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ONTARIO REGULATION

made under the

PLANNING ACT

ZONING ORDER - COUNTY OF PRINCE EDWARD

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Definitions

1. In this Order,

“ancillary garden dwelling” means a dwelling in an ancillary building not abutting a lane that is a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the persons who are occupants of the suite;

“ancillary laneway dwelling” means a dwelling in an ancillary building abutting a lane that is a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the persons who are occupants of the suite;

“artisan studio” means the place of production, display, exhibition or sale of handmade material and arts and food goods, and may include photographs, paintings, drawings, prints, sculptures, flowers, baked goods, cheeses or similar artisan goods;

- “audio visual studio” means a business, professional or administrative office where audio or visual materials are recorded, produced or broadcast and includes, without limiting the generality of the foregoing, radio or television broadcasting stations, cable television studios, sound recording studios, video recording studios, motion picture studios and auditoriums;
- “back-to-back townhouse dwelling” means a townhouse dwelling that is configured so that the attached dwelling units are separated by a common vertical wall above grade, including a common rear wall, and where each dwelling unit has an independent external entrance from the outside that is accessed through the front or side of the dwelling unit, but does not include a stacked townhouse;
- “community gardens” means communal premises open to the public and operated and maintained by a public authority, a residents association or a similar organization for the small-scale cultivation of plants including vegetables, fruits, grains, flowers or herbs for personal use, consumption or donation, and not for commercial purposes;
- “exterior side yard” means a side yard of a corner lot immediately adjoining a public or private street and extending from the front yard to the rear yard between an exterior side lot line and the nearest point of any principal building or structure on the lot;
- “fitness centre or club” means a building or part of a building and associated outdoor space used for the purposes of a public or private club, society or association organized and operated for social welfare, civic improvement, pleasure, recreation or fitness, or for other similar purposes;
- “front lot line” means the lot line that divides the lot from a private or public street or, in the case of a corner lot, the lot line where the principal access to the lot is provided;
- “light equipment rental, sales and service establishment” means a building or part of a building or structure in which light machinery and equipment such as construction equipment are serviced or repaired, offered or kept for rent, leased or hired under agreement for compensation, and may also include the regular place of business of a master electrician, plumber or other similar tradesperson or contractor, and includes the retail sales of articles or goods, such as appliances, furniture, home and office electronics, bicycles, clothing and shoes and jewellery;
- “long-term bicycle parking space” means a bicycle parking space located in a locked room within a building or part of a building that is for the exclusive use of parking bicycles and is available exclusively for long-term use by the occupants of the building or their guests;
- “office” means a building or part of a building used or intended to be used in the performance and transaction of business including professional, administrative and clerical activities;

“other special event” means the outdoor open space area designed or designated for persons standing or seated for the purposes of being entertained or participating or awaiting participation in special event activities or related activities;

“personal service establishment” means a building or part of a building where a service for the personal grooming and personal effects or clothing of a person is provided, such as a barber shop, a hair salon, a massage therapy clinic, a tanning salon or any other similar establishments, excluding a body rub parlour, and includes a medical office, a dental office or buildings where other personal or business services are provided, such as printing or framing services;

“place of entertainment” means a lot, building or structure in which various forms of entertainment take place, including a cinema or other theatre, arena, auditorium, indoor children’s playground, public hall, billiard hall, ice or roller skating rink, arcade, dance hall or music hall, and other similar entertainment uses;

“place of recreation” means a lot, building or structure in which various forms of outdoor or indoor recreation are provided for a fee, including an amusement park, miniature golf course, ice rink or golf driving range, but does not include a place of entertainment;

“short-term bicycle parking space” means a bicycle parking space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle that is available for short-term use by the general public;

“stacked townhouse dwelling” means a townhouse dwelling that is configured so that a portion of the dwelling units are located entirely or partially above the other portion of the dwelling units, and where each dwelling unit has its own independent external access outside, but does not include a back-to-back townhouse;

“through lot” means a lot bounded on two opposite sides by public or private streets, laneways, or open space;

“zoning by-law” means the Prince Edward County Zoning By-law 1816-2006.

Application

2. This Order applies to lands in the County of Prince Edward, in the Province of Ontario, being the lands outlined in red on a map numbered 365 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing, located at 777 Bay Street.

Picton Base 31 Core Zone

3. (1) This section applies to the lands located in the areas shown as “Picton Base 31 Core 4 (PB31-C4)”, “Picton Base 31 Core 8 (PB31-C8)” and “Picton Base 31 Core 12 (PB31-C12)” on the map referred to in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), with the following exceptions:

1. The following residential uses:

- i. Single detached dwellings.
- ii. Semi-detached dwellings.
- iii. Duplex dwellings.
- iv. Triplex dwellings.
- v. Townhouse dwellings.
- vi. Back-to-back townhouse dwellings.
- vii. Stacked townhouse dwellings.
- viii. Apartment dwellings.
- ix. Boarding or rooming houses.
- x. Additional residential units, such as a second or third unit, an ancillary garden dwelling or an ancillary laneway dwelling.
- xi. Accessory uses, including sales offices or trailers.

2. The following commercial uses:

- i. Home businesses.
- ii. Uses, buildings and structures accessory to the foregoing permitted uses.
- iii. Public uses or utilities, such as post offices, temporary polling stations, public or private cellular and wireless communication towers, towers for the purpose of monitoring wind source, private or public water treatment plants, pumping stations, water storage towers, sewage pumping stations and stormwater management facilities.
- iv. Personal service establishments.
- v. Restaurants.

- vi. Mobile restaurants.
- vii. Drive-thru restaurants.
- viii. Financial institutions.
- ix. One or more dwelling units in a portion of a commercial building.
- x. Bed and breakfast establishments.
- xi. Private pumping stations.
- xii. Fitness centres or clubs.
- xiii. Assembly halls.
- xiv. Day nurseries.
- xv. Food stores.
- xvi. Places of entertainment.
- xvii. Offices.
- xviii. Taxi depots.
- xix. Breweries, cideries and distilleries.
- xx. Parking lots, including parking garages.
- xxi. Veterinary clinics.
- xxii. Light equipment rental, sales and service establishments.
- xxiii. Places of recreation.
- xxiv. Tourist establishments.
- xxv. Tourist inns.
- xxvi. Resort establishments.
- xxvii. Mini storage facilities.

- xxviii. Artisan studios.
- xxix. Galleries.
- xxx. Audio visual studios.
- xxxi. Sales offices or trailers.
- xxxii. Workshops or custom workshops.
- xxxiii. Outdoor amphitheatres.
- xxxiv. Special events for outdoor or indoor music concert festivals, which may include overnight camping.
- xxxv. Other special events.
- xxxvi. Spas.
- xxxvii. Recreational camps.
- xxxviii. Outdoor furnaces.
- xxxiv. Museums.
 - xl. Retail stores.
 - xli. Brew-your-own beer and wine establishments.

3. The following institutional uses:

- i. Community centres.
- ii. Government administration or public works buildings, including a sand/salt storage structure, a fire hall, a police station, an emergency medical services station and a weather monitoring station.
- iii. Public schools.
- iv. Private schools.
- v. Libraries.
- vi. Places of worship.

- vii. Private pumping stations.
 - viii. Group homes.
 - ix. Senior citizens' housing complexes, including auxiliary uses such as club or lounge facilities.
 - x. Retirement homes, as defined in the *Retirement Homes Act, 2010*.
4. The following recreational and open spaces:
- i. Places of recreation.
 - ii. Community gardens.
 - iii. Dog parks.
 - iv. Public or private parks or open spaces.
 - v. Walking trails.
 - vi. Uses and buildings that are accessory to the recreational and open space use, such as recreational and entertainment facilities, pavilions and booths, convenience retail stores and restaurants.
 - vii. Outdoor events and exhibitions.
5. The following accessory uses to the uses referred to in paragraphs 1 to 4:
- i. Tool sheds.
 - ii. Construction trailers.
 - iii. Scaffolds.
 - iv. Other buildings or structures incidental to construction.

Picton Base 31 Village Zone

4. (1) This section applies to the lands located in the areas shown as "Picton Base 31 Village 4 (PB31-V4)" and "Picton Base 31 Village 8 (PB31-V8)" on the map referred to in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection (1), with the following exceptions:

1. The following residential uses:

- i. Single detached dwellings.
- ii. Semi-detached dwellings.
- iii. Duplex dwellings.
- iv. Triplex dwellings.
- v. Townhouse dwellings.
- vi. Back-to-back townhouse dwellings.
- vii. Stacked townhouse dwellings.
- viii. Apartment dwellings.
- ix. Boarding or rooming houses.
- x. Additional residential units, such as a second or third unit, an ancillary garden dwelling or an ancillary laneway dwelling.
- xi. Accessory uses, including sales offices or trailers.

2. The following commercial uses:

- i. Home businesses.
- ii. Uses, buildings and structures accessory to the following uses: public uses or utilities, such as post offices, temporary polling stations, public or private cellular and wireless communication towers, towers for the purpose of monitoring wind source, private or public water treatment plants, pumping stations, water storage towers, sewage pumping stations and stormwater management facilities.
- iii. Food stores.
- iv. Personal service establishments.
- v. Financial institutions.

- vi. One or more dwelling units in a portion of a commercial building.
 - vii. Business, professional or administrative offices.
 - viii. Retail stores.
3. The following institutional uses:
- i. Community centres.
 - ii. Government administration or public works buildings, including a sand/salt storage structure, a fire hall, a police station, an emergency medical services station and a weather monitoring station.
 - iii. Public schools.
 - iv. Private schools.
 - v. Libraries.
 - vi. Places of worship.
 - vii. Private pumping stations.
 - viii. Senior citizens' housing complexes, including auxiliary uses such as club or lounge facilities.
 - ix. Retirement homes, as defined in the *Retirement Homes Act, 2010*.
4. The following recreational and open space uses:
- i. Outdoor skating rinks.
 - ii. Community gardens.
 - iii. Dog parks.
 - iv. Public or private parks or open spaces.
 - v. Walking trails.
5. The following accessory uses to the uses referred to in paragraphs 1 to 4:

- i. Tool sheds.
- ii. Other buildings or structures incidental to construction.

General Zoning Requirements

5. (1) The zoning requirements for the lands described in subsections 3 (1) and 4 (1) are as follows:

1. An accessory building or structure shall be erected in conformity with the yard and setback requirements of the respective parent use, except as otherwise provided in this Order.
2. Except as otherwise provided in this Order, any accessory building or structure must be erected at least 1.8 metres away from the principal building.
3. The maximum height of any accessory building or structure is 5 metres.
4. Despite paragraphs 1 to 3, accessory structures or buildings that contain an ancillary garden dwelling or an ancillary laneway dwelling are subject to the zoning requirements set out in subsections 6 (10) and (11).
5. The total lot coverage of all commercial accessory buildings or structures is 10 per cent or less of the lot area.
6. Despite the yard and setback requirements set out in this Order,
 - i. drop awnings, clothes poles, flag poles, garden trellises, signs or similar structures that comply with Prince Edward County By-law 1122-2003 are permitted in any required yard or in the area between the street line and the required setback,
 - ii. fences, retaining walls or similar structures that comply with the licensing or regulatory by-laws of Prince Edward County are permitted in any required yard or in the area between the street line and the required setback,
 - iii. unenclosed fire escapes may project into any required yard, as long as a minimum setback of 0.6 metres from any lot line is maintained,
 - iv. covered or uncovered unenclosed porches, balconies, steps and patios, exterior stairs and landings may project into any required yard, as long as a minimum setback of 0.6 metres from any lot line is maintained,
 - v. sills, chimneys, cornices, cantilevers, bay windows, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard or

the area between the street line and the required setback, as long as a minimum setback of 0.5 metres from any lot line is maintained, and

- vi. unenclosed barrier-free access ramps are permitted within any yard or in the area between the street line and the required setback.
7. Despite any other provisions of this Order, a detached private garage in a residential use may be erected and used in any yard if,
- i. in the case of an interior side yard, it is at least 1.2 metres away from the interior side lot line,
 - ii. in the case of a rear yard, it is at least 1.2 metres away from the interior side lot line or rear lot line, or
 - iii. in the case of a front or exterior side yard, it complies with the required front or exterior side yard setback required by the respective use.
8. Private swimming pools, including in-ground or above-ground swimming pools, may be constructed and maintained as accessory uses to a dwelling if the swimming pool meets the following conditions:
- i. It is constructed in the interior side yard or rear yard of the lot.
 - ii. It is constructed at least 1.5 metres away from a side or rear lot line.
 - iii. Any water circulating or treatment equipment, such as pumps or filters, are located at least 3 metres away from any side or rear lot line.
 - iv. It is totally enclosed by a fence of at least 1.5 metres in height that is made of sturdy material with a self-closing, lockable gate or by a main wall of a building.
 - v. The requirement set out in subparagraph iv does not apply to an above-ground swimming pool, but only if the deck around the pool is more than 1.5 metres above the ground and the access to the pool is guarded by a self-closing, lockable gate.
9. A swimming pool described in paragraph 8 is considered part of the landscaped open space area for the purpose of calculating the lot coverage.
10. Despite any other provisions of this Order, a central air conditioning or heat pump unit may be located in any yard if it is within 3 metres of a building and has a minimum setback of 0.6 metres from any lot line.

11. A dwelling unit may be located in a basement, within the meaning of the building code, as defined in the *Building Code Act, 1992*, or in a walkout basement, as defined in the zoning by-law.
12. The following requirements apply to a bed and breakfast establishment:
 - i. A bed and breakfast establishment shall only be permitted in an owner-occupied single detached dwelling and is limited to a maximum of three guest rooms.
 - ii. A bed and breakfast establishment shall not be established or operated in an accessory building nor be permitted as an accessory use.
 - iii. One parking space per guest room shall be provided, in addition to the required spaces for the dwelling, and shall be located on the same lot as the bed and breakfast use.
13. A group home shall only be permitted in a single detached dwelling.
14. There are no maximum height restrictions for the following structures:
 - i. Spires or steeples associated with a place of worship.
 - ii. Belfries.
 - iii. Flag poles.
 - iv. Clock towers.
 - v. Air conditioners or related equipment.
 - vi. Lightning rods.
 - vii. Lighting standards.
 - viii. Chimneys.
 - ix. Water storage tanks or towers.
 - x. Radio, television or communication towers or antennas.
 - xi. Windmills.

- xii. External equipment associated with internal building equipment.
15. Not more than 40 per cent of the gross floor area of the dwelling or dwelling unit shall be used for the purposes of a home business, including any area used for the storage of materials and equipment required for the home business.
 16. A home business can occupy up to 38 square metres of a detached accessory building.
 17. If landscaped open space is required as a buffer, the landscaping shall be continuous except for a lane, driveway, aisle or walkway which provides access to the lot.
 18. If the interior side lot line or rear lot line of an institutional or commercial use abuts a residential use, a landscaped strip with a minimum width of 1.5 metres adjoining the abutting lot line shall be provided on the lot of the institutional or commercial use.
 19. In the case where a driveway or walkway extends through a landscaped strip, the strip may be interrupted within 3 metres of the edge of the driveway or within 1.5 metres of the edge of the walkway or building.
 20. An outdoor furnace shall be located at least 15 metres away from any lot line.
 21. The following requirements apply to additional residential units:
 - i. A lot may contain either an ancillary garden dwelling or an ancillary laneway dwelling but not both.
 - ii. A group home, boarding house or rooming house shall not contain any residential units.
 - iii. Only one home business is permitted per lot.
 - iv. A structure containing an ancillary garden or laneway dwelling unit shall be suitable for habitation year-round.
 - v. A maximum of three dwelling units are permitted on a lot.
 22. Special events are permitted on private roads but only within the uses permitted under subsection 3 (2).

(2) Where a lot is accessible by a private road or right-of-way providing ingress and egress to an improved public street, nothing in this Order shall be construed as preventing the erection, alteration or use of a building or structure for the uses permitted under subsection 3 (2), including a single detached dwelling, if all other applicable provisions of the Order are complied with.

(3) If any land, building or structure is used for more than one use, the applicable provisions of this Order for each use shall be complied with.

(4) For greater certainty, the general provisions set out in section 4 of the zoning by-law do not apply to the uses permitted under subsections 3 (2) and 4 (2).

Specific zoning requirements

6. (1) The following zoning requirements apply to single detached dwellings:

1. The minimum lot area is 250 square metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot area is 280 square metres.
2. The minimum lot frontage is 9 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot frontage is 8 metres.
3. The minimum front yard setback is 2 metres from the nearest part of the dwelling unit and 5.5 metres from the front of a garage.
4. The minimum interior side yard setback is 0.6 metres on one side and 1.2 metres on the other side.
5. The minimum exterior side yard setback is 2 metres.
6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
7. The maximum building height is 12 metres.
8. The minimum front yard landscaped open space is 35 per cent.
9. The maximum lot coverage is 70 per cent.

(2) The following zoning requirements apply to semi-detached dwellings:

1. The minimum lot area is 200 square metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot area is 180 square metres.
2. The minimum lot frontage is 7 metres.
3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.

4. The minimum interior side yard setback is 1.2 metres, but if two semi-detached dwellings on abutting lots share a common wall, no interior side yard is required.
 5. The minimum exterior side yard setback is 2 metres.
 6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
 7. The maximum building height is 14 metres.
 8. The minimum front yard landscaped open space is 35 per cent.
 9. The maximum lot coverage is 75 per cent.
- (3) The following zoning requirements apply to duplex dwellings:
1. The minimum lot area is 250 square metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot area is 200 square metres.
 2. The minimum lot frontage is 9 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot frontage is 8 metres.
 3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
 4. The minimum interior side yard setback is 0.6 metres on one side and 1.2 metres on the other side.
 5. The minimum exterior side yard setback is 2 metres.
 6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
 7. The maximum building height is 14 metres.
 8. The minimum front yard landscaped open space is 35 per cent.
 9. The maximum lot coverage is 70 per cent.
- (4) The following zoning requirements apply to triplex dwellings:
1. The minimum lot area is 250 square metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot area is 200 square metres.

2. The minimum lot frontage is 9 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot frontage is 8 metres.
 3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
 4. The minimum interior side yard setback is 0.6 metres on one side and 1.2 metres on the other side.
 5. The minimum exterior side yard setback is 2 metres.
 6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
 7. The maximum building height is 14 metres.
 8. The minimum front yard landscaped open space is 35 per cent.
 9. The maximum lot coverage is 70 per cent.
- (5) The following zoning requirements apply to townhouse dwellings:
1. The minimum lot area is 160 square metres per unit, except for a through lot or lot which has access from a rear lane, in which case the minimum lot area is 125 square metres per unit.
 2. The minimum lot frontage is 6 metres.
 3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
 4. The minimum interior side yard setback is 1.2 metres for an end unit.
 5. The minimum exterior side yard setback is 2 metres.
 6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
 7. The maximum building height is 14 metres.
 8. The minimum front yard landscaped open space is 35 per cent.
 9. The maximum lot coverage is 90 per cent.

10. The maximum number of townhouse dwellings in a townhouse building is 8.

(6) The following zoning requirements apply to back-to-back townhouse dwellings:

1. The minimum lot area is 75 square metres.
2. The minimum lot frontage is 6 metres.
3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
4. The minimum interior side yard setback for an end unit is 1.2 metres, but if two back-to-back townhouse dwellings on abutting lots share a common wall, no interior side yard or rear yard is required.
5. The minimum exterior side yard setback is 2 metres.
6. The maximum building height is 14 metres.
7. The minimum front yard landscaped open space is 35 per cent.
8. The maximum lot coverage is 90 per cent.
9. The minimum depth of a lot for back-to-back townhouse dwellings shall be 13 metres.
10. The maximum number of back-to-back townhouse dwellings in a back-to-back townhouse building shall be 16.

(7) The following zoning requirements apply to stacked townhouse dwellings:

1. The minimum lot area is 160 square metres.
2. The minimum lot frontage is 6 metres.
3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
4. The minimum interior side yard setback is 1.2 metres, but if two dwelling units share a common wall, no interior side yard is required.
5. The minimum exterior side yard setback is 2 metres.
6. The minimum rear yard setback is 1.5 metres.

7. The maximum building height is 14 metres.
8. The minimum front yard landscaped open space is 35 per cent.
9. The maximum lot coverage is 90 per cent.
10. The maximum number of stacked townhouse dwellings in a stacked townhouse building is 32.
11. A stacked townhouse is not required to provide access to a rear yard.

(8) The following zoning requirements apply to apartment dwellings:

1. The minimum setback from a street line is 2 metres, but the minimum setback is 1 metre where non-residential uses are provided at grade.
2. The minimum interior side yard setback is 1 metre for an apartment dwelling of 23 metres or less in height and 6 metres for an apartment dwelling of more than 23 metres in height, but no interior side yard is required if an existing apartment dwelling and any buildings on abutting lots share a common wall or directly abut the interior lot line.
3. The minimum rear yard setback is 3 metres.
4. The maximum building height in the areas shown as “Picton Base 31 Core 4 (PB31-C4)” and “Picton Base 31 Village 4 (PB31-V4)” on the map referred to in section 2 is 4 storeys or 14 metres.
5. The maximum building height in the areas shown as “Picton Base 31 Core 8 (PB31-C8)” and “Picton Base 31 Village 8 (PB31-V8)” on the map referred to in section 2 is 8 storeys or 30 metres.
6. The maximum building height in the area shown as “Picton Base 31 Core 12 (PB31-C12)” on the map referred to in section 2 is 12 storeys or 42 metres.
7. A minimum of 1 square metre of common indoor amenity space is required per apartment dwelling unit, except in buildings with 12 or fewer dwelling units, in which case no indoor amenity space is required.

(9) The following zoning requirements apply to boarding or rooming houses:

1. The minimum lot area is 250 square metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot area is 200 square metres.

2. The minimum lot frontage is 9 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum lot frontage is 8 metres.
 3. The minimum front yard setback is 2 metres from the dwelling unit and 5.5 metres from the front of a garage.
 4. The minimum interior side yard setback is 0.6 metres on one side and 1.2 metres on the other side.
 5. The minimum exterior side yard setback is 2 metres.
 6. The minimum rear yard setback is 7 metres, except for a dwelling on a through lot or with access from a lane, in which case the minimum rear yard setback is 1.5 metres.
 7. The maximum building height is 12 metres.
 8. The minimum front yard landscaped open space is 25 per cent.
 9. The maximum lot coverage is 70 per cent.
- (10) The following zoning requirements apply to ancillary garden dwellings:
1. The dwelling shall be located within the rear yard of the residential building on the lot and at least 3 metres away from another residential building on the same lot.
 2. The minimum interior side yard setback is 0.6 metres.
 3. The minimum exterior side yard setback is 2 metres.
 4. The minimum rear yard setback is 1.5 metres.
 5. The maximum building height is 7.5 metres.
 6. The gross floor area is not included for the purpose of calculating the total gross floor area for a lot.
 7. The gross floor area must be less than the gross floor area of the principal dwelling unit on the lot.
 8. The area of the lot covered by all accessory buildings combined, including an ancillary garden dwelling, may not exceed 20 per cent of the lot area.
 9. The area of the lot covered by an ancillary garden dwelling may not exceed,

- i. 50 per cent of the area between all rear main walls of the residential building on the lot and the rear lot line, and
 - ii. a gross floor area of 60 square metres.
 10. Vehicle access to a parking space must be provided from a public road or a private lane with an easement.
- (11) The following zoning requirements apply to ancillary laneway dwellings:
1. It must be on a lot with a rear lot line or side lot line abutting a lane for a minimum of 3.5 metres, or on a lot with a cumulative total of a minimum of 3.5 metres along a side lot line and rear lot line.
 2. The minimum rear yard setback is,
 - i. 0 metres if the rear lot line does not abut a street or lane and there are no openings such as vehicle access, doors or windows in the rear main wall of the accessory building, or
 - ii. 1.5 metres in all other cases.
 3. The minimum side yard setback is,
 - i. 0 metres if the side lot line does not abut a street or lane and there are no openings such as vehicle access, doors or windows in the side main wall of the accessory building,
 - ii. 2 metres if the side lot line abuts a street, the required minimum side yard setback for the residential building on the lot, or
 - iii. 0.6 metres in all other cases.
 4. It must be at least 3 metres away from a residential building on the same lot.
 5. The maximum building length is 10 metres.
 6. The maximum building width is 8 metres.
 7. The maximum building height is 7 metres.
 8. The gross floor area is not included for the purpose of calculating the total gross floor area.

9. The gross floor area must be less than the gross floor area of the residential building on the lot.
10. The structure is not included in the overall calculation of lot coverage.
11. The area of the lot covered by all accessory buildings combined, including an ancillary laneway dwelling, may not exceed 30 per cent of the lot area.
12. Vehicle access to a parking space must be provided from a public road or private lane with an easement.

(12) The following zoning requirements apply to commercial uses permitted under paragraph 2 of subsection 3 (2) and paragraph 2 of subsection 4 (2):

1. The minimum front yard setback is 1 metre and the maximum front yard setback is 3 metres.
2. The minimum exterior side yard setback is 1 metre.
3. The minimum interior side yard setback is 0 metre when adjacent to a commercial use and 7.5 metres when adjacent to a residential use permitted by this Order.
4. The minimum rear yard setback is 7.5 metres if the commercial use is adjacent to a residential use and 3 metres if it is adjacent to any other use.
5. The minimum building height is 3 metres, except where the commercial use is within an existing building, in which case there is no minimum building height.
6. The maximum building height in the areas shown as “Picton Base 31 Core 4 (PB31-C4)” and “Picton Base 31 Village 4 (PB31-V4)” on the map referred to in section 2 is 4 storeys or 14 metres.
7. The maximum building height in the areas shown as “Picton Base 31 Core 8 (PB31-C8)” and “Picton Base 31 Village 8 (PB31-V8)” on the map referred to in section 2 is 8 storeys or 30 metres.
8. The maximum building height in the area shown as “Picton Base 31 Core 12 (PB31-C12)” on the map referred to in section 2 is 12 storeys or 42 metres.
9. The minimum landscaped area is 25 per cent.

(13) The following zoning requirements apply to institutional uses permitted under paragraph 3 of subsection 3 (2) and paragraph 3 of subsection 4 (2):

1. The minimum setback to a street line is 3 metres, but the minimum setback is reduced to 1 metre where uses other than a senior citizens' housing complex or a retirement home are provided at-grade.
2. For a senior citizens' housing complex or a retirement home, the minimum interior side yard setback is 2 metres for a building of 23 metres or less in height, and 6 metres for a building of more than 23 metres in height, except where any buildings on abutting lots share a common wall or directly abut the interior lot line, in which case, no interior side yard shall be required.
3. The minimum rear yard setback is 6 metres.
4. The maximum building height in the areas shown as "Picton Base 31 Core 4 (PB31-C4)" and "Picton Base 31 Village 4 (PB31-V4)" on the map referred to in section 2 is 4 storeys or 14 metres.
5. The maximum building height in the areas shown as "Picton Base 31 Core 8 (PB31-C8)" and "Picton Base 31 Village 8 (PB31-V8)" on the map referred to in section 2 is 8 storeys or 30 metres.
6. The maximum building height in the area shown as "Picton Base 31 Core 12 (PB31-C12)" on the map referred to in section 2 is 12 storeys or 42 metres.
7. The minimum landscaped area is 25 per cent.

(14) The following zoning requirements apply to recreational and open space uses permitted under paragraph 4 of subsection 3 (2) and paragraph 4 of subsection 4 (2):

1. The minimum front yard setback is 2 metres to any building or structure.
2. The minimum interior side yard setback from any building or structure is 1.5 metres.
3. The minimum exterior side yard setback from any building or structure is 3 metres.
4. The minimum rear yard setback from any building or structure is 3 metres.
5. The maximum building height for any building or structure is 12 metres.

(15) For greater certainty, the specific zoning requirements set out in sections 6 to 33 of the zoning by-law do not apply to the uses permitted under subsections 3 (2) and 4 (2).

Exceptions – Picton Base 31 Village Zone

7. The following exceptions apply to the uses permitted under subsection 4 (2):

1. Any portion of a front yard or exterior side yard that is not used for any of the permitted purposes set out in this Order shall be landscaped open space.
2. The required loading spaces shall be located in the interior side or rear yard.
3. No accessory building or structure shall be erected closer to the street line than the minimum required yard and setback requirements of the applicable commercial, institutional or recreational and open space uses. Notwithstanding the foregoing, a gatehouse or information kiosk or other similar accessory structure shall be permitted within a required front or side yard or within the area between the street line and the required setback.
4. Required parking for residential uses shall be located on the same lot.
5. Outdoor amenity space at a rate of 1 square metre per unit is required for apartment dwellings.

Parking, Loading Spaces, etc.

8. (1) The vehicle parking requirements for the uses permitted under subsections 3 (2) and 4 (2) are as follows:

1. The following parking requirements apply to the residential uses permitted under paragraph 1 of subsection 3 (2) and paragraph 1 of subsection 4 (2):
 - i. A minimum of one parking space per unit is required for a single detached, semi-detached, duplex, triplex, townhouse, back-to-back townhouse and stacked townhouse dwelling.
 - ii. A minimum of one parking space per unit is required for an apartment dwelling.
 - iii. There are no parking requirements for additional residential units, including ancillary garden and laneway dwellings.
 - iv. A minimum of 2.5 parking spaces per unit is required for a boarding or rooming house.
 - v. A parking space includes a parking space within a private garage, a car port or a parking structure located on the same lot.
 - vi. A required parking space must be located within 100 metres of the main entrance to the main building.

2. The following parking requirements apply to the commercial uses permitted under paragraph 2 of subsection 3 (2) and paragraph 2 of subsection 4 (2):
 - i. A minimum of one parking space is required for every 36 square metres.
3. The following parking requirements apply to the institutional uses permitted under paragraph 3 of subsection 3 (2) and paragraph 3 of subsection 4 (2):
 - i. A minimum of one parking space is required for every 112 square metres, for uses permitted under subparagraphs 3 i to vii of subsection 3 (2) and subparagraphs 3 i to vii of subsection 4 (2).
 - ii. A minimum of 2.5 parking spaces per unit is required for a group home.
 - iii. A minimum of 0.25 parking spaces per unit is required for a retirement home or senior citizens' housing complex.
4. There are no parking requirements for recreational and open space uses.
5. If an addition is made to a building or structure which increases the floor area, or if a change in use of the building or structure occurs, the required parking spaces for the addition or change in use are provided in accordance with paragraphs 1 to 4.
6. The minimum dimensions of a parking space are 2.6 metres in width and 5.2 metres in length.
7. Visitor parking spaces may be located anywhere within the uses permitted under subsection 4 (2).
8. Despite any other provision of this Order, unsheltered parking spaces are permitted in any yard, and no minimum distance between the parking space and the street line is required, provided that the parking space is on a driveway.
9. When a building or structure accommodates more than one type of use, the parking requirements specific to each use apply in the part of the building occupied by that use.
10. When a building or structure accommodates more than one type of use but not all uses are in operation at the same time, the required number of parking spaces for the whole building is the number of spaces associated with the use with the largest parking space requirements.
11. The minimum dimensions of barrier-free parking spaces are 3.4 metres in width and 5.2 metres in length.

12. Underground parking structures are permitted in all yards with no setback from the property line, provided that no part of any underground structure is located within the limits of a public street allowance.
13. Parking spaces required by this Order may only be used for the parking of passenger vehicles and the parking of vehicles used in operations incidental to the permitted uses for which parking spaces are required.
14. Parking of the following vehicles is prohibited on lots and the road allowances abutting those lots:
 - i. Heavy trucks.
 - ii. Unlicensed vehicles.
 - iii. Vehicles equipped with more than three axles, excluding spare wheels.
 - iv. Buses.
 - v. Vehicles designed to run only on rails.
 - vi. Flatbed trucks.
 - vii. Farm tractors.
 - viii. Construction equipment.
 - ix. Tracked vehicles, except for snowmobiles.
 - x. Dump trucks.
 - xi. Repair and towing vehicles.
 - xii. Vehicles that are in a wrecked, dismantled or inoperative condition.
15. The parking or storing of a boat, motor home, travel trailer or snowmobile is permitted in any yard or any private garage, carport or other building on a lot if it does not exceed 6 metres in length.
16. A boat, motor home or travel trailer exceeding 6 metres in length may be parked or stored on a lot only if it is parked or stored in an enclosed building.

(2) The bicycle parking requirements for the uses permitted under subsections 3 (2) and 4 (2) are as follows:

1. The following short-term bicycle parking spaces are required:
 - i. A minimum of 0.1 short-term bicycle parking spaces per 100 square metres, for non-residential uses.
 - ii. A minimum of 0.05 short-term bicycle parking spaces per dwelling unit, for residential uses.
2. A minimum of 0.25 long-term bicycle parking spaces per dwelling unit is required for residential uses, of which 50 per cent may be located outdoors.
3. Public or private bike-share facilities count towards the required number of short-term and long-term bicycle parking spaces.
4. Despite any other provisions of this Order, bicycle parking spaces may be located within any yard.

(3) The loading space requirements for the uses permitted under subsections 3 (2) and 4 (2) are as follows:

1. Requirements for existing gross floor areas are in accordance with the provisions of the zoning by-law.
2. The following requirements apply to new gross floor areas in commercial uses:
 - i. There is no minimum loading space requirement if a building or structure has a total gross floor area of 185.9 square metres or less.
 - ii. A minimum of one loading space is required if a building or structure has a total gross floor area between 186 and 2,350 square metres.
 - iii. A minimum of two loading spaces are required if a building or structure has a total gross floor area between 2,351 and 7,450 square metres.
 - iv. A minimum of two loading spaces are required if a building or structure has a total gross floor area of 7,451 square metres or more, and one additional loading space per additional 9,300 square metres.
3. The minimum dimensions of a loading space are 3.5 metres in width, 6 metres in length and 3 metres in vertical clearance.

4. Any vehicular movement that is required to access a loading space is to occur on private property.

(4) The driveway requirements for the uses permitted under subsection 3 (2) and 4 (2) are as follows:

1. A driveway located in front of a garage shall not be wider than the width of the garage.
2. The minimum width of driving aisles providing access to parking spaces is 6 metres, excluding driving aisles or private roads that exist before this Order comes into force.

(5) For greater certainty, the parking, loading and driveway provisions set out in section 5 of the zoning by-law do not apply to uses permitted under subsections 3 (2) and 4 (2).

Terms of use

9. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

10. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be a by-law passed by the council of the County of Prince Edward.

Commencement

11. This Regulation comes into force on the day it is filed.

Made by:

A handwritten signature in blue ink, reading "Robert F. Heade", written over a horizontal dotted line.

Signature

Minister of Municipal Affairs and Housing

Date made: June 19, 2025