

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2018-57

A by-law to amend Comprehensive Zoning By-law 2003-60, as amended,
with respect to Downtown Wasaga Beach

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, as amended, permits the councils of municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law;

WHEREAS Section 24(2) of the *Planning Act*, R.S.O. 1990, as amended, permits Council to pass a Zoning By-law Amendment that does not conform to the Official Plan, but will conform with it when Official Plan Amendment No. 52 comes into effect.

AND WHEREAS the Council of the Corporation of the Town of Wasaga Beach considers it desirable to amend Zoning By-law 2003-60 to implement the policies of Official Plan Amendment No. 52 with respect to the Wasaga Beach Downtown.

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach enacts that By-law 2003-60, as amended, being the Comprehensive Zoning By-law for the Town of Wasaga Beach, shall be and is hereby amended as follows:

1. By deleting General Provisions 3.34 and 3.38.9.1 and replacing them with the statement "Intentionally Left Blank".
2. By deleting the Tourist Commercial Exception Eighteen Zone (CT-18) in Section 14.4.18, entitled Beach Areas One and Two, and replacing it with the statement "Intentionally Left Blank".
3. By deleting Definition Section 26.195.7, Tourist Establishment, Hotel – Beach Areas One and Two.
4. By adding a Section 3.38.1.2, entitled Downtown Wasaga Beach Parking Requirements, as follows:

"3.38.1.2 Downtown Wasaga Beach Parking Requirements

For parking requirements in Downtown Wasaga Beach, refer to Section 26.2.15 of this By-law."

5. Schedule “N” of By-law 2003-60, as amended, is repealed and replaced with Schedule “1” to this By-law, which identifies all of the lands within the Downtown and includes consolidated lands from Schedules “I”, “O” and “P”.
6. Schedule “I” of By-law 2003-60 is amended by removing the lands within the Downtown that are shown on Schedule “1” to this By-law, which are generally located between 5th Street and 6th Street.
7. Schedule “O” of By-law 2003-60 is amended by removing the lands within the Downtown that are shown on Schedule “1” to this By-law, which are generally located west of Zoo Park Road and north of River Road West.
8. Schedule “P” of By-law 2003-60 is amended by removing the lands within the Downtown that are shown on Schedule “1” to this By-law, which are generally located on the south side of River Road West.
9. Each Zoning By-law Schedule “A” through “T” is amended by replacing the inset key map as shown on Schedule “1” to this By-law.
10. That Comprehensive Zoning By-law 2003-60 be amended by renumbering existing Sections 26 through 29 as Sections 27 through 30;
11. That Comprehensive Zoning By-law 2003-60 be amended by adding the following new zones, the details of which are provided in this By-law:
 - a. Downtown Core Mixed Use (DC1) Zone;
 - b. Downtown Core (DC2) Zone;
 - c. Downtown Gateway Mixed-Use (DG1) Zone;
 - d. Downtown Gateway Transition (DG2) Zone
 - e. Beach Mixed-Use (B1) Zone; and
 - f. Beach Transition (B2) Zone.
12. That Comprehensive Zoning By-law 2003-60 be amended by adding a new Section 26 in proper sequence, as follows:

“Section 26 - Downtown Wasaga Beach

26.1 Definitions

The following definitions apply specifically to Downtown Wasaga Beach, and are to be read in addition to those definitions in Section 27 of this Zoning By-law:

Dwelling, Apartment means a dwelling that contains four (4) or more dwelling units, which have a common entrance from street level and are served by a common corridor and the occupants of the units have the right of use in common of the corridors, stairs, yards, or one (1) or more of

them. An “Apartment Dwelling” does not include any other dwelling unit defined herein.

Dwelling Unit, Apartment means a dwelling unit of two (2) or more rooms designed or intended for use by a group of persons in which cooking and sanitary facilities are provided for the exclusive use of such group of persons, and with a private entrance from outside the building or from a common hallway or stairway inside, but does not include any other use defined or classified herein.

Dwelling, Back to Back Townhouse a residential building having attached units separated by a common or party wall above grade, including a common or party rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front elevation or exterior side elevation of the dwelling unit.

Dwelling, Stacked Townhouse means a residential building with dwelling units stacked vertically (typically two) each with an independent entrance at grade to the front and rear of the building.

Amenity Area, Communal means recreational facilities, which may include outdoor landscaped communal areas, patios, rooftop amenities, children’s play areas, and other amenities like swimming pools, recreation facilities, indoor communal lounges and other areas, within the site which can be used for recreational purposes by all residents of a building or a group of buildings, but not including driveways or parking areas.

Gaming Facility means any gaming establishment, facility and other property or assets ancillary or related thereto or used in connection therewith, including, without limitation, any casinos, hotels, resorts, theaters, parking facilities, timeshare operations, retail shops, restaurants, other buildings, land, golf courses and other recreation and entertainment facilities, marinas, vessels and related equipment.

Restaurant, Convenience means a building, structure or part thereof, with an accessory drive-through where food is prepared and offered for sale to the public for consumption within the building, structure or part thereof, or off the premises.

Short-term Rental means all or part of a dwelling unit in the Town used to provide sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This excludes hotels and motels and accommodations where there is no payment.

26.2 General Provisions

The following General Provisions apply specifically to Downtown Wasaga Beach, and are to be read in addition to and supersede those General Provisions in Section 3 of this Zoning By-law where there is a conflict.

26.2.1 Mixed-Use Buildings

Where permitted by this By-law, a mixed-use commercial/office/residential building shall be in accordance with the following provisions:

- a) Parking shall be provided for all uses in accordance with Section 26.2.15 and bicycle parking shall be provided in accordance with Section 26.2.16.
- b) Dwelling units shall not be located on the ground floor of buildings where continuous building frontage is required.
- c) For all new buildings, communal amenity areas shall be provided for the units in accordance with Subsection 26.2.12.
- d) Conversions of commercial space to residential dwelling unit(s) and vice-versa shall be permitted in the Downtown Core (DC) and Beach (B) Zones, provided all other provisions of this By-law are complied with.

26.2.2 Apartment Dwelling Units in Commercial and Mixed Use Zones

Where permitted by this By-law, an apartment dwelling unit permitted in commercial and mixed use zones shall be in accordance with the following provisions:

- a) Apartment dwelling unit(s) shall be located in the second or higher storey of commercial buildings.
- b) For all new buildings, communal amenity areas shall be provided for the apartment units in accordance with Section 26.2.12.
- c) An apartment dwelling unit shall be prohibited on the same lot as an automobile gas bar, automobile service station or automobile repair garage.
- e) Parking requirements shall be provided for the apartment dwelling unit(s) shall be in accordance with Subsection 26.2.15.

26.2.3 Continuous Street Frontage Between the Nottawasaga River and Wood Avenue

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with

Main Street, continuous street frontage, and the following provisions, shall apply:

- a) The width of the main building shall be a 100 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
- b) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.4 Continuous Street Frontage Between Wood Avenue and Stonebridge Boulevard

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, continuous street frontage, and the following provisions, shall apply:

- a) The width of the main building shall be a minimum of 75 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
- b) Notwithstanding clause 26.2.6, where a lot is not subject to the minimum building height requirement, the width of the main building shall be a minimum of 50.0 percent of the lot frontage.
- c) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.5 Continuous Street Frontage Between Stonebridge Boulevard and River Road West

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, continuous street frontage, and the following provisions, shall apply:

- a) The width of the main building shall be a minimum of 50 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
- b) Notwithstanding clause 26.2.6, where a lot is not subject to the minimum building height requirement, the width of the main building shall be a minimum of 50.0 percent of the lot frontage.
- c) In no case shall a new parking area be accessed from or permitted in the front yard.

26.2.6 Minimum Building Height

- a) Where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, the minimum height of any main building shall be three (3) storeys or 10.5 metres.
- b) Notwithstanding the above and any other provision of this By-law, the minimum building height shall be one (1) storey for civic uses, public uses, gaming facilities, recreational entertainment establishments, and other entertainment-related uses where they are permitted in the Downtown Core Mixed-Use (DC1) Zone, the Downtown Gateway Mixed-Use (DG1) Zone, and the Beach Mixed-Use (B1) Zone.

26.2.7 Minimum Ground Floor Height

Notwithstanding any other provision of this By-law, where a property is fronting on Main Street, or within 30 metres on a street that intersects with Main Street, the minimum height of the first storey shall be 4.5 metres.

26.2.8 Angular Planes

Where the maximum height of a building is subject to the angular plane, as indicated in the Zone provisions, the following provisions shall apply:

- a) The maximum height of a building shall be further restricted to the height of an angular plane, extending from the opposite street line upwards at a forty-five degree (45°) angle towards the building. The upper storeys of the building shall be stepped back within the forty-five degree (45°) line projection in accordance with the angular plane.
- b) The angular plane shall be applied and may reduce the permitted maximum building height as indicated in the zone provisions to mitigate impacts from sun shadow and overlook on the street and adjacent low-density uses.

26.2.9 Setback Requirements Adjacent to Main Street

- a) Notwithstanding any other provision of this By-law and any yard requirements, where the right-of-way for Main Street in the Downtown is less than 30 metres wide, no building or structure shall be erected closer than a distance equal to the sum of 15.0 metres and the required front or exterior side yard setback in that zone from the original centre line of the improved public street right-of-way.

26.2.10 Setback Requirements Adjacent to Mosley Street

- a) Notwithstanding any other provision of this By-law and any yard requirements, where the right-of-way for Beach Drive and Mosley Street in the Downtown is less than 23 metres wide, no building or structure shall be erected closer than a distance equal to the sum of 11.5 metres and the required front or exterior side yard setback in that zone from the original centre line of the improved public street right-of-way.

26.2.11 Setback Requirements Adjacent to Beach Drive

- a) Notwithstanding any other provision of this By-law and any yard requirements, for properties with lot frontage on Beach Drive, the minimum building setback shall be 4.5 metres along Beach Drive.

26.2.12 Communal Amenity Area Requirements

Communal amenity areas shall be provided for multi-unit residential uses, including but not limited to a stacked townhouse dwelling, apartment dwelling, and apartment dwelling units within a mixed-use building in accordance with the following minimum requirements:

- a) 5.0 square metres of communal amenity area shall be provided for each bachelor and one (1) bedroom dwelling unit;
- b) 10.0 square metres of communal amenity area shall be provided for each two (2) bedroom dwelling unit;
- c) 20.0 square metres of communal amenity area shall be provided for each three (3) bedroom dwelling unit;
- d) 30.0 square metres of communal amenity area shall be provided for each four (4) bedroom dwelling unit or dwelling unit with more than four (4) bedrooms; and
- e) Inclusive within the communal amenity area requirements above, a children's play area shall be provided where a multi-unit residential development contains ten (10) or more dwelling units. A children's play area shall be provided at a rate of 2.5 square metres per dwelling or apartment unit. The minimum size of any children's play area shall be 46.0 square metres, while the maximum size of such children's play area shall be 140.0 square metres.

26.2.13 Overlook

Decks and balconies shall be screened, in accordance with the fencing and landscaping requirements of By-law 2003-60, from any views into private amenity areas.

26.2.14 Outdoor Patio

Where permitted by this By-law as an accessory use to a permitted restaurant or other food premises, an outdoor patio may be located in any yard but not within 3.0 metres of any side or rear property line that abuts an existing residential use or Residential zone, nor in a visibility triangle. Such provisions shall not apply to outdoor patios located in the Downtown Core Mixed-Use (DC1) and Beach Mixed-Use (B1) and Beach Transition (B2) Zones.

26.2.15 Parking

Public and private parking spaces which are accessory to the main use of a lot, building or structure are a permitted use in all zones.

For every building or structure to be erected, altered, or its use converted to any of the uses specified by the following, off-street parking facilities shall be maintained upon the same lot on which the principle use is located and in accordance with the following provisions contained in this section unless otherwise specifically provided:

a) Minimum Number of Parking Spaces

i) Required Number of Parking Spaces by Use

No person shall erect, enlarge or change the use of a lot, building or structure without providing and maintaining a minimum number of parking spaces in accordance with Tables 1, 2 and 3.

Table 1: Parking Requirements for Residential Uses

Type of Use	Minimum Required Parking
Accessory Dwelling Unit	1.0 space per unit, in addition to the parking requirements of the principal use.
Apartment Dwelling	1.25 spaces per unit; or 1.1 spaces per unit located in any DC1 or DG1 Zone. *Including 0.15 spaces per unit for Visitor Parking
Apartment Units as part of a Mixed Commercial/Residential	1.1 spaces per unit; or 1.0 space per unit located in any DC1 or DG1 Zone. *Including 0.15 spaces per unit for Visitor Parking

Type of Use	Minimum Required Parking
Building, where permitted in Commercial and Mixed Use Zones	
Bed & Breakfast	A minimum of 1.0 space for the dwelling unit, plus 1.0 space per guest room.
Boarding, Rooming or Lodging House	A minimum of 1.0 space for the dwelling unit, plus 0.5 spaces per bedroom.
Converted Dwelling	1.5 spaces per dwelling unit..
Duplex Dwelling	1.5 spaces per dwelling unit.
Detached Accessory Dwelling Unit (Garden Suite)	1.0 space per garden suite, in addition to the parking requirements for the principal dwelling unit.
Group Home	2.0 spaces per group home.
Home Occupation	No additional spaces shall be required in DC and DG Zones only.
Institutional Residence	0.5 spaces per bed.
Linked Dwelling	2.0 spaces per dwelling unit.
Rental or Condominium Townhouse Dwelling	1.5 spaces per dwelling unit.
Retirement Home	0.5 spaces per unit.
Attached Accessory Dwelling Unit (Second Suite)	1.0 space per second unit, in addition to the parking requirements for the principal dwelling unit.
Semi-detached dwelling	1.5 spaces per dwelling unit.
Single Detached Dwelling	2.0 spaces per dwelling unit.
Street Townhouse Dwelling	1.5 spaces per dwelling unit.
Triplex Dwelling	1.5 spaces per dwelling unit.

Table 2: Parking Requirements for Commercial and Mixed Uses

Type of Use	Minimum Required Parking
Arena	1.0 space per 4 seats of permanent fixed seating
Assembly Hall	1.0 space per 10.0 square metres of gross floor area.
Automobile Sales and Used Automobile Sales Establishment, Service Establishment, Automobile Rental Agency, and Automobile Leasing Agency	1.0 space per 20.0 square metres gross floor area.

Type of Use	Minimum Required Parking
Bank or Trust Company	1.0 spaces per 18.0 square metres gross floor area.
Clinic or Medical Office	1.0 space per 18.0 square metres of gross floor area.
Commercial Recreation Establishment	1.0 space per 20.0 square metres of gross floor area
Commercial Use in Mixed Commercial Residential Development	1.0 spaces per 25.0 square metres gross floor area.
Convenience Store	1.0 spaces per 20.0 square metres gross floor area.
Hardware, Home Appliance, Home Decorating, Home Furnishing or Home Improvement Store	1.0 spaces per 50.0 square metres gross floor area.
Hotel or Motel	1.0 space per guestroom plus the required spaces for any adjoining or accessory public or commercial uses, i.e restaurant.
Library	1.0 space per 20.0 square metres public floor area
Offices (Business, Public, Professional)	1.0 spaces per 28.0 square metres gross floor area on the first storey and 1.0 spaces per 50.0 square metres gross floor area above or below the first storey.
Personal Service Establishment	1.0 spaces per 20.0 square metres gross floor area.
Refreshment vehicle	5.0 spaces
Restaurants, including take-out restaurants	1.0 space per 18.0 square metres gross floor area, except that any take-out restaurant shall be 1.0 space per 8.0 square metres gross floor area. In all cases a minimum of 5.0 spaces shall be provided.
Outdoor Patio	No additional parking shall be required, except that where the area of the outdoor patio exceeds 50.0 percent of the gross floor area of the restaurant, parking shall be provided at a rate of 1.0 space per 18.0 square metres of outdoor patio seating area.
Retail Uses (General)	1.0 spaces per 20.0 square metres gross floor area.
Self-Service Storage Facility	1.0 space per 100.0 square metres gross floor area.
Shopping Centre or Department Store	1.0 spaces per 20.0 square metres gross floor area.
Short-term rental	1.0 space per bedroom.
Supermarket or Grocery Store	1.0 spaces per 18.0 square metres gross floor area.

Type of Use	Minimum Required Parking
Theatre	1.0 space per 5 fixed seats.
Veterinarian's Office	1.0 spaces per 28.0 square metres gross floor area.
Wholesale Establishment	1.5 spaces per 100.0 square metres gross floor area.
All Other Commercial Uses Not Listed Herein	1.0 spaces per 18.0 square metres gross floor area.

b) Special Exemptions for Minimum Required Parking in the Downtown Core Mixed-Use (DC1) Zone

Where a lot is located in the DC1 Zone, the parking required for any commercial uses shall be reduced by 50.0 percent.

c) Mixed Use Development Shared Parking

A shared parking formula may be used for the calculation of required parking for a mixed-use development. A mixed use development means the following:

- i) Non-office uses in an office or medical office building or group of buildings on the same lot.
- ii) Office or medical office space in a building or group of buildings on the same lot primarily occupied by retail uses.
- iii) A building or group of buildings on the same lot containing a mix of office or medical office, commercial uses and dwelling units.
- iv) Non-residential uses in an apartment.

Shared parking is to be calculated in compliance with Table 3. All required parking spaces must be accessible to all users participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for a mixed use development is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. morning), contained in Table 3. Each "time of day" is totalled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the mixed use development.

Table 3: Shared Parking Requirements for Mixed Uses

Type of Use	Percentage of Peak Period (Weekday)	
Office/Medical Office/Financial Institution	Morning: 100	
	Afternoon: 95	
	Evening: 25	
	Overnight: 0	
Restaurant/Convenience Restaurant	Morning: 15	
	Afternoon: 50	
	Evening: 100	
	Overnight: 0	
Retail Centre/Retail Store/Personal Service Establishment	Morning: 80	
	Afternoon: 90	
	Evening: 90	
	Overnight: 0	
Overnight Accommodation – Hotel, Motel, Short-term rental	Morning: 70	
	Afternoon: 60	
	Evening: 75	
	Overnight: 100	
Residential	Morning: 90	*Visitor – 20
	Afternoon: 40	*Visitor – 10
	Evening: 90	*Visitor – 80
	Overnight: 100	*Visitor – 100
Type of Use	Percentage of Peak Period (Weekend)	
Office/Medical Office/Financial Institution	Morning: 10	
	Afternoon: 10	
	Evening: 10	
	Overnight: 10	
Restaurant/Convenience Restaurant	Morning: 15	
	Afternoon: 50	
	Evening: 100	
	Overnight: 0	
Retail Centre/Retail Store/Personal Service Establishment	Morning: 80	
	Afternoon: 100	
	Evening: 10	
	Overnight: 0	
Overnight Accommodation – Hotel, Motel, Short-term rental	Morning: 70	
	Afternoon: 60	
	Evening: 75	
	Overnight: 100	

Type of Use	Percentage of Peak Period (Weekday)		
Residential - Resident (1)	Morning:	90	*Visitor – 20
	Afternoon:	40	*Visitor – 10
Residential - Visitor	Evening:	90	*Visitor – 80
	Overnight:	100	*Visitor – 100

d) Method of Calculation

i) Rounding

For the purposes of calculating required parking, should a fraction result from a calculation, then the required parking shall be the next highest whole number. For example, if the calculated minimum parking requirement is 3.25 spaces, then the required minimum parking is 4.0 spaces.

ii) Calculation of Parking for Multiple Uses on a Lot

Except as otherwise provided in this By-law, when a building, lot or structure accommodates more than one (1) type of use, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building(s) occupied by the separate types of use. This provision shall apply to any principal use(s) and accessory use(s).

iii) Calculation of Parking Requirements for Construction of Additions or Changes in Use

When a building or structure has insufficient parking at the time of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be an increase in that deficiency.

e) Designation of Parking for Persons with Disabilities

- i) Parking for persons with disabilities shall be provided in accordance Section 3.38.9.4 of this By-law.

f) Parking Space, Area and Driveway Requirements

i) Surface

Each parking area and driveway connecting the parking area with a street shall be paved with an asphalt or concrete surface and be bounded by curbs.

ii) Parking Space and Aisle Dimensions

Parking spaces may be varied in width depending on the angle measured perpendicular to the axis of the access aisle of the space provided. Where an aisle serves two (2) different types of angled parking, which are located across from each other, the largest required access aisle shall be provided. The minimum dimensions of parking spaces and parking space access aisles shall be in accordance with the following:

1. Ninety degree (90°) parking spaces shall be a minimum of 2.75 metres by 6.0 metres with a minimum 6.0 metres access aisle;
2. Sixty degree (60°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 5.5 metres access aisle;
3. Forty-five degree (45°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle;
4. Thirty degree (30°) parking spaces shall be a minimum of 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle; and
5. Parallel parking spaces shall be a minimum of 6.0 metres by 2.75 metres with a minimum 4.5 metres access aisle.

g) Access to Parking Areas

i) Driveways, Access Lanes and Parking Aisles

1. Ingress and egress to parking areas shall be provided by parking aisles comprised of not less than one (1) access lane for ingress and one (1) access lane for egress.
2. Each lane shall be a minimum width of 3.0 metres, and if combined, the lanes shall be a minimum width of 6.0 metres.
3. The width of the lanes shall not exceed 9.0 metres.

ii) Driveway Separation Distance on the Same Lot

Except for the development of single-detached, triplex, semi-detached, or townhouse dwellings, no person shall locate more than one (1) driveway on a single lot without a separation distance of a minimum of 7.6 metres measured between the nearest curb faces of each private approach (driveway) along the street line.

iii) Separation between Driveways and Intersections

The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 9.0 metres.

iv) Driveway Angle in Relation to Street Line

The minimum angle of intersection between a driveway and a street line shall be sixty degrees (60°).

v) Access Through Residential Zones

No lot or parcel which is zoned for residential purposes shall be used for vehicular access purposes to any land which is non-residential.

vi) Ingress/Egress in Flood Prone Areas

Ingress/egress for new buildings shall be designed such that vehicular and pedestrian movement is not prevented during times of flooding.

vii) Access through Visibility Triangle

A driveway shall not be located within any required visibility triangle.

h) Parking Area Location

- i) For all zones in the Downtown, no parking is permitted in the front yard or exterior side yard, unless the principle use of the property is for a single-detached dwelling, semi-detached dwelling, or a street townhouse dwelling;
- ii) In the DC1, DC2, DG1, DG2, B1 and B2 Zones, parking may be permitted in the interior side yard, provided that:

1. The Continuous Street Frontage General Provisions 26.2.3, 26.2.4, and 26.2.5 permit an opening in the continuous building frontage on Main Street and side streets; or
2. A landscape strip of a minimum width of 3.0 metres is located along the street line to buffer the parking areas from the street.

i) Off Street Loading Space Requirements

- i) Off street loading spaces shall be provided in accordance Section 3.39 of this By-law.

26.2.16 Bicycle Parking Requirements

If a lot is located within the area delineated as the Downtown, as shown on Schedule “N”, and is zoned DC1, DC2, DG1, DG2, B1, B2, any R4 zone, or Institutional Zone, bicycle parking shall be provided for the uses specified in Table 4 and in accordance with the provisions below.

- a) Bicycle parking spaces shall be permitted as an accessory use in all zones.
- b) The minimum number of bicycle parking spaces shall be in accordance with Table 4:

Table 4: Minimum Required Bicycle Parking

Type of Use	Minimum Required Bicycle Parking
Institutional Residence	0.25 spaces per room or suite.
Retirement Home, Apartment Dwelling, Maisonnette Dwelling	0.25 spaces per dwelling unit.
School	1.0 space per 100.0 square metres of gross floor area.
Retail, Office or Restaurant Use with less than 3,000.0 square metres of gross floor area	1.0 space per 250.0 square metres of gross floor area.
Retail, Office or Restaurant Use with over 3,000.0 square metres of gross floor area	1.0 spaces per 250.0 square metres of gross floor area for the first 3,000.0 square metres of gross floor area, and 1.0 space per 500.0 square metres of gross floor area thereafter.
Hotel or Motel	1.0 space per 1,000.0 square metres of gross floor area.
Any other Non-Residential Use	1.0 space per 1,000.0 square metres of gross floor area.

- c) Where the minimum number of bicycle parking spaces calculated in accordance with Table 4 results in a fraction, the minimum number of bicycle parking spaces shall be rounded up to the next whole number.
- d) Bicycle parking shall be located on the same lot as the use or building for which it is provided.
- e) Bicycle parking may be located within any yard, but not within a visibility triangle.
- f) A maximum of 50.0 percent of bicycle parking spaces may be located within a required landscaped area.
- g) Bicycle parking spaces shall be 0.6 metres by 1.8 metres.
- h) Bicycle parking spaces shall be accessed by an aisle with a minimum width of 1.5 metres.
- i) Any bicycle parking areas and associated aisles shall be located and designed such that they are directly accessible by cyclists from a driveway or parking aisle designed in accordance with the provisions of Section 26.2.15.
- j) Bicycle racks shall be provided for bicycle parking on a surface comprised of crushed stone, brick, asphalt or concrete.
- k) The provisions of this Section shall only apply to the erection of a new building, redevelopment of a lot or a change in use.

26.3 Downtown Core, Downtown Gateway and Beach Mixed Use and Transition Zones

26.3.1 Permitted Uses

Unless otherwise permitted in this By-law, no person shall, within any Downtown Core (DC), Downtown Gateway (DG), or Beach (B) Mixed Use or Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in Table 5.

Table 5: Permitted Uses

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
Residential Uses						
Apartment Dwelling (1)		X		X	X	X

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
Apartment Dwelling as part of a Mixed Commercial/Office/Residential Building (1)	X	X	X	X	X	X
Apartment Dwelling Unit (1)	X	X	X	X	X	X
Triplex dwellings, fourplex dwellings, stacked townhouse dwellings, back-to-back townhouse dwellings, townhouse dwellings		X		X	X	X
Second Suite	X	X	X	X	X	X
Bed and Breakfast		X		X		X
Dwelling Unit (1)	X	X	X	X	X	X
Retirement Home	X	X	X	X		

Non-Residential Uses

A

Arcade	X	X			X	X
Assembly Hall	X	X	X	X	X	X
Adult Entertainment Establishment						

B

Bakery	X		X	X	X	X
Bake Shop	X	X	X	X	X	X
Business and Professional Offices	X	X	X	X	X	X
Business Incubator/Accelerator	X	X	X	X	X	X
Business Service Establishment	X	X	X	X	X	X

C

Car Wash						
Catering Service	X	X	X	X	X	X
Clinic or Medical Office	X	X	X	X	X	X
Commercial Recreation Establishment	X	X	X	X	X	X

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
Commercial School	X	X	X	X	X	X
Commercial Use	X	X	X	X	X	X
Computer Service	X	X	X	X	X	X
Convenience Store	X	X	X	X	X	X
Custom Workshop	X	X	X	X	X	

D, E

Day Nursery	X	X	X	X	X	X
Delicatessen	X	X	X	X	X	X
Department Store			X	X	X	X
Dry Cleaning Outlet	X	X	X	X	X	X

F

Farmer's Market	X	X	X	X	X	X
Film, Television and Recording Studio	X	X	X	X	X	
Financial Service	X	X	X	X	X	X
Flea Market			X	X		

G

Gaming Facility					X	
Gasoline Retail Facility						
Grocery Store	X	X	X	X	X	X

H

Health Club	X	X	X	X	X	X
High Technology Retail Store	X	X	X	X	X	
Home Appliance Store	X		X	X	X	
Home Decorating Store	X		X	X	X	
Home Furnishing Store	X		X	X	X	
Home Improvement Store	X		X	X	X	
Home Occupation	X	X	X	X		
Hotel	X	X	X	X	X	X

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
I, J, K						
L						
Laundromat	X	X	X	X	X	
M, N						
Mixed Commercial/Residential Building (1)	X	X	X	X	X	X
Motel					X	X
Motor Vehicle Sales and service Establishment, Body Shop and Repair Garage						
O						
Office, Business/Medical/Professional	X	X	X	X	X	X
P, Q						
Parking Lot/Parking Garage (as a principal use)	X	X	X	X	X	X
Personal Service Establishment	X	X	X	X	X	X
Pet Shop	X	X	X	X	X	X
Photographic Service	X	X	X	X	X	X
Post-Secondary Institution	X	X	X	X		
Printing Establishment	X	X	X	X	X	X
Private Club	X	X	X	X	X	X
R						
Recreational Entertainment Establishment	X	X	X	X	X	X
Research and Development Establishment	X	X	X	X	X	X
Restaurant	X	X	X	X	X	X
Restaurant - Take-Out	X	X	X	X		X
Restaurant, Convenience						
Retail Shopping Centre				X		
Retail Store	X	X	X	X	X	X

Use	Mixed Use and Transition Zones					
	DC1	DC2	DG1	DG2	B1	B2
S						
Short-term Rental	X	X	X	X	X	X
Sub Post Office	X	X	X	X	X	
Supermarket			X	X	X	X
T						
Taxi Dispatch Office	X	X	X	X	X	
Theatre	X	X	X	X	X	X
U						
V						
Veterinarian's Office	X		X	X		
Vocational Training Centre	X	X	X	X	X	
W, X, Y, Z						
Wholesale Establishment	X		X	X	X	

Notes to Table 5:

- (1) This use is subject to General Provisions 26.2.1 and 26.2.2 under By-law 2003-60.

26.3.2 Zone Provisions

Unless otherwise permitted in this By-law, no person shall, within any for Downtown Core (DC), Downtown Gateway (DG), and Beach (B) Mixed Use and Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the zone provisions indicated in Table 6.

Table 6 – Zone Provisions for Mixed Use and Transition Zones

Requirement	DC1	DC2	DG1	DG2	B1	B2
Minimum Lot Frontage	12.0 m	12.0 m	15.0 m	15.0 m	12.0 m	15.0 m
Minimum Lot Area	500.0 m ²	500.0 m ²	500.0 m ²	500.0 m ²	500.0 m ²	500.0 m ²
Minimum Front Yard	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m or in accordance with Section 26.2.11	0.0 m or in accordance with Section 26.2.11

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Requirement	DC1	DC2	DG1	DG2	B1	B2
Maximum Front Yard (1)	0.0 m where the lot is subject to Continuous Street Frontage (3)	1.2 m where the lot is subject to Continuous Street Frontage (3)	0.0 m where the lot is subject to Continuous Street Frontage (3)	3.0 m where the lot is subject to Continuous Street Frontage (3)	7.5 m	7.5 m
Minimum Exterior Side Yard (1)	0.0 m	1.2 m	0.0 m	3.0 m	0.0 m	3.0 m
Minimum Interior Side Yard	0.0 m	0.0 m or 4.5 m where abutting a Residential Zone	0.0 m	1.5 m or 4.5 m where abutting a Residential Zone	0.0 m	1.5 m or 4.5 m where abutting a Residential Zone
Minimum Rear Yard	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater	6.0 m or 50% of the height of the building, whichever is greater	6.0 m or 75% of the height of the building, whichever is greater
Maximum Lot Coverage	90%	75%	80%	70%	80%	70%
Minimum Landscaped Open Space	No requirement	10%	No requirement	10%	No requirement	10%
Minimum Ground Floor Height	4.5m where subject to Section 26.2.7	No requirement	4.5m where subject to Section 26.2.7	No requirement	4.5m where subject to Section 26.2.7	No requirement
Minimum Building Height	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement	3 storeys where subject to Section 26.2.6; otherwise, no requirement	No requirement
Maximum Building Height	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8	6 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8
Maximum Commercial Unit Width (2)	10 metres (2)	None	None	None	10 metres (2)	None

Requirement	DC1	DC2	DG1	DG2	B1	B2
Minimum Building Setback above Three Storeys	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None	1,5 metres for any storey above the third storey measured from the main wall of the first three storeys	None

Note: Other General Provisions in Section 3 and Section 26.2 may apply.

Notes to Table 6:

- (1) General Provisions 26.2.9, 26.2.10, and 26.2.11 apply along the frontages and exterior side yards on Main Street, Beach Drive, and Mosley Street respectively.
- (2) The Maximum Commercial Unit width of 10 metres shall only apply for properties fronting onto Main Street between the Nottawasaga River and Beck Street and those properties fronting onto the Town Square in the Downtown Core Mixed-Use (DC1) Zone and Festival Square in the Beach Mixed-Use (B1) Zone.
- (3) Continuous Frontage requirements along Main Street are outlined in General Provisions 26.2.3, 26.2.4, and 26.2.5.

26.3.3 Zone Provisions for Stand-alone Residential Uses Within Mixed Use and Transition Zones

Unless otherwise permitted in this By-law, no person shall, within any Downtown Core (DC), Downtown Gateway (DG), and Beach (B) Mixed Use and Transition Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the zone provisions indicated in Table 7.

Table 7 – Zone Provisions for Stand-alone Residential Uses Within Mixed Use and Transition Zones

Requirement	Use	DC1 & DG1	DC2	DG2	B1 & B2
Minimum Lot Frontage	Apartment Dwelling	Not permitted	25.0 m	25.0 m	25.0 m
	Stacked and Back-to-back Townhouse Dwelling		30.0 m	30.0 m	30.0 m

Requirement	Use	DC1 & DG1	DC2	DG2	B1 & B2
	Triplex Dwelling		21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls
	Townhouse Dwelling		6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage	6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage	6.0 m per unit with a front-accessed garage, plus 3.0 m for exterior lots 5.5 m per unit with a rear-accessed garage
	Converted Dwelling		As legally existing	As legally existing	As legally existing
Minimum Lot Area	Apartment Dwelling	Not permitted	1,000.0 m ²	1,000.0 m ²	1,000.0 m ²
	Stacked and Back-to-back Townhouse Dwelling		180.0 m ² per unit	180.0 m ² per unit	180.0 m ² per unit
	Triplex Dwelling		600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m ² or in accordance with Street Townhouse provisions where separated by vertical walls
	Townhouse Dwelling		180.0 m ² per unit	180.0 m ² per unit	180.0 m ² per unit
	Converted Dwelling		540.0 m ²	540.0 m ²	540.0 m ²
Minimum Front Yard	All uses except those noted below	Not permitted	0.0 m	0.0 m	0.0 m
	Townhouse or Stacked or Back-to-back Townhouse Dwelling		4.5 m where driveways are located in front, 0.0 metres otherwise	4.5 m where driveways are located in front, 0.0 metres otherwise	4.5 m where driveways are located in front, 0.0 metres otherwise
	Converted Dwellings		As legally existing	As legally existing	As legally existing
Minimum Exterior Side	All uses except those noted below	Not permitted	4.5 m	4.5 m	4.5 m
	Converted Dwellings		As legally existing	As legally existing	As legally existing
Minimum Interior Side Yard (1)	All uses except those noted below	Not permitted	1.2 m	1.2 m	1.2 m
	Converted Dwellings		As legally existing	As legally existing	As legally existing

Requirement	Use	DC1 & DG1	DC2	DG2	B1 & B2
Minimum Rear Yard (1)	All uses except those noted below	Not permitted	7.5 m	7.5 m	7.5 m
	Converted Dwellings		As legally existing	As legally existing	As legally existing
	Stacked and Back-to-back Townhouse Dwelling (1)		0.0 m	0.0 m	0.0 m
Minimum Landscaped Open Space	All permitted uses		30%	30%	30%
Maximum Height	All uses except those noted below	Not permitted	10.0 metres and 3 storeys	10.0 metres and 3 storeys	10.0 metres and 3 storeys
	Apartment Dwelling		4 storeys and subject to Angular Plane provisions of Section 26.2.8	4 storeys and subject to Angular Plane provisions of Section 26.2.8	Maximum height is as per Table 6
	Townhouse or Stacked or Back-to-back Townhouse Dwelling		12.0 metres and 3 storeys	12.0 metres and 3 storeys	12.0 metres and 3 storeys
Minimum Lot Depth	All permitted uses	Not permitted	25.0 m	25.0 m	25.0 m
Other Provisions					

Note: Other General Provisions in Section 3 and Section 26.2 may apply.

Notes to Table 7:

- (1) An interior side yard or rear yard shall not be required where dwelling units share a common wall.
8. Notwithstanding the provisions of this By-law, where the General Provisions of By-law 2003-060 conflict with the provisions located herein, this By-law shall have primacy.
9. All other provisions of By-law 2003-60 shall continue to apply.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 26TH DAY OF JUNE, 2018.**

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Laura Borland, Deputy Clerk