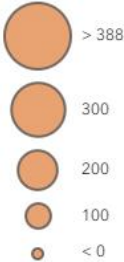


Zoning Information

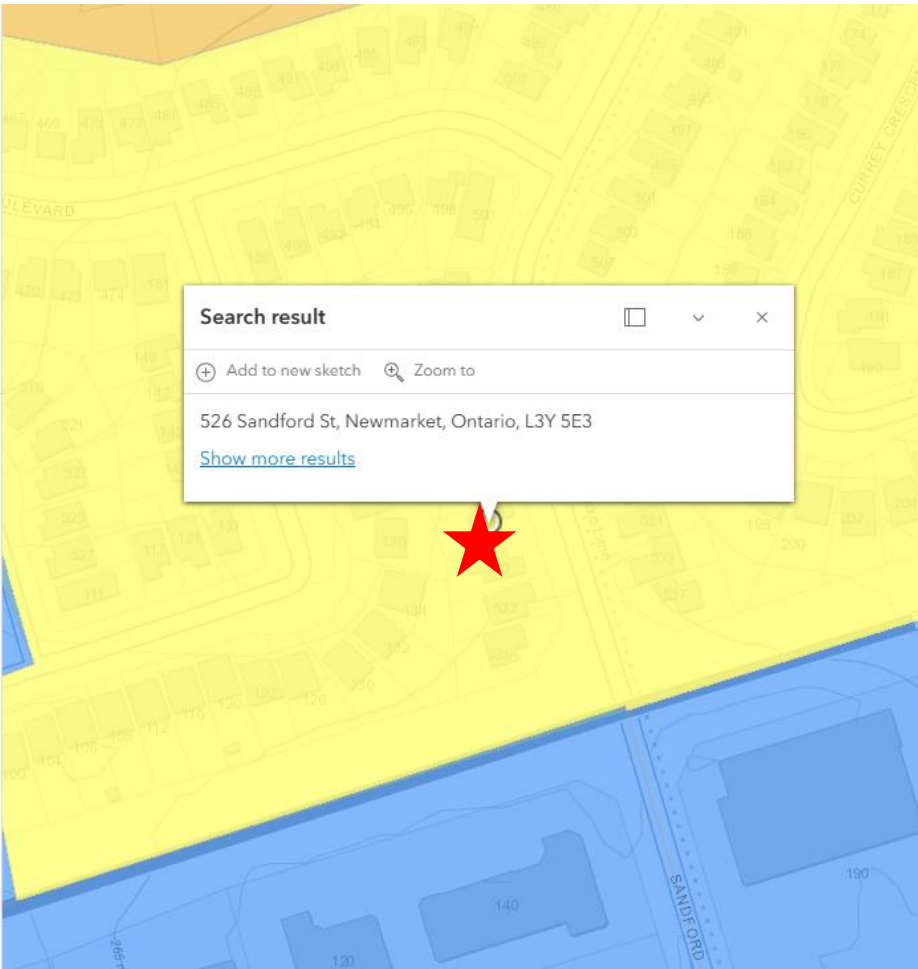
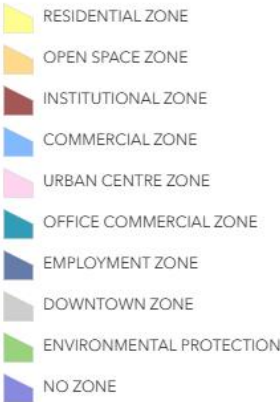
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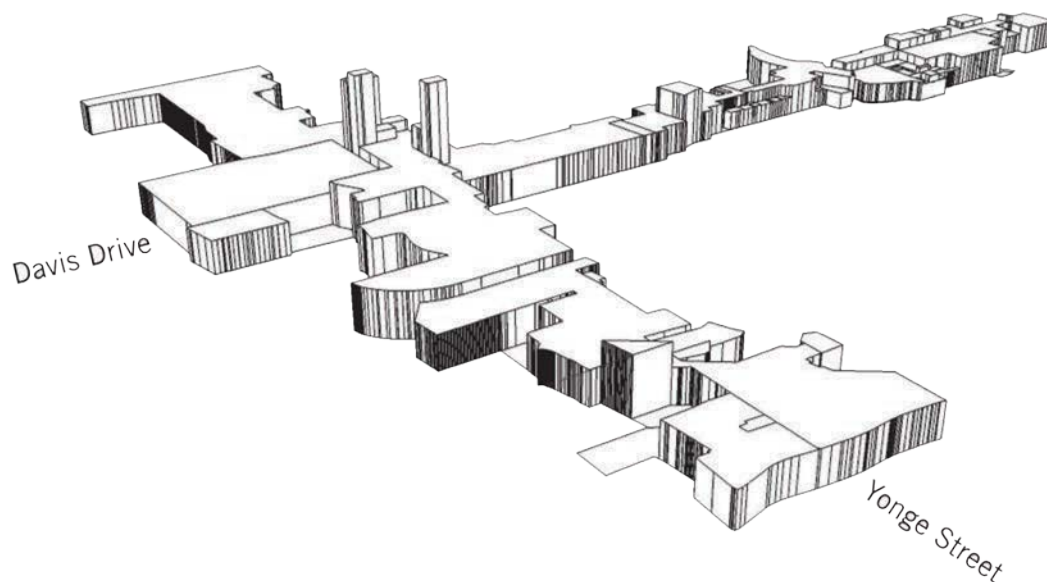
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ZONING



Residential Zone



Originally enacted by Council: September 24, 2018 as By-law 2018-48
By-law 2018-48 repealed by LPAT Decision: June 10, 2019 (PL180854)
By-law 2019-06 approved by LPAT: June 10, 2019 (PL180854)



This is an office consolidation prepared for the purposes of convenience only.
For accuracy, reference should be made to the original approved
comprehensive by-law and amending by-laws which are available from
Legislative Services offices or the Planning Division.

Office Consolidation: August 2024

Section 4– General Provisions

4.1. Uses Permitted in all Zones

The **uses** identified in this subsection are permitted in all **zones**.

4.1.1. Accessory Uses

Unless otherwise specified, **accessory uses** are permitted in all **zones**. Where another section of the By-law specifically restricts or does not permit an identified **accessory use**, that section shall supersede this section.

4.1.2. Accessory Building and Structure

Accessory buildings, structures and uses are permitted in all **zones** subject to the following provisions:

- i) The principal use, **building** or **structure** must already be established on the same **lot**.
- ii) No detached **accessory building or structure** may be used for human habitation or an occupation for gain, unless specifically permitted by this By-law.
- iii) Unless otherwise specified, **accessory buildings and structures** shall comply with the following requirements.
- iv) **Accessory buildings and structures** are not permitted additional encroachments under Section 4.2 for structural or ornamental features.

Section 4 – General Provisions

Permitted Feature or Structure	Measure	Requirement
Accessory residential structure	Location and height	In accordance with Section 4.2
Accessory buildings or structures	Total lot coverage	All Zones: 15% of the lot area
	Height	Mixed Use Zones: Lesser of 4.6 metres or the height of the main building on the lot
		All Other Zones: The maximum permitted height of the zone in which the accessory structure is located
	Corner lot location	Mixed Use Zone abutting any residential zone under By-law 2010-40: Distance equal to the minimum required front yard of the abutting residential zone under By-law 2010-40

- v) Notwithstanding any other provision of this By-law, the setback for **accessory buildings or structures** on a **corner lot** shall be as follows:

Zones	Applicable Yards	Minimum Required Setback
Mixed Use Zone abutting any residential zone under By-law 2010-40	Exterior Side Yard	Distance equal to the depth of the minimum required front yard of the abutting residential zone under By-law 2010-40

Section 4 – General Provisions

4.1.3. Public Uses

The provisions of this By-law shall not apply to prevent the use of any land, **building** or **structure** by any public authority provided that:

- i) Such use, **building** or **structure** complies with the parking and loading requirements of this By-law.
- ii) No outdoor storage is permitted unless such outdoor storage is specifically permitted in the **zone** in which the use is located.
- iii) Such use, **building** or **structure** is buffered from an adjacent **residential use** in accordance with the requirements of Section 4.10.2 of this By-law.
- iv) Such use, **building** or **structure** within the Floodplain and other Natural Hazards (FP-NH) **Zone** shall not conflict with those **uses** that are prohibited under Section 7.3.1.

4.1.4. Services and Utilities Installations

Nothing in this By-law shall prevent the installation and use of a water main, sanitary sewer main, storm sewer main, stormwater management facility, gas main, pipeline, overhead or underground hydro, communications/telecommunications or other utility **infrastructure**.

4.1.5. Temporary Construction Uses

A construction trailer, or other **building** or **structure** incidental to construction is permitted in all **zones** on the **lot** where construction is taking place provided that a **building** permit has been issued and remains in effect.

4.1.6. Temporary Sales Structures

A temporary sales **Structure** shall be permitted in any **zone** provided that:

- i) the temporary sales **Structure** is located in accordance with the **zone** provisions for the **zone** in which it is located; and,
- ii) an agreement is entered into with the Town of Newmarket.

4.2. Encroachments into Required Yards

- i) The following accessory, structural and ornamental **structures** to a **principal building** are permitted to encroach into any required **yard** in accordance with the following provisions:

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
Structural and Ornamental Features:		
Bay windows	Front, rear and exterior side yards	May encroach 1.0 metres into the required yard for a maximum width of 3.0 metres.
Balconies/ Landings / Steps/Fire Escapes	All yards	May encroach 1.8 metres into the required yard . But in no instance shall balconies, landings , steps and/or fire escapes be located closer than 1.2 metres from the property line.
Decks , Uncovered (0.6 metres or less in height above finished grade)	Rear Yard	The setback shall not apply where a side lot line extends from a common wall dividing attached dwelling units . No closer than 1.2 metres from the rear lot line .
Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
Decks , Uncovered (greater than 0.6 metres to 3.0 metres in height above finished grade)	Rear Yard	The setback shall not apply where a side lot line extends from a common wall dividing attached dwelling units . May encroach 3.6 metres into the required rear yard . However, in no circumstances shall the deck encroach closer than 2.4 metres from the rear lot line .
Walkway, residential	Front, interior side, and exterior side yard	No required front or exterior side yard setback. Must maintain 0.6 metres setback from interior side lot line .
Patios , Uncovered	Mixed Use Zones : front and exterior side yards . All other Zones : rear and exterior side yards .	No required setback. No closer than 0.6 metres from the lot line .

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Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
Porches , Porticoes Open, Uncovered or Covered with a platform no higher than the floor of the first storey of the building above established grade	Front, and exterior side yards	May encroach 2.4 metres into the required yard including eaves, cornices and steps but no closer than 1.5 metres to the lot line .
Sills, cornices, parapets, pilasters, or other similar ornamental structures	Any Yard	May encroach 0.6 metres into the required yard
Eaves, eavestroughs, gutters, or similar features	Interior Side Yard	May encroach into a required yard a maximum of 0.7 metres, and may be no closer to a lot line than 0.3 metres.
Chimneys	Any Yard	May encroach 0.6 metres into the required yard .
Drop awnings, clothes poles, flag poles, ornamental light poles, basketball nets, retaining walls, fences or other similar accessory structures	Permitted in any yard	No required setback
Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
Accessibility Ramps or Wheelchair Lifts (*1)	Permitted in any yard	No required setback
Below Grade Parking Garages and Associated Vent (Structure) ;	Permitted in front, rear and side	May encroach up to the applicable Lot Line . No required setback.

(*1) An **Accessibility Ramp** shall have a maximum gradient of 1 to 12. A Wheelchair Lift is permitted to elevate no higher than the first **storey** of the **building**, and have a maximum area no greater than 3.0 square metres.

- ii) The setback requirements of this table apply only to the **accessory buildings and structures** specifically noted.
- iii) Where an encroachment is permitted, it is subject to the following conditions:
 - a) **Decks** or **patios** that are permitted to encroach may have a **deck, balcony**, gazebo, pergola, or awning above them provided that:
 - 1) Any **deck** is constructed of a slatted and not a solid floor.
 - 2) Any awning is retractable, is not a permanently extended fixture, and does not extend farther from the **structure** than the **deck** or **patio**.

Section 4 – General Provisions

- 3) Any pergola or gazebo complies with the requirements of an **Accessory Residential Structure** concerning required setbacks and maximum **height** from **grade**, regardless of whether they are attached to the **deck** or main **structure** or they are detached from same.
- iv) Where the **existing** side-**yard** setback of the principal **structure** is less than the required side-**yard** setback for a **deck**, a **deck** that is attached to the main **structure** may be located as close to the **side lot line** as the principal **structure**.

4.3. Accessory Outdoor Mechanical Equipment for Permitted Residential Uses

Notwithstanding any other provision of this By-law, outdoor mechanical equipment shall be permitted in all **zones** that permit a **residential use** as follows:

- i) Central air conditioning units, heat pumps, generators, and/ or swimming **pool** equipment shall be permitted in all **yards** subject to the following:

Type of Dwelling	Yard	Permitted Location
Townhouses, Stacked Townhouses or other multiple dwellings, excluding apartment buildings	Front Yard	Maximum encroachment of 1.5 metres into required yard but no closer than 3.0 metres to the street line and is screened from the street by fencing, landscaping, or an enclosure
	Interior Side Yard	Setback a minimum 0.3 metres from lot line
	Exterior Side or Rear Yard	Setback a minimum 1.8 metres from lot line

- ii) Notwithstanding the provisions of Section 4.3 (i) above, a minimum lateral separation of 4.6 metres to a window and/or door of a **habitable room** of a dwelling on an adjoining **lot** shall be provided;
- iii) Window or through-wall **air conditioner** units shall be permitted to encroach a maximum of 0.5 metres into all required **yards** subject to a minimum setback of 0.6 metres from all **lot lines**;
- iv) Notwithstanding the provisions of Section 4.3 (i) above, central **air conditioners** and/or heat pump units for **apartment buildings** shall be roof-top mounted.

4.4. Exceptions to Height Requirements

The **height** requirements of this By-law shall not apply to spires, belfries, minarets, monuments, flag poles, chimneys, clock towers, or water towers. The **height** requirements of this By-law shall also not apply to mechanical penthouses and elevator enclosures occupying less than 40% of the aggregate area of the roof of the **building** on which they are located, up to 6.0 metres beyond the permitted **height** limit, in accordance with the requirements of Section 6.2.4.2 (iii) of this By-law.

4.5. Legal Non-Conforming Uses

This By-law shall not prevent the use of any land, **building** or **structure** for any purpose prohibited by this By-law if such land, **building** or **structure** was lawfully used for such purpose on the day of passing of this By-law, and provided that such land, **building** or **structure** continues to be used for that purpose.

4.5.1. Restoration to a Safe Condition

Nothing in the By-law shall prevent the strengthening to a safe condition or the reconstruction of any **building** or **structure** or part of any such **building** or **structure** that is used for a legally **non-conforming** use as provided for in Section 4.8, provided such alteration or repair does not increase the **height**, size or volume or change the use of such **building** or **structure**.

4.6. Legal Non-Complying Building or Structure

4.6.1. Existing Building or Structure

A **non-complying building** or **structure** which existed legally prior to the passing of this By-law may be enlarged, repaired, renovated or reconstructed provided that the enlargement, repair, renovation or reconstruction:

- i) does not further encroach into a required **yard**;
- ii) does not further increase the extent of a non-compliance with a maximum **yard** setback requirement;
- iii) complies with all other applicable provisions of this By-law; and
- iv) in the case of a **lot** that is located in an Mixed Use **Zone**, shall be subject to provision 6.2.1.2 of this By-law.

4.6.2. Valid Building Permit in Effect

This By-law shall not prevent the erection of a **building** or **structure** for which a **building** permit has been issued in accordance with the Building Code Act, prior to the day of the passing of this By-law, so long as the **building** or **structure** when erected is used and continues to be used for the purpose for which it was erected and provided that the **building** permit remains valid and subject to provision 1.9 regarding Transition.

4.7. Legal Non-Complying Lots

A **lot** which existed legally prior to the effective date of this By-law, that does not meet the **lot area** and/or **lot frontage** requirements of the applicable **Zone**, shall be deemed to conform to this By-law. Such **lots** may be used and **buildings** may be erected, enlarged, repaired or renovated on the **lot** provided that the use and the **buildings** or **structures** comply with all other provisions of this By-law.

4.8. Public Land Acquisition

Notwithstanding any other provision of this By-law, where, as a result of acquisition of land by a public authority, such acquisition results in a contravention of this By-law relating to the minimum **lot frontage**, minimum **lot depth**, minimum **lot area**, minimum **floor space index**, maximum **lot coverage**, reduced **building** setbacks, minimum required number of **parking spaces**, minimum size of **parking spaces**, minimum width of **landscaped buffers**, minimum width of a driveway, location of **parking spaces** and/or driveways or minimum required setbacks and/or **yards** for driveways and/or **parking spaces**, then the lands so affected are deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized.

4.9. Frontage on a Public Street

No person shall erect any **building** or **structure** in any **zone** unless:

- i) The **lot** upon which such **building** or **structure** is to be erected has frontage on a public street. This provision shall not restrict the erection of any **building** on a **lot** in a registered plan of **subdivision** where a **subdivision** agreement has been entered into but the streets will not be assumed until the end of the maintenance period or a **Private Street** over which an easement for right of way in favor of the Town of Newmarket has been registered on title; or
- ii) The **lot** upon which the **building** or **structure** is to be erected is a Parcel of Tied Land; or
- iii) Notwithstanding any other provisions in this By-law, where a **building** has been erected prior to the date of the passage of this By-law on a **lot** which fronts on a **private street**, such **building** may be enlarged, reconstructed, repaired or renovated provided all other applicable provisions of this By-law are satisfied.

4.10. Landscaped Buffers

Where required, **landscaped buffers** shall be provided in accordance with the following requirements:

4.10.1. Landscaped Buffers for Parking Lots

A **landscaped buffer** area shall be required for **parking lots** designed to accommodate 5 or more **parking spaces** where permitted, and shall conform to the following requirements:

- i) Such buffer area shall be at least 3.0 metres wide and located around the periphery of the **parking lot** within the **lot** on which the **parking area** is located.
- ii) Such buffer area shall not be used for any other purpose other than vegetative landscaping but shall not prevent the provision of entrances and exits across the buffer area.

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- iii) Any required planting in a buffer strip shall have a minimum **height** of 1500mm for coniferous vegetation, a minimum diameter measured at a **height** of 1.4 metres from **grade** of 60mm for deciduous vegetation, and a minimum **height** or spread of 450mm for shrubs, but shall not be permitted to exceed a **height** of 1.0 metre within a **daylighting triangle**.
- iv) Where a buffer area is required between a **parking lot** in a Mixed Use **Zone** and an Open Space **Zone**, the buffer area shall be a minimum of 3.0 metres wide and shall be located in the Mixed Use **Zone**. The buffer area shall be used for no other purpose than landscaping or entrances and exits and shall be bordered by an opaque fence 1.8 metres in **height**.
- v) Notwithstanding subsection i) above, where a buffer area is required between a **parking lot** in a Mixed Use **Zone** and an Open Space **Zone**, the buffer area shall be a minimum of 3.0 metres wide and shall be located in the Mixed Use **Zone**. The buffer area shall be used for no other purpose than landscaping or entrances and exits and shall be bordered by an opaque fence 1.8 metres in **height**.

4.10.2. Landscaped Buffers Adjacent to Residential Areas

Notwithstanding any other provision of this By-law, where the **rear lot line** or interior **side lot line** of a Mixed Use or Institutional **Zone** abuts a residential **zone** outside of the area of this By-law, a **landscaped buffer** shall be required in accordance with the following provisions:

- i) the **landscaped buffer** shall be located on the **lot** containing the mixed use, or **institutional use**, immediately adjacent to the **lot line** that borders such **lot** with the **residential use** under By-law 2010-40.
- ii) where a **landscaped buffer** is required, such landscape material within the buffer shall be not less than 1.5 metres high and shall not be less than 3.0 metres in width. Notwithstanding this requirement, landscape material shall not exceed a **height** of 1.0 metre within the minimum front or **exterior side yard**.

4.11. Daylighting Triangle

Daylighting triangles shall be required on **corner lots** in all **zones** as follows:

4.11.1. Establishing the Daylighting Triangle

The area within the **daylighting triangle** shall be determined by measuring from the point of intersection of two **street lines** or the extension of such lines on a **corner lot**, the distance required by this By-law, Town of Newmarket Engineering Design Standards and Region of York requirements, whichever is greater, along each such **street line** and joining such points with a straight line. **Daylighting triangles** shall be established as follows:

Location	Minimum Distance Measured Along Each Street Line From Point of Intersection at Corner
All Zones	5.0 metres
Motor Vehicle Service Station, Motor Vehicle Service Shop	15.0 metres

4.11.2. Maximum Height in Daylighting Triangle

Notwithstanding any other provision of this By-law, any fence, sign, **structure** or vegetation within a **daylighting triangle** shall not exceed a **height** of 1.0 metre measured from the **grade** of the streets that abut the **lot**.

4.12. Planned Width of Street Allowance

Notwithstanding any other provision of this By-law, where a **lot** abuts a street that (By-law 2021-29) has a planned width of street allowance which is greater than the present width, that portion of the **lot** lying between the limit of the planned width of street allowance and the present street allowance shall not form part of the **lot** for applying the provisions and required standards of this By-law.

Section 4 – General Provisions

4.13. Specific Use Provisions

Notwithstanding any other provision of this By-law, the following specific use provisions shall apply:

4.13.1. Location of Gasoline and Propane Pumps and Canopies

Where permitted, the following standards shall apply to the location of gasoline and propane pumps and canopies:

- i) the minimum distance of pumps and canopies from the planned **Street Line** of the street upon which the **lot** fronts shall be 4.5 metres; and
- ii) the minimum distance of pumps and canopies from the nearest part of a **daylighting triangle** shall be 3.0 metres.

4.13.2. Outdoor Display and Sales Area

Where the outdoor display and sale of goods and materials is permitted as an **accessory use**, the following provisions apply:

- i) the area used for outdoor display and sales is located on the same **lot** as the principal use and does not occupy more than 35% of the total **lot area**;
- ii) the area used for outdoor display and sales is in addition to and separated from, the area required to satisfy the minimum required parking standards for the principal use; and,
- iii) the area used for outdoor display and sales shall not be located in any minimum required **yard** for the **zone** in which it is located.

4.13.3. Human Habitation Not Within Main Buildings

No truck, bus, coach, street car body, railway car, **mobile home**, trailer or other vehicle shall be used for human habitation whether or not the same is mounted on wheels or other forms of mounting or foundations.

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4.13.4. Accessory Outdoor Storage

Where permitted, **Accessory Outdoor Storage** shall:

- i) not exceed 30% of the **lot area**;
- ii) not be visible from a street;
- iii) be screened by an opaque fence;
- iv) only be located in a side and/or **rear yard**;
- v) be located no nearer to a **lot line** than 1.5 metres or to a **street line** than 4.5 metres;
- vi) not be located in any landscaped area or required **parking area**; and not exceed 4.5 metres in **height**.

4.13.5. Micro-Industrial Uses

Where a **Micro-Industrial use** is permitted, the following requirements shall apply:

- i) A **Micro-Industrial use** is only permitted when accompanied by a retail and/or **restaurant** use retailing products produced on- site or if it is a personal brewing or wine-making establishment.
- ii) All production, retailing, and distribution associated with a **Micro-Industrial use** must take place within a **building** and no outdoor storage is permitted. Outdoor areas for consumption are permitted subject to all requirements of this By-law.

4.13.6. Food Vehicles

- i) Notwithstanding Section 5, no parking is required for a **Food Vehicle**.

4.13.7. Commercial Rooftop Patios

Restaurants, banquet halls, and other **commercial uses** shall be permitted to include a **commercial rooftop patio** as an **accessory use**, provided that the **commercial rooftop patio** that complies with the following:

- A **commercial rooftop patio** is prohibited in association with an **adult entertainment parlour**;
- The design shall be established in accordance with an approved site plan addressing matters such as lighting, landscaping, noise, etc.;
- A **commercial rooftop patio** must comply with any applicable requirements of municipal by-laws, including the Town's licensing and noise by-laws, and must comply with all applicable requirements of the Ontario Building Code and Fire Code (By-law 2021-08).

Section 4 – General Provisions

4.14. Use for Hazardous Purposes

Notwithstanding any other provision of this By-law, no land, **building** or **structure** may be used for any purpose, which from its nature or from the materials used, is determined to be a health hazard.

4.15. Uses Restricted

Notwithstanding any other provisions contained in this By-law, the following uses are prohibited within 610.0 metres of any Mixed Use **Zone** unless specifically permitted:

- i) The manufacture or open storage of fertilizers from human or animal wastes.
- ii) The slaughtering of animals or poultry.
- iii) The following Commercial or **Industrial uses**:
 - a) animal food plant; clay, concrete or brick products plant; coal **yard**; dry cleaning plant using flammable solvents; explosive manufacturing or storage in excess of 11 kilograms; sewage disposal plant; incinerator; or, gas, tar or petroleum processing.

4.15.1. Nothing in this By-law shall Prevent:

- i) the erection of **buildings** for **uses** incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other **building** or **structure** incidental to the construction only for so long as the same are necessary for work in progress which has neither been finished nor abandoned; and
- ii) the erection of model homes and sales offices, subject to Section 4.1.6, terms and conditions as established by the Town, and the provision of an access route for fire department use in accordance with the Building Code, O.Reg. 403/97, or its successor thereto.

4.15.2. Fuel Tanks

Where fuel tanks are permitted, the following standards shall apply to their location:

- i) In any **zone**, be located in accordance with an approved site plan.
- ii) In any **zone**, be located in accordance with the requirements of the Technical Standards and Safety Authority and the Fire Code, as applicable.

4.15.3. Uses for Hazardous Purposes

Notwithstanding any other provision of this By-law, no land, **building** or **structure** may be used for any purpose, which from its nature or from the materials used, is determined to be a health hazard.

4.16. Source Water Protection

This Zoning By-law is subject to the South Georgian Bay Lake Simcoe Source Water Protection Plan.

Section 5– Parking, Loading & Queueing Requirements

5.1. Legal Non-complying Parking, Loading and Queueing Requirements

Where on the date of the passing of this By-law, a **building** or **structure** requiring 5 or more **parking spaces** had previously complying parking, loading and/or queueing requirements that no longer comply with the requirements of this By-law, this By-law shall not be interpreted to require that any non-compliance be corrected prior to the construction of any addition. If an addition is made to the **building** which increases the **gross floor area**, then additional parking, loading, and **queueing spaces** applicable to the additional floor area shall be provided by the regulations of this By-law.

5.2. Parking Space Requirements

When any new development is constructed, or when any **existing** development is enlarged, or when any use is changed, off-street vehicular **parking spaces** shall be provided in accordance with the standards of this By-law.

5.2.1. Exclusive Nature of Parking Space

Parking spaces and areas required in accordance with this By-law shall only be used for the parking of operative, currently licensed vehicles that are used in relation to the permitted use(s) for which the **parking spaces** and areas are required.

5.2.2. Parking Space Design

- i) The minimum required size of a **parking space** shall be as follows:

Number of Required Spaces	Parking Space Configuration	Minimum Size (*1)
Fewer than 5	Parallel	2.6 metres by 6.7 metres
	Perpendicular	2.6 metres by 5.0 metres
5 or More	Parallel	2.6 metres by 6.7 metres
	Perpendicular	2.7 metres by 5.5 metres

- (*1) The minimum width of a **Parking Space** must be increase by 0.3 metres if one or both sides of the **Parking Space** is obstructed according to 5.2.2.1.

- ii) The width of the drive aisle adjacent to a **parking space** shall be in accordance with the following standards:

Angle of Parking Space	Minimum Aisle Width	Direction
45 degrees	4.5 metres	One Way
90 degrees	6.0 metres	Two Way

- iii) Barrier-free **parking spaces** will be provided in two types, and in the quantities stated in Section 5.3.3:
- Type A (“Van”): Minimum size of 3.4 metres by 5.5 metres.
 - Type B: Minimum size of 2.6 metres by 5.5 metres.
- iv) Every accessible **parking space** must have an access aisle adjacent to the space. An access aisle may be shared by two adjacent accessible **parking spaces**. The minimum width of an access aisle is 1.5 metres.
- v) Access aisles must be demarcated with high tonal contrast diagonal lines to discourage vehicles from parking in them.

5.2.2.1. Obstructions

The side of a **Parking Space** is obstructed if any part of a fixed object such as a wall, column, bollard, fence, or pipe is situated within 0.3 metres of a side of the **Parking Space**, measured at right angles, and more than 1.0 metre from the front or rear of the **Parking Space**.

5.3. Calculation of Parking Requirements

Where the minimum number of required **parking spaces** is calculated on the basis of a rate or ratio, the number of required spaces shall be rounded to the next higher whole number.

The parking requirements for more than one use on a single **lot** or for a **building** containing more than one use, shall be the sum total of the parking requirements for each of the component **uses**, unless otherwise noted.

5.3.1. Parking Standards

The parking standards for the lands located in this By-law, as shown in Schedule “A” Map 1 through 6 and forming part of this By-law, shall be in accordance with the following:

5.3.1.1. Residential Uses

The minimum and maximum off-street parking requirements for permitted **residential uses** in this By-law shall be as follows:

Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Accessory Dwelling Unit	1.0 exterior parking spaces per accessory dwelling unit	n/a
Detached Dwelling	2.0 parking spaces per dwelling unit (*1)	n/a
Link Dwelling	2.0 parking spaces per dwelling unit (*1)	n/a
Semi-Detached Dwelling	2.0 parking spaces per dwelling unit (*1)	n/a
Duplex Dwelling	2.0 parking spaces per dwelling unit (*1)	n/a
Quadruplex, or Maisonette Dwelling	1.5 parking spaces per dwelling unit plus 0.25 visitor spaces per dwelling unit	n/a
Townhouse or Stacked Townhouse Dwelling on Private Road	1.0 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	1.2 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)
Townhouse or Stacked Townhouse Dwelling on Public Road	1.0 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	1.2 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)

Section 5 – Parking, Loading & Queueing Requirements

Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Apartment Building Dwelling or a Mixed Use Building Dwelling – Bachelor Unit	0.70 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	0.85 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)
Apartment Building Dwelling or a Mixed Use Building Dwelling – One Bedroom Unit	0.80 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	1.00 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)
Apartment Building Dwelling or a Mixed Use Building Dwelling – Two Bedroom Unit	1.00 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	1.20 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)
Apartment Building Dwelling or a Mixed Use Building Dwelling – Three or more Bedroom Unit	1.2 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)	1.4 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit (*2)
Bed and Breakfast Establishment	1.0 parking space for each room or suite used for the purposes of lodging for the travelling public, in addition to the required parking for the dwelling	n/a
Dormitory	0.5 parking spaces for each rooming unit	n/a
Group Home Halfway House	2.0 parking spaces	4.0 parking spaces
Home Occupation in a: Detached Dwelling; Link Dwelling; Semi-Detached Dwelling; Duplex Dwelling; Quadruplex Dwelling; or Maisonette Dwelling	Where the area occupied by the home occupation exceeds 24.0 square metres, 1.0 parking space shall be required for every 9.0 square metres above the 24.0 square metres of the dwelling unit used for the home occupation	n/a
Special Needs Facility	2.0 parking spaces	4.0 parking spaces

(*1) Where in combination with an **accessory dwelling unit** the required **parking spaces** shall be in addition to the required **parking space** for the **accessory dwelling unit**.

(*2) Where a **dwelling unit** is a **financially assisted dwelling unit**, the minimum **parking space** rate and the maximum **parking space** rate for the **dwelling unit** may be reduced by 30% of the standard minimum and maximum **parking space** rates for the applicable **dwelling unit** type. This reduction does not apply to the visitor **Parking Space** per **dwelling unit** rates.

Section 5 – Parking, Loading & Queueing Requirements

5.3.1.2. Non-Residential Uses

The minimum and maximum off-street parking requirements for permitted non-residential **uses** shall be as follows:

Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Art Gallery	1.0 parking space per 100.0 square metres of gross floor area	2.0 parking spaces per 100.0 square metres of gross floor area
Banquet Facility	1.0 parking space per 9.0 square metres of gross floor area	n/a
Commercial Recreation Centre Community Centre Outdoor Recreation Facility Sports Arena	1.0 parking space per 28.0 square metres of gross floor area	2.0 parking spaces per 28.0 square metres of gross floor area
Commercial School	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Child Care Centre	1.0 parking space per classroom, plus 1.0 parking space for every 8 children licensed capacity	2 times the minimum off- street parking requirement
Domestic Animal Care Facility	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Dry Cleaning Depot Laundromat	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Financial Institution	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Funeral Home	30.0 parking spaces for the first 30.0 square metres of gross floor area , plus 1.0 parking space for each additional 15.0 square metres of gross floor area	n/a
Garden Centre	1.0 parking space per 30.0 square metres of gross floor area	n/a
Hospital	1.0 parking space per 42.0 square metres of gross floor area	n/a

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Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Hotel	The aggregate of: 1.0 parking space per guest room for the first 20 guest rooms 1.0 parking space per two guest rooms for guest rooms beyond the first 20 1.0 parking space per 10.0 square metres of gross floor area dedicated to administrative, banquet and meeting facilities	n/a
Institutional Day Centre	1.0 parking space per 20.0 square metres of gross floor area	n/a
Library	1.0 parking space per 20.0 square metres of gross floor area	2.0 parking spaces per 20.0 square metres of gross floor area
Light Equipment Sales and Rental	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Local Shopping Centre	1.0 Parking Space per 40.0 square metres of gross floor area	2.0 Parking Space per 40.0 square metres of gross floor area
Long Term Care Facility	0.25 parking spaces per dwelling unit or rooming unit , plus 1.0 parking space per 200.0 square metres of gross floor area used for medical, health or personal services	2 times the minimum off- street parking requirement
Medical Clinic Medical Office Medical/Dental Laboratory	1.0 parking space per 35.0 square metres of gross floor area	2.0 parking spaces per 35.0 square metres of gross floor area
Micro-Industry	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Motor Vehicle Rental Establishment	1.0 parking space per 35.0 square metres of gross floor area	2.0 parking spaces per 35.0 square metres of gross floor area
Motor Vehicle Sales Establishment	1.0 parking space per 40.0 square metres of gross floor area excluding showroom	2.0 parking spaces per 40.0 square metres of gross floor area excluding showroom

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Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Motor Vehicle Repair Facility	1.0 parking space per 13.0 square metres of gross floor area including the service bays	n/a
Motor Vehicle Service Shop	1.0 parking space per 13.0 square metres of gross floor area including the service bays	n/a
Motor Vehicle Service Station	2.0 parking spaces where the gross floor area of the kiosk is 25.0 square metres or less or 1.0 parking space per 18 square metres where the kiosk is greater than 26.0 square metres with a minimum of 2.0 parking spaces	n/a
Museum	1.0 parking space per 100.0 square metres of gross floor area	2.0 parking spaces per 100.0 square metres of gross floor area
Passenger Transportation Terminal	0.5 parking space per 100.0 square metres of gross floor area	n/a
Office	1.0 parking space per 50.0 square metres of gross floor area	2.0 parking spaces per 50.0 square metres of gross floor area
Personal Service Shop	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Personal Wellness Establishment (By-law 2021-49)	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Place of Worship	1.0 parking space per 9.0 square metres of the aggregate gross floor area of the nave, public hall, banquet hall or other community/ multi-use hall used as a place of assembly	2.0 parking spaces per 9.0 square metres of the aggregate gross floor area of the nave, public hall, banquet hall or other community/ multi-use hall used as a place of assembly
Private Club	1.0 parking space per 9.0 square metres of gross floor area	n/a
Restaurant (By-law 2021-08)	1.0 parking space per 50.0 square metres of gross floor area , excluding any Porch , veranda, Patio and/or Commercial Rooftop Patio dedicated as seasonal serving areas	4.0 parking spaces per 50.0 square metres of gross floor area , excluding any Porch , veranda, Patio and/or Commercial Rooftop Patio dedicated as seasonal serving areas

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Type or Nature of Use	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Requirements
Retail Store	1.0 parking space per 40.0 square metres of gross floor area	2.0 parking spaces per 40.0 square metres of gross floor area
Retail Warehouse Store	1.0 parking space per 20.0 square metres of gross floor area	n/a
Retirement Residence (By-law 2021-29)	0.5 parking space per unit plus 0.25 parking spaces per unit for visitor	1.0 parking space per unit plus 0.25 parking spaces per unit for visitor
Elementary School	1.0 parking space per classroom, plus an additional 10% of the total parking requirement to be dedicated to visitor parking	2 times the minimum off- street parking requirement
Secondary School	1.5 parking space per classroom, plus an additional 10% of the total parking requirement to be dedicated to visitor parking	2 times the minimum off- street parking requirement
Post-Secondary School	1.0 parking space per 200.0 square metres of gross floor area used for instructional and/or academic purposes	2.0 parking spaces per 200.0 square metres of gross floor area used for instructional and/or academic purposes
Service or Repair Shop	1.0 parking space per 28.0 square metres of gross floor area	n/a
Studio	1.0 parking space per 20.0 square metres of gross floor area	n/a
Veterinary Clinic	1.0 parking space per 27.0 square metres of gross floor area	n/a

5.3.1.3. Reduced Parking Standards for Proximity to Transit

Notwithstanding Sections 5.3.1.1 and 5.3.1.2 of this By-law, the parking standards for lands as shown on Schedule A” Maps 1 through 6 of this By-law, the minimum and maximum parking rates for each of the permitted residential and non-residential **uses** identified in Sections 5.3.1.1 and 5.3.1.2 may be reduced by 30% if the property of such use is within a Parking Reduction Area as shown on Schedule “F”.

5.3.1.4. Carpooling Parking Space for certain Non-residential Uses

Notwithstanding Section 5.3.1.2 of this By-law, the required parking for developments involving **financial institution, hospital, library, medical clinic, medical office building, medical/dental laboratory, office, elementary school, secondary school, or post-secondary school uses** must provide **carpooling parking spaces** at a rate of 5% of the total required parking supply for any of these non-residential **uses**, but shall not be less than 2.0 spaces (By-law 2021-29).

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5.3.1.5. Car-Share Parking Space for certain Residential Uses

Notwithstanding Section 5.3.1.1 of this By-law, any development of a mixed use **building** or **apartment building** providing **parking spaces** for the purposes of car-share parking and does not include any **financially assisted dwelling units**, the applicable minimum **parking space** requirement may be reduced by up to 3 **parking spaces** for each dedicated car-share **parking space**. The limit on the **parking space** reduction is calculated as the greater of:

- i) $4 \times (\text{total number of units} / 60)$, rounded down to the nearest whole number, or
- ii) 1.0 **parking space**.

5.3.2. Shared Parking

- i) A shared parking formula may be used for the calculation of required parking for a mixed use development. A mixed use development means any combination of **uses** provided for in the tables in this section. Where a use is not provided for in the tables, its requirement at each time period is one hundred% of its requirement.
- ii) Shared parking is to be calculated in compliance with the following table. All required **parking spaces** must be accessible to all users participating in the shared parking arrangement and may not be reserved for specific users.
- iii) To determine the shared parking requirements for a mixed use:
 - a) calculate the parking requirement for each use as if these **uses** were free-standing **buildings**;
 - b) multiply each use by the percent of the peak period for each time period contained in the following table;
 - c) total each peak column for weekday and weekend; and
 - d) the highest figure obtained from all time periods shall become the required parking for the mixed use.

Type of Use	Percentage of Peak Period (Weekday)		
	Morning	Afternoon	Evening
Industrial or office	100%	100%	10%
Recreational	25%	80%	100%
Hotel	80%	80%	100%
Assembly	10%	25%	100%
Retail Centre/ Retail Store / Personal Service Shop	65%	90%	90%

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Type of Use	Percentage of Peak Period (Saturday)		
	Morning	Afternoon	Evening
Industrial or office	10%	10%	10%
Recreational	90%	100%	100%
Hotel	80%	80%	100%
Assembly	90%	90%	100%
Retail Centre/ Retail Store/ Personal Service Shop	80%	100%	100%

- iv) For the purposes of this section a Recreational use includes **Commercial Recreation Centre, Studios**, and similar **uses**; an Industrial or **Office** use includes **Medical Offices, Manufacturing**, and similar **uses**; and Assembly **uses** include Places of Worship, Banquet Facilities, and similar **uses**.

5.3.2.1. Car-Share Parking Space or Electrical Charging Station in Mixed Use Zones

On a **lot** where a **parking lot** in the form of a surface **parking lot** is permitted:

- a minimum 1 car-share **Parking Space** may be provided in lieu of every 3 **Parking Spaces**; and
- 1 electrical charging station **Parking Space** shall be provided for every 25 required **Parking Spaces**. Provided electrical charging station **parking spaces** are included within, and not additional to, required **parking spaces**.

5.3.3. Barrier Free Parking Spaces

Off-street barrier free **Parking Spaces** shall be provided in accordance with the following. Provided barrier-free **Parking Spaces** are included within, and not additional to, required non- barrier-free **Parking Spaces**.

- The minimum barrier free parking requirement shall be as follows:

Total number of parking spaces provided	Required Type A Spaces (Van)	Required Type B Spaces
1 to 12	1	0
13 to 25	0	1
26 to 50	1	1
51 to 75	1	2
76 to 100	2	2
101 to 133	2	3
134 to 166	3	3
167 to 250	3	4
251 to 300	4	4
301 to 350	4	5

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351 to 400	5	5
401 to 450	5	6
451 to 500	6	6
501 to 550	6	7
551 to 600	7	7
601 to 650	7	8
651 to 700	8	8
701 to 750	8	9
751 to 800	9	9
801 to 850	9	10
851 to 900	10	10
901 to 950	10	11
951 to 1000	11	11
1001 and over	11 spaces plus 1% of the total number of spaces (rounded up to the next whole number), to be divided equally between Types A and B. If an odd number of spaces is required, the extra space may be Type B.	
Note: Where an uneven number of accessible Parking Spaces are required, the extra Type B space may be changed to a Type A space.		

- ii) Notwithstanding subsection i) above, the minimum barrier free parking requirement for **medical offices**, clinics and facilities providing outpatient services shall be the greater of the requirement of subsection i) above or 10% of the total minimum parking requirement for the use, providing at least 40% of the required barrier free spaces of each type of Type A and Type B.

5.3.4. Bicycle Parking

i) **Bicycle Parking Spaces** shall be provided as follows:

Use	Required Bicycle Parking
Retail Store , Service Commercial, Office , Institutional	2 Long-Term Bicycle Parking Spaces and 5 Short-Term Bicycle Parking Spaces space for every 1000.0 square metres of gross floor area
Manufacturing/Industrial	2 Long-Term Bicycle Parking Spaces and 2 Short-Term Bicycle Parking Spaces for every 1000.0 square metres of gross floor area
Elementary, Secondary and Post-Secondary Schools	0.06 Long-Term Bicycle Parking Spaces and 0.06 Short-Term Bicycle Parking Spaces for each 100.0 square metres of gross floor area
Apartment Building, Dwelling Unit, Live Work Unit, Mixed Use Building Dwelling, Stacked Townhouse Dwelling	0.5 Long-Term Bicycle Parking Spaces per Dwelling Unit and 0.1 short-term spaces per dwelling unit

ii) Where **bicycle parking spaces** are located internal to a **building**, they shall be located:

- a) on the ground floor; or
- b) on the second floor or the first level below the ground floor if the **bicycle parking spaces** are accessible via an elevator or an entrance at **grade**.

iii) **Bicycle parking spaces** as required by this By-law shall not be located:

- a) in a **dwelling unit**; or
- b) on a **balcony**.

iv) The minimum dimension of a bicycle **Parking Space** is:

- a) minimum length of 1.8 metres;
- b) minimum width of 0.6 metres; and
- c) minimum vertical clearance from the ground of 1.9 metres; and

v) the minimum dimension of a bicycle **Parking Space** if placed in a vertical position on a wall, **Structure** or mechanical device is:

- a) minimum length or vertical clearance of 1.9 metres;
- b) minimum width of 0.6 metres; and
- c) minimum horizontal clearance from the wall of 1.2 metres; and

vi) A bicycle **Parking Space** must be on the same **lot** as the use for which it is required.

5.4. Parking Lot Requirements

For every **building**, **structure** or use requiring 5 or more **parking spaces**, off-street parking having access to a public street shall be provided on the same **lot** on which the use, **building** or **structure** is located unless otherwise specified in this By-law.

5.4.1. Parking Lot Location

Where required, **parking lots** shall be located in accordance with the following requirements:

Zone	Parking Lot Location Requirement
Mixed Use Zones (*1)	Parking spaces may be provided on another lot within a different Mixed Use Zone but not more than 150.0 metres from the lot line of the use it is intended to serve.
	Parking lots shall be located in the interior side yard and/or rear yard not less than 3.0 metres from any side or rear lot line . However, a parking lot as a sole use may be located in any yard .
Open Space, or Institutional Zones (*1)	Parking lots may be located within any yard but shall not be located within 3.0 metres of any street line .

(*1) Excluding Elementary and **Secondary School Uses**

5.4.2. Parking Lot Design

i) Surface Treatment

Every **parking lot**, including **parking spaces** and **driveways**, shall be graded and drained and the surface treated with a permanent durable and dustless surface that is designed to Town standards. This provision shall not apply to **parking lots** of residential developments having three or fewer **dwelling units**.

ii) Curbs

The **parking lot** shall have visible boundaries defined by a curb designed to Town standards.

5.4.3. Location of Visitor Parking

Visitor parking shall be located in accordance with the following requirements:

Where visitor parking is required outside of a Mixed Use **Zone** and in accordance with Sections 5.3.1 and 5.3.2, such parking shall be located at **grade** and shall be separated from any adjacent **street line** by a strip of land not less than 3.0 metres wide which shall be used only for landscaping, entrances and exits.

5.4.4. **Parking Lot Illumination**

Where a **parking lot** is illuminated and is in or adjacent to a residential **zone** under By-law 2010-40, the lighting fixtures shall be installed in accordance with the following:

- i) the lighting fixtures shall be arranged to have no part of any fixture located at a **height** greater than 9.0 metres above the **established grade** of the **parking lot**; and,
- ii) the lighting fixtures shall be designed and installed to deflect the light downward and away from adjacent residential **buildings, lots** and streets.

5.4.5. **Snow Storage Accommodation for Outdoor Parking Lots**

An outdoor **parking lot** shall provide an area equivalent to 5% of the number of required spaces for the purpose of snow storage.

5.5. **Entrances, Exits and Driveways**

- i) **Driveways**, entrances and exits shall be provided as follows:

Parking Requirement	Requirement for Entrances and Exits
Required Parking Spaces: 4 or fewer	i) The minimum width of a driveway, free of projections shall be 3.0 metres. ii) The minimum distance between a driveway and the intersection of 2 or more streets, measured along the street line intersected by such driveway shall be 4.5 metres. iii) Approaches and Driveways which provide access to Parking Areas other than directly from a municipal street shall be constructed at a width not less than 6.0 metres nor where undivided, not greater than 9.0 metres.

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Parking Requirement	Requirement for Entrances and Exits
Required Parking Spaces: 5 or more	i) Not more than 2 entrance and exit driveways plus 1 additional entrance or exit driveway for service vehicles, shall be provided to access the parking lot. ii) Each entrance and/or exit driveway shall have a minimum width at the street line of 7.9 metres and if undivided, a maximum width of 9.0 metres. iii) The minimum distance between a driveway and intersection of street lines measured along the street line intersected by such driveway shall be 15.0 metres. iv) approaches and driveways which provide access to parking areas other than directly from a municipal street shall be constructed at a width not less than 6.0 metres nor where undivided, not greater than 9.0 metres. v) A clearly defined, continuous, uninterrupted pedestrian connection of a minimum of 1.5 metres in width shall be provided from a sidewalk to the principal entrance of each building. If no sidewalk abuts the property, the connection will be provided from the abutting street. Where Parking Spaces are configured such that the front or rear of parked vehicles will be adjacent to a pedestrian connection, the pedestrian connection shall be 1.8 metres in width.

- ii) Notwithstanding any other provision of this By-law, a **driveway** or an access shared across two **lots** shall be permitted. Compliance with any regulations of this By-law for a **driveway** or an access permitted by this section shall be based upon the entire width of the applicable access.

5.6. Loading Spaces

Off-street **loading spaces** shall be provided in accordance with this By-law when any new development is constructed, when any **existing** development is enlarged, or when any **existing** use is changed.