

## PART J - SPR - RESIDENTIAL SPECIAL ZONE

The following provisions shall apply to the use of land and the construction of buildings in all SPR Zones subject to the general provisions under Part B and Part C of this By-Law.

### 1. PERMITTED USES

(1) Any person may use land and erect, occupy and maintain buildings and structure thereon for any of the following purposes:

#### (a) Main Use

(i) a single detached dwelling. (3129-95)

(ii) a group home in a permitted single detached dwelling.(2460-86)

(iii) public use (2019-64)

#### (b) Accessory Uses

(i) Any use, building or structure which is subordinate and customarily incidental to the main use;

(ii) A home occupation;

(iii) An office for a professional person.

### 2. ZONE REQUIREMENTS

(1) Lot Frontage (minimum): 30 metres

(2) Lot Area (minimum) : 1390 square metres

(3) Front Yard Depth (minimum): 7.5 metres

(4) Rear Yard Depth (minimum): 7.5 metres

(5) Interior Side Yard Width (minimum): 2.5 metres

(6) Building Height (maximum): 10.5 metres

### 3. FOR ACCESSORY USES, BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 7 .

### 4. FOR HOME OCCUPATION PROVISIONS

See Part C, Section 8.

### 5. FOR OFFICE FOR A PROFESSIONAL PERSON

See Part C, Section 10.

### 6. FOR OFF STREET PARKING PROVISIONS

See Part C, Sections 15 and 16.

### 7. MINIMUM UTILITIES

- (1) The provisions of Part B, Section 1 (18) shall apply with the exception of Subsection a).
- (2) In addition to Subsection (1) above, any main building shall be serviced by and connected to an adequate municipal water supply system.

### 8. SPECIAL PROVISIONS

- (1) Notwithstanding the requirements of Subsection 2 (2) of this Part J, within the area zoned SPR-1 the minimum lot area shall be 2023 square metres.
- (2) Notwithstanding the requirements of Subsection 7 of this Part J, within the areas zoned SPR-2 the requirements of Subsection 7 shall not apply.
- (3) Notwithstanding the requirements of Sections 2. (1) and 7. of this Part J, within the areas zoned SPR-3 the requirements of Sections 2. (1) and 7. shall not apply, and within the area zoned SPR-3 on the east side of Chatterton Valley Crescent not more than three (3) single detached dwellings may be constructed in accordance with the following requirements. The minimum lot frontage for lands within the SPR-3 zone described as Lot 77, Registrar's Compiled Plan 1933 shall be 27 metres and the minimum lot frontage for lands described as Lots 75 and 76, Registrar 's Compiled Plan 1933 and Lots 73 and 74, Registrar's Compiled Plan 1933, shall be 50 metres.  
(2152-82) (3129-95)
- (4) Notwithstanding the requirements of this Part J, Section 7 and the requirements of Part c, Section 22, within the areas zoned SPR-4, the requirements of Section 7 shall not apply and only one 'single detached dwelling' may be constructed.  
(2212-83)
- (5) Within the area zoned SPR-2, the minimum gross floor area for a single

detached dwelling shall be 93 square metres .  
(2167-82) (3129-95)

- (6) Notwithstanding the provisions of Part J - SPR - Residential Special Zone, Section 1, Permitted Uses,. within the area zoned SPR-2-6 a group home shall be permitted in a single detached dwelling on the property described as Part of Lots 36 and 37, Concession 8, more particularly described as Parts 1 to 4, 21R-1524 and Parts 5, 6 and 10, 21R-5152 and containing 1.6 hectares .  
(2296-84) (3129-95)
- (7) Notwithstanding the provisions of Subsections 2 (2) and 7 of this Part J, within the area zoned SPR-5, the minimum lot area shall be 4047 square metres and development shall be permitted utilizing a private water supply system.  
(2588-88)
- (8) Notwithstanding the provisions of Sections 2. (2) and 7. (2) of this Part J, within the area zoned SPR-6, the minimum lot area shall be 2023 square metres and development shall be permitted utilizing a private water supply system.  
(2739-90)
- (9) (a) Notwithstanding the requirements of Section 2(2) of this Part J, within the area zoned SPR-7, the minimum lot area shall be the larger lot area of the following:
- (i) 1390 square metres; or
  - (ii) the minimum lot area deemed appropriate for the lot and required private sewage disposal system as demonstrated by an engineering or hydrogeological study satisfactory to the Ministry of the Environment, the Hastings/Prince Edward Counties Health Unit and the Municipality.
- (b) Notwithstanding the requirements of Section 1(1) of this Part J, within the area zoned SPR-7-H, no person shall erect or occupy any building or structure or use any building, structure or land for any purposes, other than the use that existed on the first day of November 1991. The Holding "H" symbol shall be removed from any lot or lots within the SPR-7-H zone in accordance with the provisions of section 36 of the Planning Act, R.s.o. 1990, provided that all of the following are addressed for the lot or lots in question: (2991-93)
- (i) that an adequate municipal water supply system is available to service and connect to the main use on the lot in question;

- (ii) the submission of engineering or hydrogeological studies regarding the required private sewage disposal system satisfactory to the Ministry of the Environment, the Hastings/Prince Edward Counties Health Unit and the Municipality;
- (iii) that a master drainage plan has been completed for the relevant watershed to the satisfaction of the Ministry of the Environment, the Lower Trent Region Conservation Authority, the Ministry of Natural Resources and the Municipality;
- (iv) the submission of grading and drainage plans satisfactory to the Municipality and storm water management plans satisfactory to the Ministry of the Environment, the Ministry of Natural Resources, the Lower Trent Region Conservation Authority and the Municipality;
- (v) written confirmation from the Ministry of Natural Resources and the Lower Trent Region Conservation Authority that no significant fish or wildlife habitats or wetlands will negatively be impacted by the development of the lot in question;
- (vi) written confirmation of road access approval from the Municipality;  
and
- (vii) the submission of detailed railway noise, vibration and impact studies satisfactory to the Ministry of the Environment and the Municipality in consultation with the Canadian Pacific Railway for those lands within 300 metres of the Canadian Pacific Railway right of way.  
(OMB File #R8100833)

(3129-95)

- (10) (a) Notwithstanding the requirements of Subsection 2(2) of this Part J, within the area zoned SPR-8, the minimum lot area shall be 4047 square metres.
- (b) Notwithstanding the requirements of Subsection 1(1) of this Part J, within the area zoned SPR-8-H, no person shall erect or occupy any building or structure or use any building, structure or land for any purpose other than the use that existed on the first day of November 1991. The Holding "H" symbol shall be removed from any or all of the lands zoned SPR-8-H in accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1990, provided that both of the following are addressed:  
(2991-93)

- (i) that an adequate municipal water supply system is available to service and connect to the main use on the lot or lots in question; and
  - (ii) that a plan of subdivision is registered on all of the lands zoned SPR-8-H in accordance with the Planning Act, 1983.  
(OMB File #R8100833)
- (11) Notwithstanding the provisions of Subsections 2. (2) and 7. (2) of this Part J, within the area zoned SPR-9, the minimum lot area shall be 3000 square metres and development shall be permitted utilizing a private water supply system.  
(2890-92)
- (12) Notwithstanding the provisions of Section 1.(1) of this Part J and Section 15. (1) of Part c, within the area zoned SPR-10, a day nursery with a maximum capacity of twenty-eight (28) children shall be a permitted use with a minimum of one (1) parking space being provided for each employee as well as a minimum of two (2) parking spaces provided for clientele. A strip of land not less than 1.5 metres in width between the street line and the parking area shall be maintained as a landscaped area consisting of grass, as well as trees and/or shrubbery. In addition, for the area described as Parts 30 and 31 of Plan 1631, wooden board on board fencing to a minimum height of 1.8 metres shall be required adjacent to the residential use on Part 2 of Plan 1890; and the play ground area shall be limited to Part 31 of Plan 1631 and shall be enclosed with chain link and/or wooden board on board fencing having a minimum height of 1.5 metres. (OMB File #R920396)
- (13) (a) Notwithstanding the requirements of Subsection 2(1) and 2 (2) of this Part J, within the area zoned SPR-11 the minimum lot frontage and the minimum lot area shall be that lot frontage and lot area as existing on the first day of November, 1991,
  - (b) Where at the time of the first day of November, 1991 a dwelling has been erected on a lot zoned SPR-11 such dwelling and lot shall be deemed to comply with all requirements of this By-Law.
  - (c) Where at the time of the first day of November, 1991 a dwelling has been erected on a lot zoned SPR-11 such dwelling may be extended, enlarged, improved, and occupied, provided:
    - (i) the yards and setbacks existing at the time of the first day of November, 1991 are not reduced in depth, and where any such yards or setbacks are larger in depth than the minimum required by this By-Law, such yards and setbacks may be reduced to the minimum yards

and setbacks required by this By-Law; and

- (ii) such dwelling continues to be used in the same manner and for the same purpose it was used at the time of the first day of November, 1991.  
(2991-93)
- (14) (a) Notwithstanding the requirements of Subsection 2(1) and 2(2) of this Part J, within the area zoned SPR-12 the minimum lot frontage and the minimum lot area should be that minimum frontage and minimum area as existing on the first day of November, 1991,
- (b) Notwithstanding the requirements of Subsection 1(1) of this Part J, within the area zoned SPR-12-H, no person shall erect or occupy any building or structure or use any building, structure or land for any purposes, other than the use that existed on the first day of November, 1991. The Holding "H" symbol shall be removed from any lot or lots within the SPR-12-H zone in accordance with the provisions of Section 36 of the Planning Act, R.S.O., 1990 provided that all of the following are addressed for the lot or lots in question:
- (i) that an adequate municipal water supply system is available to service and connect to the main use on the lot in question;
  - (ii) the submission of engineering or hydrogeological studies regarding the required private sewage disposal system satisfactory to the Ministry of Environment and Energy, the Hastings/Prince Edward Counties Health Unit and the Municipality;
  - (iii) that a master drainage plan has been completed for the relevant water shed to the satisfaction of the Ministry of Environment and Energy, the Lower Trent Region Conservation Authority, the Ministry of Natural Resources, and the Municipality;
  - (iv) the submission of grading and drainage plans satisfactory to the Municipality, and stormwater management plans satisfactory to the Ministry of Environment and Energy, the Ministry of Natural Resources, the Lower Trent Region Conservation Authority, and the Municipality;
  - (v) written confirmation from the Ministry of Natural Resources and the Lower Trent Region Conservation Authority that no significant fish or wildlife habitats or wetlands will negatively be impacted by the development of the lot in question; and
  - (vi) written confirmation of road access approval from the appropriate

road authority. (2991-93)

- (15) Notwithstanding the provisions of Section 1(1) of this Part J, within the area zoned SPR-13 the residential use that existed on the first day of November, 1991 shall be deemed a permitted use in addition to those uses permitted by Section 1(1) of this Part J, Notwithstanding the requirements of Section 2 of this Part J and Section 13(2) of Part C the minimum lot frontage, lot area, front yard, rear yard, interior side yard and setbacks for the existing use shall be as existing on the first day of November, 1991 and the maximum building height and floor area shall be as existing on the first day of November, 1991.  
(2991-93)
- (16) Notwithstanding the provisions of Section 1(1) of this Part J, within the area zoned SPR-14 an office use within the existing single detached dwelling shall be deemed to be a permitted use .  
(2991-93)
- (17) (a) Notwithstanding the requirements of Subsection 2 (2) of this Part J, within the area zoned SPR-15, the minimum lot area shall be 4,047 square metres.
- (b) Notwithstanding the requirements of Subsection 1(1) of this Part J, within the area zoned SPR-15-H, no person shall erect or occupy any building or structure or use any building, structure or land for any purpose other than the use that existed on the first day of November 1991. The Holding "H" symbol shall be removed from any or all of the lands zoned SPR-15-H in accordance with the provisions of Section 36 of the Planning Act, R.s.o. 1990, provided that both of the following area addressed:
- (i) that an adequate municipal water supply system is available to service and connect to the main use on the lot or lots in question;  
and
- (ii) that a plan of subdivision is registered on all of the lands zoned SPR-15-H in accordance with the Planning Act, R.S.O. 1990, and, without limiting the aforementioned, that development shall occur in accordance with the service staging policies of Section 5.1.3.1 of the South Sidney Secondary Plan as modified and approved by the Ontario Municipal Board on January 27, 1992 and amendments thereto.  
(2991-93)
- (18) Notwithstanding Sections 2(1) and 2(2) and 7 of this Part J and Section 1(16) of Part B, the following special provisions shall apply to lands zoned

### SPR-16:

- (a) Lot Frontage (minimum): 42.0 metres
- (b) Lot Area (minimum): 2180.0 square metres
- (c) Minimum Utilities

Within that area zoned SPR-16, the requirements of Section 7 of this Part J shall not apply.  
(3038-94)

- (19) Notwithstanding Section 1(1) of this Part J within the area zoned SPR-16-H, no person shall erect or occupy any building or structure or use any building, structure or land for any purpose other than the use existing on the day of the passing of the SPR-16-H zone. The Holding "H" symbol shall be removed from any lot or lots within the SPR-16-H zone in accordance with the provisions of Section 36 of the Planning Act, R.s.o. 1990, provided that all of the following are addressed for the lot or lots in question:
  - (a) the submission of proof satisfactory to the municipality demonstrating that adequate potable water is available to service the main use on the lot in question without negatively impacting existing potable water systems;
  - (b) the submission of adequate engineering or hydrogeological studies satisfactory to the Ministry of Environment and Energy, the Hastings and Prince Edward Counties Health Unit and the municipality regarding any required private sewage disposal system for the lot in question;
  - (c) the submission of adequate engineering or drainage plans satisfactory to the municipality and an engineered storm water management plan satisfactory to the Moira River Conservation Authority, Lower Trent Region Conservation Authority and the municipality for the lot in question;
  - (d) written confirmation of road access approval from the appropriate road authority for the lot in question;
  - (e) the demonstration to the satisfaction of the municipality that the lot in question meets the minimum lot frontage and minimum lot area requirements of the SPR-16 zone; and
  - (f) that any and all agreements required by the municipality arising from



the proposed development of the lot in question be addressed to the satisfaction of the municipality."  
(3038-94)