CORPORATION OF THE

TOWN OF NEWCASTLE

ZONING BY-LAW

84-63



PUBLIC NOTICE

NOTICE OF THE PASSING OF ZONING BY-LAW BY THE CORPORATION OF THE TOWN OF NEWCASTLE

TAKE NOTICE that the Council of the Corporation of the Town of Newcastle passed By-law 84-63 on the 10th day of September, 1984 under Section 34 of the Planning Act, 1983.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Town of Newcastle, not later than the 15th day of October, 1984, a Notice of Appeal setting out the objection to the By-law and the reasons in support of the objection.

By-law 84-63 is a Comprehensive Zoning By-law regulating the use of land, the erection of buildings or structures, the type of construction, the height, bulk, location, size, floor area, spacing, external design, character and use of buildings or structures in the Town of Newcastle.

By-law 84-63 applies to all lands located within the Corporate limits of the Corporation of the Town of Newcastle.

By-law 84-63 was given first reading on May 14, 1984 and was published as a supplement to the Canadian Statesman and Newcastle Independent on May 30, 1984. Public information sessions were held in various locations throughout the Town of Newcastle on June 5, 6, 7 and 8, 1984 and a public meeting of the Town's General Purpose and Administration Committee was held on July 3rd, 1984. As a result of the public input received throughout this process, Council on July 23, 1984 and September 4, 1984, resolved to modify By-law 84-63 prior to second and third reading which was given on September 10, 1984.

Copies of the complete By-law as finally passed by Council are

INDEX

SECTION 1	TITLE, AREA RESTRICTED AND APPLICATION OF BY-LAW
SECTION 2	DEFINITIONS
SECTION 3	GENERAL ZONE PROVISIONS
SECTION 4	ZONES AND ZONE MAPPING
SECTION 5	ENVIRONMENTAL PROTECTION (EP) ZONE
SECTION 6	AGRICULTURAL (A) ZONE
SECTION 7	RURAL CLUSTER (RC) ZONE
SECTION 8	RESIDENTIAL ESTATE (RE) ZONE
SECTION 9	RESIDENTIAL HAMLET (RH) ZONE
SECTION 10	RESIDENTIAL MOBILE HOME PARK (RM) ZONE
SECTION 11	RESIDENTIAL SHORELINE (RS) ZONE
SECTION 12	URBAN RESIDENTIAL TYPE ONE (R1) ZONE
SECTION 13	URBAN RESIDENTIAL TYPE TWO (R2) ZONE
SECTION 14	URBAN RESIDENTIAL TYPE THREE (R3) ZONE
SECTION 15	URBAN RESIDENTIAL TYPE FOUR (R4) ZONE
SECTION 16	GENERAL COMMERCIAL (C1) ZONE
SECTION 17	NEIGHBOURHOOD COMMERCIAL (C2) ZONE
SECTION 18	HAMLET COMMERCIAL (C3) ZONE
SECTION 19	SPECIAL PURPOSE COMMERCIAL (C4) ZONE
SECTION 20	SPECIAL PURPOSE COMMERCIAL (C5) ZONE
SECTION 21	SERVICE STATION COMMERCIAL (C6) ZONE
SECTION 22	SERVICE STATION COMMERCIAL (C7) ZONE

For the
interpr

ACCESSOR

Shall m
or durin
structur
subordin
located
by-law,
building

ACCESSOR

Shall m
establis
and subo
of the l

ADULT EN

Shall me
services
the nudit

AGRICULTU

Shall mea
storage o
for whole
outlet fo
general p

ALTER

When used
thereof,

(a) to ch
such
(b) to c
or r
(c) to c
(d) to ch
there

ALTER

When used

(e) to ch
respo
such
said

(f) to ch
lot,

(g) to c

(h) to ch

"ALTERED"
meanings.

AIRFIELD

Shall mea
of landin
commercia
Transport

ANIMAL ENC

Shall mea
chainlink
within whic
is surroun
include a
is provid
stripe of
horizontall
enclosing

ANIMAL EN

Shall mean

permissable in the zone in which it is located and that all other applicable provisions of this By-law are complied with.

ii) Notwithstanding the provisions of Subsection 3.7 (a) above, where a lot has been created prior to the date of passage of this By-law, which does not have frontage on an improved public street and such lot fronts on a private right-of-way registered on title and provides legal ingress and egress to an improved public street, the provisions of this by-law shall not apply to prevent the issuance of a building permit provided the use of such building or structure is permissible in the zone in which it is located, and that all other applicable provisions of this by-law are complied with.

d. PRIVATE, STREET

Notwithstanding the provisions of Subsection 3.7 (a) above, the provisions of this by-law shall not apply to prevent the erection or use of a building on a lot which has frontage on a Private Street where such street existed at the date of passage of this by-law, or where such street is shown on a site plan approved pursuant to By-law 79-151 of the Town of Newcastle, as amended, or any successor thereto.

3.8 HEIGHT EXCEPTIONS

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following buildings or structures, provided the principal use is a use permitted within the Zone in which it is located, namely: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing of materials associated with a principal use, and, external equipment associated with internal building equipment.

3.9 HOLDING ZONE

Unless otherwise specified within the respective zone regulations, where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H), the use of the lands shall be limited to existing uses and the non-residential uses permitted by the Agricultural (A) Zone. The (H) Holding symbol may be removed upon Council being satisfied that the uses to be permitted will be adequately serviced, the lands to be used have adequate access, prior uses of the land will not prevent the use of the land for the purposes intended by the By-law, that the lands and proposed uses will be adequately protected from any physical or man-made hazard or conditions associated with the lands and that agreements in respect of such matters and the associated financial requirements where required, have been executed with the Town of Newcastle and/or the Regional Municipality of Durham.

3.10 HOME OCCUPATION

The following regulations apply to dwelling units wherein a home occupation is permitted:

a. There shall be no display, other than a sign erected in conformity with the By-laws of the Town, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than residential.

b. Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling unit nor create or become a public nuisance due to traffic, noise and hours of operation.

c. Such home occupation shall not interfere with television or radio reception of others in adjacent buildings or structures.

d. Not more than twenty-five (25) percent of the total floor area of the dwelling unit shall be used for the purposes of the home occupation use and such home occupation shall be conducted within the principal residence.

e. Parking shall be provided in accordance with Section 3.14.

f. There shall be no outside storage of goods or materials associated with a home occupational use.

3.11 LOADING SPACE REGULATIONS

a. LOADING SPACE REQUIREMENTS

Loading or unloading spaces are required under this By-law, in accordance with the Loading Space Requirement Table set forth herein, and the owner of every building or structure

floor area, such additional loading spaces related to that addition shall be provided as required by paragraph (a) of this Subsection.

3.12 MULTIPLE ZONES ON ONE LOT

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the said lot shall be used in accordance with the Zone Provisions of this By-law for the applicable Zones established hereunder. Where a lot is divided into more than one zone the zone boundary shall be interpreted to be a lot line as defined herein for the purposes of interpreting zone requirements and general provisions of this By-law with the exception being, that where a portion of the said lot is zoned Environmental Protection, that portion of the lot may be included for the purposes of calculating lot area and shall not affect the yard requirements provided that the use of that portion of the lot complies, in all other respects, with the provisions of the Environmental Protection (EP) Zone.

3.13 OFFENSIVE TRADE

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Durham Regional Board of Health or Council of the Town to be an offensive or noxious trade, business or manufacture under The Public Health Act, as amended.

3.14 PARKING AREA REGULATIONS

a. PARKING SPACE REQUIREMENTS

Parking spaces and areas are required under this By-law, in accordance with the Parking Space Requirement Table, and the owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain on the same lot, for the sole use of the owner, occupant or other persons entering upon or making use of the said premises, from time to time, parking spaces and areas accordingly. For the purposes of this By-law, each parking space shall be 6 metres in length and 3 metres in width.

Notwithstanding the foregoing, where parking spaces are proposed to be located in a location other than on the same lot as the use requiring such spaces, then such shall be located not more than 150 metres from the same lot, and shall be located within the same zone as the said lot.

PARKING SPACE REQUIREMENT TABLE

TYPE OR NATURE OF USE	MINIMUM OFFSTREET PARKING REQUIREMENTS
Assembly Hall, Auditorium, Arena, Community Centre, Place of Entertainment, Place of Worship, Private Club or other similar places of assembly not otherwise specified herein.	The greater of a. one parking space per five fixed seats or three metres of bench seating or portion thereof; or, b. one parking space per nine square metres of gross floor area; or, c. one parking space for each four persons that may be legally accommodated at any one time.
Bank, Business and/or Professional Office, Retail Commercial Establishment, Personal Service Shop, including a Home Occupation.	One parking space for each 30 square metres of gross floor area of the building directly related to the specified permitted use.
Bowling Alley	Three parking spaces for each bowling lane.
Curling Rink	Four parking spaces for each curling sheet plus such additional parking as is required for a lounge licensed in accordance with the Liquor Licence Act of Ontario.
Dry Cleaners Establishment	One parking space for each 10 sq. metres or fraction thereof of gross floor area with a minimum requirement of four spaces.
Eating Establishment and Eating Establishment Take-out	One for each 7 square metres of total floor area accessible to the public.
Eating Establishment, Drive-In	Ten (10) Spaces, plus one for each 5 square metres of total floor area accessible to the public.

NG STRIP REGULATIONS

OCATION

the interior side or rear lot line in a Commercial or rial Zone abuts a Residential Zone, a planting strip ing such abutting lot line, or portion thereof, shall vided on the lot within the Commercial or Industrial ith a minimum width of 3.0 metres.

CONTENTS

In this By-law a planting strip is required to be ded and maintained, such planting strip may consist of of trees or a continuous unpierced hedgerow of reens or shrubs, not less than 1.5 metres high, at ing, immediately adjacent to the lot line or portion of along which such planting strip is required nder. The remainder of the strip shall be used for no purpose than the planting of shrubs, flower beds, or a combination thereof.

LANDSCAPED OPEN SPACE SUPPLEMENT

nting strip referred to in this Subsection may form a of any landscaped open space required by this By-law.

USES

ovisions of this By-law shall not apply to prohibit e of any lot or the erection or use of any building ucture for the purposes of public services provided Corporation of the Town of Newcastle, any School or any Public Authority including any department of gional Municipality of Durham or any Department or ry of the Government of Canada or Ontario, or any vation Authority established by the Government of o, and, for the purposes of this Section shall e Ontario Hydro, any telephone, cable television or aph company and any natural gas distribution system ed by a Company distributing gas to the residents of wn, which company possesses all the necessary powers, , licences and franchises.

ION OF REQUIREMENTS

ll change the purpose for which any lot or building ect any building, or structure, or addition to any ding or structure, or sever any lands from any if the effect of such action is to cause the oining, remaining or new building or lot to be in of this By-law.

ING REQUIREMENTS

ise provided herein, no residential building or be erected and no use may be established in any the lot upon which it is situated is serviced by a le water supply system installed in accordance with nts of the Public Health Act and a private sanitary l system installed in accordance with the of the Ministry of the Environment.

K REQUIREMENTS

ng any provision of this By-law to the contrary, the imum setbacks shall apply to the specified buildings s:

ll buildings from an Environmental rotection (EP) Zone unless such uilding is located upon a lot located ithin a registered plan of subdivision r a plan of subdivision draft approved rior to the date of passing of this y-law 3 metres

ll buildings from watercourses ot located within an Environmental rotection (EP) Zone 30 metres

on-farm related residential uildings from existing gricultural buildings, housing ivestock and not located on the ame lot. 300 metres

otwithstanding the foregoing, the provisions of bsection (c) shall not apply to residential ildings located on existing lots of record or lots thin a registered plan of subdivision or plan of

SECTION 4

ZONES AND ZONE MAPPING

ZONES

For the purposes of this By-law, the following zones are used and the same are established within the defined areas on the Schedules attached hereto.

SECTION	ZONE SYMBOL	ZONE TITLE
5	EP	ENVIRONMENTAL PROTECTION
6	A	AGRICULTURAL
7	RC	RESIDENTIAL CLUSTER
8	RE	RESIDENTIAL ESTATE
9	RH	RESIDENTIAL HAMLET
10	RM	RESIDENTIAL MOBILE HOME
11	RS	RESIDENTIAL SHORELINE
12	R1	URBAN RESIDENTIAL TYPE ONE
13	R2	URBAN RESIDENTIAL TYPE TWO
14	R3	URBAN RESIDENTIAL TYPE THREE
15	R4	URBAN RESIDENTIAL TYPE FOUR
16	C1	GENERAL COMMERCIAL
17	C2	NEIGHBOURHOOD COMMERCIAL
18	C3	HAMLET COMMERCIAL
19	C4	SPECIAL PURPOSE COMMERCIAL
20	C5	SPECIAL PURPOSE COMMERCIAL (SERVICED)
21	C6	SERVICE STATION COMMERCIAL
22	C7	SERVICE STATION COMMERCIAL (SERVICED)
23	M1	LIGHT INDUSTRIAL
24	M2	GENERAL INDUSTRIAL
25	M3	EXTRACTIVE INDUSTRIAL

ZONING MAPS

The extent and boundaries of the said zones are shown on the Schedules attached hereto which form part of this By-law. Such zones are described on the Schedules by the appropriate zone symbol.

4.1 SPECIAL EXCEPTIONS

A number of the zones set out in this By-law and listed above, contain a section which describes "special exceptions". Special exceptions are indicated on the Schedules to this By-law by adding a dash (-) and a number to the basic zone symbol (for example, R1-3).

Where a special exception is applied to a lot, such lot may only be used in accordance with the special exceptions described in the text. Where there is a conflict between a special exception and any other section of this By-law, the special exception shall apply. Where the special exception is silent on any matter, the provisions of this By-law shall apply.

SECTION 5

5. ENVIRONMENTAL PROTECTION (EP) ZONE

5.1 PERMITTED USES

No person shall within an Environmental Protection (EP)

abutting
or structu
x) Parking (m

6. AGRICULTURAL (A) ZONE

6.1 PERMITTED USES

No person shall with
land or erect, alter
except as specified

a. Residential Uses

i) one single de
ii) one additiona
that such dwe
the lot, and
20 hectares
iii) a converted d
iv) a home occupa
provisions of

b. Non-Residential

i) cemeteries
prior to th
ii) conservatio
iii) a farm;
iv) a wayside p
provisions
as amended;
v) commercial
vi) fur farms;
vii) riding and
viii) public fair
ix) seasonal fa

c. Holding Zone

Where the zone s
by-law is preced
lands shall be
uses.

6.2 REGULATIONS FOR RESID

a. Non-farm resident
which predate the
residences and re
lots which are c
the Durham Regio
the Zone require
By-law. Notwiths
additional single
dwelling shall h
than 60 square m

b. Notwithstanding
have a minimum t

6.3 REGULATIONS FOR NON-R

a. Lot Area (minimu

b. Lot Frontage (mi

i) Farm exclusiv
buildings
ii) All other per

c. Yard Requirement

i) Front Yard
ii) Exterior Side
iii) Interior Side
iv) Rear Yard

d. Lot Coverage (ma

e. Landscaped Open

f. Building Height

i) Buildings Acce
ii) All Others

subdivision draft approved, prior to the date of passing of this By-law. Nor shall they apply where an agricultural building housing livestock is located within the limits of the Urban Areas of Courtice, Bowmanville and Newcastle Village as designated by an approved Official Plan.

3.20 SIGHT TRIANGLES

On a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres measured along the street line from the point of intersection of the street lines, no motor vehicle, as defined in the Highway Traffic Act, as amended, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and, no land shall be used for the purposes of growing shrubs or trees in excess of 0.75 metres in height.

3.21 SIGNS

The provisions of this By-law shall not apply to prevent the erection, alteration or use of any sign provided such sign complies with the By-laws of the Town regulating signs.

3.22 SPECIAL USES PERMITTED

a. A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all Zones within the Town on the lot where it is situated and only for so long as it is necessary for the work in progrees and until the work is completed or abandoned. For the purpose of this section, abandoned shall mean the failure to proceed expeditiously with the construction work.

b. In addition, the use of temporary living quarters on a lot for residential purposes may be permitted on a temporary basis, for a period not to exceed six (6) months, while a permitted dwelling is under construction, provided that said temporary living quarters shall be removed from the said lot immediately after the expiration of this six (6) month period or with the occupation of the new dwelling, whichever occurs first. Notwithstanding the time limitation of this provision, subject to the approval of Council, temporary living quarters may be used for a period exceeding the six (6) months permitted herein.

c. In addition, Council may authorize, by resolution, the use of lands for special events, the duration of which shall not exceed seven (7) consecutive days or seven (7) days total in any one calendar year.

3.23 THROUGH LOTS

Where a lot, which is not a corner lot, has lot frontage on more than one street, the front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

SECTION 4

ZONES AND ZONE MAPPING

ZONES

For the purposes of this By-law, the following zones are used and the same are established within the defined areas on the Schedules attached hereto.

SECTION	ZONE SYMBOL	ZONE TITLE
5	EP	ENVIRONMENTAL PROTECTION
6	A	AGRICULTURAL
7	RC	RESIDENTIAL CLUSTER
8	RE	RESIDENTIAL ESTATE
9	RH	RESIDENTIAL HAMLET
10	RM	RESIDENTIAL MOBILE HOME
11	RS	RESIDENTIAL SHORELINE
12	R1	URBAN RESIDENTIAL TYPE ONE
13	R2	URBAN RESIDENTIAL TYPE TWO
14	R3	URBAN RESIDENTIAL TYPE THREE
15	R4	URBAN RESIDENTIAL TYPE FOUR
16	C1	GENERAL COMMERCIAL

Zone use any land or erect, alter or use any building or structure except as specified hereunder, namely:

a. Residential Uses

1) prohibited

b. Non-Residential Uses

1) greenbelt park, golf courses and driving ranges exclusive of buildings, conservation, forestry, bird sanctuaries, wildlife reserves or other similar uses which provide for the preservation of the natural environment;

ii) a farm exclusive of any buildings or structures associated therewith.

iii) flood and erosion control works.

5.2 SPECIAL EXCEPTIONS - ENVIRONMENTAL PROTECTION (EP) ZONE

5.2.1 ENVIRONMENTAL PROTECTION EXCEPTION (EP-1) ZONE

Notwithstanding Section 5.1, those lands zoned EP-1 on the Schedules to this By-law shall be subject to the following regulations:

a. Permitted Uses

i) Retail Commercial Store including accessory offices
ii) Commercial Offices
iii) Marina
iv) Private Club
v) Park (public or private)
vi) Water Purification Plant and Pumping Station
vii) Parking Areas

b. Zone Regulations

i)	Block Area (minimum) exclusive of water surface areas	54000 square metres
ii)	Building Coverage (minimum)	10 percent
iii)	Landscaped Area (minimum)	50 percent
iv)	Floor Areas:	
	- Retail Commercial Stores (Total combined maximum)	400 square metres
	- Commercial Offices (Total combined maximum)	60 square metres
v)	Building Height (maximum)	10.5 metres
vi)	Separation between buildings or structures (minimum)	2.5 metres
vii)	Separation between buildings or structures and any private driveway, roadway or lane	6.0 metres
viii)	Separation between buildings or structures and any public road (minimum)	7.5 metres
ix)	Separation between buildings or structures and any lot line abutting public lands, buildings or structures	4.0 metres
x)	Parking (minimum)	332 spaces

SECTION 6

6. AGRICULTURAL (A) ZONE

6.1 PERMITTED USES

No person shall within the Agricultural (A) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

i) one single detached dwelling;
ii) one additional single detached dwelling provided that such dwelling is used by persons employed on the lot, and provided that the lot is not less than 20 hectares in area;
iii) a converted dwelling;
iv) a home occupation use in accordance with the provisions of Section 3.10

b. Non-Residential Uses

i) cemeteries and places of worship which existed prior to the date of passing of this By-law;
ii) conservation and forestry;
iii) a farm;
iv) a wayside pit or quarry in accordance with the provisions of The Pits And Quarries Control Act, as amended;

12	R1	URBAN RESIDENTIAL TYPE ONE
13	R2	URBAN RESIDENTIAL TYPE TWO
14	R3	URBAN RESIDENTIAL TYPE THREE
15	R4	URBAN RESIDENTIAL TYPE FOUR
16	C1	GENERAL COMMERCIAL
17	C2	NEIGHBOURHOOD COMMERCIAL
18	C3	HAMLET COMMERCIAL
19	C4	SPECIAL PURPOSE COMMERCIAL
20	C5	SPECIAL PURPOSE COMMERCIAL (SERVICED)
21	C6	SERVICE STATION COMMERCIAL
22	C7	SERVICE STATION COMMERCIAL (SERVICED)
23	M1	LIGHT INDUSTRIAL
24	M2	GENERAL INDUSTRIAL
25	M3	EXTRACTIVE INDUSTRIAL

ZONING MAPS

The extent and boundaries of the said zones are shown on the Schedules attached hereto which form part of this By-law. Such zones are described on the Schedules by the appropriate zone symbol.

4.1 SPECIAL EXCEPTIONS

A number of the zones set out in this By-law and listed above, contain a section which describes "special exceptions". Special exceptions are indicated on the Schedules to this By-law by adding a dash (-) and a number to the basic zone symbol (for example, R1-3).

Where a special exception is applied to a lot, such lot may only be used in accordance with the special exceptions described in the text. Where there is a conflict between a special exception and any other section of this By-law, the special exception shall apply. Where the special exception is silent on any matter, the provisions of this By-law shall apply.

SECTION 5

5. ENVIRONMENTAL PROTECTION (EP) ZONE

5.1 PERMITTED USES

No person shall within an Environmental Protection (EP)

b. Non-Residential Uses

i) cemeteries and places of worship which existed prior to the date of passing of this By-law;
ii) conservation and forestry;
iii) a farm;
iv) a wayside pit or quarry in accordance with the provisions of The Pits And Quarries Control Act, as amended;
v) commercial kennels;
vi) fur farms;
vii) riding and boarding stables;
viii) public fairgrounds;
ix) seasonal farm produce sales outlet.

c. Holding Zone

Where the zone symbol shown on a Schedule to this by-law is preceded by the letter (H), the use of the lands shall be limited to conservation and forestry uses.

6.2 REGULATIONS FOR RESIDENTIAL USES

a. Non-farm residential buildings and structures on lots which predate the passing of this By-law, farm-related residences and residential buildings and structures on lots which are created by severance in accordance with the Durham Regional Official Plan, shall comply with the Zone requirements set out in Section 9.2 of this By-law. Notwithstanding the foregoing, where an additional single detached dwelling is provided, said dwelling shall have a total floor area of not less than 60 square metres.

b. Notwithstanding the above, converted dwellings shall have a minimum total floor area of 60 square metres.

6.3 REGULATIONS FOR NON-RESIDENTIAL USES

a.	Lot Area (minimum)	40 hectares
b.	Lot Frontage (minimum)	
	i) Farm exclusive of residential buildings	10 metres
	ii) All other permitted uses	100 metres
c.	Yard Requirements (minimum)	
	i) Front Yard	15 metres
	ii) Exterior Side Yard	15 metres
	iii) Interior Side Yard	15 metres
	iv) Rear Yard	15 metres
d.	Lot Coverage (maximum)	5 Percent
e.	Landscaped Open Space (minimum)	10 Percent
f.	Building Height (maximum)	
	i) Buildings Accessory to a Farm	No Restriction
	ii) All Others	10 metres

tions contained therein
t townhouse dwelling
townhouse dwelling
rted dwelling
ding house
ex dwelling; and

ntial Uses

of worship, subject to the zone regulations
t in Section 12.2 in respect of a single
ed dwelling.

DUPLEX DWELLING, CONVERTED DWELLING,

(minimum) 550 square metres

ge (minimum) 20 metres

irements (minimum)
Yard 6 metres
or Side Yard 6 metres
or Side Yard
width shall be 3.2 metres on one side, 1.5
on the other side, plus 0.6 metres on the
side for each additional or partial storey
the second.
ard 10 metres

or Area (minimum) for a
welling or a dwelling unit
converted dwelling 60 square metres

age (maximum) 45 percent

ed Open Space (minimum) 30 percent

Height (maximum) 10.5 metres

OR STREET TOWNHOUSE DWELLINGS

(minimum) 170 square metres
or Lot 280 square metres
or Lot

tage (minimum)
for Lot 6 metres
ior Lot 10 metres

uirements (minimum)
Yard 6.0 metres
ior Side Yard 1.5 metres, nil where building has a common wall with any building on an adjacent lot located in an R-3 zone
ior Side Yard 4.5 metres
Yard 7.5 metres

Unit Area (minimum) 85 square metres

rage (maximum) 50 percent

ed Open Space (minimum) 30 percent

Height (maximum) 10.5 metres

OR LINK TOWNHOUSE DWELLING

(maximum) 40 units per ha

ntage (minimum) 13.5 metres

quirements (minimum)
Yard 6.0 metres
rior Side Yard 4.5 metres
rior Side Yard 6.0 metres
Yard 7.5 metres

g Unit Area (minimum) 85 square metres

erage (maximum) 40 percent

ped Open Space (minimum) 40 percent

g Height (maximum) 10 metres

RVICING REQUIREMENT

ding or structure may be erected and no use may
blished in the Urban Residential Type Three
ne unless the lot upon which it is situated is
d by municipal sewage and water systems which
fficient capacity to accommodate the proposed

not apply to prevent the

14.6.4 URBAN RESIDENTIAL EXCEPTION (R3-4) ZONE

Notwithstanding the provisions of Section 14.4, those lands zoned R3-4 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Dwelling Units (maximum) 63 link townhouse units

b. Lot Frontage (minimum) nil where access provided from a private road

c. Yard Requirements (minimum) nil provided the specified building separation standards are complied with

d. Building Separation (minimum)
i) Separation between buildings or structures 2.5 metres
ii) Separation between buildings or structures and any private driveway, road or lane 6.0 metres
iii) Separation between buildings or structures and any public road 7.5 metres.
iv) Separation between buildings or structures and any lot line abutting public lands, buildings or structures 4.0 metres

e. Dwelling Unit Area (minimum) 33.5 square metres

f. Lot Coverage (maximum) 25 percent

g. Landscaped Open Space (minimum) 40 percent

h. Building Height (maximum) 10.5 metres

i. Parking (minimum) 90 spaces

14.6.5 URBAN RESIDENTIAL EXCEPTION (R3-5) ZONE

Notwithstanding the provisions of Section 14.1 and 14.4, those lands zoned R3-5 on the Schedules to this By-law may only be used in accordance with the following zone regulations:

i) PERMITTED USES

a. a street townhouse dwelling

b. a semi-detached dwelling

c. a single detached dwelling

ii) REGULATIONS FOR RESIDENTIAL USES

Single detached and semi-detached dwellings shall be subject to the zone regulations for such dwellings set out by Section 13.4.2 of this By-law for the R2-2 zone. Street Townhouse dwellings shall be subject to the following zone regulations:

a. Lot Area (minimum)
i) Interior Lot 167.0 square metres
ii) Exterior Lot 278.0 square metres

b. Dwelling Unit Area (minimum) 83.0 square metres

c. Building Height (maximum) 10.5 metres

d. There shall be no more than ten (10) attached street townhouses in one continuous row

14.6.6 URBAN RESIDENTIAL EXCEPTION (R3-6) ZONE

Notwithstanding the provisions of Section 14.4, those lands zoned R3-6 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Dwelling Units (maximum) 4 link Townhouse Dwelling Units

b. Lot Area (minimum) 2900 square metres

c. Lot Frontage (minimum) 9.0 metres

d. Frontyard Setback from any R1 Zone (minimum) 15.0 metres

e. Interior Sideyard (minimum) 12.0 metres

f. Rearyard (minimum) 15.0 metres

g. Dwelling Unit Area (minimum) 110 square metres

c. Yard Requirements (minimu
i) Front Yard
ii) Interior Side Yard
iii) Exterior Side Yard
iv) Rear Yard

d. Dwelling Unit Area minimu
i) Bachelor Dwellin Unit
ii) One Bedroom Dwelling U
iii) Two Bedroom Dwelling U
iv) Dwelling Unit Containi
or more bedrooms

pl
bc

e. Lot Coverage (maximum)

f. Landscaped Open Space (mi

g. Building Height (maximum)

h. Building Height Exemption
i) A building in excess o
provided that the appl
shall be increased dire
increase in building he

i. Yard Requirement Exemptio

1) Where an apartment bui
commercial zone the ya
commercial zone shall
building in excess of
applicable yard requir
direct proportion to t
height above 12 metres

ii) Where a lot zoned R4 a
the minimum interior a
shall be 3.0 metres an
that yard abutting the

15.3 MUNICIPAL SERVICING REQUIREMEN

No buildings or structures may
established in the Urban Resid
unless the lot upon which it i
municipal sewage and water sys
capacity to accommodate the pr

15.4 SPECIAL EXCEPTIONS - URBAN RES

15.4.1 URBAN RESIDENTIAL EXCEPTI

Notwithstanding Section 1
on the Schedules to this
the following zone regula

a. Dwelling Units (maximu

b. Parking Spaces (minimu

c. Rear Yard (minimum)

d. Dwelling Unit Area (mi
i) One Bedroom Dwellin
ii) Two Bedroom Dwellin

15.4.2 URBAN RESIDENTIAL EXCEPT

Notwithstanding Section
on the Schedules to this
the following zone regul

a. Dwelling Units (maximu

b. Lot Frontage minimum

c. Parking (minimum)

d. Dwelling Unit Area (mi
i) One Bedroom Dwellin
ii) Two Bedroom Dwellin

15.4.3 URBAN RESIDENTIAL EXCEPT

Notwithstanding Sections
zoned R4-3 on the Schedu
subject to the following

a. Lot Area (minimum)

b. Dwelling Units (maximu

c. Yard Requirements (mi
i) Front Yard

ceiling of such units is located above finished grade adjacent to the exterior wall of such unit.

15.4.5 URBAN RESIDENTIAL EXCEPTION (R4-5) ZONE

Notwithstanding Section 15.2, those lands zoned R4-5 on the Schedules to this By-law shall be subject to the following zone regulations:

a. Dwelling Units (maximum)	70 units
b. Lot Frontage (minimum)	nil where access provided from a private road
c. Yard Requirements (minimum)	nil provided the specified building separation standards are complied with
d. Building Separation (minimum)	
i) Separation between buildings or structures	2.5 metres
ii) Separation between buildings or structures and any private driveway, road or lane	6.0 metres
iii) Separation between buildings or structures and any public road	7.5 metres
iv) Separation between buildings or structures and any lot line abutting public lands, buildings or structures	4.0 metres
e. Dwelling Unit Area (minimum)	33.5 square metres
f. Lot Coverage (maximum)	25 percent
g. Landscaped Open Space (minimum)	40 percent
h. Building Height (maximum)	10.5 metres
i. Parking (minimum)	50 spaces

SECTION 16

i. GENERAL COMMERCIAL (C1) ZONE

.1 PERMITTED USES

No person shall within the General Commercial (C1) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

i) dwelling units existing at the date of passing of this By-law; and
ii) dwelling units as part of a building containing a permitted non-residential use(s).

b. Non-Residential Uses

i) assembly hall;
ii) bakery shop;
iii) business, professional or administration office;
iv) day nursery;
v) dry cleaners distribution centre;
vi) eating establishment;
vii) eating establishment, take-out;
viii) taxi stand;
ix) laundry - coin-operated;
x) library;
xi) medical or dental clinic;
xii) nursing home;
xiii) parking lot;
xiv) place of entertainment;
xv) place of worship;
xvi) printing or publishing establishment;
xvii) private club;
xviii) retail commercial establishment;
xix) school, commercial;
xx) service shop, light;
xxi) service shop, personal;
xxii) shopping centre containing any of the uses listed in this section;
xxiii) supermarket;
xxiv) tavern;
xxv) theatre; and
xxvi) veterinary clinic.

c. HOLDING ZONE - where the zone symbol shown on a Schedule to this By-law is preceded by the letter (H) the use of the lands shall be limited to dwelling units existing at the date of passing of the By-law. The (H) Holding symbol may be removed upon Council being satisfied that the uses to be permitted will be

requirements set out in Section 3 of this By-law, those lands zoned C1-1 on the Schedules to this By-law shall be exempted from parking and loading space requirements.

16.5.2 GENERAL COMMERCIAL EXCEPTION (C1-2) ZONE

Notwithstanding Section 16.4 above, those lands zoned C1-2 on the Schedules to this By-law, no building or structure may be erected and no use may be established in the C1-2 zone unless the lot upon which it is situated is serviced by a municipal water system and a private waste disposal system which complies with the regulations of the Ministry of the Environment.

16.5.3 GENERAL COMMERCIAL EXCEPTION (C1-3) ZONE

Notwithstanding Sections 16.2, those lands zoned (C1-3) on the Schedules to this By-law shall be subject to the following zone regulations:

a. Yard Requirements (minimum)	
i) Front Yard	20 metres
ii) Exterior Side Yard	20 metres
iii) Interior Side Yard	7.5 metres except that where a side lot line abuts a residential zone the minimum interior side yard shall be 15 metres.
iv) Rear Yard	10.5 metres except that where a rear lot line abuts a residential zone the minimum rear yard shall be 15 metres.
b. Building Height (maximum)	10.5 metres
c. Lot Coverage (maximum)	35 Per Cent
d. Landscaped Open Space (minimum)	an area 1.5 metres in depth abutting every exterior lot line except where such area is occupied by a driveway or walkway.

SECTION 17

17. NEIGHBOURHOOD COMMERCIAL (C2) ZONE

17.1 PERMITTED USES

No person shall, within a Neighbourhood Commercial (C2) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

Residential uses are prohibited except where a dwelling unit is located within a portion of a non-residential building permitted within the Neighbourhood Commercial (C2) Zone.

b. Non-Residential Uses

i) a convenience store;
ii) a service shop, personal.

17.2 REGULATIONS FOR RESIDENTIAL USES

a. Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit for each non-residential use shall be permitted in a portion of a non-residential building permitted within the Neighbourhood Commercial (C2) Zone in accordance with the requirements of the said zone and the total floor area requirement set out in the R4 Zone.

17.3 REGULATIONS FOR NON-RESIDENTIAL USES

a. Lot Area (minimum)	1000 square metres
b. Lot Frontage (minimum)	30 metres
c. Yard Requirements (minimum)	
i) Front Yard	10 metres
ii) Exterior Side Yard	10 metres
iii) Interior Side Yard	Minimum interior side yard width shall be 4 metres except where the interior side lot line abuts a Residential Zone, in which case the minimum interior side yard width shall be 10 metres.
iv) Rear Yard	10 metres
d. Lot Coverage (maximum)	50 percent
e. Landscaped Open Space (minimum)	30 percent
f. Building Height (maximum)	10 metres
g. Floor Area (maximum)	500 square metres

19.4.1 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-1) ZONE

Notwithstanding Section 19.1, those lands zoned C4-1 on the Schedules to this By-law may only be used for the purposes of a veterinary clinic. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.2 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-2) ZONE

Notwithstanding Section 19.1, those lands zoned C4-2 on the Schedules to this By-law may only be used for a building supply outlet. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.3 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-3) ZONE

Notwithstanding Section 19.1, those lands zoned C4-3 on the Schedules to this By-law may only be for a motor vehicle towing establishment and for the temporary storage and/or repair of motor vehicles provided that said vehicles are stored within a fenced enclosure and provided that no vehicle is stored for more than thirty (30) days.

19.4.4 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-4) ZONE

Notwithstanding Section 19.1, those lands zoned C4-4 on the Schedules to this By-law may only be used for a motor vehicle sales establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.5 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-5) ZONE

Notwithstanding Section 19.1, those lands zoned C4-5 on the Schedules to this By-law may only be used as a recreational vehicle sales establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

19.4.6 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C4-6) ZONE

Notwithstanding Section 19.1, those lands zoned C4-6 on the Schedules to this By-law may only be used for an eating establishment. The placement of buildings and structures shall be subject to the zone regulations set out in Section 19.3.

SECTION 20

20. SPECIAL PURPOSE COMMERCIAL (C5) ZONE

20.1 PERMITTED USES

No person shall within a Special Purpose Commercial (C5) Zone use any land or erect, alter or use any building or structure except as specified hereunder:

a. Residential Uses

i) prohibited

b. Non-Residential Uses

i) any non-residential use permitted in a Special Purpose Commercial (C4) Zone.

20.2 REGULATIONS FOR NON-RESIDENTIAL USES

No person shall, within a Special Purpose Commercial (C5) Zone, use any land or erect, alter or use any building or structure except in accordance with the zone regulations for Non-Residential uses as specified by Section 19.3 of this By-law.

20.3 MUNICIPAL SERVICING REQUIREMENT

a. No building or structure may be erected and no use may be established in the Special Purpose Commercial (C5) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accomodate the proposed use.

b. Subsection a. above does not apply to prevent the erection of a building or structure accessory to any use permitted in this zone which existed legally on the date of passing of this By-law.

c. Subsection a. above does not apply to prevent the change in use of a building or structure which was being used for a permitted use on the date of passing

20.4.6 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C5-6) ZONE

Notwithstanding Section 20.1 and 20.2, those land zoned C5-6 on the Schedules to this By-law shall subject to the following zone regulations:

20.4.6 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C5-6) ZONE

a. Permitted Uses

i) One (1) assembly hall/conference centre consisting a maximum of sixteen (16) motel/hotel units and including accessory retail commercial stores, commercial offices, offices and eating establishments.
ii) Retail Commercial stores including eating establishments.
iii) Park (public or private)
iv) Parking Areas
v) A maximum of thirteen (13) residential dwellings as part of a non-residential building

b. Zone Provisions

i) Block Area (minimum)	8000 square metres
ii) Building Coverage (maximum)	25 percent
iii) Lanscaped Area (minimum)	40 percent
iv) Floor Areas:	
- Retail Commercial Stores and Offices (Total combined maximum)	1245 square metres
- Residential dwelling unit (minimum)	33.5 square metres
- Hotel/Motel Unit (minimum)	20 square metres
v) Building Height (maximum)	10.5 metres
vi) Separation between buildings or structures (minimum)	2.5 metres
vii) Separation between buildings or structures and any private driveway, roadway or lane	6.0 metres
viii) Separation between buildings or structures and any public road (minimum)	7.5 metres
ix) Separation between buildings or structures and any lot line abutting public lands, buildings or structures	4.0 metres
x) Parking (minimum)	46 spaces

20.4.7 SPECIAL PURPOSE COMMERCIAL EXCEPTION (C5-7) ZONE

Notwithstanding Section 3.6 and 20.1 those lands zoned C5-7 on the Schedules to this by-law shall be subject to the following zone regulations:

a. Lot Area (minimum)	3500 square metres
b. Lot Frontage (minimum)	30 metres

SECTION 21

21. SERVICE STATION COMMERCIAL (C6) ZONE

21.1 PERMITTED USES

No person shall, within a Service Station Commercial (C6) Zone, use any land or erect, alter or use any building or structure except as specified hereunder.

a. Residential Uses

i) a dwelling unit located within a portion of a non-residential building permitted within the Service Station Commercial (C6) Zone;
ii) a single detached dwelling that is accessory to a permitted non-residential use.

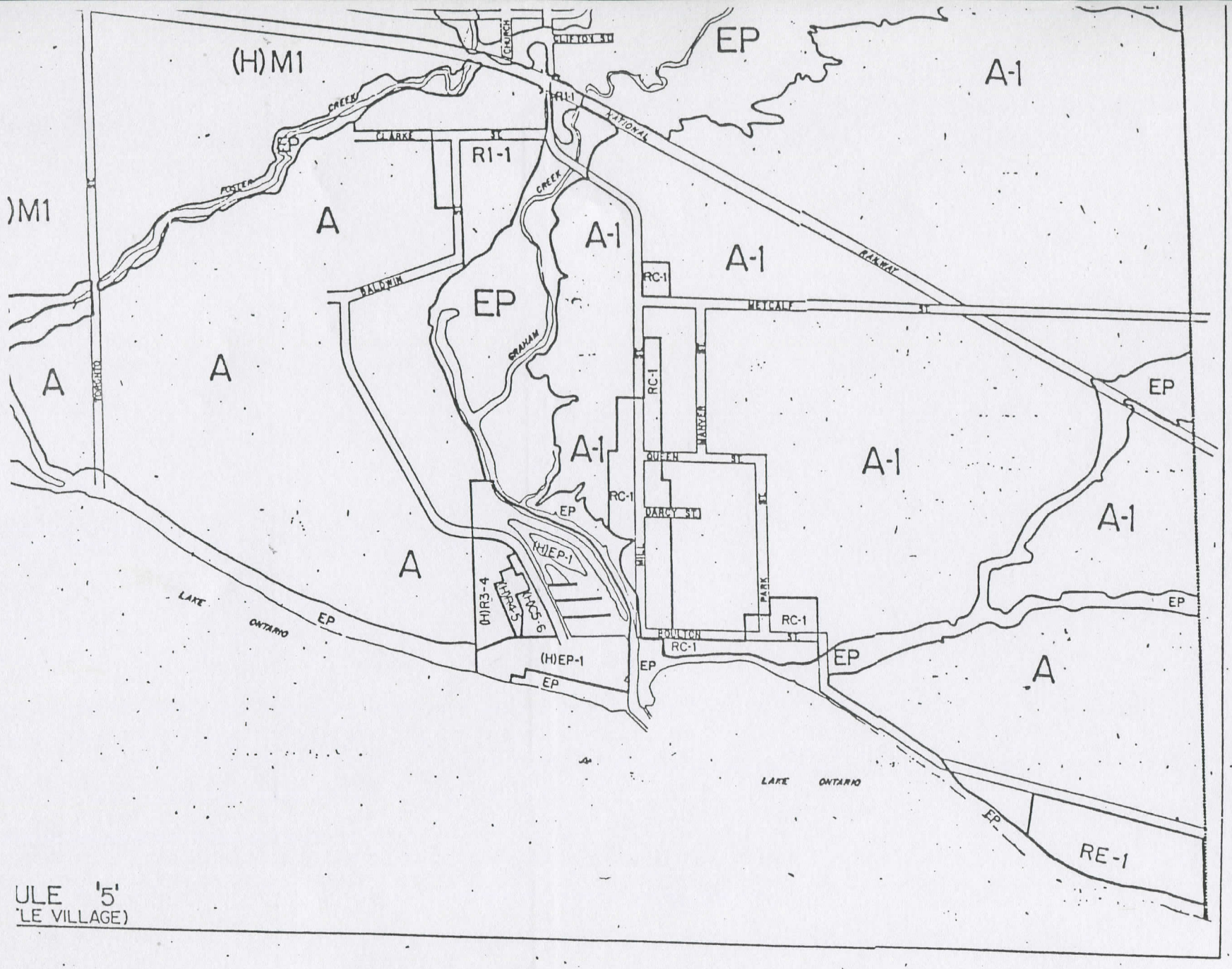
b. Non-Residential Uses

i) Motor Vehicle Fuel Bar;
ii) Motor Vehicle Service Station; and
iii) the retail sale of confectionary items, sundry foods and promotional items as an accessory use to a permitted use, but excluding facilities for the preparation of foods.

21.2 REGULATIONS FOR RESIDENTIAL USES

a. Dwelling Unit in Portion of Non-Residential Building

A maximum of one dwelling unit may be permitted in a portion of a non-residential building permitted within the Service Station Commercial (C6) Zone in accordance with the zone requirements of the non-residential



ULE '5'
'LE VILLAGE)

CORPORATION OF THE TOWN O
NEWCASTLE
NEWCASTLE VILLAGE
(FORMER TOWNSHIP OF CLARKE)

THIS IS SCHEDULE '5'
TO BY-LAW 84-63
PASSED THIS 10th DAY
OF SEPTEMBER, 1984

4-E-5