

**THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES
BY-LAW NUMBER 2986-18**

**BEING A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 689-83 TO
REVISE AND ADD NEW REGULATIONS AFFECTING PARKING PROVISIONS IN
RESIDENTIAL ZONES**

A By-law of the Township of North Dumfries to amend General Zoning By-law 689-83, as amended, to revise and establish regulations affecting parking of vehicles within the various Residential Zone classifications across the Municipality;

AND WHEREAS the *Planning Act* empowers a municipality to pass By-laws to establish provisions that regulate the parking of vehicles;

AND WHEREAS the Council of The Corporation of the Township of North Dumfries has deemed it advisable to amend General Zoning By-law 689-83, as amended;

AND WHEREAS this By-law conforms to the Official Plan of the Township of North Dumfries;

NOW THEREFORE, Township Council enacts as follows:

1. **THAT** By-law Number 689-83, as amended, is hereby further amended by deleting the definition of RECREATIONAL VEHICLE in Section 2.169 and replacing it with a new definition:

2.169 **RECREATIONAL VEHICLE** - shall mean:
 - a) a vehicle or trailer that may provide short term occupancy that is intended and used exclusively for travel, recreation, vacationing and / or leisure, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck campers, motor homes or other similar travel vehicles but does not include a mobile home; and/or
 - b) Boats, personal watercraft, snowmobiles, all terrain vehicles and other similar vehicles used for recreation and leisure pursuits.

2. **THAT** By-law Number 689-83, as amended, is hereby further amended by deleting the definition of TRAILER in Section 2.199 and replacing it with a new definition:

2.199 **TRAILER** - shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle except an implement of husbandry, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.

3. **THAT** By-law Number 689-83, as amended, is hereby further amended by deleting the definition of MOTOR VEHICLE in Section 2.137 and replacing it with a new definition:

2.137 **MOTOR VEHICLE OR VEHICLE** - means a "motor vehicle" and "vehicle" as defined in the *Highway Traffic Act*.

4. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new provision to Section 6 GENERAL REGULATIONS immediately following Section 6.13 to recognize RECREATIONAL VEHICLES AND TRAILERS as follows:

6.13 A OFF-STREET PARKING REQUIREMENTS-RECREATIONAL VEHICLES AND TRAILERS

Within all Residential Zone Classifications, the parking of Recreational Vehicles and Trailers shall be in conformity with the following regulations:

- a. There shall be no restriction on the number of recreational vehicles and trailers that can be parked or stored in a garage or accessory structure;
- b. The parking space used on the driveway for the recreational vehicle or trailer shall be in addition to the required number of parking spaces for the applicable residential zone or residential land use activity;
- c. A maximum of one recreational vehicle or trailer may be parked in the open. In the example of a snowmobile, all terrain vehicle or personal water craft, the maximum allowance is two;
- d. For a recreational vehicle and/or trailer parked on a driveway, the maximum combined length of the trailer and recreational vehicle is 5 metres, exclusive of tongue or hitch, with a maximum height of 3.5 metres. Where the driveway is 8 metres or longer, the maximum combined length of the recreational vehicle and/or trailer, exclusive of tongue or hitch, shall be 9.2 metres with a maximum height of 3.5 metres. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- e. For a recreational vehicle and/or trailer not parked on the driveway, the maximum combined length of the recreational vehicle and/or trailer shall not exceed 8.5 metres, exclusive of the tongue or hitch, with a maximum height of 3.5 metres. The recreational vehicle or trailer shall also be set back a minimum of 1.2 metres from any interior side or rear lot line, and, shall be parked behind the front wall of the dwelling or in the rear yard. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- f. If any recreational vehicle or trailer exceeds the maximum limits as set out in Items d. and/or e. stated above, the recreational vehicle or trailer may be permitted to park on a driveway from May 1st to October 31st, and only for a period of up to 7 days per month.
- g. Any recreational vehicle and/or trailer parked must be located entirely on private property and not extend or encroach onto adjacent lands, which includes the road allowance.

5. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new definition immediately following Section 2.39 for the purposes of defining a COMMERCIAL MOTOR VEHICLE as follows:

2.39A **COMMERCIAL MOTOR VEHICLE** - means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways.

6. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new provision to Section 6 GENERAL REGULATIONS immediately

following Section 6.13A to recognize COMMERCIAL MOTOR VEHICLES as follows:

6.138 COMMERCIAL MOTOR VEHICLES

Within all Residential Zone Classifications, the parking of Commercial Motor Vehicles shall be in conformity with the following regulations:

- a. A commercial motor vehicle shall only be parked on a driveway, or, in a garage or accessory building.
- b. Only one commercial motor vehicle may be parked in the open on a driveway in the front yard or exterior side yard.
- c. The commercial motor vehicle shall not exceed a length of 6 metres and 2.6 metres in height. For the purposes of clarity, height in this provision shall be measured from the ground to the highest point of the body of the vehicle.
- d. A commercial motor vehicle that is actively engaged in a delivery and/or service is deemed not to be in contravention of this By-law.
- e. The commercial motor vehicle must be located entirely on private property and not extend or encroach onto adjacent lands.

7. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new provision to Section 6 GENERAL REGULATIONS immediately following Section 6.13.5 to establish new provisions governing the maximum width of driveways affecting Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and, Duplex Dwellings as follows:

6.13.6 In any Residential Zone where off-street parking is required for a Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and/or Duplex Dwellings, the following provisions shall apply related to the requirements of the driveway.

The maximum driveway width for all residential uses identified in the preceding paragraph is equal to the greater of:

The garage door width plus 2.0 metres provided that:

- a. in the case of a lot with a lot width less than 10.1 metres, a minimum 25% soft landscaping is provided in the front or exterior yard in which the driveway is located;
- b. in the case of a lot with a lot width of 10.1 m (33 ft) or greater, a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located;

OR

up to 6.1 metres provided a minimum 40% soft landscaping is provided in the front or exterior side yard in which the driveway is located.

8. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new definition immediately following Section 2.58 for the purposes of defining a DRIVEWAY as follows:

2.58A **DRIVEWAY** - means a defined area providing access for motor vehicles from a public or private street or a lane to a parking area, parking garage, parking lot, loading space, private garage or carport.

9. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new definition immediately following Section 2.154 for the purposes of defining a PARKING AREA as follows:

2.154A **PARKING AREA** - means an open area of land not located within a public street, private street or lane which is used for the parking of motor vehicles, but shall not include any area where motor vehicles for sale, rent or repair are kept or stored within a commercial or industrial zone classification.

10. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new definition immediately following Section 2.192 for the purposes of defining SOFT LANDSCAPING as follows:

2.192A **SOFT LANDSCAPING** - means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, including walkways that provide access onto the lot from the street, all of which are designed to enhance the visual amenity of a property, but shall not include parking areas, driveways or ramps and shall not be used for the parking of motor vehicles.

11. **THAT** By-law Number 689-83, as amended, is hereby further amended by modifying Section 6.13.5 through the deletion of certain residential land use activities, and, adding or revising the regulatory standards for residential land use activities pertaining to off-street parking requirements uses as follows:

Permitted Residential Use	Required Off-Street Parking (minimum)
Single Detached, Semi-Detached or Duplex Dwelling	2 spaces per dwelling unit
Secondary Dwelling Unit, Coach House or Garden Suite	1 space for the additional dwelling unit
Townhouse or Stacked Townhouse Dwelling	2 spaces per dwelling unit
Single Detached, Semi-Detached, Duplex, Stacked Townhouse or Townhouse Dwelling on a private (condominium) road	2 spaces per dwelling unit, and, 1 common (shared) parking stall for every 3 dwelling units

12. **THAT** By-law Number 689-83, as amended, is hereby further amended by adding a new provision to Section 6 GENERAL REGULATIONS immediately following Section 6.13.6 to establish new provisions governing the minimum unobstructed interior space within a garage to facilitate the parking of motor vehicles related to Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and/or Duplex Dwellings as follows:

6.13.7 In any Residential Zone where off-street parking is required for a

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Single Detached, Semi-Detached, Townhouse, Stacked Townhouse, and/or Duplex Dwellings, the following provisions shall apply related to the requirements of the interior unobstructed space, free of encumbrances and can function as a parking space within a garage:

- a) Parking is permitted within a garage having a minimum unobstructed dimension of 2.75 metres in width and 6 metres in length.
- b) Parking is permitted within a garage having a minimum dimension of 2.75 metres in width and 6 metres in length with up to a maximum of 0.6 metres of encroachment by stairs located within 1 m from the end of the parking space.
- c) Parking is permitted within a garage having a dimension of 3.25 metres in width and 6 metres in length if the stairs intrude into the garage beyond 0.6 metres, or are located more than 1 metre away of the end of the parking space.

13. **THAT** this By-law shall come into force 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, R. S.0 ., 1990., c.P. 13.*

READ a first and second time in the Council Chambers of the Township of North Dumfries this 13th day of August, 2018.

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Mayor

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Clerk

READ a third time and Finally Passed in the Council Chambers of the Township of North Dumfries this 13th day of August, 2018.

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Mayor

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Clerk