

Section 9

St. Davids Community Zoning District

SECTION 9: ST. DAVIDS COMMUNITY ZONING DISTRICT

The provisions of the St. Davids Community Zoning District shall apply to all lands within the Urban Area Boundary established on Schedule “D” in the Town of Niagara-on-the-Lake’s Official Plan, as shown on Schedule ‘A–23’ of this By-law.

9.1 **RESIDENTIAL (R1) ZONE**

In the St. Davids Community Zoning District - Residential (R1) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.1.1 Permitted Uses:

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *bed and breakfast establishment* in accordance with Section 6.5
- (c) *cottage rental (added by 4316A1-13, OMB PL130581, December 5, 2013)*
- (d) *group home* in accordance with Section 6.20
- (e) *home occupation or a home profession* in accordance with Section 6.24
- (f) *public use* in accordance with Section 5.381 (as amended by 4315Y-12)
- (g) *single detached dwelling*

9.1.2 Zone Requirements:

(a)	Minimum lot frontage	18.0 m (60 ft)
(b)	Minimum lot area	668 m ² (7190.5 ft ²)
(c)	Maximum lot coverage	33%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback	6.0 m (19.69 ft)
(f)	Maximum front yard setback	7.5 m (24.6 ft)
(g)	Minimum front yard setback to front face of the attached garage	8.5 m (27.88 ft)
(h)	Minimum interior side yard setback	1.5 m (5 ft)
	<i>i) except where there is no attached garage, the minimum side yard on one side shall be:</i>	3.0 m (9.84 ft)
(i)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(j)	Minimum rear yard setback	7.5 m (24.6 ft)
(k)	Maximum width of garage face	7.5 m (24.6 ft)

(l)	Minimum dwelling floor area	125 m ² (1345.5 ft ²)
(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	1.5 m (5 ft)
(o)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

9.2 RESIDENTIAL (R2) ZONE

In the St. Davids Community Zoning District - Residential (R2) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.2.1 Permitted Uses:

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *bed and breakfast establishment* in accordance with Section 6.5
- (c) *cottage rental* (added by 4316AI-13, OMB PL130581, December 5, 2013)
- (d) *group home* in accordance with Section 6.20
- (e) *home occupation or a home profession* in accordance with Section 6.24
- (f) *public use* in accordance with Section 5.381 (as amended by 4315Y-12)
- (g) *single detached dwelling*

9.2.2 Zone Requirements:

(a)	Minimum lot frontage	15.0 m (49.2 ft)
(b)	Minimum lot area	475 m ² (5113 ft ²)
(c)	Maximum lot coverage	40%
(d)	Minimum landscaped open space	25%
(e)	Minimum front yard setback to front face of dwelling	4.5 m (14.76 ft)
(f)	Maximum front yard setback	6.0 m (19.69 ft)
(g)	Minimum front yard setback to front face of the attached garage	7.5 m (24.6 ft)
(h)	Maximum width of garage face	7.5 m (24.6 ft)
(i)	Minimum interior side yard setback	1.2 m (3.94 ft)
	i) except where there is no attached garage, the minimum side yard shall be on one side:	3.0 m (9.84 ft)

(j)	Minimum exterior side yard setback	4.5 m (14.75ft)
(k)	Minimum rear yard setback	7.5 m (24.6 ft)
(l)	Minimum dwelling floor area	93 m ² (1001 ft ²)
(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	1.5 m (5 ft)
(o)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

9.3 **RESIDENTIAL (R3) ZONE**

In the St. Davids Community Zoning District - Residential (R3) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.3.1 Permitted Uses:

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *duplex dwelling*
- (c) *group home* in accordance with Section 6.20
- (d) *public use* in accordance with Section 5.381 (as amended by 4316Y-12)
- (e) *semi-detached dwelling*

9.3.2 Zone Requirements:

9.3.2.1 A Semi Detached Dwelling:

(a)	Minimum lot frontage per unit	
	(i) for an interior lot	10.75 m (35.27 ft)
	(ii) for an exterior lot	12.25 m (40.19 ft)
(b)	Minimum lot area per unit	325 m ² (3498 ft ²)
(c)	Maximum lot coverage	33%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback to front face of dwelling	4.5 m (14.76 ft)
(f)	Maximum front yard setback	6.0 m (19.69 ft)
(g)	Minimum front yard setback to front face of attached garage	7.5 m (24.6 ft)
(h)	Maximum width of garage face	3.5 m (11.48 ft)

(i)	Minimum interior side yard setback (i) except where there is no attached garage, the minimum side yard shall be on one side	1.2 m (3.94 ft) 3.0 m (9.84 ft)
(j)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(k)	Minimum rear yard setback	7.5 m (24.6 ft)
(l)	Minimum dwelling floor area	93 m ² (1001 ft ²)
(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	1.5 m (5 ft)
(o)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)
(p)	Minimum setback of uncovered, unenclosed or covered patio or deck form requires a side yard setback of 0.6 m (2 ft).	

9.3.2.2 A Duplex Dwelling:

(a)	Minimum lot frontage per unit	18.0 m (59.0 ft)
(b)	Minimum lot area	668 m ² (7190 ft ²)
(c)	Maximum lot coverage	33%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback to front face of dwelling	6.0 m (19.69 ft)
(f)	Minimum front yard setback to front face of attached garage	7.5 m (24.6 ft)
(g)	Maximum width of garage face	3.5 m (11.48 ft)
(h)	Minimum interior side yard setback	1.5 m (5 ft)
(i)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(j)	Minimum rear yard setback	7.5 m (24.6 ft)
(k)	Minimum dwelling floor area	93 m ² (1001 ft ²)
(l)	Maximum building height	10.0 m (32.8 ft)
(m)	Minimum accessory building yards setback	1.5 m (5 ft)
(n)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

9.4 RESIDENTIAL MULTIPLE (RM1) ZONE

In the St. Davids Community Zoning District - Residential Multiple (RM1) Zone, no land

shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.4.1 Permitted Uses:

- (g) *accessory buildings and structures* in accordance with Section 6.1
- (e) *bed and breakfast establishment* in an existing detached dwelling in accordance with Section 6.5
- (d) *fourplex or quadraplex dwelling*
- (a) *existing single detached dwelling*
- (f) *group home* in accordance with Section 6.20
- (b) *townhouse dwelling*
- (c) *triplex dwelling*

9.4.2 Zone Requirements:

9.4.2.1 Existing Single Detached Dwelling:

(a)	In accordance with the provisions of the Residential 2 (R2) Zone, Section 9.2.2.
-----	--

9.4.2.2 Townhouse Dwelling, On-Street:

(a)	Minimum lot frontage per unit	
	(i) Interior lot	6.2 m (20.34 ft)
	(ii) Exterior lot	10.0 m (32.8 ft)
(b)	Minimum lot area per unit	
	(i) Interior lot	230 m ² (2475.8 ft ²)
	(ii) Exterior lot	300 m ² (3,229.3 ft ²)
(c)	Maximum lot coverage	45%
(d)	Minimum landscaped open space	25%
(e)	Minimum front yard setback to front face of dwelling	4.5 m (14.76 ft)
(f)	Maximum front yard setback	6.0 (19.69 ft)
(g)	Minimum front yard setback to garage face	7.5 (24.6 ft)
(h)	Maximum width of garage face	3.5 m (11.48 ft)
(i)	Minimum interior side yard setback of 1.5 m (5 ft) for end units, except for end units having a height 5.0 m (16.4 ft) or greater, then 1.8 m (5.9 ft) shall be provided, except that where no attached garage is provided, the minimum side yard shall be 3.0 m (9.84 ft). No interior side yard is required between the common vertical wall dividing one unit from another.	

(j)	Minimum exterior side yard setback of 4.5 m (14.76 ft), except where an entrance to an attached garage faces an exterior side yard, the minimum exterior side yard for the garage shall be 6m (19.69 ft).	
(k)	Minimum rear yard setback of 7.5 m (24.6 ft), except for units having a height 8.0 m (26.2 ft) or greater, then 9.0 m (29.53 ft) shall be provided.	
(l)	Minimum dwelling floor area	80 m ² (861 ft ²)
(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	0.5 m (1.64 ft)
(o)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)
(p)	Minimum setback of uncovered, unenclosed or covered patio or deck form requires a side yard setback of 0.6 m (2 ft)	

9.4.2.3 Block Townhouse Dwellings:

(a)	Minimum lot frontage	30.0 m (98.4 ft)
(b)	Minimum lot area per unit	285 m ² (3067.8 ft ²)
(c)	Maximum density	30 units per ha
(d)	Maximum lot coverage	35%
(e)	Minimum landscaped open space	30%
(f)	Minimum front yard setback	6.0 (19.69 ft)
(g)	Minimum interior side yard setback	6.0 (19.69 ft)
(h)	Minimum exterior side yard setback	6.0 (19.69 ft)
(i)	Minimum rear yard setback	6.0 (19.69 ft)
(j)	Minimum distance between buildings located on the same lot :	
	(i) Between walls not containing windows to a habitable room.	3.0 m (9.84 ft)
	(ii) Between walls where one wall contains a window to a habitable room.	9.0 m (29.53 ft)
	(iii) Between walls where both walls contain a window to a habitable room	15.0 m (49.2 ft)
(k)	Minimum distance between any townhouse dwelling and an internal driveway and parking area is 4.5 m (14.76 ft) to the front of the dwelling, and 6.0 m (19.69 ft) to the front face of garage.	
(l)	Minimum dwelling unit area	80 m ² (861 ft ²)

(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	0.5 m (1.64 ft)
(o)	Minimum accessory building exterior side yard setback	6.0 (19.69 ft)
(p)	Minimum setback of uncovered, unenclosed or covered patio or deck form requires a side yard setback of 0.6 m (2 ft)	

9.4.2.4 A Triplex Dwelling:

(a)	Minimum lot frontage	21.5 m (70.53 ft)
(b)	Minimum lot area	690 m ² (7427 ft ²)
(c)	Minimum lot area per dwelling unit	230 m ² (2475.8 ft ²)
(d)	Maximum lot coverage	35%
(e)	Minimum landscaped open space	30%
(f)	Minimum front yard setback	6.0 m (19.69 ft)
(g)	Minimum interior side yard setback of 4.5 m (14.76 ft) on one side and 1.8 m (5.9 ft) on the other side.	
(h)	(i) Minimum exterior side yard setback (ii) Where an entrance to an attached garage faces an exterior side yard, the minimum exterior side for the garage shall be	4.5 m (14.76 ft) 6 m (19.69 ft).
(i)	Minimum rear yard setback	9.0 m (29.53 ft)
(j)	Minimum dwelling unit area	80 m ² (861 ft ²)
(k)	Maximum building height	10.5 m (34.45 ft)
(l)	Minimum accessory building yard setback	1.2 m (3.94 ft)
(m)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

9.4.2.5 A Fourplex or Quadraplex Dwelling:

(a)	Minimum lot frontage	24.5 m (80.38 ft)
(b)	Minimum lot area	800 m ² (8611.4 ft ²)
(c)	Minimum lot area per dwelling unit	200 m ² (2152.8 ft ²)
(d)	Maximum lot coverage	35%
(e)	Minimum landscaped open space	20%

(f)	Minimum front yard setback	7.5 m (24.6 ft)
(g)	Minimum interior side yard setback of 4.5 m (14.76 ft) on one side and 1.8 m (5.9 ft) on the other side.	
(h)	(i) Minimum exterior side yard setback (ii) Where an entrance to an attached garage faces an exterior side yard, the minimum exterior side for the garage shall be	4.5 m (14.76 ft) 6 m (19.69 ft).
(i)	Minimum rear yard setback	9.0 m (29.53 ft)
(j)	Minimum dwelling unit area	80 m ² (861 ft ²)
(k)	Maximum building height	10.0 m (32.8 ft)
(l)	Minimum accessory building yard setback	1.2 m (3.94 ft)
(m)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

9.5 RESIDENTIAL MULTIPLE (RM2) ZONE

In the St. Davids Community Zoning District - Residential Multiple (RM2) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.5.1 Permitted Uses:

- (a) *accessory building and structures* in accordance with Section 6.1
- (b) *group home* in accordance with Section 6.20
- (c) *nursing home* including secondary dwelling units
- (d) *senior citizen apartment building* including secondary dwelling units

9.5.2 Zone Requirements:

(a)	Minimum lot frontage	30.0 m (98.4 ft)
(b)	Minimum lot area	2,000 m ² (21,528.5 ft ²)
(c)	Maximum lot coverage	50%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback	7.5 m (24.6 ft)
(f)	Minimum interior side yard setback of 6.0 m (19.69 ft). Except where the interior lot line is adjacent to a Residential 1 (R1) Zone, Residential 2 (R2) Zone, Residential 3 (R3) Zone or Estate Residential (ER) Zone in the St. Davids Community Zoning District, a minimum	

	interior side yard equal to the building height is required, whichever is greater.	
(g)	Minimum exterior side yard setback	7.5 m (24.6 ft)
(h)	Minimum rear yard setback of 7.5 m (24.6 ft). Except where the rear lot line is adjacent to a Residential 1 (R1) Zone, Residential 2 (R2) Zone, Residential 3 (R3) Zone or Estate Residential (ER) Zone in the St. Davids Community Zoning District, a minimum rear side yard equal to the building height is required, whichever is greater.	
(i)	Minimum distance between main buildings located on the same of 15.0 m (49.2 ft)	
(j)	Minimum dwelling unit area:	
	(i) Bachelor unit	37 m ² (398.3 ft ²)
	(ii) 1 bedroom unit	41 m ² (441 ft ²)
	(iii) 2 bedroom unit	69 m ² (742.7 ft ²)
(k)	Maximum building height	10.5 m (34.45 ft)
(l)	Minimum accessory building yard setback	1.2 m (3.94 ft)
(m)	Minimum accessory building exterior side yard setback	7.5 m (24.6 ft)

9.6 RESIDENTIAL DEVELOPMENT (RD) ZONE

In the St. Davids Community Zoning District - Residential Development (RD) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.6.1 Permitted Uses

- a) existing uses

9.6.2 Zone Requirements:

(a)	As existing
(b)	Additions to a existing single detached dwelling shall be in accordance with Section 9.1.2

NOTE: This zone is a development zone intending that the lands so zoned shall be developed for residential purposes at a subsequent date. The appropriate zone category shall be established through a zoning By-law amendment.

9.7 VILLAGE COMMERCIAL (VC) ZONE

In the St. Davids Community Zoning District - Village Commercial (VC) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.7.1 Permitted Uses:

- (a) *accessory buildings and structures*
- (b) *antique sales store*
- (c) *automobile service station*
- (d) *bake shop*
- (e) *bank or financial institution*
- (f) *brew your own operation*
- (g) *coin laundry*
- (h) *commercial recreation facility*
- (i) *convenience store*
- (j) *dry cleaning outlet*
- (k) *florist shop*
- (l) *hardware store*
- (m) *hotel*
- (n) *medical clinic*
- (o) *motel*
- (p) *outdoor patio restaurant, as a secondary use to an existing restaurant in accordance with Section 6.36*
- (q) *personal service establishment (as amended by 4316J-11)*
- (r) *postal outlet*
- (s) *professional office*
- (t) *restaurant*
- (u) *residential use in accordance with Section 6.48*
- (v) *retail store*
- (w) *service establishment*
- (x) *take-out restaurant*
- (y) *tavern*
- (z) *vacation apartment (added by 4316AI-13, OMB PL130581, December 5, 2013)*

9.7.2 Zone Requirements:

(a)	Minimum lot frontage	15.0 m (49.2 ft)
-----	----------------------	------------------

(b)	Minimum lot area	464 m ² (4994.6 ft ²)
(c)	Maximum lot coverage	50%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	0 m (0 ft)
(f)	Minimum interior side yard setback of 3 m (9.84 ft) on one side and 0 m (0 ft) on other side	
(g)	Minimum exterior side yard setback	0 m (0 ft)
(h)	Minimum rear yard setback of 7.5 m (24.6 ft), except that where the rear yard abuts a residential zone, 12.0 m (39.4 ft) is required	
(i)	Minimum building height	10.0 m (32.8 ft)
(j)	Maximum building height	10.5 m (34.45 ft)
(k)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(l)	Outside storage in accordance with Section 6.37	
(m)	On-site parking location in rear yard only	

9.7.3 Buffer Strip:

Where the interior side yard or rear lot line of a lot zoned Village Commercial (VC) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

9.8 **SERVICE COMMERCIAL (SC) ZONE**

In the St. Davids Community Zoning District - Service Commercial (SC) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.8.1 Permitted Uses:

- (a) *accessory buildings and structures*
- (b) *automobile sales establishment*
- (c) *automobile service station*
- (e) *bake shop*
- (e) *commercial recreation facility*
- (f) *cottage rental (added by 4316AI-13, OMB PL130581, December 5, 2013)*
- (g) *farm implement dealer*

- (h) *garden centre*
- (i) *gas bar*
- (j) *hardware store*
- (k) *manual or an automatic car wash*
- (l) *professional office*
- (m) *recreational vehicle sales and service establishment*
- (n) *residential use in accordance with Section 6.48*
- (o) *retail store*
- (p) *service establishment*
- (q) *taxi establishment*
- (r) *wholesale building supply establishment*

9.8.2 Zone Requirements:

(a)	Minimum lot frontage	30.0 m (100 ft)
(b)	Minimum lot area	1,400 m ² (15069.97 ft ²)
(c)	Maximum lot coverage	40%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	7.5 m (24.6 ft)
(f)	Minimum interior side yard setback	4.5 m (14.76 ft)
(g)	Minimum exterior side yard setback	6.0 m (19.69 ft)
(h)	Minimum rear yard setback of 7.5 m (24.6 ft), except that where the rear yard abuts a residential zone, 12.0 m (39.37 ft) is required	
(i)	Maximum building height	10.5 m (34.45 ft)
(j)	Minimum accessory building yards setback	1.5 m (5 ft)
(k)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)
(l)	Outside storage in accordance with Section 6.36	

9.8.3 Buffer Strip:

Where the interior side yard or rear lot line of a lot zoned Service Commercial (SC) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

9.9 **ENTERPRISE (E) ZONE**

In the St. Davids Community Zoning District - Enterprise (E) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.9.1 Permitted Uses:

- (a) *accessory buildings and structures in accordance with Section 6.1*
- (b) *assembly hall*
- (c) *commercial school or trade school (as amended by 4316J-11)*
- (d) *commercial recreation facility*
- (e) *farm implement dealership and repair facility*
- (f) *fruit and vegetable processing establishment and storage*
- (g) *manufacturing establishment*
- (h) *office complex*
- (i) *professional office*
- (j) *repair service establishment*
- (k) *research and development establishment*
- (l) *retail use secondary to a permitted use*
- (m) *service establishment*
- (n) *veterinary office*
- (o) *warehouse*
- (p) *winery production facility*
- (q) *wholesale establishment*

9.9.2 Zone Requirements:

(a)	Minimum lot frontage	40.0 m (131.23 ft)
(b)	Minimum lot area	0.4 ha (1 ac)
(c)	Maximum lot coverage	40%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	10.0 m (32.8 ft)
(f)	Minimum interior side yard setback of 6.0 m (19.69 ft), except that where the interior side yard abuts a residential zone, 10.0 m (32.8 ft) is required	
(g)	Minimum exterior side yard setback	10.0 m (32.8 ft)

(h)	Minimum rear yard setback of 12.0 m (39.37 ft), except that where the rear yard abuts a residential zone, 15.0 m (49.2 ft) is required	
(i)	Minimum floor area	380 m ² (4090.42 ft ²)
(j)	Maximum building height	10.5 m (34.45 ft)
(k)	Minimum accessory building yards setback	1.5 m (5 ft)
(l)	Minimum accessory building exterior side yard setback	10.0 m (32.8 ft)
(m)	Outside storage in accordance with Section 6.36	

9.9.3 Buffer Strip:

Where the interior side yard or rear lot line of a lot zoned Enterprise (E) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

9.10 **INSTITUTIONAL (I) ZONE**

In the St. Davids Community Zoning District - Institutional (I) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.10.1

Permitted Uses:

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *ambulance service detachment*
- (c) *cemetery*
- (d) *community centre*
- (e) *church or religious institution*
- (f) *day care centre*
- (g) *fire hall*
- (h) *government office*
- (i) *institutional use*
- (j) *library*
- (k) *museum*
- (l) *nursing home*
- (m) *school*

- (n) secondary dwelling unit to a permitted use

9.10.2 Zone Requirements:

(a)	Minimum lot frontage	30.0 m (100 ft)
(b)	Minimum lot area	2,000 m ² (21,528 ft ²)
(c)	Maximum lot coverage	50%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	9.0 m (29.53 ft)
(f)	Minimum interior side yard setback	7.5 m (24.6 ft)
(g)	Minimum exterior side yard setback	9.0 m (29.53 ft)
(h)	Minimum rear yard setback of 7.5 m (24.6 ft), except that where the rear yard abuts a residential zone, 12.0 m (39.37 ft) is required	
(i)	Maximum building height	10.5 m (34.45 ft)
(j)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(k)	Minimum accessory building exterior side yard setback	9.0 m (29.53 ft)

9.10.3 Buffer Strip:

Where the interior side yard or rear lot line of a lot zoned Institutional (I) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

9.11 OPEN SPACE (OS) ZONE

In the St. Davids Community Zoning District - Open Space (OS) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

9.11.1

Permitted Uses:

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *cemetery*
- (c) *conservation management activities* and uses
- (d) *existing building and structure*

- (e) *golf course*
- (f) *historic sites*
- (h) *private club*
- (h) *public and private parks*

9.11.2 Zone Requirements:

(a)	Minimum lot frontage	n/a
(b)	Minimum lot area	n/a
(c)	Maximum lot coverage	10%
(d)	Minimum front yard setback	15.0 m (49.2 ft)
(e)	Minimum interior side yard setback	7.5 m (24.6 ft)
(f)	Minimum exterior side yard setback	15.0 m (49.2 ft)
(g)	Minimum rear yard setback	15.0 m (49.2 ft)
(h)	Maximum building height	8.6 m (28 ft)
(i)	Minimum accessory building yards setback	1.5 m (5 ft)
(j)	Minimum accessory building exterior side yard setback	15.0 m (49.2 ft)

9.12 **ENVIRONMENTAL CONSERVATION ZONE OVERLAY**

The Environmental Conservation Zone Overlay provides regulations for new development, additions to existing development, and setbacks from each natural feature as listed.

For each natural feature, there is a list of permitted uses within the feature and a list of permitted uses adjacent to the feature, along with a number of regulations. These include minimum setbacks, and studies required to determine the effect of development on the natural feature.

Where the zoning regulations specify that a use is permitted subject to an Environmental Impact Study (EIS), no new building or structure and no expansion to any existing building or structure shall be permitted unless it has been demonstrated through an EIS that there will be no negative impact on the adjacent natural feature.

9.12.1 Water Feature 2

9.12.1.1 Permitted Uses:

- (a) *conservation management activities and uses*, subject to an environmental impact study (EIS)
- (b) existing private boathouses and docks.
- (c) permitted uses adjacent to *Water Feature 2*:
 - (1) existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
 - (2) existing dwellings, buildings and structures
 - (3) expansions to existing dwellings, building and structures, subject to (an environmental impact study (EIS)
 - (4) *infrastructure*
 - (5) *single detached dwelling* and *accessory buildings* on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)
- (d) public boat launch and dock, subject to an environmental impact study (EIS)

9.12.1.2 Zoning requirements:

(a)	Within 30 m of the edge of the feature an EIS is required to determine the required minimum setback with a minimum setback no less than 15 m is required. A narrower buffer may be considered where the EIS has demonstrated it will not harm fish or fish habitat
(b)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)

9.12.2 Regional Environmental Conservation Area

9.12.2.1 Permitted Uses:

- (a) *conservation management activities and uses*, subject to an environmental impact study (EIS)
- (b) expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
- (c) existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
- (d) existing dwellings, buildings and structures
- (e) existing private boathouses and docks
- (f) existing public and private parks
- (g) *infrastructure*

- (h) public boat launch and dock, subject to an environmental impact study (EIS)
- (i) *single detached dwelling* and *accessory buildings* on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)

9.12.2.2 Zoning requirements:

(a)	Within 50 m of the edge of the conservation area, an EIS is required to determine the minimum setback
(b)	A single detached dwelling is permitted within a significant woodland on existing lots of record, but will require an environmental impact study (EIS) and clearance from the Niagara Peninsula Conservation Authority (NPCA)
(c)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)

9.12.3 NPCA Regulation Area

9.12.3.1 Development subject to NPCA approval

9.12.4 Water body

9.12.4.1 Permitted Uses:

- (a) *conservation management activities and uses*, subject to an environmental impact study (EIS)
- (b) existing private boathouses and docks
- (c) *infrastructure*
- (d) permitted Uses adjacent to a water body:
 - (1) existing accessory buildings and structures in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
 - (2) existing dwellings, buildings and structures
 - (3) existing public and private parks
 - (4) expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
 - (5) infrastructure
 - (6) single detached dwelling and accessory buildings on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)

- (e) public boat launch and dock, subject to an environmental impact study (EIS)

9.12.4.2 Zoning requirements:

- (a) Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)

9.13 SITE SPECIFIC EXCEPTIONS

9.13.1 23 Four Mile Creek Road, Creekside Senior Estates Cooperative – See Schedule ‘A-23’ (RM1-1 & VC-1)

Notwithstanding the provisions of the Residential Multiple (RM1) Zone and the Village Commercial (VC) Zone, lands identified as RM1-1 and VC-1 on Schedule ‘A-23’, only the following uses shall apply:

9.13.1.1 RM1-1 Permitted Uses:

- (a) *accessory buildings and structures*
- (b) *mobile home park*
- (c) *recreational vehicle park*

9.13.1.2 RM1-1 Zone Requirements:

(a)	Maximum number of mobile home units in a mobile home park	52
(b)	Maximum number of park model home units in a recreational vehicle park	79
(c)	Minimum setback from top of bank of Four Mile Creek	15 m (49 ft)
(d)	Maximum height of a mobile or park model home, excluding footing or foundation	3.6 m (12 ft)
(e)	Minimum front yard setback from laneway	0.91 m (3 ft)
(f)	Minimum side yard setback for each site	0.91 m (3 ft)
(g)	Rear yard setback for each site rear yard	0.91 m (3 ft)
(h)	Number of mobile homes/park model homes per site	1
(i)	Accessory buildings and structures	setbacks as existing

9.13.1.3 VC-1 Permitted Uses:

- (a) *existing mobile home sales*
- (b) *existing recreation vehicle sales and service*
- (c) *existing single detached dwelling*

9.13.1.4 VC-1 Zone Requirements:

(a)	Building setbacks as existing
-----	-------------------------------

9.13.2 Four Mile Creek Road – Agricultural Market – See Schedule ‘A-23’ (VC-2)

Notwithstanding the provisions of the Village Commercial (VC) Zone, lands identified as VC-2 on Schedule 'A-23', the following permitted provisions shall apply:

9.13.2.1 Permitted Uses:

- (a) existing *agricultural market*

9.13.3 1360–1366 York Road – Ravine Vinyard Estate Winery, Roll #25-161 – See Schedule 'A-23' (A-3) & (OS-3)

Notwithstanding the provisions of the Agricultural (A) Zone and the Open Space (OS) Zone, lands identified as A-3 and OS-3 on Schedule 'A-23', the following additional provisions shall apply:

9.13.3.1 A-3 Permitted Uses:

- (a) *estate winery*

9.13.3.2 A-3 Zone Requirements for the Estate Winery:

(a)	Minimum lot area	13.7 ha (33.9 ac)
(b)	Minimum lot frontage	62.5 m (205 ft)
(c)	Off-street parking for the Estate Winery shall be provided at the rate of one (1) parking space per employee	
(d)	Minimum building setback from all property lines shall be	15 m (49.2 ft)
(e)	Maximum lot coverage for all buildings	15%
(f)	Maximum building height to peak of roof	11 m (36 ft)

9.13.3.3 A-3 Permitted Secondary Uses, in association with, and secondary to the main use of the Estate Winery:

- (a) *agricultural market* / delicatessen (including kitchen / ancillary food preparation area) with a maximum floor area of 182.6 m² (1,965.6 ft²)
- (b) *hospitality room* with a maximum floor area of 298 m² (3, 207.8 ft²)
- (c) *outdoor covered* / uncovered *patio* with a maximum floor area of 380.7 m² (4,097.9 ft²)
- (d) *outdoor special event* / tent area with a maximum area of 987.1 m² (10,625 ft²) subject to maximum of twenty-four (24) events each year. After the completion and occupancy of the restaurant, the agricultural market/delicatessen and the hospitality room areas shall not be open for public use during any time that a special event is being held. (as amended by 4316AM-13)

- (e) one additional dwelling unit. The number of required parking spaces shall be (one) 1 space per unit. The use of the additional dwelling unit for a bed and breakfast establishment as defined in Section 6.5, and / or a home occupation (as defined in Section 6.24) is prohibited.
 - (f) *restaurant* (including kitchen area) with a maximum floor area of 537.2 m² (5,782.6 ft²)
 - (g) retail sale of wine with a maximum floor area of 302.5 m² (3,256.2 ft²)
 - (h) unless otherwise stated off-street parking for all other secondary uses shall be one parking space for every 18.5 m² (199 ft²) of floor area devoted to the secondary use.
- 9.13.3.4 A-3 An outdoor covered/uncovered patio and an outdoor event tent area shall be subject to the following provisions:
- (a) A minimum setback of 20 m from any residential zone shall be provided.
 - (b) That Section 6.13 (g) (1) is not applicable to these lands. *(as amended by 4316AM-13)*
 - (c) The use shall operate seasonally from March 1 to October 31 each calendar year.
 - (d) All outdoor lighting shall be deflected away from any residential area.
 - (e) The surface of an outdoor patio shall be limited to a maximum height of 1 m (3.28 ft) above grade.
 - (f) A maximum of one (1) event that extends past dusk shall be permitted per weekend. Weekend is defined for the purposes of this Section as Friday, Saturday and Sunday. *(as amended by 4316AM-13)*
 - (g) An event that is restricted in 9.13.3.3 (f) are those events that extend after dusk. *(as added by 4316AM-13)*
 - (h) An event that is restricted in 9.13.3.3(f) shall have a maximum number of two hundred (200) guests permitted. *(as added by 4316AM-13)*
- 9.13.3.5 OS-3 Notwithstanding the provisions of the Open Space (OS) Zone, in Section 9.11, agricultural uses (excluding farm buildings) subject to the regulations of the Niagara Peninsula Conservation Authority are permitted on those lands identified as OS-3 on Schedule 'A-23'
- 9.13.3.6 An outdoor event/tent is defined as an area used for winery related hospitality functions that include corporate functions, reception, group tours, outdoor activities, community non-profit events, and similar events and activities. *(as added by 4316AM-13)*

Note: Daytime attendance shall be regulated by the building code, fire code, and available on-site parking. Standard municipal processes shall be followed to obtain approvals through the Clerk's Office and Fire Department when applicable. *(as added by 4316AM-13)*

9.13.4 Tanbark Road, Apricot Glen Subdivision – See Schedule 'A-23' (R1-4)

Notwithstanding the provisions of the Residential (R1) Zone and the Open Space (OS) Zone, the following special provisions shall apply to the lands identified as R1-4 and OS-4 on Schedule 'A-23';

9.13.4.1 R1-4 Zone requirements:

(a)	Minimum lot area	545 m ² (5866.5 ft ²)
(b)	Minimum lot depth	29.24 m (95.93 ft)
(c)	Minimum lot frontage	18.29 m (60 ft)
(d)	Maximum lot coverage for bungalows <i>(as amended by 4316J-11)</i>	40%
(e)	Maximum lot coverage for 1½ and 2 storey dwellings	33%
(f)	Minimum front yard setback	6.0 m (19.69 ft)
(g)	Minimum interior side yard setback	1.5 m (5 ft)
(h)	Minimum exterior side yard setback	4.57 m (15 ft)
(i)	Minimum rear yard setback	7.62 m (25 ft)
(j)	Maximum building height	10.67 m (35 ft)
(k)	The garage doors shall not occupy more than fifty per cent (50%) of the street facing façade of a house. <i>(as amended by 4316J-11)</i>	
(l)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth <i>(as amended by 4316J-11)</i>	

9.13.4.2 OS-4 Permitted Uses:

- (a) no buildings or structures are permitted

9.13.5 Tanbark Road, (63, 67, 71, 73 79, 85, 91, 95, 99, 105, 111 & 117) – See Schedule 'A-23' (R1-5)

Notwithstanding the provisions of the Residential (R1) Zone, lands identified as R1-5 on Schedule 'A-23', the following special provisions shall apply:

9.13.5.1 Zone requirements:

(a)	Minimum lot frontage	30.17 m (99 ft)
(b)	Minimum lot area	0.20 ha (0.50 ac)

(c)	Maximum lot frontage	15%
(d)	Minimum front yard setback	7.62 m (25 ft)
(e)	Minimum interior side yard setback	3.05 m (10 ft)
(f)	Minimum exterior side yard setback	4.57 m (15 ft)
(g)	Minimum rear yard setback	7.62 m (25 ft)

9.13.6 Four Mile Creek Road (The Settlement of St. Davids) – See Schedule ‘A-23’ (R1-6), (RM1-6) & (OS-6)

Notwithstanding the provisions of the Residential (R1) Zone, the Residential Multiple (RM1) Zone and the Open Space (OS) Zone, the following special provisions shall apply to the lands identified as R1-6, RM1-6 & OS-6 on Schedule “A-23”.

9.13.6.1 R1-6 Permitted Uses:

- (a) maximum of sixty-nine (69) *single detached dwellings*

9.13.6.2 R1-6 Zone Requirements:

(a)	Minimum lot frontage for single detached dwelling	15 m (49.2 ft)
(b)	Maximum lot coverage for bungalows (<i>as amended by 4316J-11</i>)	40%
(c)	Maximum lot coverage for 1½ and 2 storey dwellings	33%
(d)	Minimum front yard setback for single detached dwelling with attached garage	6.0 m (19.69 ft)
(e)	Minimum front yard setback for single detached dwelling with detached garage in rear yard	3.0 m (9.84 ft)
(f)	Minimum front yard setback for attached garage for single detached dwelling	6.0 m (19.69 ft)
(g)	Minimum interior side yard setback for single detached dwelling with attached garage	1.2 m (3.94 ft)
(h)	Minimum interior side yard setback for single detached dwelling where there is no attached garage of 1.5 m (5.0 ft) on one side and 3.0 m (9.84 ft) on the other side	
(i)	Minimum exterior side yard setback for single detached dwelling	4.0 m (13.12 ft)
(j)	Minimum rear yard setback for single detached dwelling	7.5 m (24.6 ft)
(k)	Minimum side and rear yard setback for accessory buildings	1.0 m (3.28 ft)
(l)	Maximum building height to the peak of roof	9.76 m (32.02 ft)
(m)	Minimum driveway width	3.0 m (9.84 ft)

(n)	Minimum number of parking spaces per dwelling unit of 2, including one space in the garage and one tandem space in front of the garage	
(o)	Minimum dwelling unit area	93 m ² (1001 ft ²)
(p)	Garages shall not project beyond the front face of the main building façade except where a front porch is applied, the garage may project to the depth of the front porch	
(q)	Maximum garage width	7.93 m (26 ft)
(r)	Privacy fencing for dwellings on corner lots or flankage lots should not occupy more than fifty per cent (50 %) of the flankage lot line measured from the rear property line.	
(s)	Fencing along the front yard or corner lots shall be a maximum of 1.0 m (3.28 ft) in height.	
(t)	Minimum lot area for single detached dwelling	484 m ² (5209 ft ²)
(w)	The garage doors shall not occupy more than fifty per cent (50%) of the street facing façade of a house. (as amended by 4316J-11)	
(v)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth. (as amended by 4316J-11)	

9.13.6.3 RM1- 6 Permitted Uses:

- (a) maximum of thirty-one (31) *townhouse units*

9.13.6.4 RM1-6 Zone Requirements:

(a)	Minimum lot frontage for townhouse unit	7.0 m (22.96 ft)
(b)	Minimum front yard setback for townhouse with attached garage (Block 70 and 71)	4.5 m (14.76 ft)
(c)	Minimum front yard setback for townhouse with detached garage in rear yard (Block 80)	1.5 m (5 ft)
(d)	Minimum front yard setback for attached garage for townhouse unit	6.0 m (19.69 ft)
(e)	Minimum interior side yard setback for townhouse unit	0 m (0 ft)
(f)	Minimum exterior side yard setback for townhouse unit.	4.0 m (13.12 ft)
(g)	Minimum rear yard setback for townhouse unit	7.5 m (24.6 ft)
(h)	Minimum side and rear yard setback for accessory buildings	1.0 m (3.28 ft)
(i)	Minimum rear yard amenity space for townhouse units	27.8 m ² (299.2 ft ²)
(j)	Maximum building height to the peak of roof	9.76 m (32.02 ft)
(k)	Minimum driveway width	3.0 m (9.84 ft)
(l)	Minimum number of parking spaces per dwelling unit of 2, including one	

	space in the garage and one tandem space in front of the garage.	
(m)	Minimum dwelling unit area	93 m ² (1001 ft ²)
(n)	Garages shall not project beyond the front face of the main building façade except where a front porch is applied, the garage may project to the depth of the front porch.	
(o)	Garage doors shall not occupy more than fifty per cent (50 %) of the lot frontage.	
(p)	Garage interior widths shall be a maximum of 6.0 m (19.69 ft).	
(q)	Garage shall incorporate single-width wide garage doors. <i>(as amended by 4316J-11)</i>	
(r)	Living fences shall be permitted (flora specie indigenous to area).	
(s)	Privacy fencing for dwellings on corner lots or flankage lots shall not occupy more than fifty per cent (50 %) of the flankage lot line measured from the rear property line.	
(t)	Fencing along the front yard or corner lots shall be a maximum of 1.0 m (3.28 ft) in height.	

9.13.6.5 OS-6 Permitted Uses:

- (a) no buildings or structures are permitted

9.13.7 Tanbark Road (Courtland Valley) – See Schedule ‘A-23’ (R1-7a), (R1-7b) and (RM1-7) *(as amended by 4316K-11)*

Notwithstanding the provisions of the Residential (R1) Zone and the Residential Multiple (RM1) Zone, the following special provisions shall apply to those lands identified as "St. David's Community Zoning District - Residential (R1-7a), (R1-7b) & (RM1-7) – Site Specific Zone" on Figure 9.13.7F:

Lots 1-29 & 31-36

9.13.7.1 Zone Requirements for Single Detached Dwellings (R1-7a):

(a)	Minimum lot area	450 m ² (4,843.9 ft ²)
(b)	Minimum lot frontage	15 m (49.2 ft)
(c)	Minimum lot depth	30 m (100 ft)
(d)	Minimum front yard setback of 4.5 m (14.76 ft), except 6.0 m (19.69 ft) to an attached garage.	
(e)	Minimum interior side yard setback of 1.22 m (4.0 ft), except the westerly interior side yard setback of Lots 11 and 29 should be 6 m (19.69 ft).	
(f)	Minimum exterior side yard setback	4.0 m (13.12 ft)
(g)	Minimum rear yard setback	7.62 m (25 ft)
(h)	Maximum lot coverage:	
	(i) Bungalows and 1 ½ storeys without covered	40%

	porch and deck	
	(ii) Bungalows and 1 ½ storeys with covered enclosed porch and deck	45%
	(iii) 2 storey dwellings without covered porch and deck	33%
	(iv) 2 storey dwellings with covered porch and deck	38%
(i)	Maximum building height with a maximum of 2 storeys	10.67 (35.0 ft)
(j)	Maximum building height for Lots 1 and 2 with a maximum of 2 storeys	9.1m (30.0 ft)
(k)	Permitted encroachment in the rear yard for decks	2.0 m (6.56 ft)
(l)	The garage doors shall not occupy more than fifty percent (50%) of the street facing façade of a house.	
(m)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth.	

Lot 30

9.13.7.2 Zone Requirements for Single Detached Dwelling (R1-7b):

(a)	Minimum lot area	450 m ² (4,843.9 ft ²)
(b)	Minimum lot frontage	15 m (49.2 ft)
(c)	Minimum lot depth	30 m (100 ft)
(d)	Minimum front yard setback of 6.0 m (19.69 ft), except 7.62 m (25 ft) to an attached garage.	
(e)	Minimum interior side yard setback	1.5 m (5.0 ft)
(f)	Minimum exterior side yard setback	4.57 m (15 ft)
(g)	Minimum rear yard setback	7.62 m (25 ft)
(h)	Maximum lot coverage for a bungalow	40%
(i)	Maximum lot coverage for a 1½ or 2 storey dwelling	33%
(j)	Maximum building height with maximum of 2 storeys	9.1 m (30 ft)
(k)	Garages shall not project beyond the front face of the main building façade.	

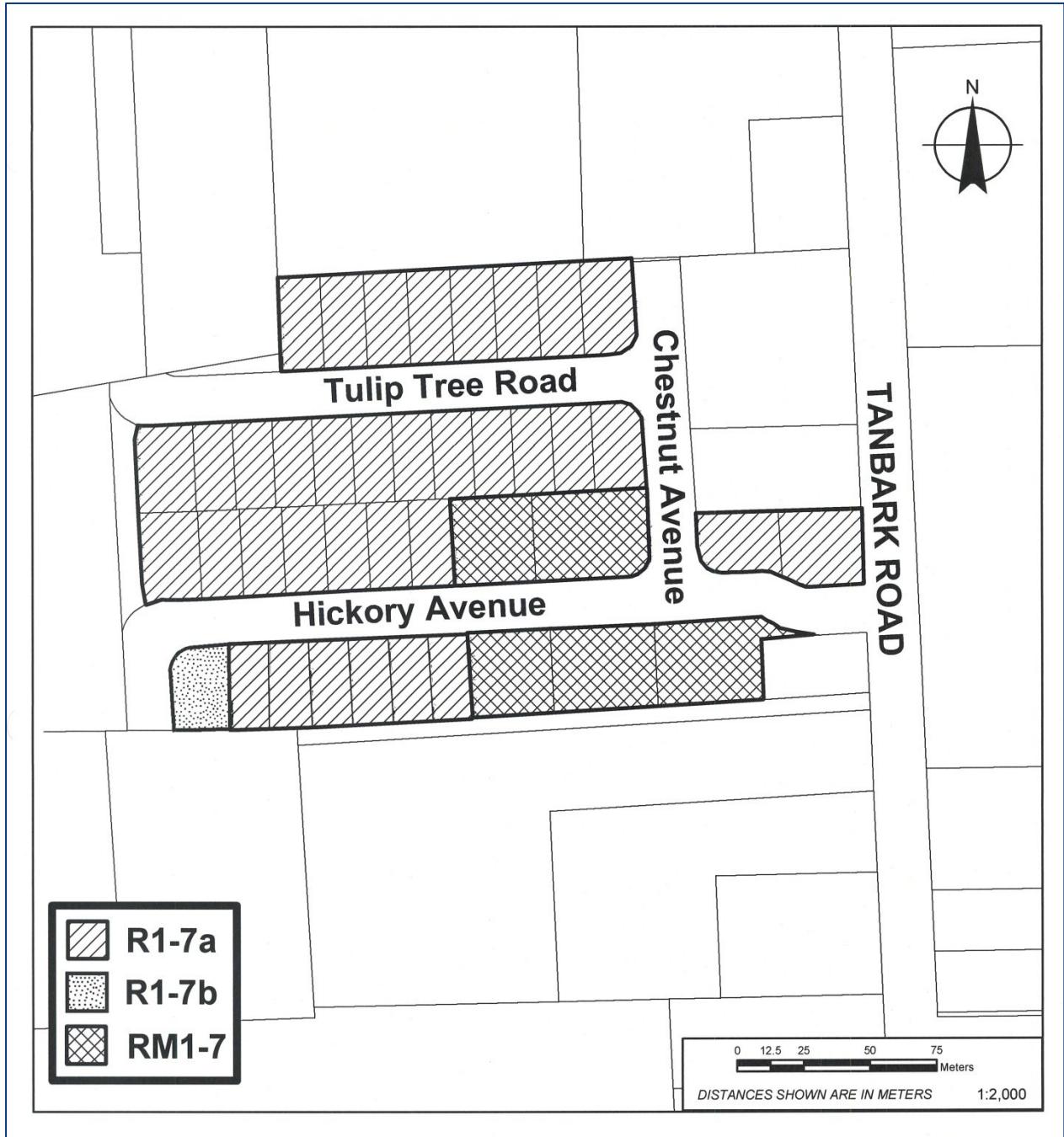
Blocks 37-41

9.13.7.3 Zone Requirements for Townhouse Dwellings (RM1-7):

(a)	Minimum lot area	
	(i) Interior lot	30 m ² (2,475.70 ft ²)
	(ii) Exterior lot	60 m ² (2,798.62 ft ²)
(b)	Minimum lot depth	30 m (100 ft)

(c)	Minimum lot frontage - end unit	8.7 m (28.54 ft)
(d)	Minimum lot frontage - interior unit	7.5 m (24.6 ft)
(e)	Minimum front yard setback of 4.5 m (14.76 ft), except 6.0 m (19.69 ft) to an attached garage.	
(f)	Minimum end unit side yard setback	1.22 m (4.0 ft)
(g)	Minimum end unit easterly side yard setback - Block 39	1.52 m (5.0 ft)
(h)	Minimum interior unit side yard setback	0 m (0 ft)
(i)	Minimum exterior side yard setback	4.0 m (13.12 ft)
(j)	Minimum rear yard setback	7.62 m (25 ft)
(k)	Minimum rear yard setback - Block 39	7.4 m (24.28 ft)
(l)	Minimum landscaping area	35%
(m)	Minimum parking spaces of 2 spaces per unit which may include one space in the garage, and one tandem space in the driveway.	
(n)	Minimum dwelling unit size	92.9 m ² (1000 ft ²)
(o)	Maximum building height with a maximum of 2 storeys	10.67 m (35 ft)
(p)	Maximum building height to the peak of the roof – Block 39	9.1 (30.0 ft)
(q)	Garage interior widths shall be a maximum of 6.0 m (19.69 ft).	
(r)	Garages shall not project beyond the front face of the main building façade.	
(s)	Permitted encroachment in the rear yard for decks	2.0 m (6.56 ft)

Figure 9.13.7F: Tanbark Road, Courtland Valley



9.13.8 123 & 125 Tanbark Road & Apricot Glen Drive – See Schedule ‘A-23’ (R1-8)

Notwithstanding the provisions of the Residential (R1) Zone, the following special provisions shall apply to the lands identified as R1-8 on Schedule ‘A-23’.

9.13.8.1 R1-8, Zone requirements:

(a)	Minimum lot area	970 m ² (10,441.33ft ²)
(b)	Maximum lot coverage for bungalows	40%
(c)	Maximum lot coverage for 1½ and 2 storey dwellings	33%
(d)	Minimum front yard setback	7.62 m (25 ft)
(e)	Minimum rear yard setback	7.62 m (25 ft)
(f)	Minimum interior side yard setback	1.5 m (5 ft)
(g)	Minimum exterior side yard setback	4.57 m (15 ft)
(h)	Minimum lot frontage	18.29 m (60 ft)
(i)	Minimum lot depth	36.58 m (120 ft)
(j)	Maximum building height	10.67 m (35 ft)
(k)	The garage doors shall not occupy more than fifty per cent (50%) of the street facing façade of a house. (as amended by 4316J-11)	
(l)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth. (as amended by 4316J-11)	

9.13.9 82 Tanbark Road – See Schedule ‘A-23’ (R1-9)

Notwithstanding the provisions of the Residential (R1) Zone, the following special provisions shall apply to the lands identified as R1-9 on Schedule ‘A-23’.

9.13.9.1 Zone requirements:

(a)	Maximum lot area	2.4 ha (6 ac)
(b)	Minimum area of single detached dwelling including attached garage	291 m ² (3,129 ft ²)
(c)	Maximum area of roofed porch	32 m ² (345 ft ²)
(d)	Maximum building height to peak of roof	10.67 m (35 ft)
(e)	Minimum lot frontage	18.29 m (60 ft)
(f)	Maximum lot coverage	33%
(g)	Maximum front yard setback	7.62 m (25 ft)
(h)	Maximum rear yard setback	7.62 m (25 ft)
(i)	Maximum interior side yard setback	1.5 m (5 ft)
(j)	Maximum exterior side yard setback	4.57 m (15 ft)

9.13.10 144 Tanbark Road – See Schedule ‘A-23’ (R1-10)

Notwithstanding the provisions of the Residential (R1) Zone, the following special provisions shall apply to the lands identified as R1-10 on Schedule 'A-23'.

9.13.10.1 Zone Requirements:

(a)	Minimum lot area	900 m ² (9687.84 ft ²)
(b)	Minimum lot frontage	18.29 m (60 ft)
(c)	Maximum lot coverage	33%
(d)	Maximum front yard setback	7.62 m (25 ft)
(e)	Maximum rear yard setback	7.62 m (25 ft)
(f)	Maximum interior side yard setback	1.5 m (5 ft)
(g)	Maximum exterior side yard setback	4.57 m (15 ft)
(h)	Maximum building height	10.67 m (35 ft)

9.13.11 Tanbark Road (St. Davids Estates)– See Schedule 'A-23' (R1-11)

Notwithstanding the provisions of the Residential (R1) Zone, the following special provisions shall apply to the lands identified as R1-11 on Schedule 'A-23'.

9.13.11.1 Zone Requirements:

(a)	Minimum lot area	460.50 m ² (4956.94ft ²)
(b)	Maximum lot coverage for bungalows (as amended by 4316J-11)	40%
(c)	Maximum lot coverage for 1½ and 2 storey dwellings	33%
(d)	Minimum lot frontage	15.24 m (50 ft)
(e)	Minimum front yard setback to single detached dwelling	6 m (19.69 ft)
(f)	Minimum front yard setback to an attached garage	7.62 m (25 ft)
(g)	Minimum rear yard setback	7.62 m (25 ft)
(h)	Minimum interior side yard setback	1.5 m (5 ft)
(i)	Minimum exterior side yard setback	4.57 m (15 ft)
(j)	Maximum building height	10.67 m (35 ft)
(k)	The garage doors shall not occupy more than fifty per cent (50%) of the street facing façade of a house. (as amended by 4316J-11)	
(l)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth. (as amended by 4316J-11)	

9.13.12 Four Mile Creek Road (Apricot Glen Phase 2) – See Schedule 'A-23' (RD-12) & (RM1-12)

Notwithstanding the provisions of the Residential (R1) Zone and the Multiple Residential (RM1) Zone, the following special provisions shall apply to the lands identified as R1-12 & RM1-12 on Schedule 'A-23'.

9.13.12.1 R1-12, Zone Requirements:

(a)	Minimum lot area	568 m ² (6114.10 ft ²)
(b)	Maximum lot coverage for bungalows (<i>as amended by 4316J-11</i>)	40%
(c)	Maximum lot coverage for 1½ and 2 storey dwellings	33%
(d)	Minimum lot frontage	15.97 m (52.39 ft)
(e)	Minimum front yard setback to the face of a dwelling	6 m (19.69 ft)
(f)	An attached garage shall not project beyond the front face of the dwelling.	
(g)	Maximum building height to the peak of roof	10.4 m (34 ft)
(h)	The garage doors shall not occupy more than fifty per cent (50%) of the street facing façade of a house. (<i>as amended by 4316J-11</i>)	
(i)	The front porch shall be a minimum of 2.0 m (6.56 ft) in depth. (<i>as amended by 4316J-11</i>)	

9.13.12.2 RM1-12, Zone Requirements:

(a)	Minimum lot area	240 m ² (2583.3 ft ²)
(b)	Minimum lot frontage per unit	7.5 m (24.6 ft)
(c)	Minimum lot depth	29 m (95.14 m)
(d)	Minimum front yard setback to face of dwelling	6.1 m (20 ft)
(e)	An attached garage shall not project beyond the front face of the dwelling.	
(f)	Minimum end unit side yard setback	1.5 m (5 ft)
(g)	Minimum interior side yard setback	0 m (0 ft)
(h)	Minimum exterior side yard setback	4.57 m (15 ft)
(i)	Minimum rear yard setback	7.62 m (25 ft)
(j)	Maximum building height to the peak of roof	10.4 m (34 ft)
(k)	Minimum dwelling unit size	92.9 m ² (1000 ft ²)
(l)	Garage interior widths shall be a maximum of 6.0 m (19.69 ft).	
(m)	Minimum parking spaces per unit of 2, which may include one space in the garage, and one tandem space in the driveway.	

9.13.13 Queenston Road – Pt. Lot 96 – Vineyard Creek– See Schedule 'A-23' (RD-13)

Notwithstanding the provisions of the Residential (R1) Zone, the following special provisions shall apply to the lands identified as R1-13 on Schedule 'A-23'.

9.13.13.1 R1-13 Zone Requirements:

(a)	Minimum lot frontage	18.0 m (59.0 ft)
(b)	Minimum front yard setback to the face of a dwelling	7.62 m (25.0 ft)
(c)	Maximum lot coverage	33%
(d)	Minimum rear yard setback	9.14 m (30 ft)
(e)	Minimum interior side yard setback	1.52 m (5 ft)
(f)	Minimum exterior side yard setback	3.04 m (10 ft)
(g)	Minimum accessory side and rear yard setback	1.52 m (5 ft)
(h)	Accessory structures are not permitted within the front yard.	
(i)	An attached garage shall not project beyond the front face of the dwelling and shall be setback a minimum of 0.60 m (2 ft) from the front face of the dwelling. The 0.6 m (2 ft) setback from the front face of the dwelling for a side entry garage shall not be required. <i>(as amended by 4316J-11)</i>	
(j)	Maximum front face of garage	9.14 m (30 ft)
(k)	Maximum building height to the mid-point of roof	9.75 m (32 ft)
(l)	Minimum area for a one storey single detached dwelling, excluding garage and covered terraces	185.8 m ² (2000 ft ²)
(m)	Minimum area for a two storey single detached dwelling, excluding garage and covered terraces	209.02 m ² (2250 ft ²)
(n)	Vehicles other than primary automobiles cannot be parked in the driveway for any extended period of time (i.e. recreational vehicles, boats, trailers, campers).	
(o)	No structural development including, but not limited to storage sheds, garages, pool houses, swimming pools, decks gazebos, shall be permitted within a 7.5 m setback (24.6 ft) from the top of bank and no dumping of any materials of any kind, including but not limited to fill material, grass clippings, yard waste, is permitted within the 7.5 m buffer area.	
(p)	Above ground pools are not permitted.	

9.13.14 46 Paxton Lane – See Schedule ‘A-23’ (RD-14) (as fully amended by 4316AP-13)

That Schedule ‘A-23’ be further amended by zoning the lands as shown on Figure 9.13.14F to Residential (R1-14) – Site Specific Zone, Residential Multiple (RM1-14) – Site Specific Zone, and Open Space (OS-14) – Site Specific Zone.

9.13.14.1 Notwithstanding the provisions of the Residential (R1) Zone, only single detached dwellings shall be permitted on the lands identified as Residential (R1-14) - Site Specific Zone as shown on Figure 9.13.14F and shall be subject to the following provisions:

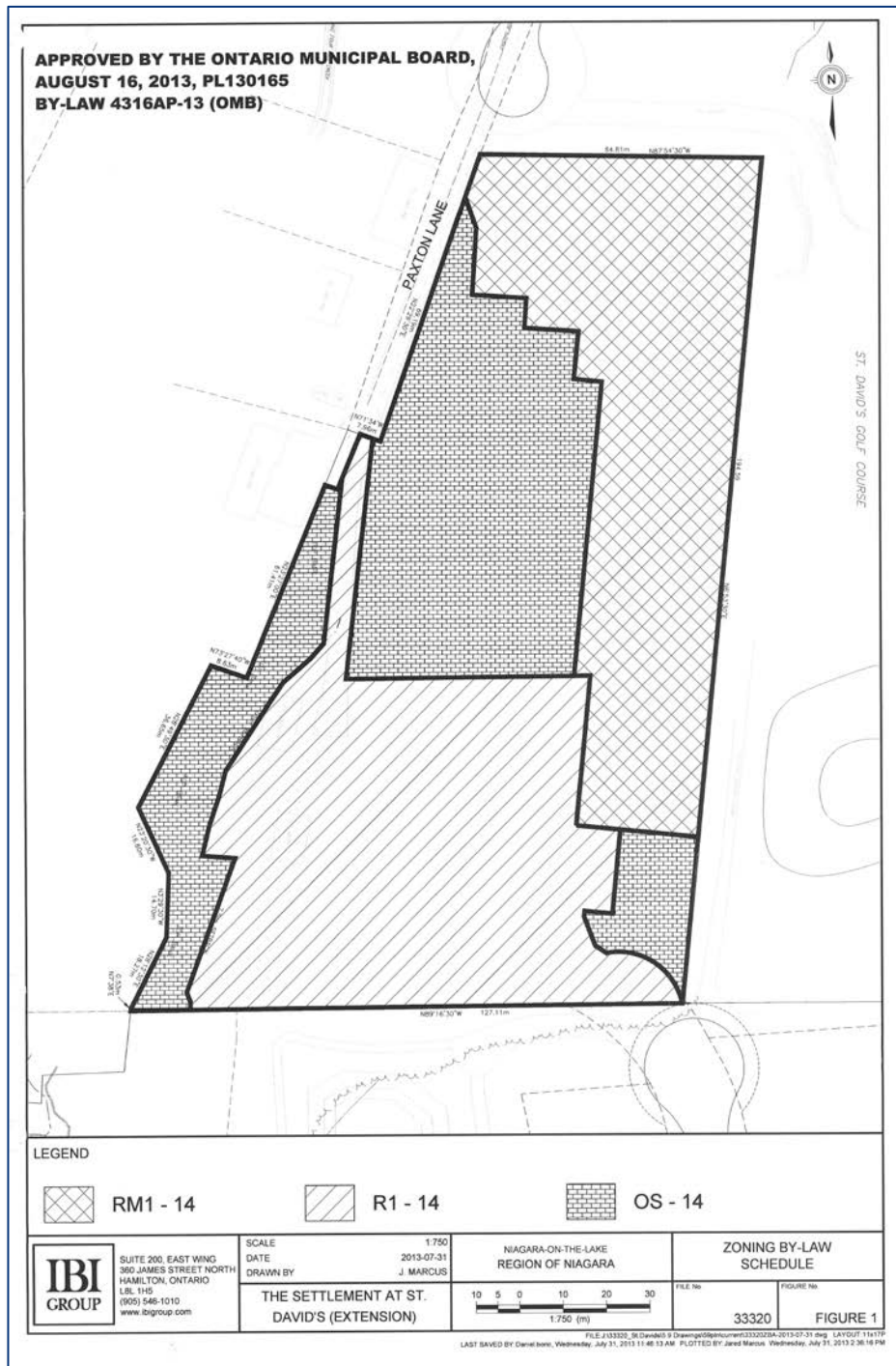
(a)	Minimum lot frontage	12.0 m (39.37 ft)
(b)	Minimum lot area	300.0 m ² (3299.28 ft ²)
(c)	Maximum lot coverage	45%
(d)	Minimum front yard setback	3.0 m (9.84 ft)
(e)	Minimum front yard setback to front face of an attached garage <i>(Garages shall not project beyond the front face of the main building or beyond a front porch of a minimum 1.5 m in depth)</i>	6.0 m (19.69 ft)
(f)	Minimum interior side yard setback with attached garage <i>(except where there is no attached garage, the minimum side yard shall be 3.0 m (9.84 ft) on one side)</i>	1.2 m (3.94 ft)
(g)	Maximum interior garage width <i>(single width garage doors are required and the combined width of the garage doors cannot be more than 50% of the building face)</i>	7.93 m (26.0 ft)
(h)	Minimum exterior side yard setback	3.0 m (9.84 ft)
(i)	Minimum rear yard setback	6.0 m (19.69 ft)
(j)	Accessory buildings shall have: (i) minimum side and rear yard setback (ii) minimum exterior side yard	1.52 m (5.0 ft) 3.0 m (9.84 ft)
(k)	Maximum building height to the peak of the roof	10 m (32.82 ft)
(l)	Minimum driveway width	3.0 m (9.84 ft)
(m)	Minimum number of parking spaces per dwelling unit	2
(n)	Minimum dwelling unit area	93 m ² (1001.08 ft ²)
(o)	Privacy fencing for dwellings on corner lots or flankage lots should not occupy more than fifty per cent (50%) of the flankage lot line measured from the rear property line.	
(p)	Fencing along the front yard for corner lots shall be a maximum of 1.0 m (3.28 ft) in height.	

9.13.14.2 Notwithstanding the provisions of the Residential Multiple (RM1) Zone, only townhouses shall be permitted on the lands identified as Residential Multiple (RM1-14) - Site Specific Zone as shown on Figure 9.13.14F and shall be subject to the following provisions:

(a)	Maximum number of townhouse units	23
(b)	Minimum lot frontage per unit	8.0 m (26.25 ft)

(c)	Minimum front yard setback	3.0 m (9.84 ft)
(d)	Minimum front yard setback to an attached garage <i>(Garages shall not project beyond the front face of the main building or beyond a front porch of a minimum 1.5 m in depth)</i>	6.0 m (19.69 ft)
(e)	Minimum interior side yard setback <i>(0 m for interior common walls)</i>	1.5 m (4.92 ft)
(f)	Minimum exterior side yard setback	3.0 m (9.84 ft)
(g)	Minimum rear yard setback	6.0 m (19.69 ft)
(j)	Accessory buildings shall have: <i>(i) minimum side and rear yard setback</i> <i>(ii) minimum exterior side yard</i>	1.0 m (3.28 ft) 3.0 m (9.84 ft)
(i)	Minimum rear yard amenity space	27.8 m ² (299.25 ft ²)
(j)	Maximum building height to peak of roof	10.0 m (32.81 ft)
(k)	Minimum driveway width	3 m (9.84 ft)
(l)	Minimum number of parking spaces per dwelling unit	2
(m)	Minimum dwelling unit area	93 m ² (1001.08 ft ²)
(n)	Garage doors shall not occupy more than 50% of the building face.	
(o)	Maximum interior garage width	6.0 m (19.69 ft)
(p)	Living fences shall be permitted (flora specie indigenous to area)	
(q)	Privacy fencing for dwellings on corner lots or flankage lots shall not occupy more than fifty per cent (50%) of the flankage lot line measured from the rear property line.	
(r)	Fencing along the front yard or corner lots shall be a maximum of 1.0 m (3.28 ft) in height.	

Figure 9.13.14F: 46 Paxton Lane



9.13.14.3 A private or condominium road shall be regarded the same as a public road.
This provision applies to all lots created in this development.

9.13.14.4 Notwithstanding the provisions of the Open Space (OS) Zone in Section 9.11 of the St. Davids Community Zoning District, no structural development or the removal of existing vegetation on steep slopes, below the top of bank, shall be permitted on those lands identified as 'Open Space (OS-14) – Site Specific Zone on Figure 9.13.14F.

9.13.15 Four Mile Creek Road, Apricot Glen Phase III – (RM1-15) (OS-15) (as amended by 4316J-11)

Notwithstanding the provisions of the “St. David’s Community Zoning District – Residential Multiple (RM1) Zone” the following provisions shall apply to the lands shown as RM1-15 and OS-15 on Figure 9.13.15F:

9.13.15.1 Permitted Uses:

Part 1: *townhouse or row house swellings*

Part 2: open space (OS)

9.13.15.2 Zone Requirements for Development:

(a)	Minimum lot area for development	3.35 ha (8.27 ac)
(b)	Maximum total lot coverage for development	35%
(c)	Minimum landscaped open space	30%

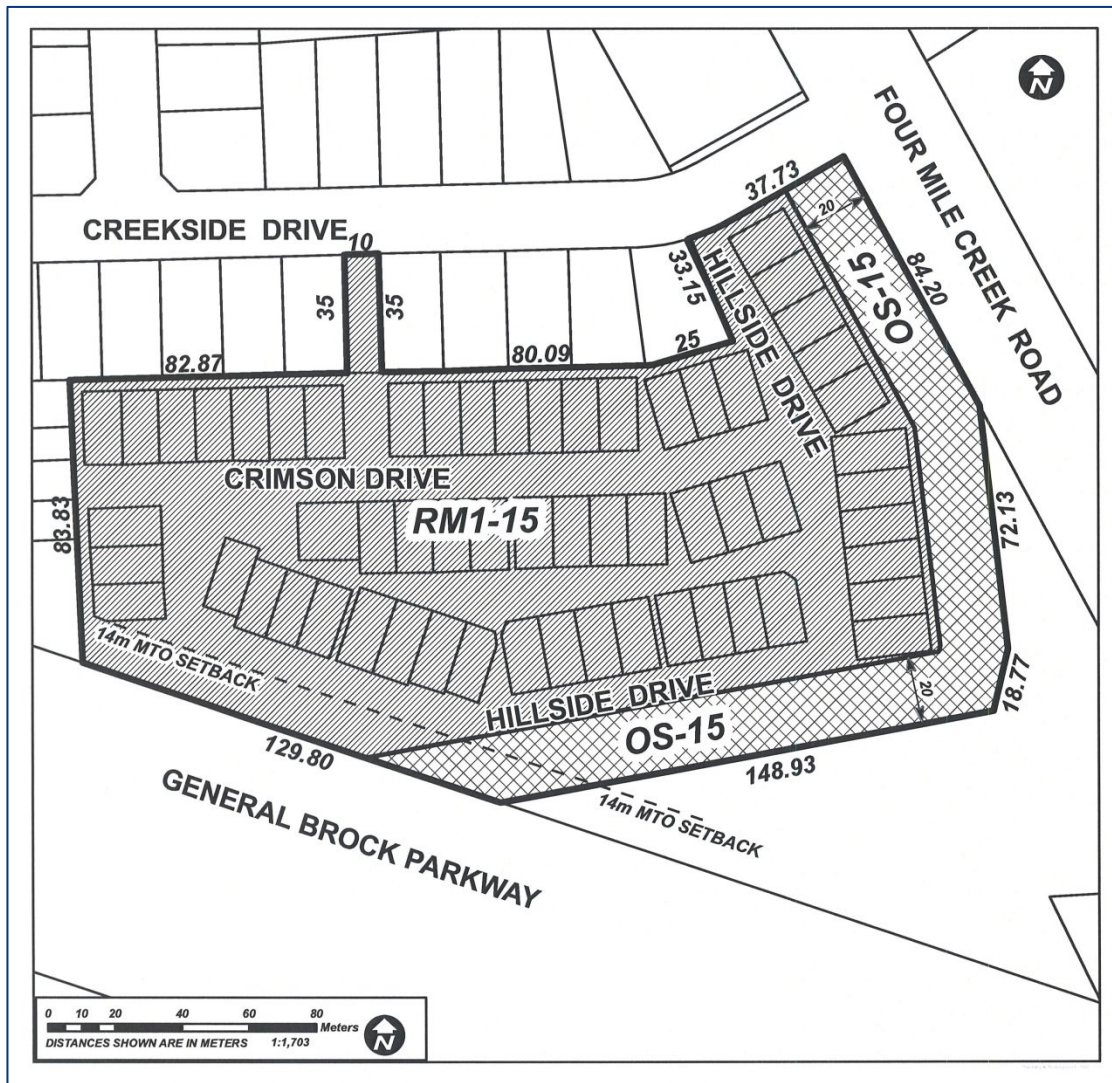
9.13.15.3 Zone Requirements for RM1-15:

(a)	Maximum number of townhouse units	59
(b)	Minimum lot frontage per unit	9.5 m (31.2 ft)
(c)	Minimum lot area per unit	200 m ² (2152.8 ft ²)
(d)	Maximum building height (to peak of roof)	10 m (32.8 ft)
(e)	Minimum front yard setback of dwelling unit from unit line	1.0 m (3.28 ft)
(f)	Minimum front yard setback of dwelling unit from private road	4.0 m (13.12 ft)
(g)	Minimum front yard setback of garage from unit line*	3.0 m (9.84 ft)
(h)	Minimum front yard setback of garage from private road*	6.0 m (19.68 ft)
(i)	Common walls interior side yard setback	0 m (0 ft)
(j)	Minimum interior side yard	0.5 m (1.64 ft)
(k)	Minimum exterior side yard setback:	4.5 m (14.76 ft)
	(i) From public street	2.4 m (7.87 ft)

	(ii) From private road	
(l)	Minimum separation between townhouse blocks	3 m (9.8 ft)
(m)	Minimum rear yard setback	3.5 m (11.48 ft)
(n)	Minimum number of parking spaces per unit of 2 spaces which may include one space in the garage and one tandem space in the driveway. The parking space dimension includes the common elements portion immediately fronting each condominium unit. A tandem parking space, including a driveway, may be located closer than 2 m (6.56 ft) to the front or exterior lot line, or closer than 1 m (3.28 ft) to the front or interior side lot line. If a second required parking space is provided in a garage, the garage area must be able to accommodate two interior 3 m x 6 m (9.84 ft x 19.69 ft) parking spaces.	
(o)	Minimum visitor parking spaces	13 spaces
(p)	Minimum dwelling unit floor area	92.9 m ² (1000 ft ²)
(q)	Building setback from MTO lands	14 m (45.93 ft)

- * Garages shall not project beyond the front face of the main building façade.
- 9.13.15.4 Notwithstanding Section 6.44 Permitted Yard Projections and Encroachments, eaves and gutters are permitted to encroach in a 0.3 m (0.98 ft) interior side yard a maximum distance of 0.3 m (0.98 ft).
- 9.13.15.5 Notwithstanding Section 6.44 Permitted Yard Projections and Encroachments, an unenclosed and uncovered porch, deck, patio, or steps can encroach into the entire rear yard provided they are not more than 0.91 m (3.0 ft) above finished rear grade.
- 9.13.15.6 The provision at Section 6.45 (a) that no person shall erect any building structure in any zone unless that lot upon which the building or structure is to be erected fronts onto a public road shall not apply to RM1-15 and OS-15.
- 9.13.15.7 The lands shown as RM1-15 shall be considered to have frontage on a public road being the interior private roadway for the purpose of setback requirements.
- 9.13.15.8 Notwithstanding the provisions of Section 9.11 St. David's Community Zoning District – Open Space (OS) Zone, no structural development or site alteration (save and except for approved maintenance) is permitted on those lands identified as OS-15.
- 9.13.15.9 An unenclosed and uncovered balcony is permitted to encroach into the required rear yard setback a maximum distance of 3.05 m for Units 1-11 and Units 18-27. (as amended by 4316M-11)

Figure 9.3.15F: Apricot Glen Phase III, Creekside Estates



9.13.16 720 Warner Road (Fiorucci Estates) – (R1-16) (as amended by 4316J-11 and By 4316BI-14)

Notwithstanding the provisions of the “St. David’s Community Zoning District – Residential (R1) Zone” the following special provisions shall apply to the lands identified as (R1-16) on Schedule “23”.

- 9.13.16.1 Permitted Uses:
 - a) *single detached dwellings*

- 9.13.16.2 Zone Requirements:

(a)	Minimum lot area	669.04 m ² (7201.8 ft ²)
(b)	Minimum lot frontage	17.1 m (56.0 ft)
(c)	Minimum front yard setback for single detached dwelling	6.0 m (19.69 ft)
(d)	Minimum interior side yard setback for single detached dwelling with attached garage	1.2 m (3.94 ft)
(e)	Minimum interior side yard setback for single detached dwelling where there is no attached garage of 1.5 m (5.0 ft) on one side and 3.0 m (9.84 ft) on the other side	
(f)	Minimum rear yard setback	7.5 m (24.6 ft)
(g)	Minimum side and rear yard setback for accessory buildings	1.0 m (3.28 ft)
(h)	Maximum lot coverage	40%
(i)	Minimum exterior side yard setback	4.0 m (13.12 ft)
(j)	The front porch must be a minimum of 2.0 m (6.56 ft) in depth.	
(k)	Maximum building height to the peak of roof	9.76 m (32.02 ft)
(l)	The garage door shall not occupy more than fifty per cent (50%) of the street facing façade of a house	
(m)	An attached or detached garage shall be setback from the front lot line a minimum distance of 1.0 m (3.28 ft) greater than the setback of the main building.	
(n)	Single width garage doors are required	
(o)	Maximum exterior garage width	7.93 m (26 ft)

9.13.17 329 – 365, 344, 358 & 412 Four Mile Creek Road (Cannery Park) (R1-17) (R1A-17) (RM1-17) (as amended by 4316O-11 & 4316AT-14)

Notwithstanding the provisions of the “Residential (R1) Zone” and the “Residential Multiple (RM1) Zone” for the St. Davids Community Zoning District, the following provisions shall apply to the lands shown on Figure 9.13.17F identified as Part 1 (R1-17 Site Specific Zone), Part 1A (R1A-17 Site Specific Zone) and Part 2 (RM1-17 Site Specific Zone):

9.13.17.1 Part 1

9.13.17.1.1 Part 1 – R1-17 Permitted Uses:

- (a) *accessory buildings and Structures* in accordance with Section 6.1
- (b) *bed and breakfast establishment* in accordance with Section 6.5
- (c) *group home* in accordance with Section 6.20
- (e) *home occupation* or a *home profession* in accordance with Section 6.24
- (e) *public use* in accordance with Section 5.381

(f) *single detached dwelling*

9.13.17.1.2 Part 1 – R1-17 Zone Requirements:

(a)	Minimum lot frontage	8 m (26.24 ft)
(b)	Minimum lot depth	32 m (104.98 ft)
(c)	Minimum landscaped open area	30%
(d)	Maximum lot coverage (<i>as amended by 4316AT-14</i>)	45%
(e)	Minimum front yard setback	3.05 m (10 ft)
(f)	Minimum interior side yard setback of 1.2 m (4 ft) on each side; except where there is no attached garage, the minimum side yard shall be 3.0 m (9.83 ft) on one side.	
(g)	Minimum exterior side yard setback for main and accessory building	2.74 m (9 ft)
(h)	Minimum rear yard setback	7.6 m (25 ft)
(i)	Maximum building height (<i>as amended by 4316AT-14</i>)	10.5 m (34.5 ft)
(j)	Minimum garage setback	6 m (19.7 ft)
(k)	Minimum garage setback from front face of dwelling (<i>as amended by 4316AT-14</i>)	0.45 m (1.47 ft)
(l)	Maximum garage door width: 45% of the lot frontage or 5.5 m (18 ft) whichever is less (<i>as amended by 4316AT-14</i>)	
(m)	Minimum accessory building interior side yard and rear yard setback	1.5 m (5 ft)
(n)	Minimum dwelling floor area	93 m ² (1001 ft ²)

9.13.17.1.3 Part 1A – R1A-17 Permitted Uses: (*as added by 4316AT-14*)

- (a) any use permitted in a Residential (R1-17) Zone subject to the zone requirements of that zone
- (b) *semi-detached dwelling*

9.13.17.1.4 Part 1A – R1A-17 Zone Requirements Semi-Detached Dwelling:
(*as added by 4316AT-14*)

(a)	Minimum lot frontage	9 m (29.53 ft)
(b)	Minimum lot depth	30 m (98.42 ft)
(c)	Minimum landscaped open space	30%
(d)	Maximum lot coverage	45%
(e)	Minimum front yard setback	3.05 m (10 ft)

(f)	Minimum interior side yard setback of 1.2 m (4 ft); 0 m (0 ft) for common walls except where there is no attached garage, the minimum side yard shall be 3.0 m (9.83 ft) on one side.	
(g)	Minimum exterior side yard setback for main and accessory building	2.74 m (9 ft)
(h)	Minimum rear yard setback	7.6 m (25 ft)
(i)	Maximum building height	11 m (36 ft)
(j)	Minimum garage setback	6 m (19.7 ft)
(k)	Minimum garage setback from front face of dwelling	0.45 m (1.47 ft)
(l)	Garage doors are not to occupy more than 50% of the width of the dwelling	
(m)	Minimum accessory building interior side yard and rear yard setback	1.5 m (5 ft)
(n)	Minimum dwelling floor area	93 m ² (1001 ft ²)

9.13.17.2 Part 2

9.13.17.2.1 Part 2 – RM1-17 Permitted Uses

- (a) *accessory buildings and structures* in accordance with Section 6.1
- (b) *bed and breakfast establishment* in accordance with Section 6.5
- (c) *group home* in accordance with Section 6.20
- (d) *home occupation* or a *home profession* in accordance with Section 6.24
- (e) *public use* in accordance with Section 5.381
- (f) *semi-detached dwelling*
- (g) *single detached dwelling*
- (h) *townhouse dwelling*

9.13.17.2.2 Part 2 – RM1-17 Zone Requirements Single Detached Dwelling:

(a)	Minimum lot frontage	8 m (26.24 ft)
(b)	Minimum lot depth	30 m (98.42 ft)
(c)	Minimum landscaped open area	30%
(d)	Maximum lot coverage (<i>as amended by 4316AT-14</i>)	45%
(e)	Minimum front yard setback	3.05 m (10 ft)
(f)	Minimum interior side yard setback of 1.2 m (4 ft) on each side; except where there is no attached garage, the minimum side yard shall be 3.0 m (9.83 ft) on one side.	

(g)	Minimum exterior side yard setback for main and accessory building	2.74 m (9 ft)
(h)	Minimum rear yard setback	7.6 m (25 ft)
(i)	Maximum building height (<i>as amended by 4316AT-14</i>)	10.5 m (34.5 ft)
(j)	Minimum garage setback	6 m (19.7 ft)
(k)	Minimum garage setback from front face of dwelling (<i>as amended by 4316AT-14</i>)	0.45 m (1.47 ft)
(l)	Maximum garage door width: 45% of the lot frontage or 5.5 m (18 ft) whichever is less (<i>as amended by 4316AT-14</i>)	
(m)	Minimum accessory building interior side yard and rear yard setback	1.5 m (5 ft)
(n)	Minimum dwelling floor area	93 m ² (1001 ft ²)

9.13.17.2.3 Part 2 – RM1-17 Zone Requirements Semi-Detached Dwelling:

(a)	Minimum lot frontage per unit	9 m (29.53 ft)
(b)	Minimum lot depth	30 m (98.42 ft)
(c)	Minimum landscaped open area	30%
(d)	Maximum lot coverage (<i>as amended by 4316AT-14</i>)	45%
(e)	Minimum front yard setback	3.05 m (10 ft)
(f)	Minimum interior side yard setback of 1.2 m (4 ft); 0 m (0 ft) for common walls, except where there is no attached garage, the minimum side yard shall be 3.0 m (9.83 ft) on one side.	
(g)	Minimum exterior side yard setback for main and accessory building	2.74 m (9 ft)
(h)	Minimum rear yard setback	7.6 m (25 ft)
(i)	Maximum building height (<i>as amended by 4316AT-14</i>)	11.0 m (36 ft)
(j)	Minimum garage setback	6 m (19.7 ft)
(k)	Minimum garage setback from front face of dwelling (<i>as amended by 4316AT-14</i>)	0.45 m (1.47 ft)
(l)	Garage doors are not to occupy more than 50% of the width of the dwelling	
(m)	Minimum accessory building interior side yard and rear yard setback	1.5 m (5 ft)
(n)	Minimum dwelling floor area	93 m ² (1001 ft ²)

9.13.17.2.4 Part 2 – RM1-17 Zone Requirements Townhouse Dwelling:

(a)	Minimum lot frontage per unit	6 m (19.68 ft)
(b)	Minimum lot depth	30 m (98.42 ft)
(c)	Minimum landscaped open area	30%
(d)	Maximum lot coverage per unit	50%
(e)	Minimum front yard setback	3.05 m (10 ft)
(f)	Minimum interior side yard setback of 1.5 m (5 ft); 0 m (0 ft) for common walls for end units except where there is no attached garage, the minimum side yard shall be 3.0 m (9.83 ft) on one side.	
(g)	Minimum exterior side yard setback for main and accessory building	2.74 m (9 ft)
(h)	Minimum rear yard setback	7.6 m (25 ft)
(i)	Maximum building height	9.75 m (32 ft)
(j)	Minimum garage setback	6 m (19.7 ft)
(k)	Minimum garage setback from front face of dwelling	1.5 m (4.9 ft)
(l)	Garage doors are not to occupy more than 50% of the width of the dwelling	
(m)	Minimum accessory building interior side yard and rear yard setback	1.5 m (5 ft)
(n)	Minimum dwelling floor area	93 m ² (1001 ft ²)

9.13.17.3 Part 3

Notwithstanding the provisions of the “Enterprise (E) Zone” for the St. Davids Community Zoning District only the following uses shall apply:

9.13.17.3.1 Part 3 – E-17 Permitted Uses:

- (a) *accessory buildings and Structures* in accordance with Section 6.1
- (b) *business office*
- (c) *commercial recreation facility*
- (d) *grocery store*
- (e) *manufacturing establishment* excluding metal fabrication and obnoxious uses
- (f) *medical clinic*
- (g) *medical office*
- (h) *microbrewery*
- (i) *office complex*
- (j) *public market*

- (k) *research and development establishment*
- (l) *restaurant*
- (m) *retail store*
- (n) *retail use in conjunction with a main use*
- (o) *service establishment*
- (p) *veterinary office*
- (q) *wine production facility*

9.13.17.3.2 Part 3 – E-17 Zone Requirements:

(a)	Minimum lot frontage	40.0 m (131.23 ft)
(b)	Minimum lot area	0.4 ha (1 ac)
(c)	Maximum building height	10.5 m (34.45 ft)
(d)	Maximum lot coverage	50%
(e)	Minimum landscaped open space	20%
(f)	Minimum front yard setback	10.0 m (32.8 ft)
(g)	Maximum front yard setback	16 m (52.49 ft)
(h)	Minimum interior side yard setback	6.0 m (19.69 ft)
(i)	Minimum exterior side yard setback	10.0 m (32.8 ft)
(j)	Minimum rear yard setback abutting a residential zone	25.0 m (82 ft)
(k)	Minimum floor area for a standalone retail use	250 m ² (2,690.97 ft ²)
(l)	Maximum floor area for a standalone retail use	1,390 m ² (14,961.8 ft ²)
(m)	Maximum floor area for a grocery store	2,500 m ² (26,909.7 ft ²)
(n)	Maximum floor area for a retail use in conjunction with a main use	25%
(o)	Minimum landscape buffer where an industrial zone abuts a residential zone	5 m (16.4 ft)

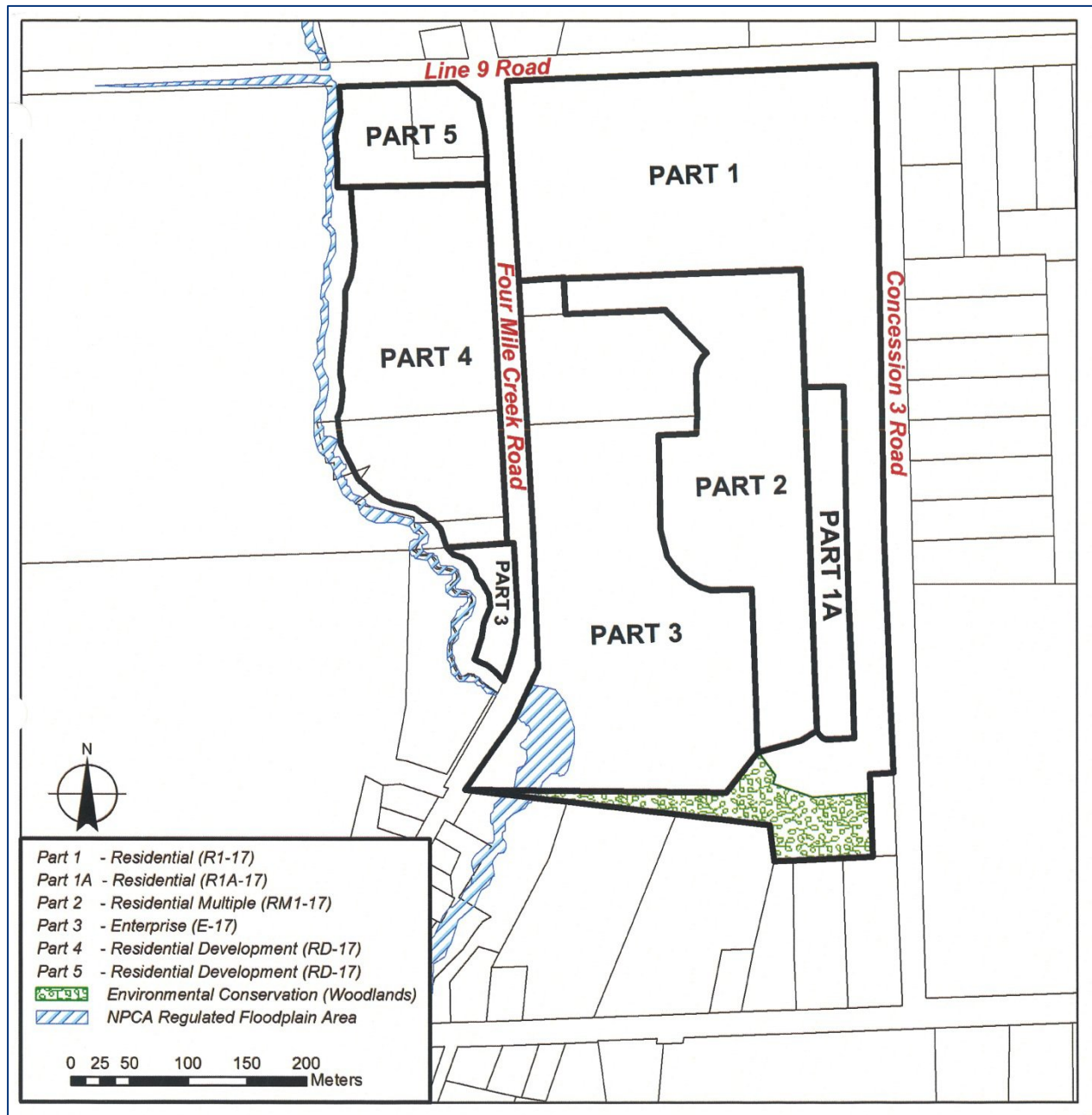
9.13.17.3.3 There shall be no outdoor storage

9.13.17.3.4 Buffer Strip

Where the a side lot line or a rear lot line of a lot zoned Enterprise (E) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 5.0 m (16.4 ft) in width shall be used as a buffer strip in accordance with Section 6.6 and shall consist of plantings which provide a visual barriers between the zones.

- 9.13.17.4 Part 4:
Part 4 shall be zoned Residential Development (RD) zone “St. Davids Community Zoning District” and shall comply with the Residential Development zoning provisions of Zoning By-law 4316-09.
- 9.13.17.5 Part 5:
Part 5 shall be zoned Residential Development (RD) zone “St. Davids Community Zoning District” and shall comply with the Residential Development zoning provisions of Zoning By-law 4316-09 and shall permit public infrastructure uses.
- 9.13.17.6 Yard Projections and Encroachments: *(as amended by 4316AT-14)*
Notwithstanding Section 6.44 Permitted Yard Projections and Encroachments, the following provisions shall apply for Parts 1, 1A and 2 on Figure 9.13.17F:
- (a) A box, bow and bay window (with or without foundation) may project into a front, rear or exterior side yard by 0.9 m (except where restricted by any required easements) and no greater than 50% of the total area of the wall face.
 - (b) A covered porch may project into a required front, rear or exterior side yard by 1.5 m and into an interior side yard by 0.6 m (except where restricted by any required easements).

Figure 9.13.17F: The Cannery, Four Mile Creek Road



9.13.18 Block 79 Old Mill Lane (R3-18) (as amended by 4316P-11)

Notwithstanding the provisions of the “St David’s Community Zoning District – Residential (3) Zone” the following special provisions shall apply to those lands identified as “St. David’s Community Zoning District – Residential (R3-18) – Site Specific Zone on Schedule “23”.

9.13.18.1 Zone Requirements:

(a)	Maximum lot coverage	44%
(b)	Minimum front yard setback to front face of attached garage	6.0 m (19.69 ft)
(c)	Maximum width of garage face	6.15 m (20.18 ft)
(d)	Maximum building height	11.28 m (37.0 ft)
(e)	Minimum rear yard setback	6.0 m (19.69 ft)
(f)	Minimum northerly interior side yard setback for a covered deck	0.46 m (1.5 ft)

9.13.19 82 Tanbark Road - Tanbark Heights – See Schedule ‘A-23’ (RM1-19 & R1-19) (as amended by 4316Q-11)

Notwithstanding the provisions of the “St. David’s Community Zoning District-Residential Multiple (RM1) Zone” for Part 1 and “Residential (R1) for Part 2, the following provisions shall apply to the lands shown as RM1-19 and R1-19 on Figure 9.13.9F:

9.13.19.1 Permitted Uses:

Part 1 (RM1-19):

- (a) *single detached dwelling*
- (b) *townhouse or row dwellings*

Part 2 (R1):

- (a) *single detached dwelling*

9.13.19.2 Zone Requirements for Development (RM1-19)

(a)	Minimum area of the development	1.59 ha (3.92 ac)
(b)	Maximum total site coverage for the development	35%
(c)	Minimum landscaped open space	30%
(d)	Minimum visitor parking spaces	4
(e)	Maximum number of dwelling units	22

9.13.19.3 Zone Requirements for Units (RM1-19)

(a)	Minimum lot frontage	11 m (36.09 ft)
(b)	Minimum lot area per unit	
	(i) Interior Unit	270m ² (2906.35 ft ²)
	(ii) Exterior Unit	280m ² (3013.99 ft ²)
(c)	Minimum front yard setback of dwelling unit:	
	(i) From unit line	1.0 m (3.28 ft)

	(ii) From private road	2.5 m (8.2 ft)
(d)	Minimum front yard setback of garage from the Private Road of 6 m (19.68 ft). Attached garage must be setback from the front face of the dwelling unit a minimum of 1.5 m (4.92 ft).	
(e)	Maximum width of garage face	50% of total building face
(f)	Minimum interior side yard setback of dwelling unit: (i) From property line (ii) From common wall (iii) From unit line	1.5 m (4.92 ft) 0 m (0 ft) 0.5 m (1.64 ft)
(g)	Minimum exterior side yard setback of dwelling unit: (i) From unit line (ii) From private road	0.5 m (1.64 ft) 4 m (13.12 ft)
(h)	Minimum rear yard setback of dwelling unit: (i) To unit line (ii) To property line	0.2 m (0.65 ft) 6 m (19.68 ft)
(i)	Minimum dwelling unit floor area	92.9 m ² (1000 ft ²)
(j)	Maximum building height (Units 1-12 and Units 16-22).	10 m (32.81 ft)
(k)	Maximum building height (Units 13-15)	11.5 m (35.7 ft)
(l)	Minimum number of parking spaces per dwelling unit of 2, which may include a tandem space in the driveway. The parking space dimension includes the exclusive use area within the common elements portion immediately fronting each condominium unit	
(m)	Building Setback from MTO lands	14 m (45.93 ft)

9.13.19.4 Zone Requirements (R1-19)

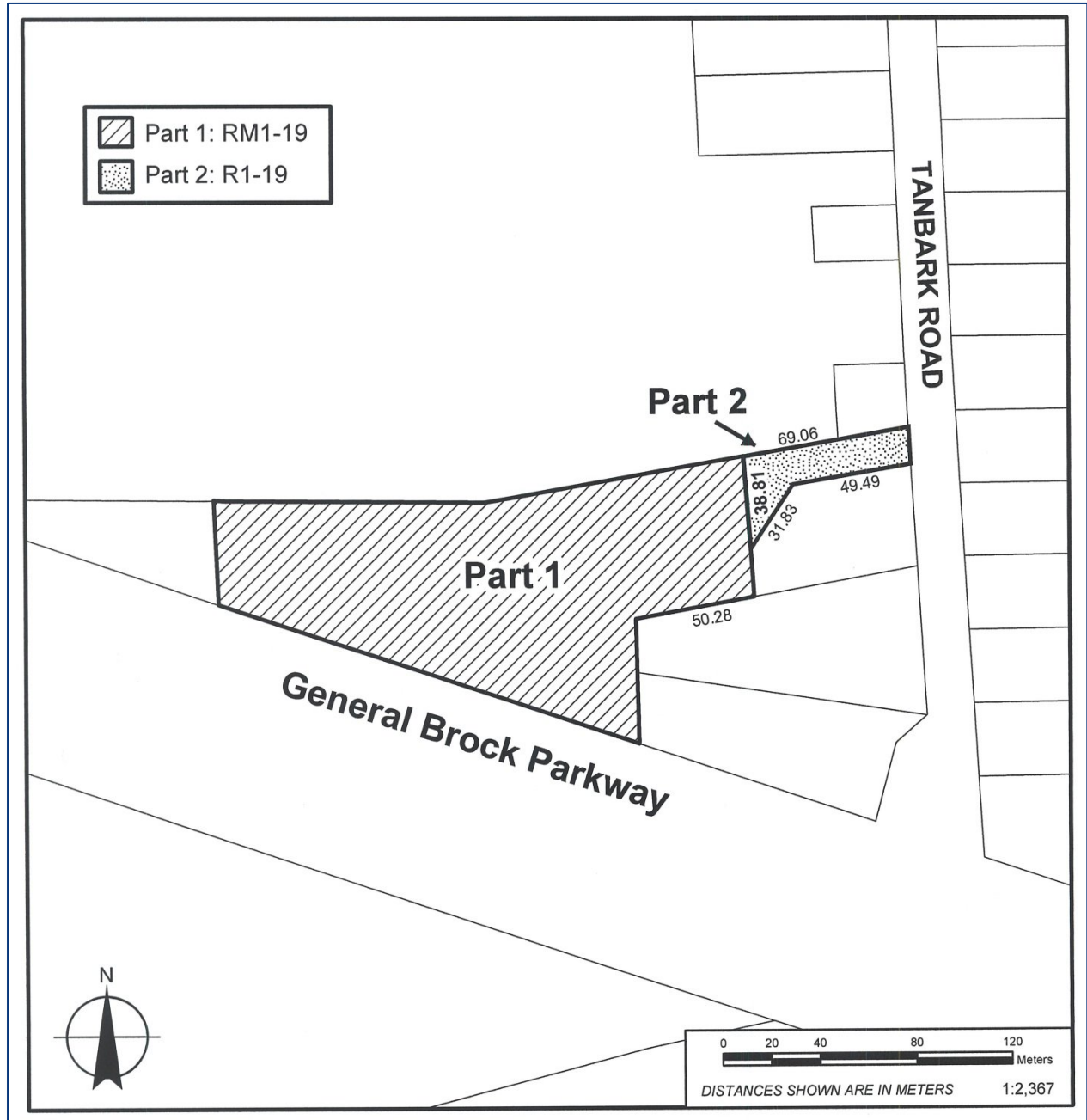
In addition to the provisions of the “St. David’s Community Zoning District - Residential (R1) Zone”, the following provisions shall apply to the lands identified as Part 2 on the schedule attached hereto:

(a)	Minimum lot frontage	15 m (49 ft)
(b)	Minimum front yard setback	10 m (32.8 ft)
(c)	The front face of an attached garage shall be a minimum of 1.5 m (4.92 ft) setback from the front face of the dwelling.	
(d)	Minimum interior side yard setback of 1.2 m (3.93 ft) except where there is no attached garage the minimum shall be 3 m (9.84 ft) on one side	

9.13.19.5 Notwithstanding Section 6.44 of the By-law as amended, for Part 1 eaves and gutters are permitted to encroach in a 0.5 m (1.64 ft) interior side yard a maximum distance of 0.5 m (1.64 ft).

- 9.13.19.6 Notwithstanding Section 6.44 of the By-law as amended, for Part 1 an unenclosed and uncovered porch, deck, balcony, patio or steps can encroach into the rear yard a maximum distance of 3.75 m (12.3 ft) and the side yard a maximum distance of 0.5 m (1.64 ft).
- 9.13.19.7 Section 6.40 j) “A driveway shall be setback a minimum of 8.0 m (26.25 ft) from an exterior property line and 1.0 m (3.28 ft) from an interior property line” shall not be applied to the lands shown as Part 1 of the attached schedule.
- 9.13.19.8 Section 9.4.2.2 p) “Minimum setback of uncovered, unenclosed or covered patio or deck form requires a side yard setback” shall not be applied to the lands shown as Part 1 of the attached schedule.
- 9.13.19.9 Section 9.1.2 f) “Maximum front yard setback” shall not be applied to the lands shown as Part 2 of the attached schedule.
- 9.13.19.10 The lands shown as Part 1 on the attached schedule shall be exempt from Section 6.45 b) “Public Street Frontage Required” of Zoning By-law 4316-09, as amended.
- 9.13.19.11 All other provisions of Zoning By-Law 4316-09, as amended, shall continue to apply to the lands shown as Part 1 and Part 2 on the Schedule attached hereto.

Figure 9.13.19F: Tanbark Road, Tanbark Heights



9.13.20 287 Tanbark Road Emerald Estates Subdivision – See Schedule A-23 (R2-20 & RM1-20 & OS1-20 & EC-20 NPCA Regulation Area)

Notwithstanding the provisions of the “St David’s Community Zoning District - Residential (R2) Zone” for Part 1 and “Residential Multiple (RM1) for Part 2 and Open Space (OS) for Part 3 and Environmental Conservation (EC- NPCA Regulation Area)

Zone and Overlay Features, the following provisions shall apply to the lands shown as R2-20, RM1-20, OS-20 and EC-20 NPCA Regulations Area on Figure 9.13.20F:

9.13.20.1 Permitted Uses:

Part 1 (R2-20)

- (a) *single detached dwelling*

Part 2 (RM1-20)

- (a) *townhouse or row dwellings*

Part 3 (OS-20)

- (a) *stormwater facility*

Part 4

- (a) *no structural development*

9.13.20.2 Zone Requirements for (R2-20)

(a)	Minimum lot frontage	15.0 m (49.21 ft)
(b)	Minimum lot area	475 m ² (5113 ft ²)
(c)	Maximum lot coverage (1 or 1 ½ storey) of 40%. 40% lot coverage may be increase to 45% where the area of increase is used for attached covered and unenclosed porches	
(d)	Maximum lot coverage (2 storey)	33%
(e)	Minimum landscaped open space	25%
(f)	Minimum front yard setback: (i) To front face of dwelling (ii) To front face of attached garage Attached garage must be setback from the front face of the dwelling a minimum of 1.5 m (4.92 ft)	4.5 m (14.76 ft) 6.0 m (19.68 ft)
(g)	Maximum width of garage face	7.5 m (24.60 ft)
(h)	Minimum interior side yard setback	1.2 m (3.93 ft)
(i)	Minimum exterior side yard setback	3 m (9.84 ft)
(j)	Minimum rear yard setback	7.5 m (24.60 ft)
(k)	Maximum building height	10 m (32.81 ft)
(l)	Minimum dwelling floor area	93 m ² (1001 ft ²)

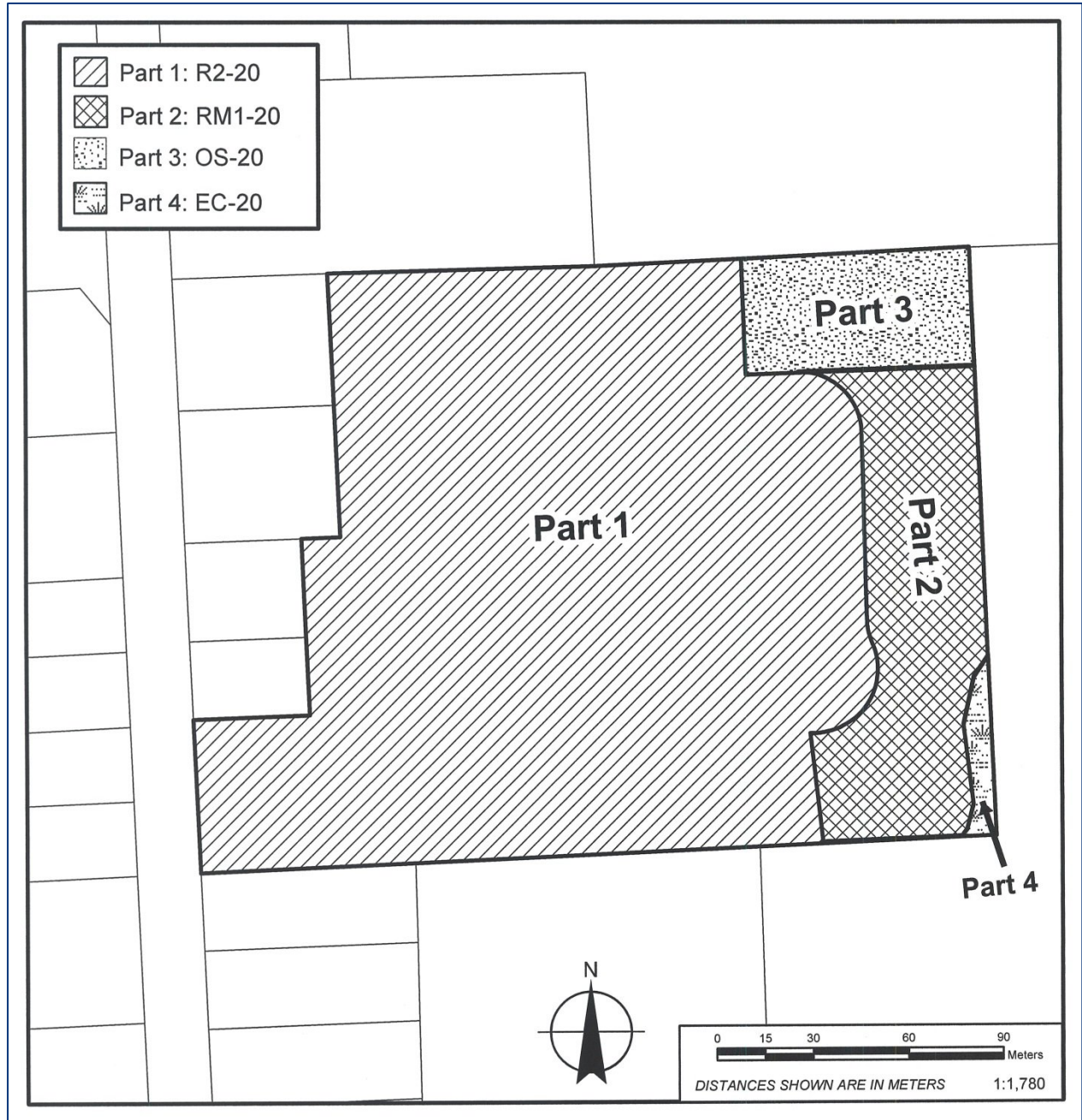
9.13.20.3 Zone Requirements for (RM1-20)

(a)	Maximum number of Townhouse units	12
(b)	Minimum lot frontage per unit	6.2 m (20.34 ft)
(c)	Minimum lot area per unit	230 m ² (2475.78 ft ²)
(d)	Maximum lot coverage per unit of 50%. 50% lot coverage may be increased to 55% where the area of increase is	

	used for attached covered and unenclosed porches	
(e)	Minimum landscaped open space for Block	25%
(f)	Minimum front yard setback (i) To front face of dwelling (ii) To front face of attached garage Attached garage must be setback from the front face of the dwelling a minimum of 1.0 m (4.92 ft)	4.5 m (14.76 ft) 6.0 m (19.68 ft)
(g)	Maximum width of garage face	55% of total building face
(h)	Minimum interior side yard setback (common wall)	0 m (0 ft)
(i)	Minimum interior side yard setback (end unit)	1.2 m (3.93 ft)
(j)	Minimum separation between Townhouse blocks	2.4 m (7.87 ft)
(k)	Minimum rear yard setback of 7.5 m (24.60 ft), or 7.5 m (24.6 ft) from top of slope where applicable	
(l)	Maximum building height at front face	10 m (32.81 ft)
(m)	Minimum dwelling floor area	80 m ² (1001 ft ²)
(n)	Minimum number of parking spaces per unit	2

- 9.13.20.4 Notwithstanding the provisions of Section 6.40 (j), as amended, a driveway can be setback a minimum of 0.6 m (2 ft) from the interior property line for the townhouse units on Block 31.
- 9.13.20.5 Section 9.4.2.2 (f) “Maximum front yard setback” shall not be applied to the lands shown as Part 2 of the attached schedule.
- 9.13.20.6 Section 9.4.2.2 (p) “Minimum setback of uncovered, unenclosed, or covered patio or deck form requires a side yard setback” shall not be applied to the lands shown as Part 2 of the attached schedule.
- 9.13.20.7 Notwithstanding the provisions of the “Open Space (OS) Zone” in Section 9.11: St. Davids Community Zoning District, as amended, the lands identified as Part 3 on the Schedule attached hereto shall be used for no other purpose than a Stormwater Management facility and associated landscaping.
- 9.13.20.8 Notwithstanding the provision of the “Environmental Conservation (EC-17 NPCA Regulations Area) Zone and Overlay Features”, as amended, no structural development is permitted on the lands identified as Part 4 on the Schedule attached hereto.

Figure 9.13.20F: Tanbark Road, Tanbark Trails



9.13.21 Tanbark Road – PineCroft Estates – See Schedule ‘A-23’ (RM1-21) (as amended by 4316AK-13)

Notwithstanding the provisions of the “St. David’s Community Zoning District- Multi-Residential (RM1) Zone”, the following provisions shall apply to the lands shown as RM1-21 on Schedule “A-23”:

9.13.21.1.1 Permitted Uses:

- | | | |
|----|-----------------------------------|-------------------------|
| a) | <i>townhouse or row dwellings</i> | <i>Maximum 51 units</i> |
| b) | <i>semi-detached dwellings</i> | <i>Maximum 6 units</i> |

9.13.21.2 Zone Requirements RM1-21:

(a)	Minimum lot frontage	65.0 m (213.25 ft)
(b)	Maximum lot coverage	45%
(c)	Minimum landscaped open space	30%
(d)	Minimum front yard setback	4.50 m (14.76 ft)
(e)	Minimum interior side yard setback from property line:	
	(i) For rear yard of a unit	6.25 m (20.51 ft)
	(ii) For side yard of a unit	4.50 m (14.76 ft)
(f)	Minimum rear side yard setback from property line:	
	(i) For rear yard of a unit	7.0 m (22.97 ft)
	(ii) For side yard of a unit	2.95 m (9.68 ft)
(g)	Minimum distance between buildings located on the same lot:	
	(i) Between any two side walls	3.0 m (9.84 ft)
	(ii) Between a rear wall and a side wall	9.0 m (29.53 ft)
	(iii) Between any two rear walls	10.95 m (35.93 ft)
(h)	Minimum front yard setback of dwelling unit from private road	3.9 m (12.80 ft)
(i)	Minimum front yard setback of garage from private road	6.0 m (19.69 ft)
(j)	Minimum side yard setback of dwelling unit from private road	2.23 m (7.3 ft)
(k)	Maximum building height	10.67 m (35.0 ft)
(l)	Minimum number of parking spaces per unit which may include one space in the garage and one tandem space in the driveway	2 spaces
(m)	Minimum visitor parking spaces	30 spaces
(n)	Maximum width of garage face	50% of total building face

9.13.21.3 Notwithstanding Section 6.44, Permitted Yard Projections and Encroachments, covered patios, decks or balconies may project into a rear yard of a unit 3.8 m (12.74 ft).

9.13.22 68 Four Mile Creek Road – See Schedule ‘A-23’ (R2-22) (as amended by 4316AQ-13)

In accordance with Section 4.5 – Site Specific Exceptions and the provisions of the St Davids Community Zoning District – Residential (R2) Zone, the following special provisions shall apply to those lands identified as R2-22 on Schedule ‘A-23’ and as Parts 1-4 on Figure 9.13.22F:

9.13.22.1 Zone Requirements:

PART 1

(a)	Minimum front yard setback to front face of dwelling	4.5 m (14.8 ft)
(b)	Minimum front yard setback to front face of attached garage	6.0 m (19.7 ft)
(c)	Maximum front yard setback	Not applicable
(d)	Minimum rear yard setback	7 m (23 ft)
(e)	Minimum lot frontage	12.0 m (39.3 ft)
(f)	Minimum lot area	375 m ² (4036 ft ²)
(g)	Maximum lot coverage (i) If a bungalow or 1.5 storey includes a covered porch and/or covered deck, the maximum coverage is increased to 45%	40%
(h)	Maximum width of garage face – not more than fifty per cent (50%) of total building face	
(i)	Maximum building height (i) For 1 & 1.5 storeys (ii) For 2 storeys	10 m (32.8 ft) 10.67 m (35 ft)

PART 2

(a)	Minimum front yard setback to front face of dwelling	4.5 m (14.8 ft)
(b)	Minimum front yard setback to front face of attached garage	6.0 m (19.7 ft)
(c)	Maximum front yard setback	Not applicable
(d)	Minimum rear yard setback	7 m (23 ft)
(e)	Minimum lot frontage	12.0 m (39.3 ft)
(f)	Minimum lot area	375 m ² (4036 ft ²)
(g)	Maximum lot coverage (i) If a bungalow or 1.5 storey includes a covered porch and/or covered deck, the maximum coverage is increased to 45%	40%
(h)	Maximum width of garage face – not more than fifty per cent (50%) of total building face	

(i)	Maximum building height (i) For 1 & 1.5 storeys (ii) For 2 storeys	10 m (32.8 ft) 10.67 m (35 ft)
-----	--	-----------------------------------

PART 3

(a)	Minimum front yard setback to front face of dwelling (measured from southerly edge of Block 30 on Plan 30M-384)	6.0 m (19.7 ft) ft
(b)	Minimum front yard setback to front face of attached garage (measured from southerly edge of Block 30 on Plan 30M-384)	6.0 m (19.7 ft)
(c)	Maximum front yard setback	Not applicable
(d)	Minimum rear yard setback	7 m (23 ft)
(e)	Minimum lot frontage	12.0 m (39.3 ft)
(f)	Minimum lot area	375 m ² (4036 ft ²)
(g)	Maximum lot coverage	40%
(h)	Maximum width of garage face – not more than fifty per cent (50%) of total building face	
(i)	Maximum building height	8.5 m (27.9 ft)

PART 4: Existing dwelling setbacks as existing on the date of passing**New Residential Development**

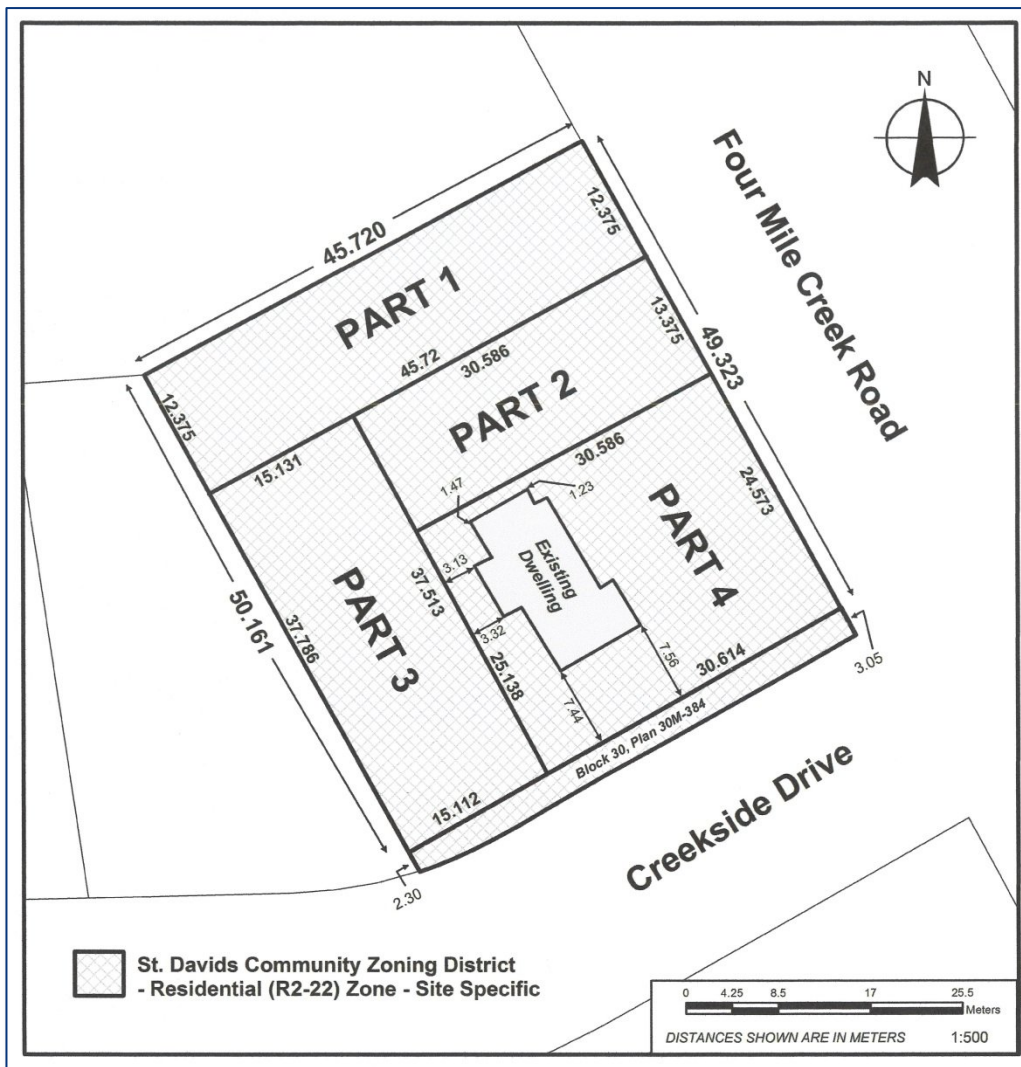
(a)	Minimum front yard setback to front face of attached dwelling	45 m (14.8 ft)
(b)	Minimum front yard setback to front face of attached garage	6.0 m (19.68 ft)
(c)	Maximum front yard setback	Not applicable
(d)	Minimum rear yard setback	7 m (23 ft)
(e)	Minimum lot frontage	12.0 m (39.3 ft)
(f)	Minimum lot area	375 m ² (4036 ft ²)
(g)	Maximum lot coverage (i) If a bungalow or 1.5 storey includes a covered porch and/or covered deck, the maximum coverage is increased to 45%	40%
(h)	Maximum width of garage face – not more than fifty per cent (50%) of total building face	
(i)	Maximum building height	

(i) For 1 & 1.5 storeys	10 m (32.8 ft)
(ii) For 2 storeys	10.7 m (35 ft)

9.13.22.2 Accessory Structure:

(a)	An accessory building will be permitted in the front yard with a front yard setback of 6 m (19.7 ft)	
(b)	Minimum accessory building exterior side yard setback (measured from southerly edge of Block 30 on Plan 30M-384)	5.05 m (16.6 ft)

Figure 9.13.22F: 68 Four Mile Creek Road



9.13.23 214 Four Mile Creek Road - See Schedule 'A-23' (R1-23)

In accordance with Section 4.5 – Site Specific Exceptions and the provisions of the St. Davids Community Zoning District – Residential (R1) Zone, the following use shall also apply to those lands identified as R1-23 on Schedule ‘A-23’:

9.13.23.1 Permitted Uses:

- (a) eight (8) room *Country Inn* in accordance with Section 6.10.

9.13.24 82 Four Mile Creek Road – See Schedule ‘A-23’ (VC-24-H)

In accordance with Section 4.5 – Site Specific Exceptions and the provisions of the “St. Davids Community Zoning District – Village Commercial (VC) Zone”, the following special provisions shall apply to those lands identified as VC-24 on Schedule “A-23”.

No land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

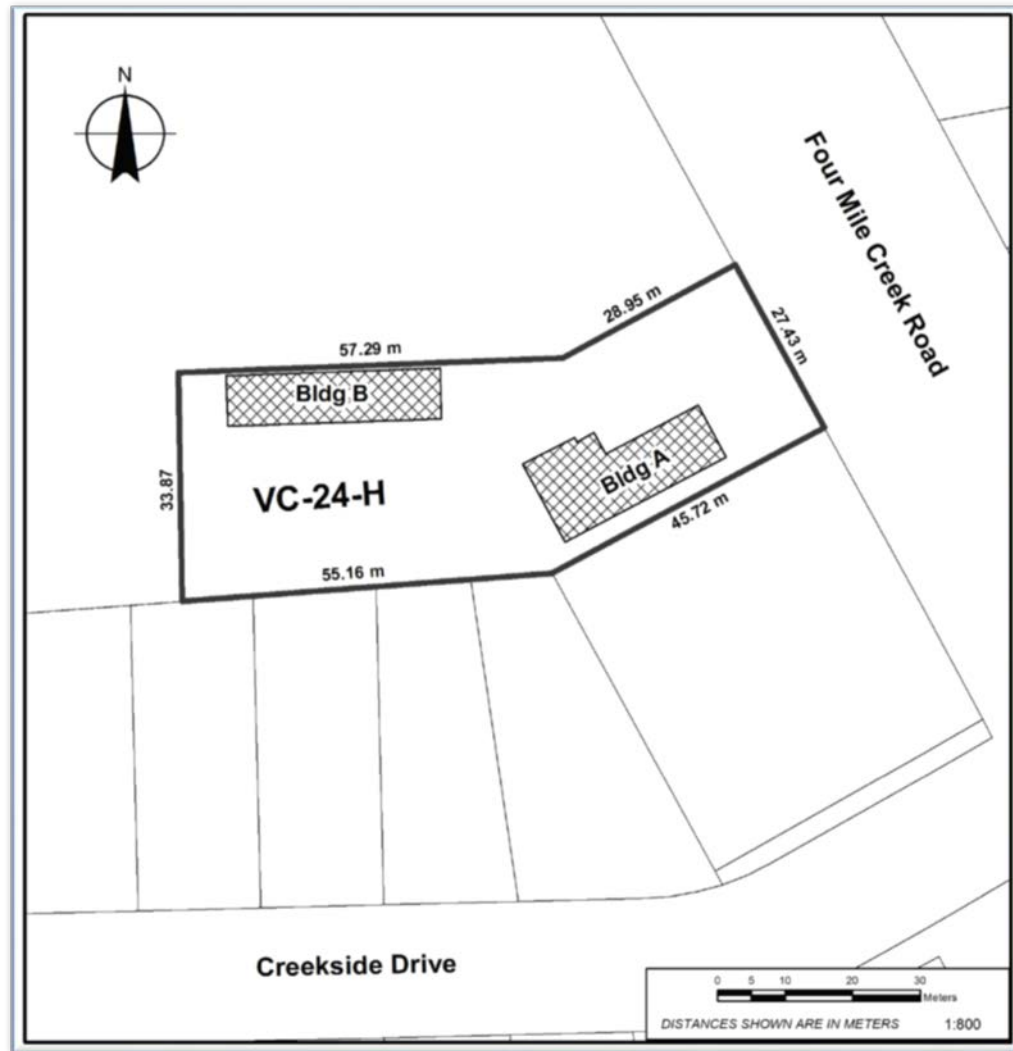
9.13.24.1 Permitted Uses:

- (a) *accessory buildings and structures*
- (b) *antique sales store*
- (c) *bake shop*
- (d) *bank or financial institution*
- (e) *brew your own operation*
- (f) *commercial recreation facility*
- (g) *convenience store*
- (h) *florist shop*
- (i) *medical clinic*
- (j) *outdoor patio restaurant*
- (k) *personal service establishment (as amended by 4316J-11)*
- (l) *postal outlet*
- (m) *professional office*
- (n) *restaurant*
- (o) *retail store*
- (p) *residential use in accordance with Section 6.48*
- (q) *vacation apartment*

9.13.24.2 Zone Requirements:

(a)	Minimum lot frontage	15.0 m (49.2 ft)
(b)	Minimum lot area	464 m ² (4994.6 ft ²)
(c)	Maximum lot coverage	50%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	0 m (0 ft)
(f)	Minimum interior side yard setback of 2.8 m (9.28 ft) on one side and 0 m (0 ft) on other side	
(g)	Minimum rear yard setback of 7.17 m (23.5 ft) for existing structures. Any new structures shall be setback 12.0 m (39.4 ft).	
(h)	Maximum building height	10.5 m (34.45 ft)
(i)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(j)	Outside storage in accordance with Section 6.37	
(k)	No commercial restaurant fryers shall be permitted	
(l)	Buffer Strip:	
	i) Minimum buffer strip where the subject land abuts a residential zone, and where there are no parking areas and and/or existing buildings.	3.0 m (9.84 ft)
	ii) Minimum buffer strip adjacent to building "A", and any new additions to building "A".	2.8 m (9.19 ft)
	iii) Minimum buffer strip adjacent to the existing building "B".	0.77 m (2.53 ft)
(m)	Minimum front yard setback to parking	1.80 m (5.9 ft)

Figure 9.13.22F: 68 Four Mile Creek Road



9.13.25 Warner Road (Collection 8 Condominium) – See Schedule ‘A-23’ (VC-25-H) (amended by By-law 4316BS-16)

In lieu of the corresponding provisions of Subsection 9.4, the following provisions shall apply on the subject lands:

9.13.25.1 Zone Requirements for Development (R1-25-H):

(c)	Maximum lot coverage 35% lot coverage may be increased to 40% where the areas of increase is used for attached covered and unenclosed porches	35%
(e)	Minimum front yard setback	4.5 m
(f)	Maximum front yard setback	Not applicable

(g)	Minimum front yard setback to front face of attached garage	6.0 m
(h)	Minimum interior side yard setback	1.2 m
(f)	No development shall occur on the property until the Holding "(H)" provision of this By-law is removed upon application from the Owner and approval of a Subdivision Agreement pertaining to the lands.	

Figure 9.13.22F: 793 Warner Road

