

## SECTION 12

### 12. URBAN RESIDENTIAL TYPE ONE (R1) ZONE

#### 12.1 PERMITTED USES

No person shall, within an Urban Residential Type One (R1) Zone, use any land or erect, alter or use any building or structure except as specified hereunder:

##### a. Residential Uses

- i) a single detached dwelling;

#### AMENDED BY B/L 89-72

- ii) a semi-detached dwelling as per the definition of Section 2;
- iii) a duplex; and
- iv) a home occupation use in accordance with the provisions of Section 3.12 of this By-law, save and except the retail sale of antiques, arts, crafts, or hobby items.

#### AMENDED BY B/L 87-19

##### b. Non-Residential Uses

- i) places of worship subject to the zone regulations set out in Section 12.2 in respect of a single detached dwelling **with an attached garage or carport.**

#### 12.2 REGULATIONS FOR RESIDENTIAL USES

##### a. Lot Area (minimum)

- i) single detached dwelling 460 square metres
- ii) semi-detached and duplex dwelling 550 square metres

##### b. Lot Frontage (minimum) Interior Lot

- i) single detached dwelling 15 metres
- ii) semi-detached and duplex dwelling 18 metres

##### c. Lot Frontage (minimum) Exterior Lot

- i) single detached dwelling 16 metres
- ii) semi-detached and duplex dwelling 20 metres

### 12.3 MUNICIPAL SERVICING REQUIREMENT (CONT'D)

- d. Subsection a. above does not apply to prevent the erection of a dwelling on a lot or block within a registered plan of subdivision provided that a subdivision agreement with the Town has been registered on title and further, provided that such subdivision agreement includes appropriate provisions in respect of the servicing of such lot or block.

### 12.4 SPECIAL EXCEPTIONS - URBAN RESIDENTIAL TYPE ONE (R1) ZONE

#### ADDED BY B/L 85-51

Notwithstanding Section 12.1 a., only single detached dwellings and all home occupation uses shall be permitted on those lands zoned R1-1 on the Schedules to this By-law subject to the following zone regulations:

- |                           |                   |
|---------------------------|-------------------|
| a. Lot Area (minimum)     | 650 square metres |
| b. Lot Frontage (minimum) | 18 metres         |

#### ADDED BY B/L 85-51

#### 12.4.2 URBAN RESIDENTIAL EXCEPTION (R1-2) ZONE

Notwithstanding Section 12.1 a., only single detached dwellings and all home occupation uses shall be permitted on those lands zoned R1-2 on the Schedules to this By-law subject to the following zone regulations:

- |                           |  |
|---------------------------|--|
| a. Lot Area (minimum)     | 695 square metres  |
| b. Lot Frontage (minimum) | 20 metres  |
| c.                        | No building or structure may be erected and no use may be established in the R1-2 zone unless the lot upon which it is situated is serviced by a municipal water system and a private sanitary waste disposal system which complies with the regulations of the Ministry of the Environment. |

#### 12.4.3 URBAN RESIDENTIAL EXCEPTION (R1-3) ZONE

Notwithstanding Section 12.1, those lands zoned R1-3 on the Schedules to this by-law may, in addition to the other uses permitted in the R1 Zone, be used for a nursing home. The placement of buildings and structures shall be subject to the zone regulations as set out in Section 12.2.

## 12.2 REGULATIONS FOR RESIDENTIAL USES (CONT'D)

### d. Yard Requirements (minimum)

#### AMENDED BY B/L 99-180

- i) Front Yard **6 metres to private garage or carport and 4.5 metres to dwelling**

#### AMENDED BY B/L 85-51

- ii) Exterior Side Yard **6 metres**  
iii) Interior Side Yard
- a) single detached dwelling unit with an attached garage or carport **1.20 metres**  
b) single detached dwelling without an attached garage or carport **4.5 metres on one side, 1.2 metres on the other**

#### AMENDED BY B/L 85-36

- c) **semi-detached dwelling and duplex dwelling with an attached garage or carport** **1.20 metres**

#### AMENDED BY B/L 85-36 AND B/L 86-41

- d) **semi-detached dwelling and duplex dwelling without an attached garage or carport** **3.0 metres**
- iv) Rear Yard **7.5 metres**
- e. Dwelling Unit Area (minimum)

- i) single detached dwelling
- a) 1 storey or split level **85 square metres**  
b) 1 1/2 or two storey **100 square metres**
- ii) semi-detached dwelling **80 square metres**  
iii) duplex **50 square metres**

## 12.2 REGULATIONS FOR RESIDENTIAL USES (CONT'D)

### f. Lot Coverage (maximum)

- i) single detached dwelling 40 percent
- ii) semi-detached and duplex dwelling 45 percent

### g. Landscaped Open Space (minimum)

30 percent

### h. Building Height (maximum)

10.5 metres

## AMENDED BY B/L 89-72

### i. Special Yard Regulations

- i) Notwithstanding the interior side yard requirements above, where a semi-detached dwelling is only connected **by the footing and foundation, the horizontal distance between the interior walls of the two (2) dwelling units above finished grade shall be between 1.20 metres and 1.5 metres.**

## AMENDED BY BY-LAW 99-180

- ii) **Private garages and carports may extend a maximum of 3.0 metres in front of the dwelling unit. This provision shall apply to all lots registered after June 30, 2000.**

## 12.3 MUNICIPAL SERVICING REQUIREMENT

- a. No building or structure may be erected and no use may be established in the Urban Residential Type One (R1) Zone unless the lot upon which it is situated is serviced by municipal sewage and water systems which have sufficient capacity to accommodate 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 erection of a dwelling on a lot which existed prior to the date of passing of this By-law or which has been created by consent, provided that soil and groundwater conditions are suitable for the installation of individual services provided a Servicing Agreement has been executed with the Regional Municipality of Durham and provided that all other zone requirements are complied with.

**AMENDED BY B/L 86-109**

**AMENDED BY B/L 85-51**

**3.20 SERVICING REQUIREMENTS**

Unless otherwise provided herein, no residential building or structure may be erected or no existing residential building or structure may be enlarged, extended or reconstructed and no use may be established in any zone, unless the lot upon which it is situated is serviced by a private potable water supply system installed in accordance with the requirements of the **Health Protection and Promotion Act** and a private sanitary waste disposal system installed in accordance with the requirements of the Ministry of the Environment.

**3.21 SETBACK REQUIREMENTS**

Notwithstanding any provision of this By-law to the contrary, the following minimum setbacks shall apply to the specified buildings and structures:

- a. All buildings from an Environmental Protection (EP) Zone unless such building is located upon a lot located within a registered plan of subdivision or a plan of subdivision draft approved prior to the date of passing of this By-law. 3 metres
- b. All buildings from watercourses not located within an Environmental Protection (EP) Zone. 30 metres
- c. Non-farm related residential buildings from existing agricultural buildings, housing livestock and not located on the same lot. 300 metres

**AMENDED BY B/L 86-41**

- d. Notwithstanding the foregoing, the provisions of Subsection c. shall not apply to residential buildings located on existing lots of record or lots within a registered plan of subdivision or plan of 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 a **Hamlet** or, the Urban Areas of Courtice, Bowmanville, Newcastle Village and Orono as designated by an approved Official Plan.

**AMENDED BY B/L 87-19**  
**AMENDED BY B/L 2008-169**

### **3.22 VISIBILITY TRIANGLES**

**On a corner lot, within the triangle 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 7.5 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, recreational vehicle or trailer, and any load thereon, shall be parked or stored, 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.**

### **3.23 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 Municipality regulating signs.

### **3.24 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 Municipality on the lot where it is situated and only for so long as it is necessary for the work in progress 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 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.

**DELETED BY B/L 86-107**

**c.**

### **3.25 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.