

Section 6 – Residential (R3) Zone

6.1. Within a Residential (R3) Zone, no person shall use any land; erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

6.2. Permitted Uses

6.2.1. Residential Uses:

- a) apartment building dwelling
- b) townhouse or street townhouse dwelling
- c) fourplex dwelling

6.2.2. Non-Residential Uses:

- a) public park
- b) passive outdoor recreational use
- c) public use in accordance General Provisions Section

6.3. Zone Provisions

6.3.1. Refer to Section 3 – General Provisions

6.3.2. All permitted uses within the Residential (R3) Zone shall be served by a public water and sanitary sewer system.

6.3.3. Lot Area (minimum)

Type of Dwelling	Minimum Lot Area
a) apartment	975 m ² (10495.16 ft. ²) for the first five dwelling units, plus 100 m ² (1076.43 ft. ²) for each additional unit
b) other uses	200.0 m ² /unit (2152.85 ft. ²)

6.3.4. Lot Frontage (minimum) 27.0 m (88.58 ft.)

6.3.5. Front Yard Depth (minimum)

Type of Dwelling	Minimum Front Yard Depth
a) apartment	1/3 of the height of the building or 6 m (19.69 ft.), whichever is the greater

	Type of Dwelling	Minimum Front Yard Depth
	b) other uses	6.0 m (19.69 ft.)
6.3.6. Rear Yard Depth (minimum)		
	Type of Dwelling	Minimum Rear Yard
	a) apartment	1/2 of the height of the building or 10.5 m (34.45 ft.) whichever is the greater
	b) other uses	7.5 m (24.61 ft.)
6.3.7. Exterior Side Yard Width (minimum)		
	Type of Dwelling	Minimum Side Yard Width
	a) apartment	1/3 of the height of the building or 6 m (19.69 ft.), whichever is the greater
	b) other uses	6.0 m (19.69 ft.)
6.3.8. Interior Side Yard Width (minimum)		
	Type of Dwelling	Interior Side Yard Width
	a) apartment	1/2 of the height of the building or 10.5 m (34.45 ft.) whichever is the greater, except that the minimum interior side yard width shall be 2m (6.56 ft.) if such interior side yard abuts an end wall containing no habitable room windows and provided that the interior side lot line does not abut an R1 or an R2 zone
	b) other uses	7.5 m (24.61 ft.)
6.3.9. Dwelling Unit Area (minimum)		
		42 m ² (452.09 ft. ²) for a bachelor or one bedroom dwelling unit, plus 13 m ² (139.94 ft. ²) for each additional bedroom.
6.3.10. Building Height (maximum)		
		11.0 m (36.09 ft.)
6.3.11. Landscaped open space (minimum)		

	Type of Dwelling	Landscaped Open Space
a)	apartment	35% which may include a play area or other compatible recreational use
b)	other uses	10%
6.3.12. Lot coverage (maximum)		30%
6.3.13. Dwelling Units per Lot (minimum)		

	Type of Dwelling	Number of Units
a)	apartment	5
b)	townhouse	Not Applicable
c)	fourplex	4

6.3.14. Courts

Where a building is in a court form, the distance between opposing side walls of the building forming the court shall be not less than 21 metres (68.89 ft.)

6.3.15. Privacy Yards

A privacy yard shall be provided adjoining each exterior wall of every dwelling unit with a minimum width in accordance with the following:

Type of Privacy Yard

- a) In the case of a wall containing a first storey living room window 10.5 metres (34.43 ft.) provided that, where the yard adjoins a street line or vehicular driveway, the minimum width shall be 7.5 metres (24.61 ft.).
- b) In the case of a wall containing a first storey habitable room window other than a living room window 7.5 metres (24.61 ft.) provided that, where the 7.5 metres (24.61 ft.) yard adjoins a vehicular driveway the minimum width shall be 6.0 metres (19.69 ft.).
- c) An unobstructed yard clear of any public pedestrian access shall be provided adjoining the window of every first storey dwelling unit in an apartment dwelling. Such yard shall extend not less than 3.5 metres (11.48 ft.) from any portion of the window

Type of Privacy Yard

- d) For the purposes of this section, a window shall be considered to be located on the first storey if any part of the glazing is less than 2.5 metres (8.20 ft.) above the adjacent finished grade.

6.3.16. Play or Recreational Use Areas

A play or recreational use area shall be provided on each lot containing more than 5 dwelling units in accordance with the following:

Type of Play or Recreational Use	Area Required
1. Minimum Areas	10 m ² /unit (107.64 ft. ²)
2. Location	Rear Yard or Interior Side Yard, but not in a privacy yard.

6.3.17. Accessory Buildings

Refer to the Accessory Buildings General Provisions. In addition, the maximum total area of accessory buildings or structures shall be 65 square metres (699.68 ft.²). Any detached private garage or other accessory building or structure may be erected and used in a rear yard provided that it shall be no closer than 1.2 metres (3.94 ft.) to the rear or any interior side lot line.

6.4. Zone Exceptions

6.4.1. R3-1, Lot 6, Concession IX, (Elmvale)

32 Yonge Street North, Roll No. 4341 040 001 48600 0000
Consolidated Elmvale By-law No. 93-47 – Ontario Housing Corp.

An apartment building dwelling is permitted. A lot area (minimum) of 2136.0 square metres, a lot frontage (minimum) of 32.0 metres, a front yard depth (minimum) of 3.35 metres, an interior side yard width (minimum) of 7.5 metres, and a rear yard depth (minimum) of 3.0 metres shall be required,

6.4.2. R3-2, Lot 5, Concession VIII, (Elmvale)

39 Yonge Street South, Roll No. 4341 040 001 04850 0000
Consolidated Elmvale By-law 93-47 – Woods/Beacock

A lot area (minimum) of 1103.0 square metres, a lot frontage (minimum) of 18.28 metres, a rear yard depth (minimum) of 2.0 metres, an interior side yard width (minimum) of 1.2 metres, a landscaped open space area of 19%, a dwelling unit area (minimum) of 64.0 square metres, a maximum number of dwelling units being 12 and a minimum of 15 parking spaces shall be provided. No side yard setback is required for a driveway and no play area or similar recreational use area is required,

- 6.4.3. R3-3, Lot 6, Concession IX, (Elmvale)
60 Yonge Street North, Roll No. 4341 040 001 49201 0000
Lift Hold By-law 99-025, Elmvale Zoning By-law Amendment No. 92-52 as consolidated in Elmvale By-law 93-47

A townhouse dwelling is permitted. A lot frontage (minimum) of 18.0 metres, an interior side yard width (minimum) of 2.5 metres (north side) and 5.6 metres (south side) and a rear yard depth (minimum) of 7.0 metres shall be required. A maximum of 2 townhouse buildings are permitted. No privacy yards are required. The interior side yard width (minimum) for any accessory building shall be 1.2 metres. A play area requirement of 3% of the lot area shall be provided. A minimum of 20 parking spaces shall be provided.

- 6.4.4. R3-4, Lot 5, Concession IX, (Elmvale)
6 Kerr Street, Roll No.4341 040 001 35200 0000
Hold Zone – Consolidated Elmvale By-law No. 93-47 – Woods/Beacock

An apartment building dwelling is permitted. A lot frontage (minimum) of 20.0 metres, an interior side yard width (minimum) of 4.0 metres and a rear yard depth (minimum) of 1.5 metres shall be required. No privacy yards are required. An enclosed garbage/recycling facility is permitted provided a minimum front yard setback of 4.0 metres and a minimum side yard setback of 1.5 metres is maintained.

- 6.4.5. R3-5, Lot 5, Concession VIII, (Elmvale)
41 Yonge Street South, Roll No. 4341 040 001 04900 0000
Consolidated Elmvale By-law No. 93-47 – Woods/Beacock

The lot area (minimum) shall be the sum of the areas required for each dwelling unit on the lot which includes 69.0 square metres per bachelor dwelling unit plus an additional 34.5 square metres for each bedroom. A lot frontage (minimum) of 16.0 metres and an interior side yard width (minimum) of 1.0 metres shall be required. Minimum dwelling unit area requirements of 37.0 square metres for a bachelor dwelling unit and 37.0 square metres for other dwelling units plus an additional 14 square metres for each bedroom shall be required. Lot coverage maximum shall be 35%. A parking area may be located within 4.5 metres of the front lot line and no side yard setback for a driveway is required.

- 6.4.6. R3-6, Part of the North Part of Lot 6, Concession VIII
6 Train Avenue West, Roll No. 4341 040 001 18600 0000
Holding Zoning By-law Amendment No. 97-006 – Stone/Coughlin Townhouse Proposal

A maximum of 18 dwelling units are permitted. The minimum width of a privacy yard adjacent to a wall containing a living room window is 6.0 metres from the

street line and in the case of a living room window or any other window, a privacy yard of 4.0 metres shall be provided from a vehicular driveway. Cantilevered window bays may encroach into the required front yard a distance of no more than 1.0 metres.

Roofed porches, having a maximum height of 4.5 metres, with the height being measured from the established grade to the underside of the rafters or ceiling of the roofed porch and the stairs that are used to provide access to the porch from the ground may encroach into the required front yard a distance of no more than 2.8 metres.

6.4.7. R3-7, Part Lot 5, Concessiion VIII (Parts 1-5, 51R-1095), 11 Train Avenue East, Property Roll No. 4341 040 001 05201 0000
Zoning By-law Amendment No. 2002-032 – Schepers/Archer Apartment Proposal

Provision	Permitted
i) Min. Lot Area	975 square metres (10495.16 ft. ²) for the first five dwelling units, plus 100 square metres (1076.43 ft. ²) for each additional unit
ii) Min. Lot Frontage	27.0 metres (88.58 ft.)
iii) Min. Front Yard Depth	1/3 of the height of the building or 6 metres (19.69 ft.), whichever is the greater
iv) Min. Rear Yard Depth	1/2 of the height of the building or 10.5 metres (34.45 ft.) whichever is the greater
v) Min. Exterior Side Yard Width	1/3 of the height of the building or 6 metres (19.69 ft.), whichever is the greater
vi) Min. Interior Side Yard Width	1/2 of the height of the building or 10.5 metres (34.45 ft.), whichever is the greater, except that the minimum interior side yard width shall be 2 metres (6.56 ft.) if such interior side yard abuts an end wall containing no habitable room windows and provided that the interior side lot line does not abut an R1 or an R2 zone.
vii) Dwelling Unit Area (min.)	42 square metres (452.09 ft. ²) for a bachelor or one bedroom dwelling unit,

Provision	Permitted
	plus 13 square metres (139.94 ft. ²) for each additional bedroom.
viii) Building Height (max.)	11.0 metres (36.09 ft.)
ix) Landscaped open space (min.)	35% which may include a play area or other compatible recreational use
x) Lot coverage (max.)	30%
xi) Dwelling Units per Lot (min.)	5
xii) Courts	Where a building is in a court form, the distance between opposing side walls of the building forming the court shall be not less than 21 metres (68.89 ft.)
xiii) Privacy Yards	<p>A privacy yard shall be provided adjoining each exterior wall of every dwelling unit with a minimum width in accordance with the following:</p> <ul style="list-style-type: none"> a) In the case of a wall containing a first storey living room window 10.5 metres (34.43 ft.) provided that, where the yard adjoins a street line or vehicular driveway, the minimum width shall be 7.5 metres (24.61 ft.). b) In the case of a wall containing a first storey habitable room window other than a living room window 7.5 metres (24.61 ft.) provided that, where the 7.5 metre (24.61 ft.) yard adjoins a vehicular driveway the minimum width shall be 6.0 metres (19.69 ft.). c) An unobstructed yard clear of any public pedestrian access shall be provided adjoining the window of every first storey dwelling unit in an apartment dwelling. Such yard shall extend not less than 3.5 metres (11.48 ft.) from any portion of the window. d) For the purposes of this section, a window shall be considered to be located on the first storey if any part of the glazing is less than 2.5 metres (8.20 ft.) above the adjacent finished grade.

Provision	Permitted
xiv) Play or Recreational Use Areas	<p>A play or recreational use area shall be provided on each lot containing more than 5 dwelling units in accordance with the following:</p> <ul style="list-style-type: none"> a) Minimum Area: 10 square metres/unit (107.64 ft.²) b) Location: Rear Yard or Interior Side Yard, but not in a privacy yard.
xv) Parking Requirements	<p>2 spaces per dwelling unit; parking area is permitted in all yards, except in the required front and exterior side yards wherein parking shall be limited to a properly surfaced driveway.</p>

A Play Area is defined as a fenced or enclosed space, at or above finished grade, which is equipped with play facilities and designed for use by children.

An accessory structure in a Residential Zone may be erected and used in a rear yard provided that it shall be no closer than 1.2 metres (3.94 ft) to the rear or any interior side lot line.

Removal of the Holding Zone

The (H) (holding) symbol shall be removed from the lands zoned R3-1H, when the municipality is satisfied that adequate water supply and sanitary sewage disposal servicing facilities and capacity are available to service the area proposed to be developed, and that all appropriate agreements between the developer and the municipality have been finalized.

Upon the removal of the (H) (holding) symbol, the provisions of the Multiple Residential (R3) Zone shall apply.

6.4.8. R3-8

6.4.8.1. R3-8 Part of Lot 4 and Lot 5, east side of Yonge Street – 15 Yonge Street North - By-law 5000-230

6.4.8.2. Parking areas may be located within the front yard. No side yard setback for a driveway is required. No privacy yards are required.

6.4.8.3. Permitted Uses

Residential Uses:

- i) Low rise apartment building dwelling, with a maximum of six units, each unit having access only from an internal corridor system, and may include administrative, maintenance, storage, laundry, garage and other similar accessory facilities provided for the convenience of the occupants.

6.4.8.4. Zone Provisions – Low Rise Apartment Building

A low rise apartment building dwelling with a maximum of six units is permitted. A lot area (minimum) of 730.51 square metres, a lot frontage (minimum) of 18.08 metres, a north interior side yard width (minimum) of 0.44 metres, a south interior side yard width (minimum) of 3.34 metres and a rear yard depth (minimum) of 8.62 metres shall be required. Lot coverage maximum shall be 31.8%. A minimum landscaped open space of 20.5% (of total lot area) is required. A minimum play or recreational use area of 6.9m² per unit is required in the rear yard. No privacy yards are required. A parking area may be located within the front yard and no side yard setback for a driveway is required.

- 6.4.9. R3-9 – Pt N ½ of Lot 7, Concession 8, Flos, being Pt 6 on 51R-35943
169 Queen Street West – 4341 030 006 07234 0000
By-law 5000-267 – ZB-2016-019 – 2006384 Ontario Inc. (D. Gallo)

- i) Zone Provisions – Townhouse or Street Townhouse Dwelling

Zone Provisions	Permitted
Lot Area (min.) ^{(a)(b)}	173 m ²
Lot Frontage (min.) ^{(a)(b)}	7.0 m
Front Yard Depth (min.) ^{(a)(b)}	6.0 m
Rear Yard Depth (min.) ^{(a)(b)}	6.0 m
Interior Side Yard Width (min.) ^{(a)(b)}	1.2 m Unless a mutual garage or living space is erected on the common lot line in which case no interior side yard width is required.
Exterior Side Yard Width (min.) ^{(a)(b)}	2.5 m
Lot Coverage (max) ^{(a)(b)}	60%
Privacy Yards	None

- a) For the purposes of this Zoning By-law Amendment, any 'street' within Block 79 of the 'Elmvale Village Subdivision' shall be considered to be a 'street' as defined under Section 35.204 of the By-law in applying the required zoning provision(s).
- b) For the purposes of this Zoning By-law Amendment, any 'lot' created by plan of condominium within Block 79 of the 'Elmvale Village

Subdivision' shall be considered to be a 'lot' as defined under Section 35.118 of the By-law in applying the required zoning provision(s).

- ii) With regard to Yard Encroachments for Porches/Verandas the following shall apply:

Projection into any required front or rear yard (max)	1.8 m
Area (max)	6.5 m ²

6.4.10 R3-10, Lot 5, Concession 9 (Elmvale)
 21 Yonge Street North, Roll No. 4341 040 001 36375
 25 Yonge Street North, Roll No. 4341 040 001 36380
 By-law 5000-312 – ZB-2020-002 – 1953518 Ontario Ltd. (Woods)

Minimum southerly interior side yard setback of 1.1 metres (3.61 feet) shall be permitted.

6.4.10 R3-11 – Part Lot 6, Concession 9, Parts 1,2, 4, 5, 6, 8, 9 & 10 RP
 51R19061, former Elmvale
 60 Yonge Street North, Property Roll No. 4341 040 001 49201 0000
 By-law 5000-328 - ZB-2019-003 – Sertson Contracting Ltd

An apartment building with a reduced interior side yard (minimum) of 7 metres and a reduced rear yard (minimum) of 7 metres shall be permitted. A minimum of 46 parking spaces shall be provided.

6.4.11 R3-12 – Part of Lot 6, Concession 8, former Village of Elmvale,
 5 Train Avenue West – Roll No. 4341 040 001 18200
 6 Train Avenue West – Roll No. 4341 040 001 18600
 74 Yonge Street South – Roll No. 4341 030 006 07000
 By-law 5000-341 – ZB-2017-015 – Elmvale Development Inc.

Zone Provisions – Townhouse or Street Townhouse Dwellings

Number of Units in a Row (max.)	10
Lot Area (min.)	130 square metres
Lot Frontage (min.)	5.2m per interior unit, 7.0m per end unit and 7.2m per exterior unit
Interior Side Yard Width (min.)	1.8m
Exterior Side Yard Width (min.)	2.0m
Rear Yard Width (min.)	7.0m
Lot Coverage (max.)	60%
Height (max.)	13.0m
Privacy Yards	None

