



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 22 – 43

Being a By-law to amend By-law 07-67, as amended, being a By-law to regulate the use of lands and the character, location and use of buildings and to prohibit certain buildings and structures in various defined areas of the Corporation of the Town of Erin

Whereas, the Council of the Corporation of the Town of Erin deems it desirable to amend By-law 07-67, as amended, pursuant to Section 34 of the Planning Act R.S.O. 1990, c.P.13, as amended;

And Whereas pursuant to Section 34(17) of the Planning Act, R.S.O., 1990, c.P.13, as amended, Council determines that no further notice is required in respect of the proposed By-law;

And Whereas the amendment is in conformity with the Corporation of the Town of Erin Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Erin hereby enacts as follows:

1. That **SECTION 1 – TITLE AND ADMINISTRATION** is amended by adding the following provision and renumbered accordingly:

1.17 Illustrations

Illustrations included in this By-law are for illustrative purposes only and do not form part of this By-law.

2. That **SECTION 2 - DEFINITIONS** is amended by deleting the following definitions in its entirety and replacing with the following:

Driveway

shall mean a defined area providing access to *motor vehicles* from a *street, private road or lane* to a *parking area, parking space, parking lot, loading space, private garage, carport, building or structure*.

Lane

shall mean a public thoroughfare or way, which affords only a secondary means of access to abutting property, and includes a laneway, but does not include a *street*.

Lot Frontage

shall mean the width of a lot between the *side lot lines*, measured perpendicular to the line joining the mid-point of the *front lot line* and mid-point of the *rear lot line*, at a point 7.5 m from the *front lot line*.

Hobby Farm

shall mean a parcel of *land* having a maximum area of 4.0 hectares which is used primarily for *residential* purposes and which may also be used for the raising of specialty crops and *farm* animals for the private *use* of the owner or tenant.

Parking Lot

shall mean a *parking area* forming the principal *use* of a *lot*. Any non-residential *parking area* may include an Electric Vehicle Charging Station.

Townhouse or Townhouse Dwelling

shall mean a *building* containing three or more *dwelling units* divided vertically and, which have independent entrances to the front and *rear yard*. Townhouse dwellings shall not occupy freehold lots.

3. That **SECTION 2 – DEFINITIONS** is amended by adding the following definitions under the definition for *dwellings*, as follows:

Back-to-back Townhouse

shall mean a *townhouse* containing four or more *dwelling units* divided by vertical common walls and a common rear wall. Each *dwelling unit* is accessed from the outside, by an independent entrance, either through the *front yard* or an *exterior side yard*.

Stacked Townhouse

shall mean a *townhouse* consisting of at least four *dwelling units*, where individual *dwelling units* are separated both vertically and horizontally from other attached *dwelling units* and access to each upper level unit shall be from an independent interior or exterior stairway.

Street Townhouse

shall mean a *building* containing three or more *dwelling units* divided vertically by common walls from the base of the foundation to the roof. Each dwelling unit shall have an independent entrance to the outside and shall be situated on a freehold lot.

4. That **SECTION 2 - DEFINITIONS** is amended by adding the following definitions, as follows:

Accessible Parking Space

shall mean an unobstructed rectangular area for the exclusive use of temporary parking of a motor vehicle for persons with disabilities, but shall not include a *driveway* or aisle.

Amenity Area

shall mean indoor or outdoor space designed and maintained for active recreational uses or passive recreational uses for residents of a *dwelling* or *building* within residential *uses*.

Balcony

shall mean a horizontal platform, with or without a foundation, that is attached and projects from a main wall of a *building* and is accessed exclusively from within a *building*.

Barrier-free Access Aisle

shall mean an area abutting a *accessible parking space* to provide unobstructed pedestrian access to and from a *accessible parking space*.

Driveway Width

shall mean the measurement of the line drawn perpendicular to the path of travel of a motor vehicle at the *driveway's* widest point and includes any portion of hard landscaping or pavement contiguous to a *driveway* or *parking space* where parking or storage of a *motor vehicle* could be accommodated.

Model Home

shall mean a *building* erected as a model of the *dwelling units* to be constructed in the plan of subdivision, used in the interim for the sole purpose of an office and/or show room and/or sales centre, to promote the sale of residential *units*.

Private Road

shall mean a private right-of-way providing a means of access to *lots* abutting thereon, and is not owned by a *public authority*.

Temporary Sales Office

shall mean a *building* or *structure* used for the sole purpose of selling or leasing *land* or *buildings* associated with a Draft Plan of Subdivision.

5. That **Section 4.1.1** is amended by deleting the existing provision in its entirety and replacing with the following:

.1 Accessory Dwelling Units shall not be permitted on *lots* located within the boundary of the Natural Heritage System (NHS) within the *Greenbelt Plan*. Within the boundary of the Protected Countryside, but outside of the NHS, second *dwelling units* are permitted within *single dwellings* permitted in accordance with sections 4.5.1 and 4.5.2 of the *Greenbelt Plan* or within *existing accessory structures* on the same *lot*. Where permitted by this Bylaw, one *accessory dwelling unit* is permitted per *lot* by way of issuance of a change of *use* permit and subject to the following:

- .1 Each *dwelling unit* shall comply with the Ontario Building Code in regard to, but not limited to fire separation, provision of potable water, provision of adequate waste water disposal.
- .2 Each *dwelling unit* shall have a separate private entrance with a visible house number followed by an "A" denoting the accessory dwelling unit

entrance, stairways or stairwells providing entrance to a *dwelling unit* above or below the main floor shall be enclosed from the elements.

- .3 The maximum *floor area* shall not exceed the lesser of 45 percent of the *floor area* of the *principal dwelling unit* or 92.9 m² (1000 ft²).
 - .4 All other requirements of this By-law including parking and amenity area, shall be complied with.
6. That **Section 4.2.1.2** is amended by deleting the existing provision in its entirety and replacing it with the following:
- .2 An *accessory dwelling unit* is not permitted in an *accessory structure* except where permitted by Section 4.1.
7. That **Section 4.8** is amended by deleting the existing provision in its entirety, replacing it with the following and renumbering accordingly:

4.8 Daylight Triangle

- .1 On every *corner lot*, a *daylight triangle* shall be observed.
- .2 The *daylight triangle* is determined by using the following measurements in each direction from the intersection of the front and exterior *lot lines* and connecting these points to form a triangle, in accordance with the following:

Daylight Triangle Requirements

	Subject Lot has access onto a:		
	Local Street	Collector Street	Arterial Road
Local	9.0 m	9.0 m	9.0 m
Collector Street	9.0 m	9.0 m	9.0 m
Arterial Road	9.0 m	9.0 m	9.0 m

- .3 No obstruction to sight lines shall be permitted within the *daylight triangle*, including the erection of any building or structure, the planting of any trees or shrubs, or the placement of any other object with an ultimate height greater than 0.75 m above the top of the road surface of the abutting *street*.
- .4 The provisions of this Section shall not apply to *land* within the Central Commercial (C1) Zone.

8. That **Section 4.26.5** is amended by deleting the existing provision in its entirety and renumbering accordingly.
9. That following **Section 4.26**, the following new section be added:

4.26.1 Accessible Parking Space

- .1 An *accessible parking space* shall be included in the calculation of the total *parking space* requirements of this By-law.
- .2 An *accessible parking space* shall be accessible by a *barrier-free access aisle*, marked with high tonal contrast diagonal lines, free of any encroachment.
- .3 A *barrier-free access aisle* shall be permitted to be shared between two *accessible parking spaces*.
- .4 An *accessible parking space* shall be required for the following uses:
 - .1 Where a visitor parking space is required for a residential use; and,
 - .2 For all non-residential uses.
- .5 The minimum dimensions of an *accessible parking space* shall be provided in accordance with the following:

Minimum Dimension	Type A Space* (m)	Type B Space* (m)
Minimum width (m)	3.4	2.4
Minimum length (m)	6.0	6.0
Minimum vertical clearance (m)	2.0	
Minimum barrier-free access aisle width (m)	1.5	
Minimum barrier-free access aisle length (m)	6.0	

* As per the Accessibility for Ontarians with Disabilities Act (AODA)

- .6 The required minimum number of *accessible parking spaces* shall be in accordance with the following:

Number of <i>Parking Spaces</i> Provided	Required <i>Accessible Parking Spaces</i>
0 to 12	1
Requirement for 13 to 100 parking spaces – 4% of total	
13 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
Requirement for 101 to 200 parking spaces is 1 plus 3% of total	

Number of <i>Parking Spaces</i> Provided	Required <i>Accessible Parking Spaces</i>
101 to 140	5
141 to 170	6
171 to 200	7
Requirement for 201 to 300 parking spaces is 2 plus 2% of total	
201 to 250	7
251 to 300	8
301 to 350	9
351 to 400	10
401 to 450	11
451 to 500	12
501 to 550	13
551 to 600	14
601 to 650	15
651 to 700	16
701 to 750	17
751 to 800	18
801 to 850	19
851 to 900	20
901 to 950	21
951 to 1,000	22
Requirements for more than 1,000 parking spaces provided is 11 plus 1% of total	
1,001 to 1,100	22
1,101 to 1,200	23
1,201 to 1,300	24
<i>For each 100 parking spaces provided, add 1 additional parking space to the running total.</i>	

* Rounding up to the nearest whole number

- .7 Where one *accessible parking space* is required, it shall be a Type A *accessible parking space*.
- .8 Where an even number of *accessible parking spaces* are required, an equal number of Type A and Type B *accessible parking spaces* shall be provided.
- .9 Where an odd number of *accessible parking spaces* are required, the number of *accessible parking spaces* must be divided equally between a Type A and a Type B *accessible parking space*, while the remainder may be provided as a Type B *accessible parking space*
- .10 Where there is a potential conflict in the calculation of *Accessible Parking Spaces*, the Accessibility for Ontarians with Disabilities Act (AODA) applies.

10. That **Section 4.26.3** is amended by deleting the existing provision in its entirety and replaced by:

.3 All parking within any Zone, other than Residential, shall be to the rear of the front wall of the *main building*, excluding any *Accessible Parking Space*.

11. That following **Section 4.26.1**, the following new section be added:

4.26.2 Parking & Driveway Provisions for Urban Residential Zones

.1 The minimum width of a *driveway*, free of projections shall be 3.0 metres, with a maximum width of 6.0 metres at the *street* line.

.2 The maximum width for a single *driveway* and the combined maximum width where more than one driveway is permitted shall be:

.1 3.0 metres for a lot having a *lot frontage* less than 6.0 metres

.2 6.0 metres for a lot having a *lot frontage* between 6.0 metres and 18.0 metres

.3 9.0 metres for a lot having a *lot frontage* greater than 18.0 metres

.3 Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres however, the minimum required width may include one interior step, and the minimum required depth may include one interior step.

12. That **Table 1** within **Section 4.27** is amended by providing separate *parking space* requirements for residents and visitors, for “Apartment or townhouse dwelling, or any other multiple unit residential building or portion of a building containing 5 or more dwelling units”, as follows:

TABLE 1 - OFF STREET PARKING REQUIREMENTS

A) TYPE OF USE / BUILDING

B) MINIMUM PARKING REQUIRED

2. Apartment or townhouse dwelling, or any other multiple unit residential building or portion of a building containing 5 or more dwelling units	1 space per dwelling unit, plus 0.5 visitor parking space per dwelling unit
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13. That **SECTION 4.27.5** is amended by deleting the existing provision in its entirety and replacing it with the following:

.5 The *parking area* shall be *setback* a minimum of 3.0 m from the *street line* and a minimum of 3.0 m from all other *lot lines*, and the area between the *street line* and the *parking area* shall be used for no purpose other than landscaping.

14. That **SECTION 4** is amended by adding the following new provisions following **Section 4.27**:

Section 4.27.1 Parking Structures

.1 Above-grade Parking Structures

.1 Any portion of a parking structure located above established grade shall be subject to the minimum *lot* and *building* requirements of the zone in which the *lot* is located.

.2 Below-grade Parking Structures

.1 A below-grade parking structure shall be permitted to encroach into any required *yard*.

.2 The minimum setback of a below-grade parking structure shall be subject to the following requirements:

.1 The minimum setback from a street line shall be 1.8 m; and,

.2 The minimum setback from an interior side lot line or rear lot line shall be 0.0 m.

.3 Notwithstanding any other requirements of this By-law, an *accessory building* or *structure* that is incidental to a below-grade parking *structure*, such as air ventilation or an access staircase, shall be permitted anywhere on the same *lot* as the parking *structure* is located subject to the following requirements:

.1 The *accessory building* or *structure* shall not be located in a minimum required *front yard* or *exterior side yard*.

.2 The *accessory building* or *structure* shall have a minimum setback of 3.0 m from any *lot line*.

15. That **SECTION 4.33.1.2** is amended by deleting the existing provision in its entirety and replacing it with the following:

.2 On *lands* zoned or used for any commercial or *industrial use* where the interior side or *rear lot line* abuts *lands* zoned for residential, institutional or *parks* and open space *uses*;

16. That **SECTION 4.47** is amended by deleting the existing provision in its entirety and replacing it with the following:

Unless otherwise expressly required by this By-law, no portion of any required yard shall be permitted to be encroached or otherwise obstructed by any *building, structure* or feature or part thereof except where a portion of a *building, structure* or feature is permitted to encroach into a required *yard*, in accordance with Table 2, except as provided in Section 4.8 *Daylight Triangle*.

Structure or Feature	Yards In Which Projection is Permitted	Maximum Projection into the Minimum Required Yard
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Awnings and canopies	Any <i>yard</i>	0.6 m
Sills, Belt Courses, Cornices, Eaves, Gutters, Chimneys, Pilasters	any <i>yard</i>	0.45 m
Window Bays	any <i>yard</i>	1.0 m
Fire Escapes Exterior Staircases	<i>rear yard</i>	1.5 m
Air Conditioners	rear, interior side <i>yard</i>	1.5 m
Balconies	front, rear, exterior side <i>yard</i>	1.8 m
Uncovered Steps, Porch or <i>Deck</i>	front, rear, exterior side <i>yard</i>	2.5 m
Ornamental <i>building</i> feature	Any <i>yard</i>	0.6 m

17. That **SECTION 4** is amended by adding the following new provisions:

4.49 Model Homes

- .1 A model home shall only be permitted on lands that have received draft plan of subdivision or draft plan of condominium approval under the provisions of the Planning Act or the Condominium Act, or site plan approval, as applicable.
- .2 A model home shall comply with the applicable requirements of this By-law for the type of *dwelling* the model home represents.
- .3 A model home shall only be permitted on a *lot* defined by a draft approved plan.
- .4 The total number of model homes for any draft approved plan of subdivision shall not exceed 6 *dwelling units*, or 10% of the total number of *lots*, whichever is less. Where the calculation of the total number of model homes permitted results in a fraction, the total number of model homes permitted shall be determined by rounding up to the nearest whole number.
- .5 Occupancy of a model home is prohibited prior to the date of registration of the draft plan of subdivision or draft plan of condominium.

4.50 Temporary Sales Office

- .1 A temporary sales office shall only be permitted in conjunction with lands that have received draft plan of subdivision or draft plan of condominium approval under the provisions of the Planning Act or the Condominium Act, or site plan approval, as applicable.
- .2 A temporary sales office shall only be permitted subject to the following requirements:

- .1 Where draft plan approval has been granted and the *lot* on which the temporary sales office is located is zoned to permit the *use* and the zoning is in full force and effect; or,
- .2 In a zone where office is a permitted *use*.
- .3 A temporary sales office shall only be permitted if it complies with the requirements of the zone in which the *lot* is located.
- .4 A temporary sales office shall be subject to Site Plan Approval.

18. That **SECTION 6** is amended by deleting **TABLE 5** in its entirety and replacing with the new Table below:

TABLE 5 – PERMITTED USES IN RESIDENTIAL ZONES

PERMITTED USE ✓ indicates use is permitted in zone	ZONE R1 Residential One	ZONE R2 Residential Two	ZONE R3 Rural Residential	ZONE R4 Multiple Residential	Zone UR1 Urban Residential One	Zone UR2 Urban Residential Two
<i>detached dwelling</i>	✓	✓	✓		✓	✓
<i>uses accessory to a permitted use, including an accessory dwelling unit</i>	✓	✓	✓		✓ (1)	✓ (1)
<i>semi-detached dwelling</i>		✓			✓	✓
<i>duplex dwelling</i>		✓			✓	✓
<i>triplex or fourplex dwelling</i>				✓	✓	✓
<i>townhouse dwelling</i>				✓	✓	✓
<i>back-to-back townhouse</i>				✓	✓	✓
<i>stacked townhouse</i>				✓	✓	✓
<i>street townhouse</i>				✓	✓	✓
<i>apartment dwelling</i>				✓	✓	✓
<i>nursing home or home for the aged (2)</i>				✓	✓	✓
<i>retirement residential facility (2)</i>				✓	✓	✓
<i>home occupation in accordance with Section 4.18</i>	✓	✓	✓		✓ (1)	✓ (1)

PERMITTED USE ✓ indicates use is permitted in zone	ZONE R1 Residential One	ZONE R2 Residential Two	ZONE R3 Rural Residential	ZONE R4 Multiple Residential	Zone UR1 Urban Residential One	Zone UR2 Urban Residential Two
<i>B&B (Class 1)</i> in accordance with Section 4.3	✓	✓	✓		✓	✓
<i>B&B (Class 2)</i> in accordance with Section 4.3			✓		✓	✓
<i>existing institutional uses</i>	✓	✓	✓		✓	✓

Notes:

- (1) Permitted for a *detached* or *semi-detached dwelling* only
- (2) Subject to a site-specific amendment to this By-law

19. That **SECTION 6** is amended by adding the following new sections, and renumber reference to tables in the sections which follow:

6.5 Urban Residential Zones

No person shall *use land, or erect or use a building or structure* in a UR1 and UR2 Zones except in accordance with the following regulations:

- .1 **Permitted Uses** – See TABLE 5
- .2 The UR1 and UR2 provisions apply only to lots that shall be fully serviced by municipal water and municipal wastewater.
- .3 **Lot Requirements**– See TABLE 7, 8, 9 & 10

TABLE 7 – LOT REQUIREMENTS FOR SINGLE DETACHED DWELLINGS

Standard	UR1	UR2
Minimum <i>Lot Area</i>	280 sq. m.	350 sq. m.
Minimum <i>Lot Frontage</i>	10 m	12 m
Minimum <i>Front Yard</i> (1)	4.0 m	
Minimum <i>Rear Yard</i>	7.0 m	
Minimum <i>Interior Side Yard</i>		
One Side	1.2 m	
Other Side	0.6 m (1)	
Minimum <i>Exterior Side Yard</i>	4.0 m (2)	
Maximum <i>Building Height</i>	11.0 m	
Minimum landscaped area of <i>front yard</i> or <i>exterior side yard</i>	33%	
Notes:		
(1) The minimum required <i>interior side yard</i> on one side shall be 3.5 m if a detached <i>garage</i> is located in the <i>rear yard</i> and accessed by a <i>driveway</i> that crosses the <i>front lot line</i> .		
(2) The wall of an attached <i>garage</i> that contains a motor vehicle door shall be set back a minimum of 6.0 m from the lot line that the driveway crosses to access the <i>garage</i> .		

TABLE 8 – LOT REQUIREMENTS FOR SEMI-DETACHED & DUPLEX/TRIPLEX/FOURPLEX DWELLINGS within UR1 and UR2 Zones

Residential Lots	Semi-Detached (1)	Duplex/Triplex/ Fourplex
Minimum <i>Lot Area</i>	n/a	n/a
Minimum <i>Lot Frontage</i>	7.5 m per unit	15.0 m
Minimum <i>Front Yard</i> (1)	4.0 m	4.0 m
Minimum <i>Rear Yard</i>	7.5 m	7.5 m

Residential Lots	Semi-Detached (1)	Duplex/Triplex/ Fourplex
<i>Minimum Interior Side Yard</i>		
One Side	1.2 m	3.0 m
Other Side	0.0 m (2)	0.6 m
<i>Minimum Exterior Side Yard</i>	4.0 m (1)	4.0 m (1)
<i>Maximum Building Height</i>	11.0 m	11.0 m
<i>Minimum landscaped area of front yard or exterior side yard</i>	33%	33%
Notes:		
<p>(1) Semi-detached provisions are per dwelling unit.</p> <p>(2) The wall of an attached <i>garage</i> that contains a motor vehicle door shall be set back a minimum of 6.0 m from the <i>lot line</i> that the driveway crosses to access the <i>garage</i>.</p> <p>(3) Where <i>semi-detached dwellings</i> on abutting <i>lots</i> share a common wall, no interior <i>side yard</i> shall be required, but where <i>dwellings</i> do not share a common wall, a setback of 1.2 metres shall be required.</p>		

TABLE 9 – LOT REQUIREMENTS FOR TOWNHOUSE DWELLINGS within UR1 and UR2 Zones

Requirements	Provisions
<i>Minimum Lot Area</i>	170 m ² per unit
<i>Minimum Lot Frontage</i>	6.0 m per unit on an <i>interior lot</i> and 7.0 m per end unit or <i>corner lot</i> (1)
<i>Minimum Front Yard</i>	3.0 m (2)
<i>Minimum Rear Yard on a lot not accessed by a private road</i>	7.0 m (3)
<i>Minimum Rear Yard on a lot accessed by private road</i>	4.5 m (3)(4)
<i>Minimum Interior Side Yard</i>	0.0 m for an interior unit and 1.2 m for an end unit
<i>Minimum Exterior Side Yard (1)</i>	3.0 m
<i>Minimum separation distance between buildings</i>	Front-to-front, front-to-rear & rear-to-rear of <i>main wall</i> : 12.5 m for <i>stacked townhouse</i> ; and 11.0 m for all other

Requirements	Provisions
Maximum <i>Building Height</i>	12.5 m for <i>stacked townhouse</i> and 11.0 metres for all other
Minimum Private Outdoor <i>Amenity Area</i>	10 sq. m. per unit
Minimum Common Outdoor <i>Amenity Area</i>	10 sq. m. per unit

Additional requirements to Table 9:

- .1 *Townhouse dwellings* are not required to abut a public street.
- .2 Where an attached garage faces a street or an exterior side lot line, the minimum setback to the attached garage shall be 6.0 m.
- .3 The minimum *rear yard* for a *back-to-back townhouse* shall be 0.0 m where the *dwelling units* share a common wall.
- .4 The minimum *rear yard* shall be 0.6 m where the garage is accessed from a rear laneway.

.4 Additional Provisions for Townhouses

- a) Minimum depth of a *lot* for *back-to-back townhouse dwellings* shall be 13.0 metres.

TABLE 10 – LOT REQUIREMENTS FOR APARTMENT DWELLINGS

Requirements	Provisions
Minimum <i>Lot Area</i>	n/a
Minimum <i>setback</i> to a <i>lot line</i>	4.5 metres (1)
Maximum <i>setback</i> to a <i>street line</i>	6.0 metres
Minimum setback for below grade parking structures	minimum: 0.0 metres
Maximum <i>building height</i>	20 metres (6 Storeys)
Maximum <i>Lot Coverage</i>	25%
Minimum <i>Landscaped Area</i>	30%
Minimum landscape strip	3.0 metres abutting a <i>street line</i> , any <i>interior side lot line</i> or <i>rear lot line</i>
Continuous length of buildings along a street line (minimum)	60 percent of the street frontage of a <i>lot</i> must be occupied by a <i>building</i>
Minimum <i>Amenity Area</i> Common Private	A minimum of 4 square metres per unit, of which 50% must be indoor 2 square metres per unit

Additional requirements to Table 10:

- .1 Where an *apartment dwelling* abuts a single *detached dwelling*, the *side yard* shall be a minimum of 6.0 metres

.6 Additional Provisions for Apartments

- a) Rooftop mechanical equipment shall be screened or enclosed within a rooftop mechanical penthouse.
- b) A rooftop mechanical penthouse shall be excluded from the calculation of height.

20. That **SECTION 7.1.4** is amended by deleting the following provision in its entirety:

.4 Residential Units within Commercial Buildings

A *building* used for a permitted commercial *use* may also contain one or more residential *dwelling* units in combination with a permitted *use* and in accordance with the following provisions:

- .1 Each *dwelling* unit shall form part of the *main building* and shall be located on the second or higher floors;
- .2 Each *dwelling* unit shall be fully self-contained;
- .3 Each *dwelling* unit shall have a separate private entrance from the commercial use.
- .4 Stairways providing entrance to a dwelling unit above or below the main floor shall be enclosed from the elements.
- .5 All other requirements including parking and outdoor amenity area of this By-law shall be complied with.

21. That **SECTION 7 – REQUIREMENTS FOR COMMERCIAL ZONES** is amended by adding the following provision and renumbering the Sections accordingly:

7.1 Residential Units within Commercial Buildings

A *building* used for a permitted commercial *use* may also contain one or more residential *dwelling* units in combination with a permitted *use* and in accordance with the following provisions:

- .1 Each *dwelling* unit shall form part of the *main building* and shall be located on the second or higher floors;
- .2 Each dwelling unit shall be fully self-contained;
- .3 Each dwelling unit shall have a separate private entrance from the commercial use;

- .4 Stairways providing entrance to a dwelling unit above or below the main floor shall be enclosed from the elements;
- .5 All other requirements including parking and outdoor amenity area of this By-law shall be complied with.

22. That **Section 13.1.1** is amended by adding the following use:

- *accessory dwelling unit* in accordance with Section 4.1

23. That **Section 14 – Special Provisions** and **Schedule A** is amended, by correcting the following site-specific zone codes:

A-139 Leitch By-Law 11-52 Lot 13, Con 5 Roll# 04-02700	Notwithstanding the provisions of the Agricultural Zone, the lands to which A-139 applies maybe used only for agricultural uses, residential and all uses accessory to residential uses are prohibited.
A-140 Leitch By-Law 11-52 Lot 13, Con 5 Roll# 04-02700	Notwithstanding the provisions of the Agricultural Zone, the lands to which A-140 applies shall not permit the housing of livestock.
A-158(T) Temp) By-law 21-25 Expires May 18th, 2041 Coulson 5656 Trafalgar Rd North Pt Lot 19, Con 7 E	Notwithstanding Sections 5.1 and 4.13, the provisions of the Agricultural (A) Zone or any other provisions in By-law 07-67 to the contrary, the land zoned A-158(T) on Schedule 'A' may also be permitted one garden suite subject to the following provisions: <ul style="list-style-type: none"> a) Minimum side yard setback from the north property line of 5.0 metres b) That pursuant to Section 39(3) of the Planning Act, R.S.O. 1990, cP.13 as amended, the garden suite it permitted until May 18th 2041.
R1-116 By-law 21-23 Hill Pt Lot 15, Con 11	Notwithstanding the provisions of the Residential One (R1) Zone or any other provisions in By-law 07-67 to the contrary, the land zoned R1-116 on Schedule 'A' is subject to the following special provisions: <ul style="list-style-type: none"> a) For purposes of calculating lot area and lot frontage, but not lot coverage, the lot shall be considered all of the lands including the R1-116 and EP1 zones. b) Minimum Lot Area 3000.0 m² c) Minimum Lot Frontage 48.0 m d) Maximum Building Coverage 25.0% e) Section 4.36 of the By-law shall not apply f) Building setback from EP1 Zone 0.0 m

24. That **Section 14 – Special Provisions** is amended, by correcting the following definition for the MU-3(H) site-specific zone:

“Dwelling, Townhouse” means: A dwelling unit within a building divided vertically by a common vertical wall above grade of at least 3.0 metres in length and at least 2.0

metres in height adjoining dwelling units or private garages, into three or more dwelling units, each having a private access.

25. That 2 Churchill Lane is rezoned from Village Environmental Protection '(EP1)' to **Residential Two '(R2)**', as shown on Schedule "A" to this By-law.

Passed in open Council on March 9, 2023.



Mayor, Michael Dehn

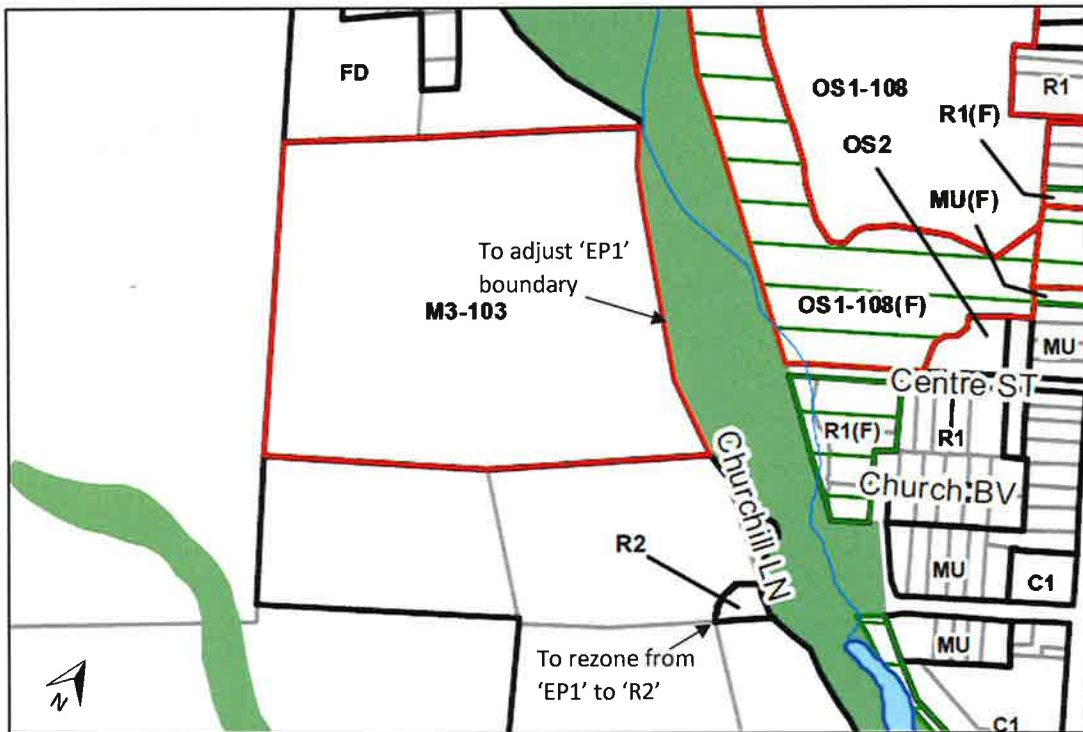


Clerk, Lisa Campion

THE CORPORATION OF THE TOWN OF ERIN

By-law #22 - 43

SCHEDULE "A"



AREA AFFECTED BY THIS BY-LAW

This is Schedule "A" to By-law #22 - 43

Passed this 9th day of March, 2023.



Mayor, Michael Dehn



Clerk, Lisa Campion