

THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES
BY-LAW NUMBER XXXX-XX

**BEING A BY-LAW TO FURTHER AMEND GENERAL ZONING BY-LAW NUMBER 689-83, AS AMENDED,
FOR THE TOWNSHIP OF NORTH DUMFRIES**

WHEREAS an application for a Draft Plan of Subdivision (File No. 30T-20301) was received from MHBC Planning Ltd., with respect to lands described as Part of Lots 33, Concession 8, Township of North Dumfries, Regional Municipality of Waterloo, and, assigned with a civic address of 1940 Wrigley Road;

AND WHEREAS it is necessary to amend General Zoning By-law Number 689-83 to implement the hierarchy of land use activities as identified within the Draft Plan of Subdivision to permit Residential and Open Space uses;

AND WHEREAS, an application (File No. ZC01/20) was received to amend General Zoning By-law 689-83 to permit a range of residential (One Unit, Row, Row – Private, Stacked Townhouse), and open space uses;

AND WHEREAS the Planning Act empowers a municipality to pass by-laws prohibiting the use of land and the erection, location and use of buildings or structures, except as set out in the bylaw;

AND WHEREAS the Council of The Corporation of the Township of North Dumfries, under Section 34 of the Planning Act, R.S.O. 1990, c. P 13, deems it to be desirable to further amend said General Zoning By-law Number 689-83 for the future development and use of the lands described above;

NOW THEREFORE the Council of The Corporation of the Township of North Dumfries enacts as follows:

1. THAT General Zoning By-law Number 689-83, as amended, is hereby further amended insofar as the zoning on these lands, described as Part of Lots 13 and 14, Concession 11 and Part of Road Allowance between Concessions 11 and 12, Township of North Dumfries, is changed from the present Mineral Aggregates Zone (Z.14) to the Residential Zone (Z.4d), and the Open Space Zone (Z.12) to implement Plan of Subdivision 30T- 20301 by permitting residential and open space related uses;
2. THAT Section 20.1 of General Zoning By-law No. 689-83 is hereby further amended with the addition of a new Subsection immediately following 20.1.XXX as follows:

"20.1.XXX 1940 Wrigley Road

1. That “arboretum”, “farming”, and “wildlife sanctuary” be prohibited within the lands Zoned Z.12 (Open Space);

2. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (One Unit) “Single Detached Dwelling” on the lands zoned Z.4d(i) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building (One Unit) “Single Detached Dwelling”		<i>Z.4d(i) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Area</i>	m ²	330
Minimum <i>Lot Width</i>		
a) Interior <i>Lot</i>	m	11.0
b) Corner <i>Lot</i>	m	15.0
Minimum <i>Front Yard</i> ¹	m	4.5
Minimum <i>Side Yard</i>		
a) Interior ²	m	0.6 / 1.2
b) Flankage/Corner	m	4.0
Minimum Rear Yard	m	9.0
Maximum Building Height	m	11.0
Parking	spaces	2 spaces per <i>dwelling unit</i> ³
<p>¹The uninhabitable (garage) portion of the dwelling shall not be closer than 7.0 metres to the front lot line, or located in front of the habitable portion of the dwelling unit; where the habitable portion of the dwelling shall include a front porch.</p> <p>²Minimum interior side yard shall be 0.6 metres on one side, and 1.2 metres on the other, provided there is a minimum distance of 1.8 metres between single detached dwellings.</p> <p>³Notwithstanding anything to the contrary, parking spaces may be permitted in the form of <i>tandem parking</i> spaces.</p> <p>⁴ A privacy fence shall be required along the rear lot line abutting adjacent existing residential lots.</p>		

3. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (One Unit) “Single Detached Dwelling” on the lands zoned Z.4d(ii) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building (One Unit) “Single Detached Dwelling”		<i>Z.4d(ii) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Area</i>	m ²	330
Minimum <i>Lot Width</i>		
a) Interior <i>Lot</i>	m	11.0
b) Corner <i>Lot</i>	m	15.0
Minimum <i>Front Yard</i> ¹	m	4.5
Minimum <i>Side Yard</i>		

a) Interior ²	m	0.6 / 1.2
b) Flankage/Corner	m	4.0
Minimum Rear Yard	m	7.0 (Dwelling to Detached Garage) 7.5 (Detached Garage to Street C)
Maximum Building Height	m	11.0
Parking	spaces	2 spaces per <i>dwelling unit</i> ³
<p>¹The uninhabitable (garage) portion of the dwelling shall not be located on the Scott Street road frontage, which is recognized as the front yard for lots fronting Scott Street. For lots not fronting onto Scott Street, the uninhabitable (garage) portion of the dwelling shall not be closer than 6.0 metres to the front lot line, or located in front of the habitable portion of the dwelling unit; where the habitable portion of the dwelling shall include a front porch. An encroachment of up to 2.0 metres for an unenclosed porch and/or stair risers shall be permitted.</p> <p>²Minimum interior side yard shall be 0.6 metres on one side, and 1.2 metres on the other, provided there is a minimum distance of 1.8 metres between single detached dwellings.</p> <p>³Notwithstanding anything to the contrary, parking spaces may be permitted in the form of <i>tandem parking</i> spaces.</p> <p>A Detached Garage can have a 0m lot line with a common wall with the detached garage on the abutting Lot. A parking pad adjacent to the detached garage is permitted with a maximum length of 6.5m and a width of 3m.</p>		

4. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (One Unit) “Single Detached Dwelling” on the lands zoned Z.4d(iii) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building (One Unit) “Single Detached Dwelling”		<i>Z.4d(iii) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Area</i>	m ²	330
Minimum <i>Lot Width</i>		
a) Interior <i>Lot</i>	m	11.0
b) Corner <i>Lot</i>	m	15.0
Minimum <i>Front Yard</i> ¹	m	4.5
Minimum <i>Side Yard</i>		
a) Interior ²	m	0.6 / 1.2
b) Flankage/Corner	m	4.0
Minimum Rear Yard	m	7.5
Maximum Building Height	m	11.0
Parking	spaces	2 spaces per <i>dwelling unit</i> ³

¹The uninhabitable (garage) portion of the dwelling shall not be closer than 7.0 metres to the front lot line, or located in front of the habitable portion of the dwelling unit; where the habitable portion of the dwelling shall include a front porch.

²Minimum interior side yard shall be 0.6 metres on one side, and 1.2 metres on the other, provided there is a minimum distance of 1.8 metres between single detached dwellings.

³Notwithstanding anything to the contrary, parking spaces may be permitted in the form of *tandem parking* spaces.

5. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (One Unit) “Single Detached Dwelling” on the lands zoned Z.4d(iv) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building (One Unit) “Single Detached Dwelling”		<i>Z.4d(iv) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Area</i>	m ²	270
Minimum <i>Lot Width</i>		
a) Interior <i>Lot</i>	m	9.0
b) Corner <i>Lot</i>	m	13.0
Minimum <i>Front Yard</i> ¹	m	4.5
Minimum <i>Side Yard</i>		
a) Interior ²	m	0.6 / 1.2
b) Flankage/Corner	m	4.0
Minimum Rear Yard	m	7.5
Maximum Building Height	m	12.0
Parking	spaces	2 spaces per <i>dwelling unit</i> ³

¹The uninhabitable (garage) portion of the dwelling shall not be closer than 7.0 metres to the front lot line, or located in front of the habitable portion of the dwelling unit; where the habitable portion of the dwelling shall include a front porch.

²Minimum interior side yard shall be 0.6 metres on one side, and 1.2 metres on the other, provided there is a minimum distance of 1.8 metres between single detached dwellings.

³Notwithstanding anything to the contrary, parking spaces may be permitted in the form of *tandem parking* spaces.

6. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (Row) “Freehold Townhouse” on the lands zoned Z.4d(v) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building (Row) “Freehold Townhouse”		<i>Z.4d(v) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Area</i>	m ²	180
Minimum Lot Area (Corner)	m ²	220
Minimum <i>Lot Width</i>		
a) Interior <i>Lot</i>	m	6.0
b) Corner <i>Lot</i>	m	10.0
Minimum Front Yard	m	6.0
Minimum Side Yard		
a) Interior (common wall)	m	0
b) Exterior (between blocks)	m	3.0
c) Flankage / Corner	m	4.0
Minimum Rear Yard	m	7.5
Maximum Building Height	m	12
Maximum Number of Attached Units	units	8
Parking	spaces	2 spaces per dwelling unit ¹
¹ Notwithstanding anything to the contrary, parking spaces may be permitted in the form of <i>tandem parking</i> spaces.		

7. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (Row – Private Road) “Cluster Townhouse” and “Stacked Townhouse” on the lands zoned Z.4d(vi) on the attached Schedule ‘A’:

ZONE STANDARDS – Residential Building “Cluster Townhouse¹” and “Stacked Townhouse²”		<i>Z.4d(vi) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Width</i>	m	15
Minimum Front Yard	m	6
Minimum Side Yard	m	3
Minimum Separation between buildings (side wall to side wall)	m	3
Minimum Separation between buildings (front wall to rear wall)	m	6
Minimum Separation between buildings (front wall to front wall)	m	6
Minimum Separation between buildings (rear wall to rear wall)	m	6
Minimum Separation between buildings (front or rear wall to side wall)	m	6
Minimum Rear Yard	m	7.5
Maximum Building Height	m	14.0
Minimum Landscape Area	% of lot area	30

Parking – Cluster Townhouse	spaces	2 spaces per <i>dwelling unit</i> ³
Parking – Stacked Townhouse	spaces	1 space per <i>dwelling unit</i> ; plus 1 space for each 10 <i>dwelling units</i> for visitors only
<p>¹A Residential Building “Cluster Townhouse” shall be defined as ‘a Residential Building containing three (3) or more dwelling units, each of which faces onto a private internal road or driveway, and each of which has a separate entrance at grade level and is separated from its neighbour by a continuous vertical party wall without opening and extending from the base of the foundation to the roof.</p> <p>²A Residential Building “Stacked Townhouse” shall be defined as ‘a Residential Building containing four (4) or more dwelling units, which are horizontally and vertically separated in a split level or stacked manner, where each dwelling unit has an independent entrance from the outside (no egress to a common corridor) accessed through the front elevation or exterior side elevation of the Dwelling Unit’.</p> <p>³Notwithstanding anything to the contrary, parking spaces may be permitted in the form of <i>tandem parking spaces</i>.</p>		

8. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (Row – Private Road) “Cluster Townhouse” on the lands zoned Z.4d(iv) on the attached Schedule ‘A’:

ZONE STANDARDS – “Residential Dwelling(s) on a Private Internal Condominium Road”¹ and (One Unit²) “Single Detached Dwelling”		<i>Z.4d(vii) – Special Exception 20.1.xxx</i>
Minimum <i>Lot Frontage</i>	m	12
Minimum Front Yard	m	6
Minimum Side Yard	m	3
Minimum Separation between buildings (side wall to side wall)	m	3
Minimum Separation between buildings (front wall to rear wall)	m	6
Minimum Separation between buildings	m	6

(front wall to front wall)		
Minimum Separation between buildings (rear wall to rear wall)	m	6
Minimum Separation between buildings (front or rear wall to side wall)	m	6
Minimum Rear Yard	m	7.5
Minimum Building Setback from Southerly Lot Line	m	15.0
Maximum Building Height	m	11.0 (single detached) 12.0 (cluster townhouse) 14.0 (stacked townhouse)
Minimum Landscape Area	% of lot area	30
Landscape Buffer from Southerly Lot Line	m	4.5
Parking – Cluster Townhouse	spaces	2 spaces per <i>dwelling unit</i> ³

¹ A “Residential Dwelling(s) on a Private Internal Condominium Road” shall be defined as ‘a cluster of dwelling units containing four or more units in number, each of which has access to a Public Highway from a private internal condominium road’

² Notwithstanding anything in By-law 689-83 to the contrary, a Residential Building (One Unit) may front onto a private road within the lands identified on the attached Schedule as “Lands to be Rezoned from Zone 14 (Z.14) Mineral Aggregates to Zone 4d (Z.4d(iv)) Urban Residential with Special Exception 20.1.xxx to allow for Single Detached Condominium Units”. The Zone Standards in Exception 20.1.xxx that would apply to a Residential Building (One Unit) fronting on a public road shall apply. For the purposes of clarity and for applying Zone Standards, a Vacant Land Unit shall have the same meaning as a ‘Lot.’ A maximum of xx single detached dwellings may be permitted within the lands identified as “Lands to be Rezoned from Zone 14 (Z.14) Mineral Aggregates to Zone 4d (Z.4d(iv)) Urban Residential with Special Exception 20.1.xxx to allow for Single Detached Condominium Units” provided that a Plan or Plans of condominium are registered on all or a portion of the lot or block which is part of a comprehensively planned development.

³ Notwithstanding anything to the contrary, parking spaces may be permitted in the form of *tandem parking* spaces.

9. Notwithstanding any other provisions of this By-law, the following regulations shall apply to any Residential Building (Row – Private Road) “Cluster Townhouse” on the lands zoned Z.4d(iv) on the attached Schedule ‘A’:

General Provisions Shall Apply to All Zones
Geothermal wells and geothermal energy systems shall be prohibited.
A minimum of 5% of all Single Detached Dwellings shall make provision for an Additional/Secondary Residential Unit.
A driveway located between the front façade of a dwelling unit and the street shall be located no closer to a side lot line than 0.6 metres and the related area of the lot shall not be paved with a hard surface and will be comprised of soft landscaping.
Where more than one parking space is required, one parking space may locate on the driveway within 6.0 metres of the front lot line or exterior side lot line and those parking spaces may be tandem parking spaces.
The following regulations shall apply to Residential Building (One Unit), Residential Building (Row), Residential Building (Row – Private Road) ¹ : <ul style="list-style-type: none"> a) Unless the garage is located in the rear yard, the maximum width of the garage, measured from outside walls shall be 50% of the lot width; <ul style="list-style-type: none"> ¹save and except for the maximum width of garage for a Residential Building (Row – Private Road) measured from the outside walls shall be 55% of the building façade. b) A driveway and its widening shall not exceed 50% of the lot width, or 8 metres, whichever is lesser, and in no case shall the width of the driveway and its widening exceed 6.0 metres within 3.0 metres of a street line; c) A maximum of one driveway with one access point from each street or lane shall be permitted on a lot, save and except for multiple residential blocks to permit Residential Building (Row – Private Road). d) A driveway shall have a minimum width of 2.6 metres.
For the purposes of this By-law, a Residential Dwelling (s) on a Private Internal Condominium Road shall mean a cluster of dwelling units containing four or more units in number, each of which has access to a Public Highway from an internal condominium road.
Structural Setback Overlay – in the Structural Setback Overlay, there shall be no structures or pools permitted.

10. Notwithstanding the provisions of Sections 6.39 of this by-law to the contrary, the following regulations shall apply to Secondary Dwelling Units within a Single Detached or Street Townhouse dwelling:

- a. A maximum of one (1) Secondary Dwelling Unit is permitted on a lot. In the case of a condominium unit, one (1) Secondary Dwelling Unit shall be permitted per condominium unit;
- b. If the Secondary Dwelling Unit is located within an accessory building, the accessory building shall have a maximum building coverage of 10%;
- c. The Secondary Dwelling Unit shall not exceed 40% of the Gross Floor Area of the principal dwelling unit or 110 m², whichever is more restrictive;
- d. One (1) parking space shall be required for a Secondary Dwelling Unit in addition to

any parking spaces required for the primary residential dwelling unit. A tandem parking space may satisfy the parking requirement for a Secondary Dwelling Unit. Parking for a Secondary Dwelling Unit shall not be located within a required rear yard.

- e. A separate entrance and exit to the Secondary Dwelling Unit shall be oriented towards the exterior side lot line, interior side lot line or rear lot line; and,
 - f. The Secondary Dwelling Unit shall meet applicable zoning, and the lot shall comply with all other provisions of the By-law.
3. THAT except as amended by this By-law, the subject lands as shown on Schedule A to this By-law and Section 20.1.xxx to this By-law shall be subject to all other applicable provisions and regulations of General Zoning By-law 689-83, as amended;
4. AND THAT Schedules A attached form part of By-law XXXX-XXX;
5. AND THAT this By-law shall come into force and effect on the final passing thereof by the Council of The Corporation of the Township of North Dumfries subject to compliance with the provisions of the Planning Act.

READ a First and Second Time in the Council Chambers of the Township of North Dumfries this XXth day of XXX 2024.

Mayor

Clerk

READ a third time and Finally Passed in the Council Chambers of the Township of North Dumfries this XXth day of XXX 2024.

Mayor

Clerk