

SECTION 10 - RESIDENTIAL 1 (R1) ZONE

10.1 Subject to the general provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply to all Residential (R1) zones.

10.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.
- (b) Home Occupations
- (c) Accessory Apartment Dwelling

10.3 REGULATIONS FOR DWELLINGS

Minimum Lot Frontage	18m 20m for a corner lot
Minimum Lot Area	600 sq. m.
Maximum Lot Coverage	35 percent
Minimum Front Yard	7.5m
Minimum Interior Side Yard	(i) 1.5m for a one-storey dwelling (ii) 2.0m for anything above a one-storey dwelling (iii) On an interior lot where no attached garage or carport is provided, the minimum side yard on one side shall be 3m
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.
Minimum Rear Yard	10m
Maximum Height of Building	2.5 storeys
Minimum Floor Area for Dwelling	(i) 1 storey dwelling 95 sq.m (ii) 1.5 storey or split level 135.0 sq.m. (iii) 2 or 2.5 storey 150.0 sq.m

EXCEPTIONS TO RESIDENTIAL 1 (R1) ZONE

R1-6 (129-1990) 4045 West Main Street

Nothing shall prevent the continued use of the lands indicated as R1-6 on Schedule "A" for an auto body shop.

R1-68 (129-1990) Edgemere Lane, south side, west of Kraft Road

Notwithstanding the provisions of the Residential 1 (R1) zone, the use of the lands indicated as R1-68 on Schedule "A" shall comply with the following special regulations:

- (a) Minimum lot area 1200 sq.m.
- (b) Minimum floor area 185 sq.m.

R1-69 (129-1990) 708 Lakeside Road

Nothing shall prevent the use of the lands indicated as R1-69 on Schedule 'A' for a single detached dwelling with an addition for an accessory dwelling unit ("in-law" suite) and the following provisions shall apply to the addition for the accessory dwelling unit:

- (a) Minimum Front Yard Setback shall not be less than 4.26 metres from the street line.
- (b) Minimum Side Yard Setback shall not be less than 5.18 metres from the side lot line.
- (c) Maximum Floor Area: 97.5456 square metres
- (d) Maximum Height: Two storeys

R1-139 (129-1995) Yacht Harbor Road, south side

These lands are zoned "Residential 1 R1-139 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-139 Zone" except:

- (a) that notwithstanding the requirements of Subsection 6.5, the lands shall not be required to have frontage on a public street, and;
- (b) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line that divides the lot from the Private Lane.

R1-143 (214-1995) 4217 Erie Road

These lands are zoned "Residential 1 R1-143 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-143 Zone" except:

- (a) that notwithstanding the requirements of Subsection 10.2 (a), two single detached dwellings and uses, buildings and structures accessory thereto shall be permitted on these lands.

R1-147 (231-1995) Yacht Harbour Road, south side

These lands are zoned "Residential 1 R1-147 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-147 Zone" except:

- (a) that notwithstanding the requirements of Subsection 6.5 the lands shall not be required to have frontage on a public street, and;
- (b) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line which divides the lot from the private lane.

R1-216 (214-1999) Lakecrest Court

These lands are zoned "Residential 1 R1-216 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-216 Zone" except:

- (a) That notwithstanding the requirements of section 10.3(a) the minimum lot frontage shall not be less than 11.7 metres and
- (b) That notwithstanding the requirements of Subsection 10.3(b) the minimum lot area shall not be less than .12 hectares, and
- (c) The minimum setback for all buildings and structures from the Lake Erie 100-year flood elevation of 177.2 metres G.S.C. shall not be less than 15 metres.

R1-217 (214-1999) Lakecrest Court

These lands are zoned "Residential 1 R1-217 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-217 Zone" except:

- (a) That notwithstanding the requirements of Subsection 10.3 (a) the minimum lot frontage shall not be less than 23.5 metres and
- (b) That notwithstanding the requirements of Subsection 10.3 (b) the minimum lot area shall not be less than .14 hectares.

R1-218 (214-1999) Lakecrest Court

These lands are zoned "Residential 1 R1-218 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-218 Zone" except:

- (a) That notwithstanding the requirements of Subsection 10.3(a) the minimum lot frontage shall not be less than 24.5 metres and
- (b) That notwithstanding the requirements of Subsection 10.3(b) the minimum lot area shall not be less than .18 hectares
- (c) That the minimum setback for all buildings and structures from the Lake Erie 100 year floodline, elevation of 177.2 metres. GSC shall not be less than 15 metres.

R1-227 (145-2000) North Shore Drive, west of Maple Leaf Avenue

These lands are zoned "Residential 1 R1-227 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-227 Zone" except:

- (a) that notwithstanding the requirements of Subsection 10.3(h), the minimum floor area shall not be less than 140 square metres;
- (b) That the minimum rear yard setback shall not be less than 10 metres except the minimum rear yard along Lake Erie shall be not less than 15 metres from the 100 year floodline of 177.2 metres referenced to in the Geodetic Survey of Canada Datum.

R1-228 (155-2000) 4401A Erie Road

These lands are zoned "Residential 1 R1-228 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 R1-228 Zone" except that notwithstanding the

requirements of Subsection 10.3 the minimum lot frontage shall not be less than 3.05 metres.

R1-231(H) (OMB ORDER #1516) West Main Street, south side, west of Coral Avenue

These lands are zoned "Residential 1 Holding R1-231(H) Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 Holding R1-231(H) Zone". Once the Holding has been removed, after the owners have graded and constructed drainage works in accordance with the approved overall lot drainage and grading plan and serviced the proposed lots concurrently including road restoration to the satisfaction of the Town, the development of these lands shall comply with all the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law, except that notwithstanding the requirements of Subsection 10.3 the minimum lot frontage shall not be less than 16.4 metres.

R1-232(H) (OMB ORDER #1516) West Main Street, south side, west of Coral Avenue

These lands are zoned "Residential 1 Holding R1-232(H) Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law shall apply to those lands zoned "Residential 1 Holding R1-232(H) Zone. Once the Holding has been removed, after the owners have graded and constructed drainage works in accordance with the approved overall lot drainage and grading plan and serviced the proposed lots concurrently including road restoration to the satisfaction of the Town, the development of these lands shall comply with all the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law, except:

- (a) that notwithstanding the requirements of Subsection 10.3 the minimum lot frontage shall not be less than 17.1 metres.
- (b) that notwithstanding the requirements of Subsection 10.3 the minimum westerly side yard setback shall not be less than 6 metres

R1-243 (119-2001) 2533 Stevensville Road

These lands are zoned "Residential 1 R1-243 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-243 Zone" except:

- (a) notwithstanding the provisions of Subsections 10.3, the minimum lot frontage shall not be less than 10.3 metres and the minimum lot area shall not be less than 252 square metres.
- (b) notwithstanding the provisions of Subsection 6.20(I), parking shall be permitted within 0.9 metres of the front lot line along Stevensville Road.

R1-244(H) (129-2001) 1042 Garrison Road

These lands are zoned "Residential 1 Holding R1-244(H) Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that By-law shall apply to those lands zoned "Residential 1 Holding R1-244(H) Zone. Once the

Holding has been removed after the owners have entered into a site plan agreement with the Town these lands shall comply with all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by this by-law except:

- (a) Notwithstanding the provisions of Subsection 6.8(b), not more than 27.5% or 80.26 square metres of the floor area of the dwelling shall be used for the purposes of a home occupation.
- (b) Notwithstanding the provisions of Subsection 6.8(d) that in addition to an occupant of the dwelling unit, the chiropractic office may also have two non-resident employees.
- (c) Notwithstanding the provisions of Subsection 6.8(e), signage shall be limited to a non-illuminated sign not exceeding 0.5 square metres.

R1-255 (211-1994) Shirley Road, west side, north of Thunder Bay Road

These lands are zoned "Residential 1 R1-255 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-255 Zone" except:

- (a) that notwithstanding the provisions of Subsection 10.3, the minimum southerly interior side yard shall not be less than 9 metres and the minimum northerly interior side yard shall not be less than 1.5 metres plus .5 metres for each additional storey or part thereof above the first storey.

R1-256 (26-1992) Shirley Road, west side, north of Thunder Bay Road

These lands are zoned "Residential 1 R1-256 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-256 Zone" except:

- (a) that notwithstanding the provisions of Subsection 10.3, the minimum northerly interior side yard setback shall not be less than 9 metres and the minimum southerly interior side yard setback shall not be less than 1.5 metres plus .05 metres for each additional storey or part thereof above the first storey.

R1-258 (129-1990) 722 Ridge Road North

Nothing shall prevent the continued use of the lands indicated as R1-258 on Schedule "A" for a funeral home and uses, buildings and structures accessory thereto.

R1-293 (20-1994) Dominion Road, north side, east of Prospect Point Road N

These lands are zoned "Residential 1 R1-293 Zone" and all of the provisions that relate to lands zoned "Residential 1 R1 Zone" by that by-law shall apply to those lands zoned "Residential 1 R1-293 Zone" except that notwithstanding the provisions of Subsection 10.3, the minimum front yard shall not be less than 9 metres.

R1-299(H) (20-2000) Yacht Harbour Road, north side, east of prospect Point Road South

These lands are zoned “Residential 1 Holding R1-299(H) Zone” and all of the provisions that relate to lands zoned “Residential 1 R1 Zone” by this By-law shall apply to those lands zoned “Residential 1 Holding R1-299(H) Zone” on Schedule A, except:

- (a) that notwithstanding the requirements of Subsection 6.5, the lots shall not be required to have frontage on a public street;
- (b) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line that divides the lot from the private lane, and;
- (c) that notwithstanding the requirements of Subsection 10.3(a), the minimum lot frontage shall not be less than 21 metres.

R1-346 (186-05, 40-06) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Residential 1 R1-346 and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned Residential 1 R1-346 Zone on the attached Schedule A subject to the following special provision:

- (a) Notwithstanding the requirements of Subsection 10.3 – Regulations for dwellings
 - Minimum lot frontage shall not be less than 17.7 metres for an interior lot.
- (b) Notwithstanding the requirements of Subsection 10.3 – Regulations for Dwellings
 - Minimum interior side yard for one storey dwellings with attached garages or carports shall be no less than 1.2 metres

R1-347 (186-05) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Residential 1 R1-347 and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned Residential 1 R1-347 Zone on the attached Schedule A subject to the following special provision:

- (a) Notwithstanding the requirements of Subsection 10.3 – Regulations for dwellings
 - Minimum front yard setback shall not be less than 6.5 metres to the dwelling and 6 metres to an attached garage or carport
 - Maximum lot coverage shall not be greater than 40%

- Minimum exterior side yard shall not be less than 2 metres except where an attached garage or an attached carport faces the exterior side lot line the setback shall not be less than 6 metres
- Minimum rear yard setback shall not be less than 6.5 metres

R1-348 (186-05) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Residential 1 R1-348 and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned Residential 1 R1-348 Zone on the attached Schedule A subject to the following special provision:

- (b) Notwithstanding the requirements of Subsection 10.3 – Regulations for dwellings
- Maximum lot coverage shall not be greater than 40%
 - Minimum front yard setback shall not be less than 5 metres to the dwelling and 6 metres to the attached garage or attached carport
 - Minimum exterior side yard shall not be less than 2 metres except where an attached garage or an attached carport faces the exterior side lot line the setback shall not be less than 6 metres
 - Minimum rear yard setback shall not be less than 6.5 metres

R1-349 (186-05) Ridgeway Estates, southeast corner of Prospect Point Road and Thunderbay Road

These lands are zoned Residential 1 R1-349 and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned Residential 1 R1-349 Zone on the attached Schedule A subject to the following special provision:

- (a) Notwithstanding the requirements of Subsection 10.3 – Regulations for dwellings
- Maximum lot coverage shall not be greater than 40%
 - Minimum front yard setback shall not be less than 5 metres to the dwelling and 6 metres to the attached garage or an attached carport
 - Minimum exterior side yard shall not be less than 2 metres except where an attached garage or an attached carport faces the exterior side lot line the setback shall not be less than 6 metres

R1-365 (H) (191-06) Ridgeway Estates Phase 2, east side of Prospect Point Road and south side of Thunder Bay Road

These lands are zoned “Residential 1 Holding R1-365 (H) Zone”, and all the provisions of By-law 129-90 as amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned “Residential 1 Holding R1-365 (H)” Zone on the attached Schedule A subject to the following special provisions:

- a) Minimum front yard setback shall not be less than 4 metres to the dwelling and 6 metres to the attached garage or an attached carport
- b) Minimum interior side yard setback shall not be less than 1.2 metres.
- c) Maximum lot coverage of 40%
- d) Minimum rear yard setback shall not be less than 9 metres.

R1-369 (H) (191-06) Ridgeway Estates Phase 2, east side of Prospect Point Road and south side of Thunder Bay Road

These lands are zoned Residential 1 Holding R1- 369 (H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 1 R1 Zone by this by-law shall apply to those lands zoned Residential 1 Holding R1-369 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) Minimum front yard setback shall not be less than 4 metres to the dwelling and 6 metres to an attached garage or attached carport;
- b) Minimum interior side yard setback shall not be less than 1.2 metres
- c) Maximum lot coverage 40%
- d) Minimum rear yard setback 16 metres