Yard (Min.)	5 metres
Interior Side Yard (Min.)	
End Lot	1.5 metres plus 0.5 metres for each additional or partial storey above the second.
Lot Coverage (Max.)	N/A

(i) Notwithstanding this provision, the minimum setback of any building or structure from the hypotenuse of a sight triangle shall be 0.6 metres.

- c) Notwithstanding Sections 2.123 and 2.124, and any other provisions in this By-law to the contrary, the lot line abutting O'Connor Drive and the hypotenuse of the sight triangle located at the intersection of O'Connor Drive and Grew Boulevard shall be deemed to be the front lot line. The opposite lot line, abutting the lands zoned 'C1-54', shall be deemed to be the rear lot line.

- d) Notwithstanding Section 5.1 (d), the erection of a detached residential garage shall be subject to the following:

Rear Yard (Min.)	1 metre
Interior Side Yard (Min.)	Nil

- e) Notwithstanding Section 5.1 (d), the erection of a deck shall be subject to the following:

Interior Side Yard (Min.)	Nil
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SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

- f) Notwithstanding Section 5.1 (e), the total lot coverage of all accessory buildings and structures shall not exceed fifteen percent (15%) of the total lot area.
- g) Notwithstanding the provisions of Section 5.12, the erection of a fence shall be subject to the following:
 - i) fences not exceeding 2 metres in height are permitted in the interior side and rear yards. Such fences are exempt from the minimum yard requirements of this By-law. Any fence exceeding 2 metres in height shall be erected in compliance with the minimum yard requirements for the zone;
 - ii) fences are permitted in the front and exterior side yards, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of this By-law.
- h) Notwithstanding Sections 5.28 (a), (g), (h) and (i), and any other provisions in this By-law to the contrary, the following requirements shall apply:
 - i) every lot shall provide a detached residential garage;
 - ii) the required parking spaces shall be provided within a detached residential garage or within a detached residential garage and a parking space adjacent to the said garage;
 - iii) the minimum dimensions of a parking space within a detached residential garage

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

- shall be 3 metres in width by 5.7 metres in length;
- iv) the minimum dimensions of a parking space adjacent to a garage shall be 2.85 metres in width by 5.7 metres in length;
 - v) no encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum length;
 - vi) the minimum number of required visitor parking spaces, and an additional eleven (11) parking spaces that may be shared for the use of the townhouses and the condominium apartment dwelling, shall be provided on the abutting lands zoned 'C1-54' subject to the execution of a consent agreement granting an easement over the lands zoned 'C1-54' in favour of the lands zoned 'R3-57'.
- i) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and interior side yards, unenclosed porches shall be permitted to encroach 2 metres into any required front yard and 1 metre into any interior or exterior side yard. An additional 0.5 metre encroachment for steps shall be permitted within the front yard. All other yard encroachments as provided in Section 5.45 (a) within Zoning By-law Number 500, as amended, continue to apply.
 - j) The provisions authorized under Subsection 9.5.47 (a) above, in order to permit the increased maximum number of dwelling units, is subject to the owner of the subject lands entering into one or more agreements with the

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

Town of Georgina pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide the following facilities, services, or matters on terms satisfactory to the Town of Georgina:

- i) the construction of a pedestrian sidewalk along O'Connor Drive from the westerly lot line of the subject lands to Dalton Road; and,
- ii) high-quality landscaping and urban design elements throughout the site.

9.5.48
(2013-0067)

LOT 104, 105, 106 AND PART BLOCK C, 'R3-58 (H)'
PLAN 238 (Map 2)

- a) Notwithstanding Section 9.1, the following provisions shall apply to lands shown in heavy outline and designated 'R3-58 (H)' in Schedule 'A' hereto:
 - i) Semi-detached dwellings shall be an additional permitted use.
 - ii) An apartment dwelling shall not be permitted.
- b) Notwithstanding Sections 6.2 (a), (b), (c), (e), (f), (h) and any other provisions to the contrary, the following shall apply to Semi-Detached Dwelling Units on lands shown in heavy outline and designated 'R3-58 (H)' in Schedule 'A' hereto:

Lot Frontage Per Unit (Min)	8.6 metres
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SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

Lot Area Per Unit (Min)	234 square metres
Front Yard (Minimum) ⁽¹⁾ Lots directly abutting Lake Drive South	2.5 metres 7.5 metres
Rear Yard (Minimum) ⁽¹⁾ Lots directly abutting Lake Drive South	7.5 metres 5.8 metres
Interior Side Yard (Min)	2.8 metres ⁽²⁾ However, where the lot is divided along the common wall, then the minimum interior side yard between the dwelling units shall be nil.
Lot Coverage (Maximum)	Not applicable

(1) Notwithstanding Sections 2.123, 2.124 and 2.125 and any other provisions to the contrary, the shortest lot line abutting the internal private condominium roadway shall be deemed to be the front lot line and the lot line opposite the front lot line shall be deemed to be the rear lot line, except where a lot directly abuts Lake Drive South, in which case the lot line abutting Lake Drive South shall be deemed to be the front lot line. All other lot lines abutting the internal private condominium roadway shall be deemed to be interior side lot lines.

(2) Notwithstanding Section 6.2 (f) and any other provisions to the contrary, for a Semi-Detached Dwelling, a minimum interior side yard setback of 6 metres shall be provided from the north lot line abutting Lot 103, Plan 238.

c) Notwithstanding Sections 6.6 (a), (c), (f), (h) and 5.10, and any other provisions to the contrary, the following requirements shall apply to Townhouse Dwelling Units on lands shown in heavy outline and designated 'R3-58 (H)' in Schedule 'A' hereto:

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

Lot Frontage Per Unit (Min.) Interior Lot End Lot	5.7 metres 5.9 metres
Lot Area (Minimum) Interior Lot End Unit	201 sq. metres 273 sq. metres
Front Yard (Minimum) ⁽¹⁾	5.3 metres
Interior Side Yard (Minimum) End Lot abutting a walkway North lot line abutting Lot 103, Plan 238 South lot line abutting Block C Plan 238 (Town lot)	1.4 metres 4 metres 3 metres However, where the lot is divided along the common wall, then the minimum interior side yard between the dwelling units shall be nil.
Setback to Lake Simcoe (Min.) Water's edge High water mark	12 metres 1.3 metres
Lot Coverage (Maximum)	Not applicable

(1) Notwithstanding Sections 2.123, 2.124 and 2.125 and any other provisions to the contrary, the shortest lot line abutting the internal private condominium roadway shall be deemed to be the front lot line and the lot line opposite the front lot line shall be deemed to be the rear lot line.

d) Notwithstanding Section 5.12 and any other provisions to the contrary, the erection of fences and provisions applied thereto shall be permitted in accordance with an approved site plan.

e) Notwithstanding the provisions of Section 5.13, a dwelling and accessory buildings / structures and uses to any permitted use shall be permitted on a lot which has access to a

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

private street/road that is subject to a registered plan of common elements condominium.

- f) Notwithstanding Sections 5.28 (b), (h) and (i), and any other provisions to the contrary, the following additional requirements shall apply to garages, driveways and parking areas:
 - i) For a Semi-Detached Dwelling unit, a minimum of two parking spaces shall be provided.
 - ii) Every dwelling unit shall provide a garage.
 - iii) The minimum interior dimensions of a garage shall be 3.0 metres in width and 5.7 metres in length.
 - iv) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - v) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered, unenclosed porch or entry feature adjacent to the attached garage.
 - vi) No part of any driveway or parking area in the front yard shall be located closer than 0.85 metres from a side lot line. Furthermore, the maximum width of a

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

driveway or parking area in the front yard shall be 3.5 metres. Notwithstanding the above, if the driveway or parking area of a townhouse dwelling unit is to be paired with a driveway or parking area of an abutting townhouse dwelling unit, the setback requirement between the paired driveways or parking areas and the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- g) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required yard areas, unenclosed porches are permitted to encroach a maximum distance of 2 metres into any required front or rear yard with an additional 0.5 metre encroachment permitted for steps provided said yard has a 5 metre minimum depth.
- h) Notwithstanding any provisions to the contrary, a maximum of 6 pre-registration dwellings, specifically a Semi-Detached Dwelling and a Townhouse Dwelling may be constructed on lands shown in heavy outline and designated 'R3-58(H)' in Schedule 'A' hereto.
- i) Further, notwithstanding any other provision herein, while the 'H' Holding symbol is in place, development consisting of a 13-unit common element condominium residential development shall not be permitted on lands shown in heavy outline and designated to 'R3-58 (H)' in Schedule 'A' hereto. Pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, as amended, Council shall enact a by-law to remove the 'H' Holding symbol from the land under the following circumstances:
 - a) Receipt of written confirmation from the

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

Region of York that sufficient road capacity to service the proposed development is available.

9.5.49
(2013-0117)

PART OF LOT 18, CONCESSION 9 (NG)

'R3-59'
(Map 6)

Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), (f), (g), (h), (i), and (j), the following requirements shall apply to those lands shown in heavy outline and designated 'R3-59' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Min)	
- Interior Lot	7.5 metres
- End Lot	8.5 metres
Lot Area Per Unit (Min)	
- Interior Lot	225 sq metres
- End Lot	290 sq metres
Front Yard (Min)	
- To Attached Garage	6 metres
- To Dwelling	5 metres
Exterior Side Yard (Min)	3 metres
Rear Yard (Min)	7 metres
Interior side yard (Min)	1.2 metres, except between attached dwelling units where the minimum shall be nil. However, where the sidewalls of two separate dwellings face each other, and there are no windows or openings in the sidewalls, the minimum interior side yard between the two dwellings, shall be reduced to 0.6 metres for each dwelling.
Floor Area Per Dwelling Unit (Min)	75 sq metres
Lot Coverage (Max)	Not applicable
Height of Building (Max)	11 m

(i) The minimum interior dimensions of a garage

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

shall be 3.0 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 4.25 metres.

- (ii) No encroachment shall be permitted into a required parking space located within a garage, save and except for one step (two risers) into the minimum garage length.

- (iii) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street/road at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street/road at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.

- (iv) No part of any driveway or parking area in the front yard shall be located closer than 0.3 metres from a side lot line. Furthermore, the maximum width of a driveway or parking area in the front yard shall be 4.25 metres. Notwithstanding the above, if the driveway or parking area of the dwelling unit is to be paired with a driveway or parking area of an abutting dwelling unit, the setback requirement between the paired driveways or parking areas in the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 8.5 metres.

- (v) Notwithstanding Section 5.13, a townhouse dwelling, and accessory buildings, structures, and uses, are permitted on a lot which has access onto a private street/road that is subject to a registered plan of common

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

elements condominium.

- (vi) Notwithstanding Sections 6.2 (a) and (f), the minimum setback between a main wall or porch to the hypotenuse of a sight triangle or to an entry feature block as delineated on the common elements condominium plan shall be 1 metre.
- (vii) Notwithstanding Sections 5.28 (b) and (g), a minimum of 7 visitor parking spaces shall be required for a maximum of 10 townhouse dwelling units fronting onto an access street/road, and the visitor parking may be permitted within a parking area forming part of the common elements condominium.
- (viii) Notwithstanding Section 5.45 (a), a balcony is not permitted on the west side of a townhouse dwelling.
- (ix) Notwithstanding Section 9.2, a private street/road forming part of a common element condominium for a maximum of 10 townhouse dwelling units may be permitted within those lands shown in heavy outline and designated 'R3-59' in Schedule 'A' attached hereto.

9.5.50
(2013-0117)

PART OF LOT 18, CONCESSION 9 (NG)

'R3-60'
(Map 6)

Notwithstanding Sections 6.6 (a), (b), (c), (d), (e), (f), (g), (h), (i), and (j), the following requirements shall apply to those lands shown in heavy outline and designated 'R3-60' in Schedule 'A' attached hereto:

Lot Frontage Per Unit (Min)	
- Interior Lot	6.0 metres
- End Lot	7.5 metres
- Corner Lot	10.0 metres
Lot Area Per Unit (Min)	
- Interior Lot	180 sq metres
- End Lot	225 sq metres

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

- Corner Lot	330 sq metres
Front Yard (Minimum) - To Attached Garage - To Dwelling	6 metres 5 metres, except on a corner lot where the minimum front yard may be 4 metres.
Exterior Side Yard (Min)	3 metres
Rear Yard (Min)	7 metres
Interior side yard (Min)	1.2 metres, except between attached dwelling units where the minimum shall be nil.
Floor Area Per Dwelling Unit (Min)	75 sq metres
Lot Coverage (Max)	Not applicable
Height of Building (Max)	13

- (i) The minimum interior dimensions of a garage shall be 2.9 metres in width by 5.7 metres in length. Furthermore, the maximum interior garage width shall be 3.2 metres.
- (ii) No encroachment shall be permitted into a required parking space located within a garage, save and except for one step (two risers) into the minimum garage length.
- (iii) No attached garage shall project into the front yard more than 1 metre beyond the most distant point of any wall of the dwelling facing the street/road at the ground floor level, or more than 2 metres beyond the most distant point of any wall of the dwelling facing the street/road at the ground floor level where there is a covered unenclosed porch or entry feature. In no case shall an attached garage project forward beyond a covered unenclosed porch or entry feature adjacent to the attached garage.
- (iv) No part of any driveway or parking area in the front yard shall be located closer than 0.3 metres from a side lot line. Furthermore, the

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

maximum width of a driveway or parking area in the front yard shall be 3.25 metres. Notwithstanding the above, if the driveway or parking area of the dwelling unit is to be paired with a driveway or parking area of an abutting dwelling unit, the setback requirement between the paired driveways or parking areas in the common interior side lot line shall be nil, and the maximum width of the paired driveways or parking areas shall be 7 metres.

- (v) Notwithstanding Section 5.13, a townhouse dwelling, and accessory buildings, structures, and uses, are permitted on a lot which has access onto a private street/road that is subject to a registered plan of common elements condominium.

- (vi) Notwithstanding Sections 6.2 (a) and (f), the minimum setback between a main wall or porch to the hypotenuse of a sight triangle or to an entry feature block as delineated on the common elements condominium plan shall be 1 metre.

- (vii) Notwithstanding Sections 5.28 (b) and (g), a minimum of 5 visitor parking spaces shall be required for a maximum of 14 townhouse dwelling units fronting onto an access street/road, and the visitor parking may be permitted within a parking area forming part of the common elements condominium.

- (viii) Notwithstanding Section 9.2, a private street/road forming part of a common element condominium for a maximum of 14 townhouse dwelling units may be permitted within those lands shown in heavy outline and designated 'R3-60' in Schedule 'A' attached hereto.

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

(500-2017-0005) **DALTON ROAD E/S** **(Map 6)**

Notwithstanding Section 5.12, on land shown in heavy outline and designated 'R3-61' on Schedule 'A' hereto, a maximum fence height of 2.5 metres shall be permitted along the rear lot line.

Further, notwithstanding Sections 5.28 (a) and 5.28 (b), a minimum of 5 standard visitor parking spaces shall be provided having a minimum size of 5.7 metres by 2.5 metres where the angle to an aisle is not parallel.

Furthermore, notwithstanding Section 6.7 (g), a minimum rear yard setback of 13 metres shall be required.

Lastly, notwithstanding any other provision herein to the contrary, a minimum landscape strip 7 metres in width shall be provided between Dalton Road and the west limit of the visitor parking area, unbroken except for entrances and exits.

9.5.52 **LOT 5, BLOCK 18, PLAN 69** **'R3-62'**
 (500-2019-0001) **DALTON ROAD E/S** **(Map 6)**

Notwithstanding Section 9.1, on lands shown in heavy outline and designated 'R3-62' on Schedule 'A' attached hereto, the only permitted use shall be an apartment dwelling containing a maximum of 6 units.

Further, notwithstanding Sections 5.28(b), 6.8(a), 6.8(f), 6.8(k), 6.8(l), 6.8(m), the following provisions shall apply:

Standard Parking Spaces (Min)	7
Lot Frontage (Min)	20 metres
Lot Area (Min)	970 square metres
Interior Side Yard (Min)	2.2 metres
Privacy Yards (Min)	Not Required
Planting Strip (Min)	Not Required
Landscaped Open Space (Min)	25%

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

Further, in addition to the 7 standard parking spaces, 1 accessible parking space having dimensions of 5 metres wide, plus or minus 10 cm by 5.7 metres in length is required to be provided on the property in the location as set forth in Schedule 'B-90' attached hereto.

9.5.53
(500-2019-0007)

PART OF LOT 6, PLAN 247

'R3-63'
(Map 6)

1. Notwithstanding Section 6.6(a) through (j), the following requirements shall apply on lands shown in heavy outline and designated 'R3-63' in Schedule 'A' attached hereto:

(a) Lot Frontage per Unit (min) - Interior Lot	- 6.0 m
(b) Lot Area per Unit (min) - Interior Lot	- 150 sqm
(c) Front Yard (min)	- 6.0 m
(d) Exterior Side Yard (min)	- N/A
(e) Rear Yard (min)	- 6.0 m
(f) Interior Side Yard (min)	- 2.0 m - 0.0 m between attached dwelling units
(g) Floor Area per Dwelling Unit (min)	- 75 sqm
(h) Lot Coverage (max)	- N/A
(i) Height of Buildings (max)	- 11.0 m
(j) Number of Townhouse Dwelling Units per Lot (max)	- N/A

9.5.54
(500-2019-0007)

PART OF LOT 6, PLAN 247

'R3-64'
(Map 6)

1. Notwithstanding Section 6.6(a) through (j), the following requirements shall apply on lands shown in heavy outline and designated 'R3-64' in Schedule 'A' attached hereto:

(a) Lot Frontage per Unit (min) - Interior Lot - Corner Lot	- 6.0 m - 10.0 m
(b) Lot Area per Unit (min)	

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

- Interior Lot	- 150 sqm
- Corner Lot	- 225 sqm
(c) Front Yard (min)	- 6.0 m
(d) Exterior Side Yard (min)	- 3.0 m
(e) Rear Yard (min)	- 6.0 m
(f) Interior Side Yard (min)	- East interior side yard shall be 3.0 m - West interior side yard shall be 5.0 m - 0.0 m between attached dwelling units
(g) Floor Area per Dwelling Unit (min)	- 75 sqm
(h) Lot Coverage (max)	- N/A
(i) Height of Buildings (max)	- 11.0 m
(j) Number of Townhouse Dwelling Units per Lot (max)	- N/A

2. Notwithstanding Section 5.13, a townhouse dwelling may front onto an access street or road, which has a minimum width of 6.0 metres and is subject to a Registered Plan of Common Element Condominium.
3. The minimum setback between a main wall or porch to a sight triangle or sight rounding shall be 1.5 metres.
4. Notwithstanding Section 5.28(b), one visitor parking space shall be provided for every two townhouse dwelling units (0.50 visitor parking spaces per unit).
5. Notwithstanding Section 5.28(b) and Section 5.28(g), the required visitor parking for a townhouse dwelling fronting onto an access street or road may be provided within a parking area forming part of a common element condominium.
6. Notwithstanding Section 5.28(i) as it relates to the distance between a driveway and the intersection of street lines, the minimum

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

distance shall be 0.0 metres. All other provisions of Section 5.28(i) shall apply.

9.5.55
(500-2019-0007)

PART OF LOT 6, PLAN 247

'R3-65'
(Map 6)

1. Notwithstanding Section 6.6(a) through (j), the following requirements shall apply on lands shown in heavy outline and designated 'R3-65' in Schedule 'A' attached hereto:

(a) Lot Frontage per Unit (min) - Interior Lot - Corner Lot	- 6.0 m - 9.5 m
(b) Lot Area per Unit (min) - Interior Lot - Corner Lot	- 150 sqm - 215 sqm
(c) Front Yard (min)	- 6.0 m
(d) Exterior Side Yard (min)	- 3.0 m
(e) Rear Yard (min)	- 3.0 m
(f) Interior Side Yard (min)	- East interior side yard shall be 2.5 m - West interior side yard shall be 5.0 m - 0.0 m between attached dwelling units
(g) Floor Area per Dwelling Unit (min)	- 75 sqm
(h) Lot Coverage (max)	- N/A
(i) Height of Buildings (max)	- 11.0 m
(j) Number of Townhouse Dwelling Units per Lot (max)	- N/A

2. Notwithstanding Section 5.13, a townhouse dwelling may front onto an access street or road, which has a minimum width of 6.0 metres and is subject to a Registered Plan of Common Element Condominium.

3. The minimum setback between a main wall or porch to a sight triangle or sight rounding shall be 1.5 metres.

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

4. Notwithstanding Section 5.28(b), one visitor parking space shall be provided for every two townhouse dwelling units (0.50 visitor parking spaces per unit).
5. Notwithstanding Section 5.28(b) and Section 5.28(g), the required visitor parking for a townhouse dwelling fronting onto an access street or road may be provided within a parking area forming part of a common element condominium.
6. Notwithstanding Section 5.28(i) as it relates to the distance between a driveway and the intersection of street lines, the minimum distance shall be 0.0 metres. All other provisions of Section 5.28(i) shall apply.
7. Notwithstanding Section 5.1(b), (d), (e), and (f), a detached garage may be erected in a front yard with the following requirements:

(a) Setback to Front Lot Line (min)	- 6.0 m
(b) Setback to Exterior Side Lot Line (min)	- 3.0 m
(c) Setback to Interior Side Yard (min)	- East interior side yard shall be 2.5 m - West interior side yard shall be 5.0 m - 0.0 m where a wall is shared between detached garages.
(d) Height (max)	- 5 m
(e) Lot Coverage (max)	N/A
(f) Distance to Dwelling Unit (min)	- 5.5 m

9.5.56
(500-2021-0009)

Part Lot 11, Concession 3 (NG)

'R3-66(H)'
(Map 3, Page 1)

- a) Notwithstanding Sections 9.1 and 9.2, in the area designated R3-66(H) shown in heavy outline

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

on Schedule 'A' hereto and further described as Part 11, Concession 3 (NG), only the following uses shall be permitted:

- Apartment Dwelling;
- Retirement Home;
- Retail Store;
- Service Shop, Personal.

- b) For the purposes of Section 9.5.56 a), the following definitions shall apply to terms not otherwise defined in Zoning By-law 500, as amended:

Retirement Home: means premises used for semi-independent living accommodation for senior citizens in either suites or dwelling units and such premises shall contain common dining and lounge areas.

- c) Notwithstanding Section 9.3, respecting **ZONE REQUIREMENTS - RESIDENTIAL USES**, and notwithstanding the definitions of Sections 2.121, 2.123, 2.124 and the provisions of Sections 6.8 (b), (c), (e), (f), (g), (i), (j) and (m) hereof for the Medium Density Residential (R3) Zone, the following provisions shall apply in addition to the other applicable requirements set forth in Section 6.8:

Front Yard (minimum)

- Morton Avenue Frontage 5.0 metres
- Woodbine Avenue Frontage 21.5 metres

Interior Side Yard (minimum) 6.0 metres

- Further, the lot lines not having frontage on either Morton Avenue or Woodbine Avenue shall be deemed to be interior lot lines.
- Notwithstanding the above, the minimum

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

interior side yard setback from the west interior lot line shall be 13.5 metres.

- Further, notwithstanding the above, retaining walls may be permitted within the front yard and interior side yard setbacks.

Floor Area per Dwelling Unit 18.0 square metres or Suite (minimum)

Building Height (maximum) 25.0 metres or 7 storeys, whichever is the lesser

- Further, architectural roof features such as parapets shall be permitted to project an additional 1.5 metres in height.

Number of buildings (maximum) 4
Landscaped Open Space (minimum) 33%

Further, notwithstanding the above, no buildings, structures, retaining walls or parking areas shall be located within the 'Naturalized No Build Zone', as shown on Schedule 'A' attached hereto.

d) Notwithstanding Section 5.28(b), the following number of parking spaces (minimum) shall apply:

- Phase 1 209 spaces
- Phases 2 and 3 130 spaces

e) Notwithstanding Section 5.28(i), the minimum width of aisles for two-way access, which are required in a parking area, shall be 6.0 metres for both surface level and underground parking.

- Except for Fire Routes, the minimum width shall be 7.0 metres; however, a lesser width may be permitted subject to obtaining approval from the Georgina Fire Department.

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

- f) Notwithstanding the provisions set forth above, while the '(H)' Holding symbol is in place, no person shall, within the lands zoned 'R3-66(H)' in Schedule 'A' attached hereto, use any lot or erect, alter or use any buildings or structures for any purpose except those permitted by Zoning By-law Number 500, as amended, as of the date of the enactment of this By-law, with the exception of four (4) buildings used as an apartment dwelling or retirement home within the 'R3-66(H)' Zone, which may be constructed, but may not be occupied until the (H) symbol is removed.

Pursuant to Section 36 of the Ontario Planning Act, R.S.O. 1990, as amended, Council shall enact a by-law to remove the '(H)' Holding Symbol from the lands zoned 'R3-66(H)', under the following circumstances:

- York Region has advised in writing that the ongoing upgrade works at the Region's Keswick Sewage Pumping Station are on track for completion within a time period acceptable to the Region to permit occupancy.

Upon removal of the '(H)' Holding symbol from all or part of the lands zoned 'R3-66(H)' in Schedule 'A' attached hereto, the provisions applicable to the said lands shall be in accordance with Zoning By-law Number 500, as amended.

9.5.63
(500-2022-0004)

LOTS 14 & 15 CONCESSION 3 (N.G.)

'R3-72'
(Map 3)

- a) Notwithstanding Sections 6.6 (a) to (j), inclusive, the following requirements shall apply on lands shown in heavy outline and designated 'R3-66' in 'Schedule 'A' attached hereto:

a) Lot Frontage (minimum)	
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SECTION 9 - MEDIUM DENSITY URBAN RESIDENTIAL (R3) ZONE (cont.)

- Interior Lot - End Unit - Corner Lot	6.0 metres 7.16 metres 9.0 metres
b) Lot Area per Unit (minimum) - Interior Lot - Corner Lot	150 square metres 216 square metres
c) Front Yard (minimum)	6.0 metres(i)
d) Exterior Side Yard (minimum)	3.0 metres (ii)
e) Rear Yard (minimum)	7.0 metres
f) Interior Side Yard (minimum)	1.2 metres, 0.0 metres between attached dwelling units.
g) Floor Area per Dwelling Unit (minimum)	75 square metres
h) Lot Coverage (maximum)	Not applicable
i) Height of Dwellings (maximum)	13 metres
j) Number of Townhouse Dwelling Units per Lot (maximum)	1

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

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

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

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

- i) Every lot shall provide a garage.
 - ii) The minimum interior dimensions of a garage shall be 2.7 metres in width by 5.7 metres. Furthermore, the maximum interior garage width shall be 3.5 metres.
 - iii) No encroachments shall be permitted into a required parking space located within a garage, save and except for one step (2 risers) into the minimum garage length.
 - iv) No part of an attached garage shall project beyond the front wall of the first storey of the dwelling except where a porch is provided, in which case the attached garage shall not project beyond the front of the porch.
- c) Notwithstanding the provisions of Section 5.12, the erection of fences on residential lots shall be subject to the following:
- v) Fences not exceeding 2 metres in height are permitted in the rear yard, as well as within the back half of the interior side yard. Such fences are exempt from the minimum yard requirements. Any fence within the above noted yards that exceeds 2 metres in height must be erected in compliance with the minimum yard requirements for the appropriate zone.
 - vi) Fences are permitted in the front and exterior side yards, as well as the front half of the interior side yard, provided such fence does not exceed 0.9 metres in height. Such fences are exempt from the minimum yard requirements of the by-law.
 - vii) Notwithstanding ii) above, where the front yard abuts the rear yard or back

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

half of the interior side yard of an abutting residential lot, fences not exceeding 2 metres in height are permitted along the common lot line.

- d) Notwithstanding Section 5.45 (a) as it applies to yard encroachments for Unenclosed Porches and Steps in the required front and exterior side yard areas, unenclosed porches are permitted to encroach 2 metres into any required front yard or exterior side yard with an additional 0.5 metre encroachment permitted for steps. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.

- e) Notwithstanding Section 5.45(a) as it applies to yard encroachments for Window Bays in the required front, rear, interior and exterior side yard areas, Bay, Box-out, and Bow Windows with or without foundations with a maximum width of 3.2 metres may project into any required front, rear or exterior side yard a maximum distance of 1 metre. All other yard encroachments as provided in Section 5.45 (a) within By-law Number 500, as amended, continue to apply.