

10.1 USES PERMITTED

No *person* shall within any RH Zone use any *lot* or *erect, alter* or use any *building* or *structure* for any purpose except one or more of the RH uses presented in Table 10.1:

TABLE 10.1: USES PERMITTED	
•	an <i>apartment dwelling</i> ;
•	a <i>public use</i> in accordance with the provisions of Section 5.27 of this By-Law;
•	a <i>single detached dwelling, converted dwelling, duplex dwelling</i> or <i>semi-detached dwelling</i> existing on the date of passing of this By-Law, in accordance with the provisions contained in Section 7.2 of this By-Law.

10.2 ZONE PROVISIONS

No *person* shall within any RH Zone use any *lot* or *erect, alter* or use any *building* or *structure* except in accordance with the provisions presented in Table 10.2:

TABLE 10.2: ZONE PROVISIONS	
Zone Provision	Apartment Dwellings and Public Uses
Number of Dwellings Per Lot, Maximum	No provision
Lot Area, Minimum	90 m² (968.8 ft ²) per <i>dwelling unit</i> . The minimum <i>lot area</i> shall be the sum of the areas required for each <i>dwelling unit</i> on the <i>lot</i> .
Lot Area, Maximum	160 m² (1,722.3 ft ²) per <i>dwelling unit</i> . The maximum <i>lot area</i> shall be the sum of the areas required for each <i>dwelling unit</i> on the <i>lot</i> .
Lot Frontage, Minimum	30 m (98.4 ft)
Lot Depth, Minimum	No provision
Front Yard, Minimum Depth Exterior Side Yard, Minimum Width	50% of the <i>height</i> of the <i>building</i> or 7.5 m (24.6 ft) whichever is the greater.
Rear Yard, Minimum Depth	50% of the <i>height</i> of the <i>building</i> or 10.5 m (32.8 ft), whichever is the greater, provided that a <i>rear yard</i> adjoining an end wall containing no <i>habitable room</i> windows may be reduced to 3 m (9.8 ft), except that if the <i>rear lot line</i> adjoins an R1, R2, R3 or FD Zone then this reduction shall not apply.

TABLE 10.2: ZONE PROVISIONS	
Zone Provision	Apartment Dwellings and Public Uses
Interior Side Yard , Minimum Width	50% of the <i>height</i> of the <i>building</i> or 10.5 m (32.8 ft), whichever is the greater, provided that an <i>interior side yard</i> adjoining an end wall containing no <i>habitable room</i> windows may be reduced to 3 m (9.8 ft), except that if <i>the interior side lot line</i> adjoins an R1, R2, R3 or FD Zone then this reduction shall not apply.
Setback , Minimum distance from the centreline of an Arterial Road <u>Allowance</u> as designated on Schedule "B" of this By-Law	20.5 m (67.3 ft)
Lot Coverage , Maximum	40% of the <i>lot area</i>
Landscaped Open Space , Minimum	35% of the <i>lot area</i>
Height of Building , Maximum	22 m (72.2 ft)
Amenity Area , Minimum	40 m² (430.6 ft ²) per unit for bachelor, one bedroom and two-bedroom units and 80 m² (861.1 ft ²) per unit for units containing more than 3 bedrooms.
Parking, accessory uses, permitted encroachments and other general provisions	In accordance with the provisions of Section 5

(Deleted and Replaced by By-Law 2021-023)

10.2.1 CHILDREN'S OUTDOOR PLAY AREA FOR APARTMENT DWELLINGS

A children's outdoor play area shall be provided on-site for *apartment dwellings* with more than 20 *dwelling units*, with the minimum size of the play area to be determined by the number of *dwelling units* as follows:

<u>Type of Dwelling Unit</u>	<u>Requirement per Dwelling Unit</u>
Two Bedroom	1 m² (10.8 ft ²)
Three or more Bedrooms	1.5 m² (16.2 ft ²)

In no case shall the play area be less than **50 m²** (538.2 ft²) in size and shall not be located closer than **5 m** (16.4 ft) to any door or window of a *dwelling unit*.

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10.2.2 DISTANCE BETWEEN APARTMENT DWELLINGS ON ONE LOT:

Where more than one *apartment dwelling* is erected on a *lot*, the minimum distance between the exterior walls of two *apartment dwellings* shall be **18 m** (59.1 ft) where either or both walls contain a window to a *habitable room* and **6 m** (19.7 ft) where neither wall contains a window to a *habitable room*.

10.3 HOLDING “(H)” ZONES

In accordance with Section 3.2, where a property shown on Schedule “A” is listed as RH (H), the symbol shall be placed in accordance with the following: no *buildings* or *structures* shall be *erected* or *altered*, save and except *existing buildings*, until the “H” symbol is removed in accordance with the requirements of the Planning Act, RSO 1990, as amended.

10.3.1 HOLDING ZONE PROVISIONS**10.3.1.1 PURPOSE OF THE HOLDING SYMBOL**

Unless otherwise stated in a special provision, the Holding Symbol shall have the following purpose: to ensure the orderly development of lands and the adequate provision of municipal services, the “H” symbol shall not be removed until the County of Oxford has provided written confirmation of water and wastewater allocation. Removal of the “H” symbol shall be consistent with Section 41 of the Planning Act.

10.3.1.2 INTERIM USES PERMITTED WITHOUT LIFTING THE "H" SYMBOL

None, unless otherwise stated in a special provision.

10.3.3 That all the provisions of the RH Zone in Section 10.2 to this By-law, as amended, shall apply, and further that all other provisions of this By-law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

10.4 SPECIAL PROVISIONS**10.4.1 LOCATION: BRIDGE AND BIDWELL STREETS, RH-1**

10.4.1.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

an apartment dwelling.

10.4.1.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-1 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

10.4.1.2.1 HEIGHT OF BUILDING

Maximum 6 storeys

10.4.1.2.2 NUMBER OF APARTMENT UNITS

Maximum 30

10.4.1.2.3 LOT FRONTAGE

For the purposes of this By-Law the *front lot line* shall be deemed to be the property line abutting Bidwell Street.

10.4.1.2.4 FRONT YARD

Minimum Depth 7.6 m (24.9 ft)

10.4.1.2.5 INTERIOR SIDE YARD

Minimum Depth 8 m (26.2 ft)

10.4.1.2.6 EXTERIOR SIDE YARD

Minimum Depth 0 m (0 ft)

10.4.1.2.7 UNOBSTRUCTED YARD

Minimum 0 m (0 ft)

10.4.1.2.8 LANDSCAPED OPEN SPACE

Minimum 30%

10.4.1.2.9 PARKING STALL SIZE

Angle & 90° 2.8 m x 5.8 m (9.2 ft x 19 ft)

10.4.1.2.10 PARKING SETBACK FROM SIDE LOT LINE OR STREETLINE

Minimum Depth 0 m (0 ft)

10.4.1.2.11 NUMBER OF PARKING SPACES

Minimum	51
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10.4.1.3 That all the provisions of the RH Zone in Section 10.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

10.4.2 LOCATION: **BRIDGE AND QUEEN STREETS, RH-2**

10.4.2.1 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any RH-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

a 60 unit *apartment building* for affordable housing.

10.4.2.2 Pursuant to Section 37 of the Planning Act, an agreement shall be executed between the property owner and the Municipality and registered against title to define the terms and conditions associated with the granting of this bonus zoning provision:

NET RESIDENTIAL DENSITY

Maximum	144.9 <i>dwelling units</i> per hectare (58.7 <i>dwelling units</i> per acre)
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10.4.2.3 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any RH-2 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

10.4.2.3.1 HEIGHT OF BUILDING

Maximum	5 <i>storeys</i>
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10.4.2.3.2 NUMBER OF APARTMENT UNITS

Maximum	60
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10.4.2.3.3 LOT FRONTAGE

Minimum	21.2 m (69.5 ft)
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(Amended by By-Law 3367)

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10.4.2.3.4 EXTERIOR SIDE YARD SETBACK

Minimum	7.4 m (24.3 ft)
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10.4.2.3.5 INTERIOR SIDE YARD SETBACK

Minimum	0 m (0 ft)
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10.4.2.3.6 AMENITY AREA

Minimum	631.4 m² (6,796.5 ft²)
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10.4.2.3.7 SETBACK FROM ARTERIAL ROAD

Minimum	13.0 m (42.6 ft)
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10.4.2.3.8 NUMBER OF PARKING SPACES

Minimum	43
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10.4.2.4 That all the provisions of the RH Zone in Section 10.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply mutatis mutandis.

(Amended by By-Law 3367)

10.4.3 LOCATION: **DURHAM STREET, PART OF LOTS 460-462, PLAN 500, RH-3**

10.4.3.1 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any RH-3 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* for any purpose except the following:

A 13 unit *apartment building* for affordable housing.

10.4.3.2 Pursuant to Section 37 of the Planning Act, an agreement shall be executed between the property owner and the Municipality and registered against title to define the terms and conditions associated with the granting of this bonus zoning provision:

NET RESIDENTIAL DENSITY

Maximum	260.0 <i>dwelling units</i> per hectare (105.2 <i>dwelling units</i> per acre)
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(Added by By-Law 3367)

10.4.3.3 Notwithstanding any provision of this By-Law to the contrary, no *person* shall within any RH-3 Zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with the following provisions:

10.4.3.3.1 HEIGHT OF BUILDING

Maximum 5 storeys

10.4.3.3.2 NUMBER OF APARTMENT UNITS

Maximum 13

10.4.3.3.3 LOT FRONTAGE

Minimum 9.27 m (30.5 ft)

10.4.3.3.4 REAR YARD SETBACK

Minimum 0 m (0 ft)

10.4.3.3.5 INTERIOR SIDE YARD SETBACK

Minimum: 0 m (0 ft) for the east side of *lot*

10.4.3.3.6 AMENITY AREA

Minimum 155.2 m² (1,670.6 ft²)

10.4.3.3.7 NUMBER OF PARKING SPACES

Minimum 5

10.4.3.4 That all the provisions of the RH Zone in Section 10.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.

(Added by By-Law 3367)

10.4.4 LOCATION: WEST SIDE OF MAPLE LANE, PART LOT 381, PLAN 500, RH-4 (KEY MAP 19)

10.4.4.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-4 Zone use any *lot*, or *erect*, *alter*, or use any *building* or *structure* for any purpose except in accordance with the following provisions:

10.4.4.1.1 REAR YARD DEPTH

Minimum 6 m (19.6 ft)

10.4.4.1.2 INTERIOR SIDE YARD WIDTH

Minimum 8.4 m (27.5 ft)

10.4.4.1.3 LANDSCAPED OPEN SPACE

Minimum per 1 bedroom
apartment dwelling unit Nil

10.4.4.1.4 AMENITY AREA

Minimum per 1 bedroom
apartment dwelling unit Nil

10.4.4.1.5 CHILDREN'S OUTDOOR PLAY AREA

Minimum Nil

10.4.4.1.6 REQUIRED PARKING SPACES

Minimum 50

10.4.4.1.7 That all provisions of the RH Zone in Section 10.2 of this By-Law, as amended, shall apply; and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein shall continue to apply *mutatis mutandis*.

(Added by By-Law 3882)

10.4.5 LOCATION: PART LOTS 293, 341, 423-426, LOTS 420-422, PLAN 500, EAST SIDE OF KING STREET, NORTH SIDE OF FIRST STREET, WEST SIDE OF TILLSON AVENUE, RH-5, (KEY MAP 16)

10.4.5.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-5 zone *use any lot, or erect, alter, or use any building or structure* for any purpose except the following:

All uses *permitted* in Table 10.1.

10.4.5.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-5 Zone *use any lot, or erect, alter, or use any building or structure* for any purpose except in accordance with the following provisions:

10.4.5.2.1 INTERIOR SIDE YARD WIDTH

Minimum **6.5 m (21 ft)**

10.4.5.2.2 PARKING AREAS

Notwithstanding Section 5.24.3.1, Table 5.24.3 - Location and Setback Requirements for Parking Areas, on lands zoned RH-5, *motor vehicle parking areas* may be located within an *exterior side yard*.

10.4.5.2.3 FRONT LOT LINE

For the purposes of interpreting this Zoning By-law, the *front lot line* for the northerly parcel shall be deemed to be the *lot line* adjacent to King Street, and the *front lot line* for the southerly parcel shall be deemed to be the *lot line* adjacent to Tillson Avenue.

10.4.5.3 That all of the provisions of the RH Zone in Section 10.2 of this By-Law, as amended, shall apply and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein shall continue to apply *mutatis mutandis*.

(Added by By-Law 2021-022)

10.4.6 LOCATION: PART LOT 8, CONCESSION 12 (DEREHAM), RH-6(H) (KEY MAP 23)

10.4.6.1 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-6 zone *use any lot, or erect, alter, or use any building or structure* for any purpose except the following:

all uses permitted in Table 10.1;

a multiple unit dwelling, subject to the provisions of Section 9.2;

a daycare centre, subject to the provisions of Section 15.2;

a personal service establishment, subject to the provisions of Section 15.2;

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a convenience store;
an eating establishment (excluding a drive through facility).

10.4.6.2 Notwithstanding any provisions of this By-Law to the contrary, no *person* shall within any RH-6 Zone use any *lot*, or *erect, alter*, or use any *building* or *structure* for any purpose except in accordance with the following provisions:

10.4.6.2.1 DISTANCE BETWEEN APARTMENT BUILDINGS ON ONE LOT

Notwithstanding Section 10.2.2, where more than one *apartment dwelling* is *erected* on a *lot* zoned RH-6, the minimum distance between the exterior walls of two *multiple unit dwellings* shall be a minimum of **12.5 m** and **6 m** when neither wall contains a window to a habitable room.

10.4.6.2.2 SETBACK FROM CENTRELINE OF ARTERIAL ROAD

Minimum **16 m (52.3 ft)**

10.4.6.3 That all of the provisions of the RH Zone in Section 10.2 of this By-Law, as amended, shall apply and further, that all other provisions of this By-Law, as amended, that are consistent with the provisions herein shall continue to apply *mutatis mutandis*.

(Added by By-Law 2023-079)

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