

SECTION 8 - VILLAGE RESIDENTIAL "R2" ZONE

8.1 GENERAL PROHIBITION

Within a Residential "R2" Zone, no person shall use any land, erect alter, enlarge, use or maintain any building or structure for any use other than as permitted in Subsection 2 of this Section and in accordance with the regulations contained or referred to in Subsections 3 and 4 of this Section.

No person shall erect or use any building or structure on any lot in a Village Residential "R2" Zone unless such lot is serviced by a municipal piped water supply and sanitary sewer system.

8.2 USES PERMITTED

Dwelling unit, Accessory
 Bed and breakfast establishment
 Home occupation
 Single detached dwelling
 Semi-detached dwelling

8.3 ZONE REGULATIONS

8.3.1 Single Detached Dwelling

(a)	Minimum Lot Area	557 square metres
(b)	Minimum Lot Frontage	18 metres
(c)	Maximum Lot Coverage	35%
(d)	Minimum Required Yard	
	(i) Front	7.5 metres
	(ii) Interior Side	1.2 metres
	(iii) Exterior Side	4.5 metres
	(iv) Rear	7.5 metres
(e)	Maximum Height of Building	9 metres
(f)	Minimum Gross Floor Area	55.74 m ²

8.3.2 Semi-Detached Dwelling

(a)	Minimum Lot Area	320 m ² per dwelling
(b)	Minimum Lot Frontage	9.0 m per dwelling unit
(c)	Maximum Lot Coverage	40%
(d)	Minimum Required Yard	
	(i) Front	7.5 metres
	(ii) Interior Side	1.2 metres exposed end wall, 0 metres vertical common wall
	(iii) Exterior Side	4.5 metres
	(iv) Rear	7.5 metres
(e)	Maximum Height of Building	9 metres
(f)	Minimum Gross Floor Area	80 m ² per dwelling unit

8.4 ZONE EXCEPTIONS

8.4.1 R2-1 Zone

Notwithstanding the provisions of By-law, lands within the “R2-1” Zone may be used to construct a garage and/or a non-habitable accessory structure, provided all required setbacks of the “R2” Zone are met and the main dwelling use is located no greater than 30 metres from the lot within the “R2-1” Zone.

8.4.2 R2-2 Zone

Notwithstanding the provisions of Section 8.3.1, for those lands zoned “R2-2”, the minimum frontage shall be 15 metres and the minimum lot area shall be 525 square metres.

8.4.3 R2-3 Zone

Notwithstanding the provisions of Section 8.3, the minimum required front yard shall be 6 metres and the minimum required rear yard shall be 15 metres for the lands zoned “R2-3”.

8.4.4 R2-4 Zone

Notwithstanding the provisions of Section 4.5, the lands zoned "R2-4" may be used in accordance with the provisions of Section 8.

8.4.5 R2-5 Zone

Notwithstanding the provisions of Section 8.3.1, for those lands zoned "R2-5", the minimum lot area shall be 525 square metres, the minimum lot frontage shall be 15.0 metres and the maximum lot coverage shall be 33%.

8.4.6 R2-6 Zone

Notwithstanding Sections 8.3, the following provisions shall apply to those lands Zoned “R2-6”:

Minimum Lot Area	608 square metres
Minimum Lot Frontage	16 metres
Maximum Lot Coverage	33%

8.4.7 R2-7 Zone

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands Zoned "R2-7";

Minimum Lot Frontage	15.00 metres
Exterior Side Yard	8.0 metres
Maximum Lot Coverage	35%
Minimum Ground Floor Area	
1 Storey	85 m ²
1.5 Storey	55 m ²
2 Storey	55 m ²
Maximum Height of Building	11 metres

8.4.8 R2-10 Zone

Notwithstanding the provisions of Section 4.1.7 (c) and 8.4.1, for those lands zoned "R2-10", the minimum lot area shall be 600 square metres, the minimum rear yard shall be 9.5 metres, the maximum coverage shall be 40%, and the minimum rear yard for an accessory structure shall be 0.25 metres.

8.4.9 R2-11 Zone

In addition to the uses of Subsection 8.2, a duplex dwelling is also permitted.

8.4.10 R2-12 Zone

Notwithstanding anything to the contrary the following zone regulations apply:

(a) Minimum Lot Area	500 square meters
(b) Minimum Lot Frontage	15 meters
(c) Maximum Lot Coverage	35%
(d) Maximum Lot Coverage	40% for a bungalow
(e) Minimum Required Yard	
i. Front Yard	6 meters
ii. Interior Side	1.2 meters
iii. Exterior Side	4.5 meters
iv. Rear Yard	8 meters
v. Rear Yard	11 meters for lots having more than 35% lot coverage
(f) Maximum Height of Building	9 meters
(g) Minimum Gross Floor Area	93 m ²

8.4.11 R2-13 Zone

Notwithstanding the provisions contained in Section 8.4.1 (a) and (b) of this By-law, the following provisions shall apply to lands zoned "R2-13"

Minimum Lot Area	890 square metres
Minimum Lot Frontage	16.5 metres

8.4.12 R2-14 Zone

Notwithstanding any other provisions of this By-law to the contrary, a home occupation use, specifically a craft shop, shall be a permitted use on the lands zoned as "R2-14". The home occupation use shall be limited to the existing garage, which consists of approximately 31.3 square metres. In addition, the minimum required exterior side yard requirement for the lands zoned as "R2-14" shall be 2.43 metres.

8.4.13 R2-15 Zone

Notwithstanding any other provisions of this By-law to the contrary, two single detached dwellings may be located on those lands zoned "R2-15".

8.4.14 R2-16 Zone

8.4.14.1 Nothing in Section 8.3 shall prevent the erection of a single detached dwelling on any lot on those lands zoned as "R2-16" provided that the following requirements are complied with:

(a) Minimum Lot Frontage	15 metres
(b) Minimum Lot Area	464 square metres
(c) Minimum Front Yard	7.5 metres
(d) Minimum Rear Yard	7.5 metres
(e) Minimum Exterior Side Yard	4.5 metres
(f) Minimum Interior Side Yard	1.2 metres
(g) Minimum Gross Floor Area	83.5 square metres
(h) Maximum Lot Coverage	30%
(i) Maximum Height of Building	7 metres

8.4.14.2 The R2-16 Zone shall only permit a single detached dwelling. A Bed and Breakfast establishment is not permitted.

Within the area affected by the above exception and where the "H" Holding Zone is applied and notwithstanding the provisions of Section 4.7, Holding Symbol, the following permitted uses, and regulations apply.

A new dwelling unit on a vacant lot shall utilize a tertiary sewage treatment system and shall be connected to municipal water and shall be required to remove the Holding Zone provision.

An existing dwelling unit may be replaced or enlarged provided the existing septic system or new septic system is designed and approved to manage the effluent load of the replacement or addition, and such dwelling unit shall be connected to municipal water. Where a new septic system is required, a tertiary sewage treatment system is required. Removal of the Holding Zone provision is required for a dwelling unit that is being replaced and where a new septic system is required.

Accessory and non-habitable detached buildings including garages and sheds are permitted. Non-habitable additions to a dwelling unit including an attached garage, carport, porch, and unenclosed deck are also permitted. The removal of the Hold provision is not required.

8.4.15 R2-18 Zone

Notwithstanding the provisions of the R2 Zone, the following provisions apply to lands zoned R2-18:

a) General Prohibitions

Within a Village Residential "R2-18" Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Subsection 2 of this Section and also in accordance with the regulations contained or referred to in Subsections 2 and 3 of this Section.

(b) Uses Permitted

- Single detached dwelling
- Semi-detached dwelling
- Duplex dwelling
- Triplex dwelling
- Townhouse dwelling
- Low-rise or apartment dwelling
- Public park or private recreation area

(c) Zone Regulations

<i>Minimum lot area for single detached dwelling unit</i>	370 square metres
<i>Minimum lot area requirement for semi-</i>	Determined by multiplying

<i>detached, townhouses</i>	the number of units by 220 square metres
<i>Minimum lot area for duplex, triplex, low rise apartment dwelling</i>	Determined by multiplying number of units by 185 square metres.

<i>Minimum Yards</i>	1 Storey Building	2 Storey Building	3 or More Storeys
Front Yard	3 metres	5 metres	8 metres
Rear Yard	3 metres	5 metres	8 metres
Interior Side Yard	1.22 metres	1.8 metres	5 metres
Exterior Side Yard	3 metres	5 metres	5 metres

Minimum Floor Area Per Dwelling Unit 85 square metres

Maximum Building Height 11 metres

Buffering

Where any multiple dwelling is located adjacent to a single dwelling unit, a 1 metre planting strip shall be required.

Sewage Treatment Plant Set Back

No residential dwellings shall be located within 150 metres of the expanded and upgraded Port McNicoll Sewage Treatment Plant.

Environmental Setback

Notwithstanding any other provision of this by-law, the setback for defining the line between the Environmental Protection "EP-2" Zone and the Village Residential "R2-18(H)" Zone shall be established at 15 metres from the shoreline for the area presently zoned in the Environmental Protection "EP-2" Zone located on Hogg Bay to the west of the "Special Study Holding Area D-1 Zone". In certain instances where the top of the existing railway embankment is less than 15 metres, the top of the existing railway embankment shall be used as the setback from the shoreline.

Open Space

In each development phase respecting those lands zoned in the “R2-18” Zone, a minimum of 5% of the land area shall be provided for public or private recreational use.

8.4.16 R2-19 Zone

Notwithstanding subsection 8.3 for those lands zoned “R2-19” the following provisions shall apply:

(a)	Minimum Lot Area	695 square metres
(b)	Minimum Lot Frontage	15 metres
(c)	Minimum Yards	
	(i) Front Yard	8 metres
	(ii) Rear Yard	8 metres
	(iii) Interior Side Yard	1.2 metres
	(iv) Exterior Side Yard	8 metres
(d)	Maximum Lot Coverage	35%
(e)	Maximum Building Height	9 metres

8.4.17 R2-20 Zone

In addition to the uses of Subsection 8.2, a semi-detached dwelling is also permitted.

8.4.18 R2-21 Zone

Notwithstanding the General Provisions of Subsections 4.5.1 “Frontage on a Public Street” and 8.1 “General Prohibition” regarding servicing by municipal piped water supply and sanitary sewer system, on lands zoned “R2-21” an existing single detached dwelling may be used in accordance with the provisions of Section 8 Village Residential “R2”.

8.4.19 R2-22 Zone

Notwithstanding the provisions of subsection 8.3, for those lands zoned “R2-22”, the following provisions shall apply:

(a)	Minimum Lot Area	370 square metres
(b)	Minimum Lot Frontage	12 metres
(c)	Minimum Yards	
	(i) Front Yard	6 metres
	(ii) Rear Yard	8 metres
	(iii) Interior Side Yard	1.22 metres
	(iv) Exterior Side Yard	5 metres
(d)	Maximum Lot coverage	30%
(e)	Maximum Height of Building	9 metres

8.4.20 R2-23 Zone

Notwithstanding the Zone Regulations of subsection 8.3.1 “Village Residential, Zone Exceptions, Single Detached Dwelling” the following regulations apply:

- | | | |
|----|-----------------------|-------------------|
| a) | Minimum Lot Area | 438 square metres |
| b) | Minimum Lot Frontage | 12.19 metres |
| c) | Maximum Lot Coverage | 35% |
| d) | Minimum Required Yard | |
| | i) Front | 4.5 metres |
| | ii) Interior Side | 1.0 metres |
| | iii) Rear | 7.5 metres |

8.4.21 R2-24 Zone

In addition to the Zone Provisions of Subsection 8.3; notwithstanding the General Provision, Frontage on an Improved Street of Subsection 4.5.1; and, the Zone Provision, Minimum Lot Frontage of Subsection 8.3.1(b) of this By-law, for those lands zoned “R2-24”, frontage on a public street is not required; the minimum lot frontage shall be 17.6 metres; and, not more than one single detached dwelling shall be permitted within the zone.

8.4.22 R2-25 Zone

Notwithstanding the Zone Provisions of Subsections 8.3.1 (b) “Village Residential “R2” Zone, Zone Regulations, Single Detached Dwelling, the minimum lot frontage shall be 15 metres and notwithstanding subsection 8.3.1 (d) as it relates to the rear yard, the minimum rear yard shall be 30 metres.

8.4.23 R2-26 Zone

8.4.23.1 Nothing in Section 8.3 shall prevent the erection of a single detached dwelling on any lot on those lands zoned as “R2-26” provided that the following requirements are complied with:

- | | | |
|-----|----------------------------|--------------------|
| (a) | Minimum Lot Frontage | 15 metres |
| (b) | Minimum Lot Area | 464 square metres |
| (c) | Minimum Front Yard | 7.5 metres |
| (d) | Minimum Rear Yard | 7.5 metres |
| (e) | Minimum Exterior Side Yard | 4.5 metres |
| (f) | Minimum Interior Side Yard | 1.2 metres |
| (g) | Minimum Gross Floor Area | 83.5 square metres |
| (h) | Maximum Lot Coverage | 35% |

- | | |
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| (i) Maximum Height of Building | 7 metres |
|--------------------------------|----------|

8.4.23.2 The R2-26 Zone shall only permit a single detached dwelling. A Bed and Breakfast establishment is not permitted.

Within the area affected by the above exception and where the “H” Holding Zone is applied and notwithstanding the provisions of Section 4.7, Holding Symbol, the following permitted uses, and regulations apply.

A new dwelling unit on a vacant lot shall utilize a tertiary sewage treatment system and shall be connected to municipal water and shall be required to remove the Holding Zone provision.

An existing dwelling unit may be replaced or enlarged provided the existing septic system or new septic system is designed and approved to manage the effluent load of the replacement or addition, and such dwelling unit shall be connected to municipal water. Where a new septic system is required, a tertiary sewage treatment system is required. Removal of the Holding Zone provision is required for a dwelling unit that is being replaced and where a new septic system is required.

Accessory and non-habitable detached buildings including garages and sheds are permitted. Non-habitable additions to a dwelling unit including an attached garage, carport, porch, and unenclosed deck are also permitted. The removal of the Hold provision is not required.

8.4.24 R2-27 Zone

Notwithstanding the provisions of subsections 4.1.8(c), 4.5, 4.31 and 8.3 of this By-law to the contrary, for those lands zoned Village Residential 2 Exception 27 “R2-27”, the following provisions shall apply:

8.4.24.1 Permitted Uses

- (a) A maximum of 60 units of single detached dwellings within a Vacant Land Condominium.

8.4.24.2 Zone Regulations

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|---|-------------------|
| (a) Minimum Lot Area | 510 square metres |
| (b) Minimum Lot Frontage | 14.0 metres |
| (c) Maximum Lot Coverage | 35 % |
| (d) Minimum Required Yards for a single detached dwelling | |
| (i) Front | 6.0 metres |
| (ii) Interior Side | 1.8 metres |
| (iii) Exterior Side | 3.0 metres |
| (iv) Rear yard for Units 1-38 | 2.9 metres |
| (v) Rear yard for Units 42 and 59 | 7.6 metres |

(vi)	Rear yard for Unit 60	9.0 metres
(vii)	Rear yard for Units 40, 41, and 43-58	15.0 metres
(e)	Minimum Required Yards for an accessory building	
(i)	Front	6.0 metres
(ii)	Interior Side	1.0 metre
(iii)	Exterior Side	3.0 metres
(iv)	Rear yard for Units 1-38	1.0 metre
(v)	Rear yard for Units 42 and 59	7.6 metres
(vi)	Rear yard for Unit 60	9.0 metres
(vii)	Rear yard for Units 40, 41, and 43-58	15.0 metres
(f)	Maximum Building Height for a single detached dwelling	10.0 metres
(g)	Maximum absolute height of an architectural feature not exceeding 33% of roof area for a single detached dwelling	13.4 metres
(h)	Minimum Gross Floor Area for a single detached dwelling	93.0 sq metres
(i)	Minimum opening elevation for a single detached dwelling	178.9 metres G.S.C.

8.4.25 R2-28 Zone

All of the provisions and permitted uses of the R2-27 Zone apply to the R2-28 Zone with the exception of Subsections 8.4.27.2 (d), (e) and (i) and notwithstanding the provisions of Subsections 4.1.6 and 4.1.11, the following provisions apply:

8.4.25.1 Permitted Uses

- (a) A maximum of one single detached dwelling
- (b) A maximum of one dwelling unit in an accessory building

8.4.25.2 Zone Regulations

- (a) Minimum Required Yards for a single detached dwelling
 - (i) Front 6.0 metres
 - (ii) Interior Side East/Harbour 2.9 metres
 - (iii) Interior Side West 8.0 metres
 - (iv) Rear yard 20 metres
- (b) Minimum Required Yards for an accessory building:
 - (i) Front 6.0 metres
 - (ii) Interior East Side/Harbour 1.0 metre
 - (iii) Interior West Side 8.0 metres
 - (iv) Rear yard 1.0 metre
- (c) Maximum Height for an accessory building 6.6 metres
- (d) Maximum absolute height of an architectural feature not exceeding 33% of roof area for an accessory building 10.4 metres

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|-----|---|---------------------|
| (e) | Minimum opening elevation of a single detached dwelling and a dwelling in an accessory building | 179.2 metres G.S.C. |
| (f) | Maximum height fences along front lot line and side lot line | 2.1 metres |

8.4.26 R2-29 Zone

8.4.26.1 Nothing in Section 8.3 shall prevent the erection of a single detached dwelling on any lot on those lands zoned as “R2-29” provided that the following requirements are complied with:

- | | | |
|-----|----------------------------|--------------------|
| (a) | Minimum Lot Frontage | 15 metres |
| (b) | Minimum Lot Area | 464 square metres |
| (c) | Minimum Front Yard | 7.5 metres |
| (d) | Minimum Rear Yard | 7.5 metres |
| (e) | Minimum Exterior Side Yard | 4.5 metres |
| (f) | Minimum Interior Side Yard | 1.2 metres |
| (g) | Minimum Gross Floor Area | 83.5 square metres |
| (h) | Maximum Lot Coverage | 30% |
| (i) | Maximum Height of Building | 7 metres |

8.4.26.2 The R2-29 Zone shall only permit a single detached dwelling. A Bed and Breakfast establishment is not permitted.

Within the area affected by the above exception and where the “H” Holding Zone is applied and notwithstanding the provisions of Section 4.7, Holding Symbol, the following permitted uses, and regulations apply.

A new dwelling unit on a vacant lot shall utilize a tertiary sewage treatment system and shall be connected to municipal water and shall be required to remove the Holding Zone provision.

An existing dwelling unit may be replaced or enlarged provided the existing septic system or new septic system is designed and approved to manage the effluent load of the replacement or addition, and such dwelling unit shall be connected to municipal water. Where a new septic system is required, a tertiary sewage treatment system is required. Removal of the Holding Zone provision is required for a dwelling unit that is being replaced and where a new septic system is required.

Accessory and non-habitable detached buildings including garages and sheds are permitted. Non-habitable additions to a dwelling unit including an attached garage, carport, porch, and unenclosed deck are also permitted. The removal of the Hold provision is not required.

8.4.27 R2-30 Zone

8.4.27.1 Nothing in Section 8.3 shall prevent the erection of a single detached dwelling on any lot on those lands zoned as “R2-30” provided that the following requirements are complied with:

(a)	Minimum Lot Frontage	15 metres
(b)	Minimum Lot Area	464 square metres
(c)	Minimum Front Yard	7.5 metres
(d)	Minimum Rear Yard	7.5 metres
(e)	Minimum Exterior Side Yard	4.5 metres
(f)	Minimum Interior Side Yard	1.2 metres
(g)	Minimum Gross Floor Area	83.5 square metres
(h)	Maximum Lot Coverage	30%
(i)	Maximum Height of Building	7 metres

8.4.27.2 The R2-30 Zone shall only permit a single detached dwelling. A Bed and Breakfast establishment is not permitted.

Within the area affected by the above exception and where the “H” Holding Zone is applied and notwithstanding the provisions of Section 4.7, Holding Symbol, the following permitted uses, and regulations apply.

A new dwelling unit on a vacant lot shall utilize a tertiary sewage treatment system and shall be connected to municipal water and shall be required to remove the Holding Zone provision.

An existing dwelling unit may be replaced or enlarged provided the existing septic system or new septic system is designed and approved to manage the effluent load of the replacement or addition, and such dwelling unit shall be connected to municipal water. Where a new septic system is required, a tertiary sewage treatment system is required. Removal of the Holding Zone provision is required for a dwelling unit that is being replaced and where a new septic system is required.

Accessory and non-habitable detached buildings including garages and sheds are permitted. Non-habitable additions to a dwelling unit including an attached garage, carport, porch, and unenclosed deck are also permitted. The removal of the Hold provision is not required.

8.5.28 R2-31 Zone

Notwithstanding anything to the contrary the following zone regulations apply to those lands as shown on Schedule A:

a)	Minimum Lot Area	500 Square metres
b)	Minimum Lot Frontage	15 metres
c)	Maximum Lot Coverage	40%
d)	Minimum Required Yard:	

- | | | |
|------|---|------------------|
| i. | Front Yard | 6.0 metres |
| ii. | Interior Side | 1.2 metres |
| iii. | Exterior Yard | 4.5 metres |
| iv. | Rear Yard | 8.0 metres |
| e) | Maximum Height | 9.0 metres |
| f) | Minimum Gross Floor Area | 93 square metres |
| g) | That a maximum of 10 square metres of an unclosed porch not be included in the lot coverage | |

8.4.29 R2-32 Zone (By-law 2017-05)

Notwithstanding the provisions of subsection 8.4 the following zone regulations apply to those lands shown on Schedule A as amended:

- | | | |
|----|--|-------------|
| a) | Minimum Required Yard | |
| | a. Front Yard | 3.11 metres |
| | b. Exterior Side | 3.17 metres |
| | c. Maximum Height of Building | 10.0 metre |
| b) | That the Holding Symbol (H) shall not be removed until a Site Plan Agreement in accordance with Section 41 of the Planning Act is entered into with the Township of Tay and registered on title. | |

8.4.30 R2-33 Zone

Notwithstanding anything to the contrary the following zone regulations apply to those lands as shown on Schedule A:

- | | | |
|----|--|------------|
| a) | Minimum Require Yard: | |
| | a. Front Yard (Lots 10, 11, 14,18, 19, 43, 72, and 81) | 6.0 metres |
| | b. Front Yard (Lots 12, 13, 15 and 21 to 42) | 7.0 metres |
| | c. Exterior Yard | 4.5 metres |

8.4.31 R2-34 Zone

Notwithstanding Section 8.1, a Single Detached Dwelling is permitted with a private individual septic system.

8.4.32 R2-35 Zone

8.4.32.1 Notwithstanding Section 8.1, a Single Detached Dwelling is permitted on private services.

8.4.32.2 Zone Regulations:

Notwithstanding the Zone Regulations of subsection 8.3.1 "Village Residential Zone Exceptions," the following regulations apply:

- (a) Minimum Gross Floor Area for a single detached dwelling 23.0 m²
- (b) That a building permit shall not be issued until a Site Plan Agreement in accordance with Section 41 of the Planning Act is entered into with the Township of Tay and registered on title.

8.4.33 R2-36 Zone

8.4.33.1 Notwithstanding Section 8.1, a Single Detached Dwelling is permitted on private services.

8.4.33.2 Zone Regulations:

Notwithstanding the Zone Regulations of subsection 8.3.1 "Village Residential Zone Exceptions," the following regulations apply:

- (a) That a building permit shall not be issued until a Site Plan Agreement in accordance with Section 41 of the Planning Act is entered into with the Township of Tay and registered on title.

8.4.34 R2-37 Zone

Notwithstanding the provisions of Section 8.1, a Single Detached Dwelling and Semi-Detached Dwelling subject to the following provisions:

- | | |
|--|--|
| a) Minimum Lot Frontage | 14.0 metres, measured along the front lot line |
| b) Minimum Required Front Yard | 50.0 metres |
| c) Minimum Required Yard abutting 314 William Street | 1.2 metres |
| d) Minimum Required Rear Yard | 7.5 metres |
| e) Maximum Height | 11.0 metres |