

# Township of East Hawkesbury



## Zoning By-law No. 2021-22

**NOVATECH**  
**Engineers, Planners & Landscape Architects**  
**Suite 200, 240 Michael Cowpland Dr.**  
**Ottawa, Ontario K2M 1P6**  
tel: (613) 254-9643  
fax: (613) 254-5867  
[www.novatech-eng.com](http://www.novatech-eng.com)

**THE CORPORATION OF  
TOWNSHIP OF EAST HAWKESBURY  
ZONING BY-LAW No. 2021-22**

**A by-law to regulate the use of lands and the character,  
location and the use of buildings and structures in Township of East Hawkesbury**

**WHEREAS** the Planning Act, R.S.O., 1990, Chapter P.13, as amended, provides that the council of a municipal corporation *may* pass by-laws to regulate the use of land and the character, location and use of buildings and structures;

**NOW THEREFORE**, the Council of the Corporation of Township of East Hawkesbury enacts as follows:

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## **SECTION 1 APPLICATION AND INTERPRETATION**

### **1.1 Title of By-law**

This By-law may be cited as the “Zoning By-law” of the Township of East Hawkesbury.

### **1.2 Scope of By-law**

1. The provisions of this By-law shall apply to all lands within the geographic limits of the Corporation of Township of East Hawkesbury, as shown on Schedule A attached hereto. This By-law shall also apply to any lands not shown on the Schedule created through the filling of water bodies, alteration of shorelines or other means, as well as to any portion of the bed of any water body where a license of occupation or lease has been issued by a relevant approval authority. Such areas shall not be used for any purpose other than a conservation use unless the Corporation has zoned such areas through an amendment to this By-law, regardless of whether or not required approvals from the relevant approval authorities have been obtained.
2. No building or structure shall hereafter be erected, altered or enlarged, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.
3. Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, provided that it continues to be used for such purpose.
4. Nothing in this By-law shall prevent the erection of any building or structure for a purpose prohibited by this By-law if the building permit for such building or structure was issued by the Chief Building Official prior to the date of passing of this By-law, provided that:
  - when the building or structure is erected, it continues to be used for the purpose for which the building permit was issued; and
  - the building permit has not been revoked.
5. This By-law shall not be effective to reduce or mitigate any restrictions imposed by a government authority having jurisdiction to make such restrictions and, without limiting the generality of the foregoing, shall include conservation authorities.
6. All references to Provincial Acts or Regulations shall refer to the current Act or Regulation. All references to the Planning Act shall refer to the Planning Act, R.S.O., 1990, Chapter P.13, as amended.

### **1.3 Interpretation of By-law**

1. In this By-law, unless the context requires otherwise, words used in the singular shall include the plural and words used in the plural shall include the singular.
2. In this By-law, the word “shall” is mandatory and “may” is permissive.

3. In this By-law, unless the context requires otherwise, the word “used” shall include “designed to be used” and “arranged to be used”, and the word “occupied” shall include “designed to be occupied” and “arranged to be occupied”.

#### **1.4 Schedule to By-law**

Schedule A which is attached hereto is hereby incorporated into, and is declared to form part of, this By-law to the same extent as if fully described herein:

#### **1.5 Zoning Administrator**

This By-law shall be administered by the CAO Clerk-Treasurer or the By-law Enforcement Officer who shall be referred to herein as the Zoning Administrator.

#### **1.6 Issuance of Building Permits, Certificates and Licenses**

1. Notwithstanding any provisions of the Building By-law or any other by-law of the Corporation to the contrary, no building permit, certificate or license shall be issued where the proposed building, structure or use would be in violation of any provision of this By-law.
2. Notwithstanding the generality of Section 1.6.1 above, where the approval of another agency or authority is required, this shall mean that the approval of such shall be obtained by the applicant and submitted to the Zoning Administrator at such time as an application is made for a building permit.

#### **1.7 Certificate of Occupancy**

No change shall be made in the type of use of land, buildings or structures within any zone without first obtaining a Certificate of Occupancy from the Corporation, pursuant to any Township Occupancy Permit By-law that may be enacted.

#### **1.8 Request for Amendment to Zoning By-law**

Every request for an amendment to this Zoning By-law shall be accompanied by the Corporation's application form, which shall be completed in full and accompanied by the required application fee, as well as such supporting materials as may be determined through consultation with the Corporation.

#### **1.9 Inspection**

The Zoning Administrator, the Chief Building Official or any other officer or employee of the Corporation acting under the direction of Council is hereby authorized to enter at all reasonable hours upon any property or premises for the purpose of carrying out his duties under this By-law. Notwithstanding the foregoing, a dwelling unit shall not be entered without the consent of the occupant except under the authority of a search warrant.

### **1.10 Violations and Penalties**

Any person convicted of a breach of any of the provisions of this By-law shall be liable to a fine in accordance with the provisions of the Planning Act and every penalty shall be recoverable under the Provincial Offences Act.

### **1.11 Remedies**

Where any building or structure is to be erected or altered, or any part thereof is to be used, or any lot is to be used, in contravention of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the Planning Act or the Municipal Act.

### **1.12 Validity**

If any section, clause or provision of this By-law, including anything contained in Schedule A attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, this shall not affect the validity of the By-law as a whole or any part thereof, other than the section(s), clause(s) or provision(s) declared to be invalid. It is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more sections, clauses or provisions thereof shall have been declared to be invalid.

### **1.13 Typographical and Formatting Modifications**

No amendment to this By-law shall be required in order for the Corporation to make:

- Typographical or formatting modifications such as spelling, grammar, punctuation and section numbering changes where, in the opinion of the Corporation, such modifications do not affect the intent of the By-law;
- Deletions, additions or revisions to technical information on Schedule A that do not affect the intent with respect to the zoning of lands.

### **1.14 Existing By-laws**

Comprehensive Zoning By-law No. 92-50 of the Corporation, and all amendments thereto, as enacted pursuant to Section 34, or predecessors thereof, of the Planning Act are hereby repealed.



## SECTION 2 DEFINITIONS

In this By-law, the following meanings shall apply unless the context requires otherwise.

### 2A

**ABATTOIR\*** means a building or structure wherein animals, including poultry, are slaughtered and processed for packaging, distribution and resale.

**ACCESSORY USE** means a use customarily incidental and subordinate to the main use or main building, and located on the same lot with such main use or main building.

**AGRICULTURE** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

This definition shall include livestock facilities, as herein defined, but shall not include an intensive hog operation, as also defined herein. It shall also not include any commercial or industrial activities such as abattoirs, tanneries, or manufacturing activities involving crops, animal products or wood products, all of which fall within the meaning of agriculture-related uses and/or industrial facility.

This definition also includes cannabis production licensed by a Federal Agency for both cultivation outdoors and indoors within a greenhouse or a similar growing environment, but shall not include a cannabis production and processing facility, as herein defined.

**AGRICULTURAL PRODUCTS PROCESSING FACILITY\*** means an establishment engaged in the storage, grading, processing and wholesale distribution of agricultural products such as meat, fish, poultry, eggs and dairy, vegetable, fruit, honey, wool, fur, lumber or wood products. This definition shall not include a cannabis production and processing facility, as herein defined.

**AGRICULTURE-RELATED USES** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

This definition includes other defined uses, as contained herein and identified by an asterisk (\*). Other defined uses may also be included in this definition, provided such uses otherwise meet the criteria contained in paragraph one above.

**AISLE** means a portion of a parking lot which abuts one or more off-street parking spaces to which it provides access and which is not used for the parking of vehicles.

**ALTER** when used in reference to a building or part thereof, shall mean to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word alter means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking lot; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise. Altered and Alteration shall have corresponding meanings.

**ANIMAL CARE** means caring and grooming of domestic animals, excluding overnight care or accommodation, and shall not include an animal clinic.

**ANIMAL CLINIC** means grooming, medical, surgical treatments or similar services provided by veterinarians and their staff, and includes overnight care or accommodation.

**ASSEMBLY HALL** means a building or part of a building in which facilities are provided for civic, educational, political, religious or social purposes and shall include a banquet hall or private club.

**ATTACHED** means a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.

**ATTIC** means the space between the roof and the ceiling of the top storey, or between a dwarf wall and sloping roof.

**AUCTION SALE** means the sale, by highest bid, of new or used goods, wares, merchandise, substances, articles or things to the general public, but does not include the sale of vehicles or livestock.

**AUTOMOBILE BODY SHOP** means motor vehicle repairs to bodies, frames or motors, and/or painting or upholstering, and/or complete collision work, but shall not include a wrecking or salvage yard.

**AUTOMOBILE CARE** means the sale and installation of mufflers, glass, tires or similar minor motor vehicle parts and items.

**AUTOMOBILE GAS BAR** means a building and/or structure, including fuel pump islands, where gasoline is kept for sale, with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, but where no servicing, repairing or equipping of motor vehicles is carried on.

**AUTOMOBILE RENTAL** means the storage and short term rental or leasing of motor vehicles as defined by the Highway Traffic Act.

**AUTOMOBILE SALES** means the display and sale or long term leasing of motor vehicles, as defined by The Highway Traffic Act. Permitted accessory uses may include those normally required for performing maintenance and repair on motor vehicles, including service centre, service bays, body shop, storage of parts, etc.

**AUTOMOBILE SERVICE STATION** means a building and/or structure, including fuel pump islands, where gasoline and/or diesel fuel is kept for sale, with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, and where retail goods including oil, grease, antifreeze, tires, sparkplugs, batteries and other automobile accessories may be sold, and where minor or running repairs essential to the operation of motor vehicles are executed or performed, but shall not include any other use otherwise defined herein.

**AUTOMOBILE WASHING ESTABLISHMENT** means a building or structure containing facilities for washing automobiles, either by production line methods and mechanical devices, by hand, or by a self-service.

## 2B

**BAKE SHOP** means the preparation of baked foods for retail sale on the premises.

**BASEMENT** means a portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the adjacent finished grade.

**BED AND BREAKFAST** means a single detached dwelling house in which not more than 4 guest rooms are used to accommodate the travelling or vacationing public for gain or profit, and may include the provision of meals to the guest room occupants.

**BEVERAGE ROOM** means a premises, other than a restaurant, where liquor, spirits and food are stored, sold and consumed and which is licensed under the Liquor License Act.

**BUILDING** means any structure used or intended to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or fence.

**BUILDING, ACCESSORY** means a subordinate detached building or structure designed or intended for the better or more convenient enjoyment of the main building, to which it is accessory and which is located on the same lot therewith. An accessory building shall be uninhabitable unless otherwise specifically permitted.

**BUILDING, MAIN** Means a building designed and used for the principal use on the lot.

**BUILDING LINE** means a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure on the lot.

**BUILDING SUPPLY OUTLET** means the storage, display and sale of building supplies, including lumber, siding, roofing, plumbing, electrical, heating, air conditioning products and similar items, and may include the assembly and/or finishing of the items and contracting the construction or installation of the items.

**BULK STORAGE** means the storing and selling of coal, fuel oil, gasoline, chemicals, propane, agricultural products and similar items, but does not include any manufacturing, assembling or processing uses.

**BUTCHER SHOP** means the processing and packaging of animals, poultry and/or fish for retail sale on the premises, but shall not include an abattoir.

## 2C

**CANNABIS PRODUCTION AND PROCESSING FACILITY\*** means a building or structure licensed by a Federal Agency which is authorized to cultivate, process, test, destroy, package, store and ship cannabis and cannabis related products. This definition shall not include an agricultural products processing facility, as herein defined.

**CARPORT** means a partially enclosed structure, which is attached to the main building and which is used primarily for the storage of one or more motor vehicles and in which no business, occupation or service is conducted for profit.

**CELLAR** means that portion of a building between two floor levels which has more than one-half of its height from finished floor to finished ceiling below the adjacent finished grade.

**CEMETERY** means a place used for the interment of human bodies as defined under the Funeral, Burial and Cremation Services Act Cemeteries Act, Ch. 33, Part XI and includes accessory uses such as crematorium, columbarium and chapel.

**CHIEF BUILDING OFFICIAL** means an officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, and who may also enforce the Zoning By-law and similar By-laws of the Corporation.

**CHURCH** means a building or part of a building dedicated to religious worship. Permitted accessory uses may include a church or parish hall, rectory, Sunday school and licensed day nursery.

**COMMERCIAL SCHOOL** means a school conducted for hire or gain, other than a school as defined herein, and includes the studio of a dance teacher or a music teacher, art school, golf school, a school of calisthenics, a business or trade school, and any other such specialized school conducted for hire or gain.

**COMMERCIAL STORAGE** means a building or structure in which more than one storage unit is rented and used for the temporary storage of household items, vehicles and/or commercial goods and materials, but does not include any business operation or use associated with the storage. Each unit is physically separated from other units within the building or structure and has its own entrance.

**COMMUNICATION FACILITY** means any use that is primarily for the transmission of electronic signals through the air and includes a transmitting station or tower.

**COMMUNITY CENTRE** means any land, building and/or structure that is used for community activities, whether used for commercial purposes or not, the control of which is vested in the Corporation, or a local board or agent thereof.

**CONSERVATION** means the maintenance of the natural environment for the purposes of preservation, research, observation and outdoor uses such as hiking and fishing. This definition may include the construction and use of trails, shelters and other similar structures ancillary to the foregoing uses, but shall not include a dwelling house, a mobile home or a recreational vehicle.

**CONTRACTOR OR TRADESMAN ESTABLISHMENT** means a building or part of a building where mechanical, electrical, structural, plumbing, landscaping or like contractors conduct their businesses, whether in conjunction with a retail store or not, and may include offices, display areas and storage areas.

**CONVENIENCE STORE** means a building or part of a building wherein convenience commercial goods and foodstuffs which serve the day-to-day needs of local residents are offered for sale and may include an automobile gas bar. Such stores shall be limited to a maximum size of 400 m<sup>2</sup>.

**CORPORATION** means the Corporation of the Township of East Hawkesbury.

**CRAWL SPACE** means an enclosed space between the underside of a floor assembly and the ground cover directly below with a clearance of less than 1.8 m on height.

**CUSTOM WORKSHOP** means a building or part of a building where individual custom productions such as drapes, venetian blinds, handmade leather goods, orthopaedic and prosthetic appliances, weaving, awnings and other non-offensive, non-dangerous custom production is carried out, but does not include any factory production or any shop or factory otherwise classified or defined in this By-law. A custom workshop may include an accessory retail use to a maximum of 25% of the gross leasable floor area.

## 2D

**DAIRY\*** means a building or portion of a building where dairy products are produced and processed for packaging, distribution and resale off the premises. A dairy may include an accessory retail use up to 25% of the gross leasable floor area.

**DAY NURSERY, PRIVATE** means a dwelling in which the owner or tenant conducts a home occupation by providing temporary care, supervision and/or board for less than 5 children who are not of common parentage.

**DAY NURSERY, LICENSED** means a building or part of a building in which temporary care, supervision and/or board for more than 5 children who are not of common parentage is provided and which is licensed under the Child Care and Early Years Act, Ch. 11, S.O. 2014.

**DENSITY** means the ratio of the number of dwelling units to the lot area.

**DRIVEWAY** means the area between the travelled portion of a street and a parking space or parking lot used by motor vehicles for access to and from the required parking, but does not include an aisle as herein defined. A driveway on a residential lot may be used as one or more parking spaces, excluding the required parking spaces, where the driveway does not provide access to a parking lot and is for the exclusive use of the dwelling occupants.

**DWELLING** means a building containing one or more dwelling units occupied or intended to be occupied on a permanent basis by one or more households and excluding temporary accommodations such as hotels/motels, trailers, recreational vehicles or tents.

**ACCESSORY SINGLE DWELLING** means a single dwelling which is accessory to a permitted Non-Residential use and is occupied by either the owner of the lot or by an employee employed on the lot where such accessory dwelling is located.

**APARTMENT DWELLING** means a building containing a number of dwelling units which share a common entrance from the street level wherein the occupants have the right to use common halls and/or stairs and/or elevators, and yards.

**BOARDING/ROOMING HOUSE** means a single dwelling in which lodging is provided for more than 4 persons in return for remuneration or services provided, or both, and in which the lodging rooms do not have both bathroom and kitchen facilities for the exclusive use of individual room occupants, but does not include any other establishment otherwise defined or classified herein.

**CONVERTED DWELLING** means a single-detached dwelling house existing at the time of the passing of this By-law which, because of its size and design, has been or can be converted by partition and the addition of sanitary facilities and cooking facilities into more than one dwelling unit.

**DUPLEX DWELLING** means the whole of a dwelling house divided horizontally into 2 dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

**MOBILE HOME** means any dwelling house that is designed to be made mobile and constructed or manufactured to provide a permanent residence, but does not include a modular dwelling house, motor home, travel trailer, tent trailer, or any other trailer otherwise designed.

**MODULAR DWELLING** means a single-detached dwelling house built in 2 or more major pieces and transported to the site where it is assembled as opposed to a dwelling built entirely on site. For the purposes of this By-law, a modular dwelling shall be deemed to be a single detached dwelling house.

**MULTIPLE DWELLING** means a dwelling house containing 2 or more dwelling units and not otherwise defined herein.

**SECOND DWELLING** shall mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling unit in which living, kitchen and bathroom facilities are provided and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

**SEMI-DETACHED DWELLING** means one of a pair of attached dwelling units divided vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.

**SINGLE DWELLING** means a completely detached dwelling unit.

**TOWNHOUSE DWELLING** means one of a group of 3 or more attached dwelling units, divided vertically, each of which has independent entrances to front and rear privacy yards.

1. **STREET TOWNHOUSE** means a townhouse dwelling house that abuts a street and is designed as an independent dwelling unit for freehold occupancy.
2. **PLANNED UNIT TOWNHOUSE** means a townhouse dwelling house, which forms part of a group of such dwelling houses and which shares common facilities with the other dwelling houses such as access to a public road, parking facilities, open space, recreation areas, and is designed as an integral part of a complex for condominium, cooperative and/or rental occupancy.

**DWELLING UNIT** means a suite of two or more habitable rooms designed for use and occupied by not more than one household in which separate kitchen and sanitary facilities are provided for the exclusive use of the household, with a private entrance from outside the building or from a common hallway or stairway inside the building.

**ACCESSORY APARTMENT UNIT** means a dwelling unit within a Non-residential building which is accessory to a permitted Non-Residential use and is occupied by either the owner of the lot or by an employee who is employed on the lot where such accessory dwelling unit is located.

**APARTMENT UNIT** means a dwelling unit which is located in a Non-Residential building.

**SECOND DWELLING UNIT** shall mean one or more habitable rooms designed and occupied as an independent dwelling unit in which living, kitchen and bathroom facilities are provided and which is located entirely within a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein.

## 2E

**EMPLOYEE** means a person who is hired, contracted, engaged or otherwise employed by another person or persons or by a company, partnership, corporation or similar organization to perform or carry out work. For the purpose of this definition, an employee includes any person who is employed full time or part time, whether for a salary, commission, hourly wage, other consideration or as a volunteer, and includes the owner, owners, partners, principals and officers of the company, partnership, corporation or organization.

**ERECT** means to build, construct, reconstruct, alter and relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension, and any other work which requires a building permit.

**ESTABLISHED BUILDING LINE** means the average distance between the street and the building line for all main buildings on the same side of the street and within the same block existing as of the date of the passing of this By-law.

**EXISTING** means existing as of the date of the passing of this By-law.

## 2F

**FARM IMPLEMENT SALES\*** means the display and sale or leasing of new and/or used farm vehicles and implements. Permitted accessory uses include those normally required for performing maintenance and repair of the vehicles and implements, including service centres, service bays, storage of parts, etc.

**FARM SUPPLY SALES\*** means the sale of farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel, etc.

**FILL LINE** means the line adjacent to the 100 year flood plain which delineates the area where development and site alteration is prohibited or restricted in accordance with the provisions of this By-law.

**FLOOD LINE** means the line which delineates the 100 year flood boundary.

**FLOOD PLAIN** means the area below the flood line, as herein defined, where development and site alteration is prohibited or restricted in accordance with the provisions of this By-law.

**FINANCIAL OFFICE** means a bank, trust company, finance company, mortgage company, investment company or similar use.

**FINISHED GRADE** with reference to a building, means the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished grade of the ground immediately surrounding such structure. In both of the foregoing cases, the finished grade excludes any artificial embankment or entrenchment. When used with reference to a street, finished grade means the elevation of the street established by the Corporation or other designated authority.

**FLOOR SPACE INDEX** means the ratio of the gross leasable floor area to the lot area.

**FUEL PUMP ISLAND** means a structure on a lot of an automobile gas bar, retail propane/natural gas transfer facility or automobile service station where the fuel pumps are located.

**FUNERAL HOME** means a building used for the preparation of deceased human bodies for interment or cremation, for the viewing of deceased persons, and for the holding of funeral services.

## 2G

**GARDEN CENTRE** means a building and/or structure used for the growing of flowers, vegetables, shrubs, trees and similar vegetation including any part of a building, structure or area used for the sale of garden supplies and landscaping materials which may include seeds, bulbs, tools, etc. This definition shall not include any premises for the growing of mushrooms.

**GARAGE, PRIVATE** means an accessory building or part of a residential building located on a residential lot intended for the storage of one or more vehicles, in which no business, occupation or service is conducted for profit. Freestanding garages are accessory buildings.

**GARAGE, PARKING** means an enclosed structure used for the temporary parking of more than 4 vehicles, available for public use either for free, for compensation or as an accommodation to customers.

**GOLF COURSE** means a public or private area operated for the purpose of playing golf and includes a par 3 golf course, but does not include driving ranges, miniature courses and similar uses. Practice facilities are a permitted accessory use on a golf course.

**GROSS LEASABLE FLOOR AREA** means the sum total of the area of the floor or floors, above and below grade, measured from the exterior faces of the exterior walls of a building or structure at the level of each floor but shall not include:

1. any part of the building or structure below grade which is used for heating equipment, storage, laundry facilities and similar accessory uses.
2. any part of the building or structure used for the storage or parking of motor vehicles.

**GROUP HOME** means a single household unit in a dwelling, in which 3 to 10 residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents, and which is licensed or approved under Provincial Statute and is in compliance with Municipal by-laws.



## 2H

**HABITABLE ROOM** means a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a bathroom, den, library or enclosed sun room but shall not include any balcony, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

**HEIGHT** means the vertical distance of a building between the finished grade and:

1. the highest point of the roof surface or the parapet of a flat roof, whichever is the greater; or
2. the deck line of a mansard roof; or
3. the mean level between the eaves and ridge of a gabled, hip, gambrel, cottage or other type of pitched roof.

**HIGHWAY** (See STREET)

**HOME-BASED BUSINESS** means an occupation conducted for gain or profit as an accessory use to a residential use in accordance with the regulations herein.

**HOSPITAL** means a building where health and long-term care services are provided under The Public Hospitals Act or under The Private Hospitals Act.

**HOTEL** means a building, or part of a building, or two or more separate buildings, designed to be used for the purpose of catering to the needs of the travelling or vacationing public by furnishing sleeping accommodation, with or without kitchens, with or without supplying food, and may include meeting rooms, banquet halls, public dining rooms, and any premises licensed under the Liquor Licence Act and shall include a motel or motor inn but shall not include boarding or rooming dwelling houses, beverage rooms or apartment dwelling houses.

**HOUSEHOLD** means the collection of all individuals normally resident in a dwelling unit.

**HOUSEHOLD PET** means a domestic animal which is tamed and commonly kept in a dwelling unit either with free movement or confined in an appropriate container, but shall not include a domesticated animal which is commonly kept, bred, raised or grazed as an agricultural use.

## 2I

**INDUSTRIAL MALL** means a building or buildings divided into a number of self-contained units which are occupied by uses which are permitted uses in an Industrial Zone.

**INDUSTRIAL OR BUSINESS SERVICE** means a use primarily to provide goods or services to other industries and businesses and, without limiting the generality of the foregoing, includes such uses as courier, equipment and supply, data processing, research, training, rental and similar uses not otherwise defined herein.

**INDUSTRIAL FACILITY** means an establishment not otherwise defined in this By-law that is primarily engaged in the assembly, fabrication, manufacturing, processing, treatment, or packaging of articles, components, materials or products. This definition and similar processing uses as may be defined herein shall not include a cannabis production and processing facility, as herein defined.

**INSTITUTION** means a building or part of a building used for a non-commercial purpose by an organized body or society for promoting a particular purpose. This definition may include a library, college, museum, university, or similar use, but shall not include an assembly hall.

**INTENSIVE HOG OPERATION** means an agricultural operation involving the breeding, raising, keeping, housing, care or maintaining of hogs in numbers exceeding 500 live animals at any one time.

## 2J

Reserved for future use

## 2K

**KENNEL** means a building or a structure or part of a building or structure used for the breeding, raising and/or boarding of dogs or cats for personal use or for profit or gain.

## 2L

**LANDSCAPED OPEN SPACE** means the area of a lot comprised of lawn, with or without natural or ornamental shrubs, flowers and trees and includes space occupied by fences, paths, walks, courts, patios and pools, but shall not include parking lots, aisles, driveways, loading spaces, curbs, or ramps for vehicles.

**LANE** means a public thoroughfare which affords a secondary means of access to abutting lots, but which is not a street as herein defined and which is not intended for general traffic circulation.

**LAUNDROMAT** means a building or part of a building containing two or more washing and/or self-service dry-cleaning machines and/or dryers for use by the public and which is operated for profit or gain.

**LICENSED DAY NURSERY** (See DAY NURSERY, LICENSED)

**LIVESTOCK FACILITIES\*** means livestock and/or poultry barns, buildings or structures where agricultural animals are housed and shall include feed lots and associated manure storage, but does not include an intensive hog operation as herein defined.

**LOADING SPACE** means a space or bay located on a lot which is used, or intended to be used, for the temporary parking of any vehicle while loading or unloading goods, merchandise, animals or materials used in connection with the use of the lot or any building thereon.

**LOT** means any parcel of land described in a registered deed or shown in a registered plan of subdivision, which is capable of being legally conveyed from one party to another, and including any parts of the parcel which are subject to right of easement.

**CORNER LOT** means a lot situated at the intersection of and abutting two streets which intersect at an angle of less than 135 degrees.

**INTERIOR LOT** means a lot situated between adjacent lots and abutting one street.

**IRREGULAR LOT** means a lot abutting more than one street, but not otherwise defined herein.

**THROUGH LOT** means a lot bounded on two opposite sides by streets provided, however, that if any lot qualifies as being both a corner lot and a through lot, as herein defined, such lot shall be conclusively deemed to be a corner lot.

**WATERFRONT LOT** means a lot with one lot line abutting the shoreline of a waterbody.

**LOT AREA** means the total horizontal area within the lot lines of a lot.

For the purpose of determining the minimum required lot area, areas covered by a waterbody or watercourse, or areas located within the mapped flood plain, or areas between the top and toe of cliffs or embankments having a slope of 30 degrees or more from the horizontal shall not be included.

**LOT COVERAGE** means the percentage of the lot area covered by buildings or structures exclusive of canopies, balconies, overhanging eaves and private swimming pools protruding 1.5 m or less above the finished grade.

**LOT DEPTH** means the horizontal distance between the front lot line and the rear lot line.

For the purpose of determining the required minimum lot depth for lots which are not square or rectangular the following shall apply:

1. If the front and rear lot lines are not parallel, the lot depth shall be measured by joining the mid-point of the front lot line, as herein defined, with the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.
2. In the case of a corner lot with a curved front lot line, the lot depth shall be measured by first extending the front and exterior side lot lines as tangents, from the point where each lot line begins to curve, in a straight line to their point of intersection. The lot depth shall then be measured by joining the mid-point of the tangent to the front lot line and the mid-point of the rear lot line, or with the apex of the triangle formed by the side lot lines.
3. In the case of a lot with more than four lot lines, including a lot from which a daylight triangle has been taken or dedicated, the lot depth shall be measured by joining the mid-point of the front lot line, as herein defined, with the mid-point of the rear lot line, as herein defined.

**LOT FRONTAGE** means the width of the lot between the side lot lines at the front lot line.

For the purpose of determining the minimum required lot frontage in the case of a lot without parallel side lot lines and/or without a straight front lot line, the following shall apply:

1. the minimum required lot frontage shall be measured as the length of the front lot line; or
2. the minimum required lot frontage shall be measured as the horizontal distance between the side lot lines, measured between the points on the side lot lines equal to the front yard requirement for the use in the zone in which the lot is located.

**LOT LINE** means the boundary lines of a lot as defined below.

**FRONT LOT LINE** means the line dividing the lot from the street.

For the purpose of determining the front lot line the following shall apply:

1. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting a street shall be deemed an exterior lot line. If such lot lines are of equal length, the front lot line shall be deemed to be the lot line as established by building orientation and/or main access.
2. In the case of a through lot the shorter of the lines, dividing the lot from the streets shall be deemed the front lot line. If such lines are of equal length, the front lot line shall be deemed to be the line as established by building orientation and/or main access.
3. In the case of a waterfront lot, the shoreline shall be deemed to be the front lot line.
4. In the case of an irregular lot, the shortest lot line abutting a street shall be deemed to be the front lot line, or the front lot line shall be deemed to be the lot line as established by building orientation and/or main access.

**REAR LOT LINE** means the lot line furthest from and opposite to the front lot line. In the case of a lot with more than four lot lines, the lot line farthest from and opposite to the front lot line shall be deemed to be the rear lot line, and all lot lines other than the front and rear lot lines shall be a side lot lines. In the case of a lot having three lot lines, there shall be deemed to be no rear lot line.

**SIDE LOT LINE** means the lot line or lines other than a front lot line or rear lot line.

## 2M

### **MAIN BUILDING (See BUILDING, MAIN)**

**MAIN WALL** means the exterior front, side or rear walls of a building, and all structural members essential to the support of a fully or partially enclosed space or roof, where such members are nearer to a lot line than the said exterior wall.

**MARINA** means docking facilities, boat launching ramps, lifts and boathouses located on a waterbody, where boats and watercraft are berthed, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided, and includes buildings or structures for such purposes and for the sale of accessories or refreshments, but does not include a marine facility.

**MARINE FACILITY** means an accessory building or structure that is located on a waterfront lot and that is used to take a boat or watercraft into or out of a waterbody, and/or to moor, berth or store a boat or watercraft. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or a marina.

**MARKET** means the sale of new or used goods, wares, merchandise, substances, articles or things to the general public, including but not limited to: arts, crafts and other homemade articles, fresh and prepared food products; nursery products; and used furniture and other household items, by one or more independent vendors, but does not include the sale of vehicles or livestock.

A market may be located in a permanent or temporary building or structure, or may be located partially or entirely in the open. For the purposes of this By-law, a market is considered to be a retail store.

**MEDICAL CLINIC** means a building or part of a building used solely by physicians, dentists, and/or drugless practitioners and their staff for the purpose of consultation, diagnosis and office treatment.

**MOTEL (See HOTEL)**

**MOTOR HOME** means a self-propelled vehicle designed for living, sleeping and eating which is intended to be used primarily for recreation and travel.

**MOTOR VEHICLE** means a motor vehicle as defined by The Highway Traffic Act.

**MUNICIPALITY (See CORPORATION)**

**MUSEUM** means a lot, building and/or structure used for the storing and exhibition of objects illustrating antiquities, natural history, arts, etc., and which may be publicly or privately owned or managed.

## 2N

**NON-COMPLYING** means an existing use, building or structure which does not comply with, or fails to meet, one or more of the required zone provisions of this By-law.

**NON-CONFORMING** with reference to a use, means an existing use which is not a permitted use in the zone in which it is located and, with reference to a lot, means a lot having less than the minimum lot area and/or lot frontage required in the zone in which such lot is located.

## 2O

**OBNOXIOUS USE** means a use which is offensive by reason of its emission of odour, smoke, dust, noise, gas, fumes, vibration, or refuse, and any use which under The Health, Protection and Promotion Act or its regulations is likely to have an adverse effect on the health of any person.

**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.

**ON-FARM DIVERSIFIED USES** shall mean uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

**OPEN STORAGE** means a lot or part of a lot used for the outdoor storage of equipment, goods or materials as an accessory use to a permitted principal use on the lot, excluding a salvage yard.

## 2P

**PARK, PRIVATE** means a recreational area other than a public park.

**PARK, PUBLIC** means a recreational area consisting largely of open space, which may include a playground, swimming pool, arena, play field, or similar use, and which is owned or controlled by the Corporation, or by any Ministry, Board, Commission or Authority established under any statute of Ontario or Canada and includes a community centre as herein defined.

**PARKING LOT** means an area, building or structure used for the temporary parking or storage of motor vehicles and includes any related aisles and parking spaces, but shall not include any part of a driveway, a street or lane. This definition may include a parking garage.

**PARKING SPACE** means a portion of a parking lot or parking garage used for the temporary parking or storage of a motor vehicle, exclusive of any aisles or driveways, and:

1. in the case of a private garage or carport, consists of an area of not less than 14.3 m<sup>2</sup> and a minimum width of 2.6 m;
2. in the case of regular or angled parking spaces, consists of a minimum width of 2.75 m and a minimum length of 5.75 m, with the parking space measured at right angles to the angle of parking; and
3. in the case of parallel parking spaces, consists of a minimum width of 2.75 m and a minimum length of 6.7 m.

**PERSONAL SERVICE: (see SERVICE, PERSONAL)**

**PLACE OF ENTERTAINMENT** means a motion picture or other theatre, arena, auditorium, public hall, dance hall, or music hall, but does not include a place of recreation.

**PLACE OF RECREATION** means a lot, building or structure in which various forms of recreation are provided to the public for a fee or for the private use of its members, including amusement parks, mini-golf courses, billiard or pool room, bowling alley, curling rink, ice or roller rink, fitness centre and arcades, but does not include a place of entertainment or commercial sports and recreation centre.

**PLAY AREA** means an outdoor area, at or above ground level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for the common recreation of the residents of a dwelling house.

**PRIVATE AMENITY AREA** means a privacy yard immediately adjacent to the dwelling unit which serves the household and with access to it controlled by the household of the dwelling unit.

**PRIVATE DAY NURSERY (See DAY NURSERY, PRIVATE)**

**PRIVATE SWIMMING POOL (See SWIMMING POOL, PRIVATE)**

**PUBLIC AUTHORITY** means any Federal, Provincial, County or Municipal agency, or other board, commission or committee established or exercising any power or authority under any general or special statute with respect to any of the affairs or purposes of the agency, and includes any committee or local authority established by By-law of the Corporation.

**PUBLIC USE** means the use of any land, building or structure by a public authority, including roads and services, as well all buildings and structures required to carry out the mandate of the public authority.

**PUBLIC UTILITY** means the use of any land, building or structure by a telephone, telecommunication, natural gas, electrical supply or railway company or similar company for purposes of installing and maintaining public utilities.

**PUMP ISLAND (See FUEL PUMP ISLAND)**

**2Q**

Reserved for future use.

**2R**

**RAILWAY SPUR** means a rail line located on private property or on a private right-of-way which provides access from a rail line to the private property.

**RECREATIONAL VEHICLE** means a vehicle designed for use principally for recreation and includes a travel trailer, tent trailer, motor home, boat, boat trailer, snowmobile, all terrain vehicle, etc.

**RECREATIONAL VEHICLE SALES** means the display and sale of recreational vehicles. Permitted accessory uses may include those normally required for performing maintenance and repair including service centre, service bays, storage of parts, etc.

**RELIGIOUS INSTITUTION** means a building or part of a building used as a religious reading or teaching centre, a religious library, a religious school, a monastery, a convent, a religious retreat or similar use but shall not include a church as herein defined.

**REPAIR SHOP: (See SERVICE, REPAIR)**

**RESIDENTIAL CARE FACILITY** means a residence, primarily for the elderly, which provides supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counselling and social support services. Such facilities shall be regulated or licensed under provincial legislation.

**RESTAURANT** means a building or part of a building where food is offered for sale to the public for consumption on or off the premises and includes restaurants, cafes, cafeterias, ice cream parlours, tea or lunch rooms, dairy bars, coffee shops and snack bars, and which may be licensed by The Liquor Board. This definition does not include a take-out restaurant, although a take-out counter within a restaurant is permitted.

**RESTAURANT, TAKE-OUT** means a building or structure where food is offered for sale to the public solely for consumption off the premises.

**RETAIL STORE** means a building or part of a building in which goods, wares, merchandise, substances, articles or things are kept and offered for sale directly to the general public, but does not include any establishment otherwise defined herein. A retail store shall also include minor fabricating, processing, assembling and/or manufacturing operations where customers and/or employees produce a finished product from the goods, wares, merchandise substances or things which are sold on the premises, and without limiting the generality of the foregoing includes such uses as picture framing, wine and beer making, arts and crafts, and film processing. A retail store also includes a market as herein defined.

**RETIREMENT HOME** means a building, or part of a building, containing rooming units or a combination of rooming and dwelling units, providing residential accommodation primarily to senior citizens who do not require assistance with daily living, and which may provide ancillary health, personal services, recreational services, dining, and recreational and other services to the residents of the home. A retirement home may also provide on-going medical or nursing care, counselling and social support services as are regulated or licensed under provincial legislation.

**RIGHT-OF-WAY (See STREET)**

**RIGHT-OF-WAY, PRIVATE** means land owned by an individual other than a public authority over which right-of-way has been granted to others for access purposes.

**ROAD (See STREET)**

**2S**

**SALVAGE YARD** means a lot, building and/or structure where goods, wares, merchandise articles or things are stored, handled, processed for further use and/or are abandoned, and includes a junk yard, a scrap metal yard, an automobile wrecking yard, but does not include a waste disposal site.

**SCHOOL** shall mean an educational establishment as defined in the Education Act, and includes any facility which provides primary, elementary, and secondary or adult education courses of study authorized or approved by the Minister of Education for the Province of Ontario. This definition includes schools under the jurisdiction of a Board of Education, as well as other private schools that provide such courses of study, and that may also provide other specialized training or instruction, whether such private schools are operated for-profit or not-for-profit.

**SCREENING** means the use of landscaping, walls, fences, hedges and/or other ornamental fixtures to shield the view from one lot to another.

**SERVICE, PERSONAL** means the provision of a personal service and may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, an artist's or photographic studio, or similar use.

**SERVICE, REPAIR** means the repair or service of articles, goods or materials such as appliances, furniture, office equipment or similar items. This definition shall not include any manufacturing operation, building or structure used for the service or repair of vehicles, or a custom workshop.

**SETBACK** means the least horizontal dimension between the centre line of a street allowance, measured at right angles to such centre line, and the nearest part of any excavation, building or structure on the lot, or the nearest open storage use on the lot.

**SHOPPING CENTRE** means a group of non-residential uses which are predominantly retail and personal service uses which serve the general public and which are designed, developed and managed as a unit in one or more main buildings by a single owner or tenant or group of owners or tenants, as opposed to a business area comprising unrelated individual business uses, and includes parking lots and landscaped areas. For the purpose of this By-law, a power centre, discount centre or other similar centre shall be considered a shopping centre. A shopping centre does not include two or more abutting properties which are otherwise fully independent or



unrelated, but which are required to share driveways, stormwater management facilities and other services or utilities by virtue of site plan approval, and which may require easements, rights-of-way and/or maintenance and responsibility agreements for such purposes.

**SIGHT TRIANGLE** means the triangular space formed by intersecting street lines and a line drawn from a point in one street line to a point on the other street line, each such point being 6 m from the point of intersection of the street lines measured along the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**STOREY** means that portion of a building between any floor and the floor, ceiling or roof next above, provided that any portion of a building partly below grade level shall not be deemed a storey unless its ceiling is at least 2 m above grade. Provided also that any portion of a storey exceeding 4.5 m in height shall be deemed to be an additional storey for each 4.5 m or fraction thereof of such excess.

**STOREY, HALF** means the portion of a building located wholly or partly within a sloping roof, having a floor area of not less than one-half or more than two-thirds of the floor area of the storey next below, sidewalls not less than 1 m in height, and a ceiling with a minimum height of 2.5 m over an area equal to at least 50 percent of its floor area.

**STREET, OPEN PUBLIC** means an open thoroughfare under the jurisdiction of the Corporation, the County, the Province of Ontario, or the Government of Canada. This definition includes highways, roads, rights-of-ways and road allowances, but excludes lanes and private rights-of-way.

**STREET, UNOPEN PUBLIC** means a street which has not been assumed by the Corporation as a public thoroughfare.

**STREET, PRIVATE** means a street, not otherwise defined herein, which is described on a plan of subdivision or on a plan of condominium and which is not under the jurisdiction of the Corporation, but which has been approved by the Corporation.

**STREET LINE** means the limit of the street allowance and is the dividing line between a lot and a street.

**STRUCTURE** means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment to something having location on the ground. For the purposes of this By-law, a fence not exceeding 2 m in height shall be deemed not to be a structure.

**SWIMMING POOL, PRIVATE** means any body of water contained by artificial means, permanently located outdoors on privately owned property, and used and maintained for the purpose of swimming, wading, diving or bathing.

## 2T

**TRANSPORTATION TERMINAL** means a lot, building or structure where trucks or tractor trailers are kept for hire, rent or lease, are stored or parked, or from which trucks or tractor trailers are dispatched for hire as common carriers, and may include buildings or structures used for storage or distribution of goods, wares and merchandise.

## 2U

**USE** means the purpose for which any land, building, structure or combination thereof is designed, arranged, occupied, or maintained.

## 2V

**VEHICLE (See MOTOR VEHICLE)**

**VETERINARY ESTABLISHMENT (See ANIMAL CLINIC)**

## 2W

**WAREHOUSE** means a building or portion of a building used only for the bulk storage of goods, wares, merchandise, or materials and includes accessory office space, but does not include bulk storage.

**WATERBODY** means any bay, lake, river or canal, as well as any floodplain associated with the waterbody, but excluding a drainage or irrigation channel and any other watercourse.

**WATERCOURSE** means any depression one metre or more below the surrounding land serving to give direction to a current of water at least nine months of the year, having a bed and well-defined banks, as well as any floodplain associated with the watercourse. Creeks, streams and other similar watercourses are included in this definition.

**WHOLESALE OUTLET** means a building or portion of a building used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or for business use. Associated activities such as re-packaging, assembling of components and similar activities are also permitted as part of the wholesale outlet use, provided that such activities are clearly accessory to the principal use. This definition does not include big box, new format or other similar commercial uses where the general public has access, either freely, by membership or by some other form of control. Such uses shall be considered a retail store within the meaning of this By-law.

## 2X

Reserved for future use.

## 2Y

**YARD** means a space appurtenant to a building or structure, which is located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such buildings, accessory uses, or structures as are specifically permitted elsewhere in this By-law.

**YARD, FRONT** means the space extending across the full width of a lot between the front lot line and the nearest part of any main wall of any building or structure on the lot.

**YARD, REAR** means the space extending across the full width of a lot between the rear lot line and the nearest part of any rear wall of any main building or structure on the lot. In the case of a lot with no rear lot line, the rear yard shall be the area between the point where the side lot lines meet and the nearest part of any wall of any main building or structure on the lot.

**YARD, REQUIRED** means the minimum yard required by the provisions of this By-law.

**YARD, SIDE** means the space extending from the front yard to the rear yard and from the side lot line to the nearest part of any side wall of any main building or structure on the lot.

**YARD, EXTERIOR SIDE** means a side yard immediately adjacent to a public street and which is not a front yard.

**YARD, INTERIOR SIDE** means a side yard other than an exterior yard.

## **2Z**

**ZONE** means a designated area of land

## **SECTION 3 GENERAL PROVISIONS**

### **3.1 Accessory Uses**

The following provisions shall apply to accessory uses, except as may otherwise be prohibited in the Flood Plain and Unstable Slopes overlay zones.

#### **3.1.1 General**

1. Where this By-law provides that a lot may be used or a building or structure may be erected or used for any purpose, that purpose shall include any accessory building, structure or use but shall not include:
  1. any occupation for gain or profit except as specifically permitted in this By-law; or
  2. any building used for human habitation except as specifically permitted in this By-law.
2. Notwithstanding the foregoing, where a Non-Residential use is permitted as a main use in any zone, the permitted accessory uses shall include any Non-Residential use as may be defined herein or as listed as a permitted use in any Non-Residential zone, provided that:
  1. such accessory use is clearly subordinate and integral to the main use on the property; and
  2. such accessory use conforms to the zone provisions of the zone in which it is located where such accessory use is located in a separate building or structure from the main use.

#### **3.1.2 Location**

Accessory buildings and structures shall be permitted in any zone. Except as may otherwise be provided in Section 3.3, accessory buildings and structures shall not:

1. be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot, except as otherwise permitted below;
2. in the case of a school bus shelter in the Rural Zone or any of the Agricultural Zones, no minimum front yard or exterior side yard is required;
3. in the case of an on-farm diversified use where products are offered for sale to the public in the Rural Zone or any of the Agricultural Zones, no minimum front yard or exterior side yard is required provided the accessory building or structure does not exceed 10 m<sup>2</sup>;
4. in the case of a marine facility, no waterfront setback is required; however, a marine facility shall have a minimum 3 m interior side yard including from the extension of the interior side lot line into the water;

5. in the case of accessory private garages in a Residential Zone, be built closer than 1.5 m to any interior side or rear lot line, except that common semi-detached garages may be centered on the mutual side lot line;
6. in the case of all other accessory buildings or structures in a Residential Zone, be built closer than 1.5 m to any interior side or rear lot line where the surface area of the main wall facing the respective lot line is 10 m<sup>2</sup> or less, or closer than 3 m to any interior side or rear lot line where the surface area of the main wall facing the respective lot line is greater than 10 m<sup>2</sup>;
7. in the case of accessory buildings or structures in all other zones, be built closer than 3 m to any interior side or rear lot line, except as may otherwise be required under Section 3.1.1 above;
8. notwithstanding the foregoing, an accessory building or structure may be located not less than 0.5 m from a public lane.

### 3.1.3 Height

Accessory buildings or structures in a Residential Zone shall not exceed 5 m in height. Accessory buildings and structures in all other Zones shall be subject to the height restriction of the Zone in which they are located.

### 3.1.4 Lot Coverage

1. Marine facilities, open-air swimming pools and accessory renewable energy structures are not included in the calculation of lot coverage; however, all other accessory buildings and structures shall be included in the calculation of lot coverage.
2. Accessory buildings and structures in a Residential Zone shall not exceed 10% of the lot area or 140m<sup>2</sup>, whichever is the lesser.
3. In the case of all other Zones, the total lot coverage of all accessory buildings and structures shall not exceed 10% of the lot area.

### 3.1.5 Separation

No accessory building or structure shall be located closer than 2 m to the main building.

### 3.1.6 Private Swimming Pools

Swimming pools are regulated under a separate By-law of the Corporation

## 3.2 Buildings to be Moved

No building or structure shall be moved within the limits of the Township or shall be moved from outside the Township into the Township unless the building or structure is a permitted use and conforms to all the requirements of the zone in which it is to be located, and then only after a permit has been obtained from the Chief Building Official, and from any other public authority having jurisdiction over the moving of buildings and structures.

### **3.3 Conformity, Non-Conforming/Non-Complying Uses and Exceptions**

The following provisions with respect to conformity, non-conforming/non-complying uses and exceptions shall apply, except as may otherwise be prohibited in the Flood Plain (FP) and Unstable Slopes (US) overlay zones.

#### **3.3.1 Conformity and Compliance**

1. Save as otherwise provided in this By-law, no land, building or structure shall be used for any purpose, and no building or structure shall be erected or altered for any purpose except as stated in this By-law and in compliance with all of the applicable provisions of this By-law.
2. No person shall change the purpose for which any lot, building or structure is used, or erect any new building or structure or an addition to any existing building or structure, or sever any lands from an existing lot if the effect of such action is to cause the original, adjoining, remaining or new use, building or structure or lot to be in contravention of this By-law.
3. Nothing in this By-law shall apply to exempt any person from complying with the requirements of any other By-law in force within the Municipality, or from obtaining any license, permission, consent, permit, authority or approval required by this or any other By-law of the Municipality or by any other Federal or Provincial legislation or regulation.
4. This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
5. Notwithstanding anything in this By-law, no person shall reduce any lot in area or frontage, either by conveyance or other alienation of title of any portion thereof so as to contravene any of the provisions of this By-law. However, no person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

#### **3.3.2 Non-Conforming and Non-Complying Uses**

##### **1. Continuation of Non-Conforming Uses**

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose prior to the adoption of this By-law, so long as it continues to be used for that purpose.

##### **2. Change of Non-Conforming Uses**

A use of a lot, building or structure which, under the provisions hereof, is not permitted within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permitted within such zone or to a use which is authorized by the Committee of Adjustment pursuant to its powers under the Planning Act, RSO 1990, as amended.

### 3. Termination of Non-Conforming Uses

A non-conforming use shall be considered to be terminated once the use ceases and the property is used for a permitted use. Where a non-conforming use ceases, it may be re-instated at any time provided that a permitted use has not been established in the interim.

### 4. Repair and Replacement of Non-Conforming and Non-Complying Uses

Nothing in this By-law shall prevent the repair, or the replacement, in whole or in part, or the strengthening to a safe condition, of any building or structure, or part of such building or structure, which is non-conforming or non-complying with respect to the provisions of this By-law, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure.

### 5. Permitted Extensions to Non-Complying Uses

Nothing in this By-law shall prevent an extension or an addition being made to a use, building or structure which existed at the date of passing of this By-law and which is a permitted use in the zone in which it is located, but which does not comply with one or more of the zone provisions of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

#### 3.3.3 Previous Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use of any building or structure for a purpose prohibited by this By-law, the plans for which have been approved by the Chief Building Official prior to the date of the passing of this By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within two years after the date of the passing of this By-law, and such building or structure is completed within a reasonable time after the erection thereof is commenced.

#### 3.3.4 Lots in More than One Zone

1. Except as provided for in Section 3.3.5.2, where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the zone where such portion of the lot is located. Each such portion of the lot shall be considered as a separate lot for the purpose of determining zone provisions.
2. Notwithstanding the foregoing, where a shoreline area of a lot is located in the Flood Plain (FP) or Unstable Slopes (US) overlay zones, such area may be considered as part of the lot for the purpose of determining the minimum required lot area and setback from a waterbody, provided that a permit is obtained from the approval authority for the sewage disposal system.

### 3.3.5 Lots Having Less Area and/or Frontage

1. Except as may otherwise be provided for in Section 3.3.5.2, where a lot having a lesser lot area and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry or Land Titles Office at the date of the passing of this By-law, or where such a lot is created as a result of any expropriation by or conveyance to a Public Authority, or of any dedication required for site plan approval, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are met, and provided further that a permit is obtained from the approval authority for the sewage disposal system.
2. In the Limited Services Residential (R3) Zone, where a lot having a lesser lot area and/or lot frontage than required herein is enlarged by a lot addition, whether or not such lot addition results in the lot having the minimum required lot area and/or lot frontage, the following provisions shall apply.
  1. The lot addition need not be located in the same zone as such smaller lot.
  2. Where the lot addition is located in another zone, it shall be deemed to be located entirely in the Limited Services Residential (R3) Zone, and the zone regulations of this By-law shall apply as though the entire lot is located in the Limited Services Residential (R3) Zone. Where such smaller lot and the lot addition are separated by a road allowance, both lots shall be deemed to be one lot for the purposes of this By-law.
  3. Where an existing building or structure is to be altered, enlarged or renovated for use as a seasonal dwelling or a single detached dwelling, the provisions of subsection 2 shall apply except that any yards which would be made not to conform to the minimum yard requirements of this By-law by virtue of the lot addition shall be deemed to conform to the regulations of this By-law.

### 3.3.6 Construction Uses

1. A building or structure, incidental to construction on the lot where such building or structure is situated such as a construction camp or other such temporary work camp, tool shed, scaffold or other similar building or structure shall be permitted in all zones for as long as it is necessary for the construction in progress to be completed or abandoned, but only while a valid building permit for such construction remains in force.
2. Abandoned in this subsection shall mean the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during a continuous 12-month period.

### 3.3.7 Yard, Setback and Height Encroachments Permitted

The following yard, setback and height encroachments shall be permitted provided such encroachments do not encroach on any required parking or sight triangles.



1. Ornamental Structures

Notwithstanding the yard provisions of this By-law to the contrary, sills, belt courses, chimneys, eaves, gutters, parapets, pilasters or other ornamental structures may project into any required yard a maximum distance of 0.75 m.

2. Window Bays

Notwithstanding the yard provisions of this By-law to the contrary, a window bay, excluding eaves and cornices, may project into any required yard a maximum distance of 1 m, provided the bay window does not exceed a maximum width of 3 m.

3. Accessory Structures

Notwithstanding the yard provisions of this By-law to the contrary, permanent or drop window awnings, entrance canopies, flag poles, garden trellises, fences, retaining walls, signs or similar accessory structures shall be permitted in any required yard.

4. Unenclosed Porches, Balconies, and Steps

Notwithstanding the yard provisions of this By-law to the contrary, unenclosed porches, balconies and steps, whether covered or uncovered, may project into any required yard a maximum distance of 2.5 m but not closer than 1.2 m to an interior side lot line, provided that:

1. they do not exceed a maximum width of 3 m,
2. they do not encroach on the required setbacks as set out in Section 3.17; and
3. they are not otherwise prohibited in the Flood Plain and Unstable Slope overlay zones.

5. Uncovered Terraces, Decks and Patios

Notwithstanding the yard provisions of this By-law to the contrary, uncovered terraces, decks or patios may extend into any yard but not closer than 1.2 m to an interior side lot line, provided that:

1. they do not encroach on the required setbacks as set out in Section 3.17;
2. they are not otherwise prohibited in the Flood Plain and Unstable Slope overlay zones; and
3. in the case of encroaching terraces and patios, they are not be more than 1 m above grade.

6. Fire Escapes

Notwithstanding the yard provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair steps and floors are latticed in such a manner that the proportions of voids to solids is not less than two to one and in which guards consist

only of hand rails and the structural members necessary to their support, may project into any required side or rear yard a maximum distance of 1 m but not closer than 2 m to an interior side lot line.

#### 7. Building Setback in Built-Up Area

In any Residential Zone, except the Limited Services Residential (R3) Zone, the front yard setback for a residential building to be constructed between or adjacent to existing buildings which are separated by not more than 60 m, may be reduced to a setback equal to the average setback of the existing residential buildings or 5 m, whichever is the greater, provided that the driveway which provides access to the required parking space(s) is at least 6 m in length.

#### 8. Height Exceptions

The maximum height restrictions of this By-law do not apply to the following:

- Air conditioning, heating or similar mechanical equipment
- Antenna
- Barn
- Church steeple, belfry, spire or dome
- Chimney
- Clock tower
- Communications Tower
- Drying tower
- Electrical supply structure
- Elevator or mechanical penthouse
- Farm implement storage building
- Firewall or parapet wall
- Flag pole
- Grain elevator
- Lightning rod
- Radio or television tower or antenna
- Satellite dish
- Silo
- Solar panel
- Ventilating fan or skylight
- Water tower
- Wind turbine

### **3.4 Dangerous Substances**

Pursuant to the Health Protection and Promotion Act or regulations thereunder, no use shall be permitted which is declared to be a health hazard by virtue of its nature or the materials used therein which cannot be mitigated pursuant to the Act, or any other applicable legislation, and any regulations thereunder.

### **3.5 Dwelling Units Below Grade**

1. No dwelling unit, in its entirety, shall be located in a cellar or a crawl space, notwithstanding that a portion of a dwelling unit may be located in a cellar or crawl space.
2. A dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is located above the level of the sanitary and storm sewer servicing systems of the building or provided that the dwelling unit is serviced by appropriate pumping facilities.

### **3.6 Frontage on an Opened Street**

3.6.1 No building or structure shall be erected in any zone, except the Limited Services Residential (R3) Zone or Recreational Commercial (C3) Zone, unless the lot on which such building or structure is located has frontage on an opened public street as herein defined, subject to the following:

1. in the case of the Recreational Commercial (C3) Zone this provision shall only apply if the lot on which the building or structure is located is a waterfront lot.
2. in the case of the Limited Services Residential (R3) Zone, this provision shall only apply if the lot fronts on a private road and there is a registered right-of-way providing access over the private road to the lot.

3.6.2 Section 3.6.1 shall not apply to:

1. a lot on a registered plan of subdivision where an agreement between the owner and the Corporation, which includes provisions for the construction of the streets in the subdivision, is registered in the Registry Office or the Land Titles Office;
2. a lot on a common elements plan of condominium where the lot fronts on a private road which forms part, or all, of the common elements; or,
3. conservation, forestry and agricultural uses, provided that there is no permanent dwelling on the lot.

### **3.7 Frontage on More Than One Street**

Where a lot abuts more than one street and is not a corner lot, the requirements for front yards contained in this By-law shall apply to each yard abutting the street in accordance with the provisions of the Zone in which such lot is located.

### **3.8 Illumination**

1. All lighting fixtures which are designed for exterior illumination on private land shall be installed with the light directed and deflected away from adjacent lots and streets, and be directed downwards in order to protect the night sky. Such lighting fixtures shall not be more than 9 m above finished grade and no closer than 4.5 m to any street line.
2. Lighting on private land shall not consist of colours, or be so designed or located, as to cause confusion with traffic signals, streetlights or roadside warning lights.

3. Subject to the foregoing restrictions, lawn lamps may be located at the edge of any driveway.
4. Lighting fixtures designed to illuminate docks and other marine facilities, which are not public uses, shall be installed with the light directed downward and away from the water.

### **3.9 Landscaped Open Space**

#### **3.9.1. Requirements**

1. Except as may otherwise be required in this By-law, where a Non-Residential building is located on a lot, a continuous strip of landscaped open space having a minimum width of 3 m shall be provided along the lot lines.
2. Notwithstanding the foregoing, where a Non-Residential building is located on a lot, any remaining portion of the front yard and exterior side yard that is not used for any other purpose permitted in this By-law shall also be devoted to landscaped open space.
3. For the purposes of the foregoing provisions, landscaped open space may include the retention of natural vegetation.

#### **3.9.2 Exceptions**

1. Section 3.9.1 does not apply to agricultural buildings in the Rural (RU), Agriculture Type 1 (A1) and Agriculture Type 2 (A2) Zones.
2. In any Non-Residential Zone, where the required parking abuts a street, the landscaped open space width may be reduced to 1.5 m along any lot line abutting the street. Such landscaped open space shall be continuous except for driveways and walkways required for access to the lot.
3. Section 3.9.1 does not apply to Non-Residential buildings in the General Commercial (C1) Zone, if located in a designated Community Policy Area, or in the Village Core (VC) Zone, except as follows:
  1. where the lot abuts a lot in a Residential Zone, Section 3.9.1 shall apply and the landscaped open space shall be required along all lot lines which abut a lot in a Residential Zone; or,
  2. alternatively, an opaque fence 1.8 m in height may be located along all lot lines which abut a lot in a Residential Zone, provided that the fence does not extend closer to the street than the minimum required front yard or exterior side yard.

#### **3.9.3. Accessory Uses**

No accessory use shall be permitted to locate within the required landscaped open space.

### 3.10 Loading Space Regulations

Any Non-Residential use which involves the transfer of goods, wares, merchandise or raw materials to and from a lot shall provide and maintain loading facilities on the lot in accordance with the following regulations.:

#### 3.10.1 Number of Spaces Required

TOTAL FLOOR AREA OF BUILDING OR STRUCTURE	NUMBER OF REQUIRED LOADING SPACES
200 m <sup>2</sup> or less	0
more than 200 m <sup>2</sup> up to 1,000 m <sup>2</sup>	1
more than 1,000 m <sup>2</sup>	1, plus 1 additional loading space for each 1,000 m <sup>2</sup> or portion thereof
provided that, in addition to the above number of loading spaces, adequate space shall be provided for the parking of vehicles awaiting access to loading spaces.	

#### 3.10.2 Loading Space Size

Loading spaces shall be a minimum 9 m in length, 3.5 m in width, and shall have a vertical clearance of at least 4 m.

#### 3.10.3 Access

Access to loading spaces shall be by means of a driveway at least 3.5 m wide.

#### 3.10.4 Location

Loading spaces shall be located in the interior side yard or rear yard, but may also be located in the front or exterior side yards provided they are not located in the required yards.

#### 3.10.5 Surface

The loading spaces and aisles shall be surfaced with a stable material such as concrete, asphalt, crushed stone or gravel.

#### 3.10.6 Cumulative Standards

Where there are two or more uses located on the same lot, the loading space requirements shall be the sum of the requirements of each use.

#### 3.10.7 Additions to Building

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, additional loading spaces shall be provided for such addition as required above.

### **3.11 Minimum Distance Separation**

3.11.1 No building or structure shall be erected or altered unless it complies with the Minimum Distance Separation (MDS 1), except that this provision shall not apply to the following:

1. any building or structure which is permitted as a Public Use under Section 3.16 of this By-law;
2. any building or structure which is located on the same lot as the agricultural use for which the MDS 1 formulae would otherwise be calculated;
3. any lot existing at the date of the passing of this By-law on which no building or structure would be permitted if the MDS I formulae were to be applied to the said lot provided the greatest possible separation is achieved, except that the MDS 1 formulae shall apply if the said lot is large enough to accommodate the building or structure in compliance with the MDS 1 formulae; or
4. any land which is located in a designated Community Policy Area.

3.11.2 No livestock facility and no manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) formulae.

### **3.12 One Dwelling Per Lot**

Except where otherwise specifically permitted in this By-law, not more than one dwelling house shall be located on a lot.

### **3.13 Open Storage**

Open storage shall be permitted as an accessory use to a permitted use in any zone in accordance with the following provisions.

#### **3.13.1. Non-Residential Uses**

1. No part of an open storage area shall be located in any minimum required yard or in any required landscape open space area.
2. No part of an open storage area shall be located in any driveway, parking area or loading space.
3. The open storage of waste materials shall only be permitted in accordance with an approved site plan agreement.

#### **3.13.2. Residential Uses**

In any Residential Zone or any other zone where the principal use of the lot is for a permitted residential use, the following provisions apply to the storage of commercial and recreational vehicles.

1. The parking or storage of one commercial vehicle, not in exceeding of 5,000 kg vehicle weight, shall be permitted provided it is not parked or stored in any required parking spaces.
2. The storage of recreational vehicles is permitted in a rear yard or interior side yard but is not permitted in a front or exterior side yard, but may be temporarily parked in a front yard or exterior side yard while being prepared for use or storage.
3. The storage of recreational vehicles is not permitted in any required parking spaces.
4. Notwithstanding the foregoing provisions, a recreational vehicle may be parked in any yard and used for temporary living or sleeping accommodation for not longer than 30 consecutive days by any person in transit between one place and another place and who is visiting the occupants of the principal residence, provided that, in no event, shall such living or sleeping accommodation be leased or rented.
5. No person shall use any lot for the open storage of a motor vehicle which has had part or all of its superstructure removed, or a motor vehicle which is unlicensed.
6. No person shall use any lot for the purpose of open parking or storage of a recreational vehicle, except as provided below:
  - one boat;
  - one motor home;
  - not more than one ATV or snowmobile per each resident of the dwelling;
  - one travel trailer.

This provision shall not apply to prevent the parking or storing of more than one boat on a lot which abuts a shoreline.

7. Notwithstanding the foregoing, where a lot is used for a dwelling house containing more than 2 dwelling units, the limitations imposed herein shall not restrict the number of recreational vehicles that are stored on the lot, provided the area, building or structure used for such storage complies with the yard provisions of the zone in which such area, building or structure is located and has been approved by the Corporation under a site plan agreement.

### **3.14 Occupancy Restrictions**

Human habitation shall not be permitted in any of the following buildings, structures or parts thereof:

1. any private garage or other building which is accessory to a residential use, except as permitted as a second dwelling or second dwelling unit;
2. any truck, bus, coach or street car body whether or not the same is mounted on wheels;
3. any cellar or crawl space, as defined in this By-law;

4. any building or structure before the main walls and roof have been erected, the roofing has been completed, and the kitchen, heating and sanitary facilities have been installed, unless approval of the Chief Building Official has been obtained in advance.
5. any trailer or recreational vehicle other than as temporary or seasonal accommodation as permitted under this By-law.

### 3.15 Parking Regulations

3.15.1 The owner of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas in accordance with the following table. Where the minimum requirement by zone differs from the minimum requirement by type of use, the higher standard shall apply.

TYPE OF USE	MINIMUM PARKING REQUIREMENT
Single-detached Dwelling Semi-detached Dwelling Duplex Dwelling Seasonal Dwelling Street Townhouse Dwelling	1 parking space per dwelling unit.
Senior Citizens Housing	1 parking space per 3 dwelling units, or fraction thereof.
Other Residential Uses	1.25 parking spaces per dwelling unit or fraction thereof.
Boarding/Rooming House	1 parking space plus 0.25 spaces per boarding room.
Group Home	1 parking space per on duty employee plus 1 space per 5 beds, or fraction thereof.
Elementary School	1.5 parking spaces per classroom
Secondary School	4 parking spaces per classroom
Assembly Hall Community Centre Church Commercial Sports and/or Recreation Centre Place of Recreation Place of Entertainment (other than listed separately)	The greater of: 1 parking space for every 8 fixed seats or fraction thereof; or 1 parking space for every 3 m of bench space or 1 parking space per 12 m <sup>2</sup> of gross floor area or fraction thereof.
Bowling Alley Curling Rink	2 parking spaces per bowling lane or curling sheet, plus 1 parking space per 6 seats design capacity of the area for accessory uses.
Funeral Home	1 parking space per 18m <sup>2</sup> of gross floor area, or fraction thereof, with a minimum of 8 parking spaces.
Institution	1 parking space per 100 m <sup>2</sup> of display/assembly area, or fraction thereof, including basement area used for display, with a minimum of 4 parking spaces.



TYPE OF USE	MINIMUM PARKING REQUIREMENT
Licensed Day Nursery	1 parking space per on duty employee plus 1 space per 12 children.
Hospital Nursing Home Home for the Aged	1 parking space for every 2 beds.
Bed and Breakfast	1 parking space per guest room
Tourist Establishment	1 parking space per guest room, plus 1 parking space per 8 persons design capacity of the beverage room, eating area, or meeting room.
Restaurant Beverage Room	The greater of:  1 parking space per 14 m <sup>2</sup> of gross floor area; or 1 parking space per 4 persons design capacity of the eating area or beverage room.
Restaurant, Take-out	1 parking space per 9.5 m <sup>2</sup> of gross floor area, or fraction thereof.
Medical Clinic Animal Clinic Animal Care Contractor or Tradesman Establishment Printing Shop Industrial or Business Service Shop Custom Workshop	1 parking space per 30 m <sup>2</sup> of gross floor area with a minimum of 3 parking spaces.
Office Public Building	1 parking space per 34 m <sup>2</sup> of gross floor area on the first storey and 1 parking space per 36 m <sup>2</sup> of gross floor area above the first storey.
Furniture, Appliance, Carpet Stores and similar commercial uses requiring large display areas Building Supply Outlet Garden Centre Repair Service Shop Wholesale Outlet	2 parking spaces per 100 m <sup>2</sup> of gross floor area or fraction thereof, with a minimum of 8 parking spaces.
Retail, other than listed elsewhere Convenience Store Financial Office Bake Shop Butcher Shop Personal Service Shop Dry Cleaning Distribution Station Laundromat	1 parking space per 25 m <sup>2</sup> of gross floor area or fraction thereof, with a minimum of 4 parking spaces.
Automobile Sales Automobile Rental Automobile Body Shop Automobile Care Automobile Gas Bar	2 parking spaces per 100 m <sup>2</sup> of gross floor area, with a minimum of 4 parking spaces.  The provision of parking for the storage of new and used vehicles, boats or trailers for

<b>TYPE OF USE</b>	<b>MINIMUM PARKING REQUIREMENT</b>
Automobile Service Station Recreation Vehicle Sales Farm Implement Sales Commercial Storage Transportation Terminal	sale or lease, or service shall not be included as satisfying the provisions of this clause.
Automobile Washing Establishment	Self-service operation: 2 waiting and 1 drying space per wash rack.  Conveyer operation: 5 waiting spaces per wash rack.
Warehouse Bulk Storage Bakery Dairy Dry Cleaning Plant	1 parking space per 120 m <sup>2</sup> of gross floor area, or fraction thereof.
Shopping Centre	5.5 parking spaces per 100 m <sup>2</sup> of gross leasable floor area.
Other Non-Residential uses permitted by this By-law	1 parking space per 25 m <sup>2</sup> of gross floor area.

#### 3.15.2. Parking Space Size

As per definition.

#### 3.15.3 Village Core Parking Requirements

On those lands in the Village Core (VC) Zone on Schedule A, the minimum Parking Area Requirements for Non-Residential Uses, as set out above, shall be reduced by 50 percent.

#### 3.15.4. Parking Lot and Driveway Surface

Each parking lot and driveway connecting a parking lot with a street shall be surfaced with asphalt, concrete, interlocking pavers or similar hard surfaces or any stable surface treated so as to prevent the raising of dust or loose particles.

#### 3.15.5. Multiple Use Developments

When a building or structure accommodates more than one type of use as set out in sub-section 3.15.1 above, the parking area requirements shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.

#### 3.15.6. Additions to Buildings or Changes of Use

When a building or structure has insufficient parking at the time of the 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 or to a change to a permitted use in the zone in which the building is located. No addition may be built and no change of use may occur, however, the effect of which would be an increase in that deficiency.

### 3.15.7. Parking Area Location and Setbacks

USE	YARDS IN WHICH REQUIRED PARKING IS PERMITTED
Single Detached Semi Detached Duplex Street Townhouse	Required parking spaces are permitted in all yards, except the required front and exterior side yards, wherein a driveway accessing the required parking may be located.
Other Residential uses	Required parking spaces are permitted in all yards, except the required front and exterior side yards, wherein a driveway accessing the required parking may be located. No parking spaces and no driveways shall be located within 6 m and 3.5 m, respectively, of a habitable room window, unless the parking spaces and/or driveways are reserved for the exclusive use of the occupants of the dwelling unit containing the habitable room window.
Non-Residential uses	Required parking spaces are permitted in all yards, subject to the Landscaped Open Space provisions of Section 3.9

### 3.15.8 Driveways and Aisles

1. The maximum width of any driveway shall be 9 m, measured at the street line.
2. Driveways and aisles designed for two-way traffic shall have a minimum width of 6 m. One-way driveways and aisles, and driveways serving only one dwelling unit shall have a minimum width of 3 m. For portions of a driveway or aisle that directly abut a parking space, the minimum driveway or aisle width shall be as follows:

ANGLE OF PARKING SPACE	MINIMUM DRIVEWAY OR AISLE WIDTH
0 degrees	3m
more than 0 degrees up to 30 degrees	3.4 m
more than 30 degrees up to 45 degrees	3.7 m
more than 45 degrees up to 60 degrees	5.4 m
more than 60 degrees up to 90 degrees	6 m

### 3.15.9 Parking Lot Required

Where 4 or more parking spaces are required, such parking shall be located in a parking lot.

### 3.15.10 Parking Space Location on Another Lot

Where the owner of a building or structure proposes to provide the required parking spaces in a location other than on the same lot as the use that requires such spaces and areas, then such spaces shall be located not more than 150 m from the said lot, and shall be located within the same zone as the said lot.

Furthermore, such parking spaces shall:

1. be in the same possession, either by deed or renewable long term lease, as the property occupied by the use or building to which the parking facilities are accessory;  
or

2. be subject to an agreement between the owner of the use or building served by the parking facilities and the owner of the parking facility allocating the required number of parking spaces.

In addition, the required number of parking spaces shall be maintained for the duration of the use.

#### 3.15.11 Parking for the Physically-Disabled

Where the required parking is 10 or more parking spaces, parking spaces for the exclusive use of physically-disabled persons shall be provided at the rate of 1 parking space for the physically-disabled per 30 required parking spaces or fraction thereof, subject to the provision that a minimum of 1 parking space for the physically-disabled is provided.

#### 3.15.12 Temporary Car Shelters

In any zone in which a residential dwelling house is permitted as a principle use, temporary car shelters may be erected and used for the storage of personal vehicles between October 15 of one year and April 30 of the following year, provided that they are not located in the required front or exterior side yards, and provided that they are dismantled and stored during the period of time in which they are not permitted. Nothing in this provision shall be interpreted so as to prohibit any other permanent or temporary shelter or structure that is otherwise permitted in the Zone in which it is located or that is permitted under the accessory use provisions of Section 3.1 of this By-law.

### **3.16 Setbacks**

#### 3.16.1 Streets

1. All buildings and structures which front on County Roads shall comply with the specific setback requirements established by the United Counties, in addition to the minimum front and exterior side yard requirements of the zone in which such buildings and structures are located. Where required by the United Counties, development permits shall be obtained from the United Counties Public Works Department.
2. All buildings and structures which front on a street under the jurisdiction of the Corporation shall be set back a minimum distance of 10 m, plus the minimum required front and exterior side yard requirements of the zone in which the such buildings and structures are located.
3. All buildings and structures which front on a private street shall be set back a minimum distance of 6 m from the limit of the right-of-way or block in which the private street is located.

#### 3.16.2 Ottawa River

The following setback provisions apply along the Ottawa River.

1. All buildings and structures, except a marina shall be set back a minimum horizontal distance of 30 m from the normal high water mark of the Ottawa River.

2. Notwithstanding the foregoing, a maximum of 25% or 15 m of the width of the shoreline of a lot, whichever is the lesser, may be used for marine facilities, pump houses, and accessory uses such as stairs, decks, patios and gazebos.
3. Where there is sufficient lot area, the septic system should also be set back a minimum horizontal distance of 30 m from the normal high water mark of the river. Where there is insufficient lot area, the setback from the river may be reduced, but shall not be less than as required under the provisions of the Building Code Act.
4. The foregoing setbacks may be increased and/or other restrictions and prohibitions may be placed on buildings and structures pursuant to the requirements of the overlay Flood Plan (FP) Zone.

### 3.16.3 Other Rivers and Natural Watercourses

1. All buildings and structures shall be set back a minimum horizontal distance of 30 m from the top of bank of all other rivers and natural watercourses.
2. Where there is sufficient lot area, the septic system should also be set back a minimum horizontal distance of 30 m from the normal high water mark of the river. Where there is insufficient lot area, the setback from the river may be reduced, but shall not be less than as required under the provisions of the Building Code Act.
3. The foregoing setbacks may be increased and/or other restrictions and prohibitions may be placed on buildings and structures pursuant to the requirements of the overlay Unstable Slope (US) Zone.

### 3.16.4 Municipal Drains

All buildings and structures shall be set back a minimum horizontal distance of 6 m from the top of bank of all municipal drains.

## 3.17 Sight Triangles

### 3.17.1 Street Intersections

In a sight triangle, as herein defined, no parking or loading spaces shall be constructed or used, no building or structure, and no landscaping or finished grade shall exceed 0.8 m in height above the centreline of the intersecting streets.

### 3.17.2 Railway Crossings

The foregoing sight triangle provision shall apply where a street crosses a railway at the same grade, except that the required distance to the point of intersection of the centreline of both the railway and the street shall be 30 m where automatic signal protection is provided or 45 m where no automatic signal protection is provided.

## 3.18 Signs

Nothing in this By-law shall apply to prevent the use of signs on any land, building or structure, but the erection, use and maintenance of such signs shall be subject to the provisions.

1. All signs along the Highway 417 corridor are subject to the applicable MTO regulations.
2. All signs on properties abutting a County Road are subject to the applicable regulations of the United Counties of Prescott and Russell.
3. All signs on properties abutting a Township road shall be designed and located so that they are not confused with, or obstruct the visibility of, traffic control signs and signals. Additionally, the following provisions apply:
  - where a use is subject to site plan control, the signage for such use shall be included in the site plan agreement; and
  - the signage provisions of this By-law shall apply to home-based businesses.

### **3.19 Site Plan Requirements**

No development shall take place on any parcel of land designated as Site Plan Control Area in the Site Plan Control By-law unless the Council of the Corporation has approved such plans and drawings required under the provisions of the Site Plan Control By-law.

## **SECTION 4 SPECIFIC USE PROVISIONS**

### **4.1 Automobile Service Stations, Gas Bars, Etc.**

Where automobile service stations, gas bars, car washes and retail propane/compressed natural gas transfer facilities are permitted in this By-law, the following provisions shall apply:

1. The minimum lot frontage shall be 45 m.
2. The minimum yard requirements for a main building shall be as follows:
  1. front yard depth 15 m
  2. exterior side yard width 15 m
  3. interior side yard width 6 m
  4. rear yard depth 6 m
3. The minimum distance between any portion of a fuel pump island or canopy and any front or exterior side lot line shall be 4.5 m.
4. The distance between any portion of a fuel pump island and any rear or interior side lot line shall be 6 m.
5. Where the lot is a corner lot, no portion of any pump island shall be located closer than 3 m to a straight line between a point in the front lot line and a point in the exterior side lot line, each such point being 15 m distant from the intersection of such lines.
6. The minimum distance between a driveway and the intersection of street lines, measured along the street line shall be 4.5 m.
7. The minimum interior angle of intersection between a driveway and a street line shall be 45 degrees and the maximum interior angle between a driveway and a street line shall be 90 degrees.

### **4.2 Bed and Breakfast**

A bed and breakfast, as herein defined, shall be a permitted use within any single detached dwelling that is permitted as a principal use in the Zone in which it is located, except in the Limited Services Residential (R3) Zone.

### **4.3 Group Homes**

Group homes shall be permitted in all Residential Zones except the Limited Services Residential (R3) Zone, and are permitted in the Village Core (VC) Zone, in the Institutional (I) Zone, and in the Rural (RU) Zone in accordance with the zone provisions of the Zone in which it is located. In the case of the Residential Zones and the Village Core Zone, the zone provisions for a single detached dwelling shall apply.

### **4.4 Home-Based Businesses**

A home-based business, as herein defined, shall be permitted as an accessory use in any dwelling, except in an accessory dwelling or a seasonal dwelling, unless specifically listed below as a prohibited use, in accordance with the following provisions.

#### 4.4.1 Residential Character

The home-based business use(s) shall not cause any individual or cumulative effects that change the residential character of the main residential use. The use(s) shall not:

1. be visible or apparent from adjacent properties, other than permitted signage;
2. cause a nuisance or annoyance or loss of enjoyment to neighbours; or,
3. cause a significant increase in traffic on streets serving the dwelling.

#### 4.4.2 Compatibility

The home-based business use(s) shall not generate noise, vibration, fumes, dust, effluent, odour, glare, magnetic fields or radiation, which is evident outside of the dwelling or which exceeds limits established by existing By-laws and Provincial or Federal legislation or policy.

#### 4.4.3 Maximum Size

The amount of floor area deemed separate and exclusively dedicated for the home-based business use(s) shall not exceed 25% of the total floor area of the dwelling, or 40 m<sup>2</sup>, whichever is the lesser.

#### 4.4.4 Location

1. The floor area of the home-based business use(s) may be located in any portion of the dwelling unit.
2. Not more than 15 m<sup>2</sup> of the floor area may be located in a private garage or in an accessory building, provided these structures comply with all other provisions of this By-law.

#### 4.4.5 Employees

The home-based business use(s) may have no more than 2 employees at a time working on the premises, in addition to the residents of the dwelling unit, provided that employee parking, if required, shall be provided on the lot.

#### 4.4.6 Exterior Effects

The home-based business use(s), including the storage or display of goods or materials, shall be located entirely within the dwelling or accessory building(s) and shall not be visible from adjacent properties.

#### 4.4.7 Radio, Television and Satellite

The home-based business use(s) shall not interfere with telephone, television, radio, or satellite reception.



#### 4.4.8 Health/Life/Fire Safety Hazard

The home-based business use(s) shall not be deemed to present a health, life or fire safety hazard, as regulated by the Ontario Building Code, the National Fire Code of Canada, or any other applicable provincial or federal legislation or regulation.

#### 4.4.9 Water and Sewer Services

The applicant shall obtain a sewage system approval and shall demonstrate to the satisfaction of the Township that there is a sufficient supply of well water where the proposed home-based business use(s) may place demands on the existing sewage disposal and water supply systems that exceed normal domestic usage.

#### 4.4.10 Retail Sales and Rental

The retail sales or rental of merchandise shall only be permitted as part of the home-based business use(s) where the merchandise:

1. is produced, assembled, repaired, or otherwise has value added to it on the property;
2. is associated with a service that is provided as the primary component of the home-based business use(s); or
3. is a transaction where the customer contacts the business to place an order to purchase or rent the merchandise, and the merchandise is either picked up by the customer or delivered to the customer.

#### 4.4.11 Instruction or Education

The permitted home-based business use(s) may include instructional or educational activities, in accordance with the following provisions.

1. The use(s) shall be limited to a maximum of 3 students at a time; however, if the activity requires that there be 4 or more students, this may be permitted provided that all requirements of fire, health and life safety have been met through a building permit application, if required.
2. The teaching of music, dance, or other physical activity that is likely to create noise or vibration shall be permitted only where it can be ensured that noise or vibration will not be detectable to the occupants of adjacent dwellings.

#### 4.4.12 Delivery Vehicles

Home-based business use(s) that require the receipt or delivery of merchandise, goods, or equipment shall only be permitted where the delivery vehicles are typical of those vehicles used in residential deliveries. No deliveries (drop offs or pick-ups) are permitted between the hours of 7:00 PM and 7:00 AM.

#### 4.4.13 Specifically Prohibited Uses

The following uses do not fall within the definition of home-based business:

1. any use which does not comply with the preceding provisions;
2. kennel, veterinary clinic or any other animal-related use;
3. licensed day nursery where care, supervision and/board is provided to more than 5 children;
4. any residential use, except as permitted in the zone in which the home-based business use is located;
5. retirement home or residential care facility;
6. laundromat or dry-cleaning use;
7. restaurant;
8. retail store;
9. commercial yard sale and open market.

#### 4.4.14 Special Provisions for Rural (RU) and Agriculture Type 1 (A1) Zones

Where a lot is located in the Rural (RU) or Agriculture Type 1 (A1) Zones, the following additional provisions shall apply, provided that the lot is a minimum of 1 ha.

1. All of the provisions of the foregoing subsections shall apply, except as provided below.
2. The home-based business use(s) shall also be permitted in an accessory building or structure to a maximum floor area of 100 m<sup>2</sup>.
3. The home-based business use(s) may include accessory open uses and storage, provided such open uses and storage are limited to a maximum area 200 m<sup>2</sup> and are not located within any required yard.

### **4.5 Mobile Homes and Recreational Vehicles as Temporary Dwellings**

4.5.1 Except as otherwise permitted in this By-law, a mobile home or recreational vehicle shall not be used for residential or non-residential purposes within the municipality except as a temporary office, temporary residence, tool storage shed or similar use on a construction site provided that the use is terminated when the work is completed or abandoned.

4.5.2 Notwithstanding the generality of the foregoing, a mobile home or recreational vehicle shall only be used as a temporary residence for such period as there is a valid building permit for the construction of a permanent dwelling, and provided that written approval in the form of an agreement is obtained from the municipality. The written agreement to permit a mobile home or recreational vehicle to be used as a temporary residence shall

be for a period of not exceeding one year, but may be extended for another year provided that the municipality is satisfied that reasonable progress is being made to complete the permanent dwelling.

#### **4.6 Private Day Nurseries**

Private day nurseries, as herein defined and whether licensed or not, shall be permitted in all Residential Zones except the Limited Services Residential (R3) Zone, and are permitted in the Village Core (VC) Zone, in the Agriculture Type 1 (A1) and in the Rural (RU) Zones, in accordance with the zone provisions of the Zone in which it is located. In the case of the Residential Zones and the Village Core (VC) Zone, the zone provisions for a single detached dwelling shall apply.

#### **4.7 Public Uses and Utilities**

4.7.1 The provisions of this By-law shall not apply to the use of any lot or the location or use of any building or structure for the purpose of a public use or public utility by the Corporation or by any local board of the Corporation as defined by The Municipal Act, 2001, Ch. 25 as amended, any telephone, telegraph or telecommunications corporation, any natural gas distribution system operated by the Corporation or on its behalf by a company providing such uses and utilities to the residents of the Corporation and possessing all the necessary powers, rights, licenses and franchises, any Conservation Authority established by the Government of Ontario, any department of the Government of Ontario or Canada, including Hydro One and Ontario Power Generation, any use permitted under The Railway Act or any other statutes of Ontario or Canada governing railway operations, including tracks, spurs and other railway facilities, provided that where such lot, building, structure, use or transmission facility is located in any zone:

1. no goods, materials or equipment shall be stored in the open, except as permitted in such zone;
2. any above-ground use carried on under the authority of this paragraph in any Residential Zone shall be maintained in general harmony with residential buildings in such zone.
3. the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located shall be complied with.

4.7.2 Nothing in this By-law shall prevent the use of land as a street or prevent the installation of a public use or utility such as a road, watermain, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro electric or telephone line, traffic or other sign, or other supply and/or communication line, including their distribution, transformer, pumping and/or regulating stations.

4.7.3 Notwithstanding the foregoing, the following additional provisions apply:

1. New public uses and utilities are not permitted in the Wetland (W) Zone; however, any existing public uses and services may be repaired, replaced and/or upgraded provided there is no further intrusion into the wetland.
2. The relevant provisions of the overlay Flood Plain Zone and Unstable Slope Zones shall also apply to public uses and services.

## 4.8 Second Dwelling Unit and Second Dwelling

Notwithstanding any provision of this By-law to the contrary, where a single dwelling, a semi-detached dwelling or a townhouse dwelling is permitted as a principal use in a zone, or where an existing single dwelling, semi-detached dwelling or townhouse dwelling is a legal non-conforming use as of the date of this By-law, a second dwelling unit and a second dwelling, as herein defined, are permitted on the same lot in accordance with the following provisions.

### 4.8.1 General

1. The second dwelling unit and/or second dwelling shall comply with the provisions of the Building Code Act.
2. The second dwelling unit and/or second dwelling shall be connected to the same water supply and sewage disposal systems as the principal dwelling.
3. Prior to obtaining a building permit for a second dwelling unit and/or a second dwelling, the applicant shall obtain a septic system approval and shall demonstrate to the satisfaction of the Township that there is a sufficient supply of well water to serve the second dwelling unit and/or second dwelling.
4. The maximum floor area of the second dwelling unit and/or second dwelling shall not exceed 50% of the floor area of the principal dwelling, to a maximum of 95 m<sup>2</sup> in the Rural (RU) and Agricultural Type 1 (A1) Zones and to a maximum of 80 m<sup>2</sup> in all other Zones.
5. The minimum floor area of the second dwelling unit and/or second dwelling shall be 45 m<sup>2</sup>.
6. The second dwelling unit and/or second dwelling shall share the driveway entrance to the lot with the principal dwelling.
7. A minimum of one parking space shall be provided for a second dwelling unit and a second dwelling, in addition to the minimum parking requirements for the principal dwelling.
8. The second dwelling unit and/or second dwelling shall be included in the calculation of lot coverage.

### 4.8.2 Additional Provisions for Second Dwelling Unit

1. The second dwelling unit shall not occupy the whole of a storey.
2. The second dwelling unit shall share two of the following with the principal dwelling:
  - building entrance
  - parking area
  - outdoor amenity space
3. No enlargement or extension to the principal dwelling shall be permitted unless the enlargement or extension conforms to all other applicable provisions of this By-law.

#### 4.8.3 Additional Provisions for Second Dwelling

1. An existing accessory building may be partially or fully converted to a second dwelling, except that no habitable room window shall face an interior side lot line or a rear lot line unless the existing accessory building conforms to the minimum side lot line setback and rear lot line setback as is required for the principal dwelling, as the case may be.
2. A new accessory building may be constructed as a second dwelling provided that it conforms to all applicable provisions for the principal dwelling.
3. The maximum permitted height of a new second dwelling shall be 5m.
4. A new accessory building which is constructed as a second dwelling shall be separated by less than 12 m from the principal dwelling.

#### 4.9 Wayside Pits, Wayside Quarries, Portable Asphalt Plants and Portable Concrete Plants

Any land may be used for the purposes of wayside pits, wayside quarries, portable concrete plants and portable asphalt plants, except:

- on land which is in the Wetland (W) Zone;
- on land which is in any Residential Zone;
- on land which is designated as a Community Policy Area in the Official Plan of the United Counties of Prescott and Russell; and
- on land within 200 m of an existing dwelling.

#### 4.10 Cannabis Uses

##### 4.10.1 Agricultural Use

Where cannabis production takes place in accordance with the definition of Agriculture, as herein defined, in the Rural (RU), Agriculture Type 1 (A1) and Agriculture Type 2 (A2) Zones the following additional provisions shall apply.

1. The minimum separation from a residential use on another lot, from any lot in a Residential Zone, from any lot in the Village Core (VC), Institutional (I) and Open Space (OS) Zones, or any land designated Community Policy Area in the Official Plan of the United Counties of Prescott and Russell shall be 150 m.
2. The above minimum separation shall be measured to the nearest wall of any building or structure where cannabis is grown indoors or to the licensed outdoor growing area, as applicable.
3. A building or structure used for security purposes may be located in the required front or exterior side yard.

##### 4.10.2 Cannabis Production and Processing Facility

Where a cannabis production and processing facility, as defined herein, is permitted in the

Rural Industrial (M1) or Agricultural Type 3 (A3) Zones the following additional provisions shall apply.

1. The minimum separation from a residential use on another lot, from any lot in a Residential Zone, from any lot in the Village Core (VC), Institutional (I) and Open Space (OS) Zones, or any land designated Community Policy Area in the Official Plan of the United Counties of Prescott and Russell shall be 300 m.
2. A building or structure used for security purposes may be located in the required front or exterior side yard.

## SECTION 5 ZONES

### 5.1 Zone Classification

The provisions of this By-law shall apply to all lands within the limits of the Corporation, which lands are divided into various zone classifications. The Schedule A symbols refer to the zone classifications as shown below:

ZONE	SYMBOL
• Residential Type 1	R1
• Residential Type 2	R2
• Limited Services Residential	R3
• Mobile Home Residential	R4
• Village Core	VC
• General Commercial	C1
• Highway Commercial	C2
• Recreational Commercial	C3
• Institutional	I
• Open Space	OS
• Rural Industrial	M1
• Salvage Yard	M2
• Waste Disposal	M3
• Mineral Extraction	MX
• Rural	RU
• Agriculture Type 1	A1
• Agriculture Type 2	A2
• Agriculture Type 3	A3
• Wetland	W
• Development	D
• Flood Plain	(overlay symbol)
• Unstable Slope	(overlay symbol)
• Mineral Reserve	(overlay symbol)

## **5.2 Zone Regulations**

The permitted uses, the minimum size and dimensions of lots, the minimum size of yards, the maximum lot coverage, the minimum setback, gross leasable floor area, the minimum landscaped open space, and all other zone provisions are set out herein for the respective zones.

## **5.3 Zone Boundaries**

The location and boundaries of the zones established by this By-law and certain requirements applicable to such zones are shown on Schedule A, attached hereto. Where there is any uncertainty as to the boundary of any zone, as shown on Schedule A, the following provisions shall apply.

1. Where a zone boundary is indicated as following and is within the boundary of a street, lane, railway right-of-way, other right-of-way or watercourse, the boundary shall be the centre of such street, lane, railway right-of-way, other right-of-way or watercourse.
2. Where a zone boundary is indicated as approximately following lot lines on a registered plan of subdivision, deposited reference plan or original Township survey, the boundary shall follow such lot lines. No amendment to the By-law shall be required for minor adjustments to zone boundaries shown on Schedule A where, in the opinion of the Township, such adjustments are merely for the purpose of more accurately reflecting surveyed information.
3. Where a zone boundary is indicated as following a shoreline of a watercourse, the boundary shall follow such shoreline and, in the event that the shoreline changes, the boundary shall be taken as having moved with the shoreline.
4. Where any uncertainty exists as to the boundary of the Flood Plain overlay zone, the boundary shall be the 1:100 year flood line as identified on the relevant maps of the flood plain study, except where a specific (GSC) elevation is identified on Schedule A.
5. Where any uncertainty exists as to the boundary of the Unstable Slope overlay zone, the boundary shall be as identified on the relevant maps of the unstable slopes study.
6. Where any uncertainty exists as to the boundary of the Wetland (W) zone, the boundary shall be as identified on the relevant maps of the Ontario Ministry of Natural Resources and Forestry.
7. Where any street, lane, right-of-way, railway right-of-way or watercourse, as shown on Schedule A, is closed or diverted, the object of such closure or diversion shall be included within the zone of the abutting property on either side thereof.
8. Where any zone boundary is left uncertain after the application of clauses 1 through 7 above, the boundary shall be determined by scale from the original full-size zoning schedule.
9. Wherever it occurs, the municipal boundary is the limit of the zone adjacent to it.



## **5.4 Zone Symbols**

The symbols listed in Section 5.1 may be used to refer to buildings and structures, and the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word Zone is used, preceded by any of the said symbols, such zones shall mean any area within the Corporation within the scope of this By-law, as delineated on Schedule A and designated thereon, by the said symbol.

## **5.5 Building, Structure and Use Classification**

1. The buildings, structures and use of buildings, structures and lots specifically named as uses permitted and classified under the headings of "Residential" and "Non-Residential" refer only to the uses as are specifically named under such headings in each zone.
2. For the purpose of reference, all buildings, structures and uses of buildings, structures and lots named as Permitted Uses and classified under the headings of "Residential" and "Non-Residential" may be referred to as "Residential" and "Non-Residential" buildings, structures, or uses respectively.

## **5.6 Exception Zones**

Where the zone symbol as shown on Schedule A is followed by a dash and a number (for example R2-1), then special provisions apply to such lands and such special provisions may be found by reference to that part of the By-law which applies to that particular zone. Lands zoned in this manner shall also be subject to all of the provisions of the zone, except such special provisions as specified.

## **5.7 Holding Zones**

5.7.1 The zone symbol, as shown on Schedule A of this By-law, may be further classified as a holding zone by the addition of a hyphen and the suffix "h" (for example, R1h). The intent is to signify Council's approval in principle to the future development of the land for the purposes indicated by the zone symbol; however, the holding provision shall restrict development of the land until such time as the Corporation is satisfied that all conditions for development approval on the land, as listed in the By-law, have been met.

5.7.2 Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than uses existing on the date of passing of this By-law, or for such other uses as specified in the holding provision.

5.7.3 The removal of the holding provision shall require an amendment to this By-law and Council may require that the applicant enter into an agreement for the development of the land prior to the amendment being passed.

### **5.7.4 Site Specific Holding Zones**

1. C2-1h: Lot 13, Concession II, 1370 Concession Road 1

The holding provision on the lands zoned C2-1h shall only be removed upon an approved site plan agreement to the satisfaction of the Township and United Counties.

## **5.8 Temporary Use Zones**

- 5.8.1 The zone symbol, as shown on Schedule A of this By-law, may be further classified as a temporary use zone by the addition of a hyphen and the suffix “t” (for example, R1-t). The intent is to permit a use or uses in addition to the uses which are permitted in the zone in which the lands are located for a specified period of time, following which the use or uses shall cease.
- 5.8.2 Temporary uses shall only be permitted by an Amendment to this By-law which:
1. describes the lands on which the temporary use or uses is/are permitted;
  2. specifies the permitted temporary use or uses;
  3. specifies the time period for which the temporary use or uses is/are permitted including the date on which the use or uses is/are to cease, on which date the Amendment shall be deemed to be repealed and the temporary use or uses shall no longer be permitted; and
  4. describes any conditions which apply to the temporary use or uses.
- 5.8.3 Site Specific Temporary Use Zones *[reserved for future use]*

## **5.9 Overlay Flood Plain Zone**

Lands zoned in the overlay Flood Plain Zone, as shown by shading on Schedule A, are located within the 1:100 year flood plain of the Ottawa River and are subject to natural hazard risks. Such lands shall be subject to all of the provisions of the underlying zone in which the lands are located, except as may otherwise be provided below.

1. The following uses, as defined in the Provincial Policy Statement 2020, are prohibited:
  - institutional uses;
  - essential emergency service uses; and
  - uses associated with hazardous substances.
2. No principal buildings or structures and no septic systems are permitted.
3. Notwithstanding anything else in this By-law to the contrary, no additions or alterations to principal buildings and structures are permitted unless the principal buildings and structures, and the additions and alterations thereto, are flood-proofed.
4. Marine facilities, as herein defined, may be permitted subject to any permits or approvals that are required by the public authority having jurisdiction.
5. Passive, small scale accessory uses and structures which are related to water access such as patios, gazebos, stairs, and similar structures are permitted.

## **5.10 Overlay Unstable Slope Zone**

Lands zoned in the overlay Unstable Slope Zone, as shown by lines and numbers on Schedule A, are located within areas which have been identified as having unstable slopes and are subject to natural hazard risks, where the numbers identify the distance measurement from the top-of-bank that the unstable slope natural hazard risk extends. Such lands shall be subject to all of the provisions of the underlying zone in which the lands are located, except as may otherwise be provided below.

### **5.10.1 Principal Buildings and Structures**

1. No principal buildings or structures are permitted closer than 30 m to the top-of-bank, except where the distance measurement is greater than 30 m, in which case the greater distance measurement shall apply.
2. Notwithstanding the foregoing, the greater distance measurement may be reduced where a geotechnical study demonstrates that there is no natural hazard risk associated with a reduction to the distance measurement, but shall not be less than 30 m.

### **5.10.2 Accessory Uses and Structures**

1. No accessory uses or structures are permitted closer than 6 m to the top-of-bank, except where the distance measurement is greater than 6 m, in which case the greater distance measurement shall apply.
2. Notwithstanding the foregoing, the greater distance measurement may be reduced where a geotechnical study demonstrates that there is no natural hazard risk associated with a reduction to the distance measurement, but shall not be less than 6 m.

## **5.11 Overlay Mineral Reserve Zone**

Lands zoned in the overlay Mineral Reserve Zone, as shown by shading on Schedule A, are identified in the United Counties of Prescott Russell Official Plan as containing mineral aggregate resources that are to be protected from incompatible development that would limit or prevent extraction of the mineral aggregate resources. Such lands shall be subject to the following provisions.

1. Existing lots of record, as at December 31, 2015, may be developed in accordance with the provisions of the underlying zone in which the lands are located.
2. No new lots shall be created unless supported by an Aggregate Resource Impact Assessment which demonstrates to the satisfaction of the approval authority for lot creation that:
  1. extraction of the resource is not feasible; or
  2. the proposed land use or redevelopment serves a greater long-term public interest; and
  3. issues of public health, safety and environmental impact are appropriately addressed.

## SECTION 6 RESIDENTIAL ZONES

No person shall use any lot or erect, alter or use any building or structure within any of the following Residential Zones except in accordance with the following provisions.

### 6.1 RESIDENTIAL TYPE ONE (R1) ZONE

#### 6.1.1 Permitted Uses

single dwelling  
semi-detached dwelling  
duplex dwelling

#### 6.1.2 Zone Provisions

The following provisions apply where a lot is to be serviced by an individual septic system. Where a lot is to be serviced by the municipal sanitary sewer system, the minimum lot area and frontage requirements of Section 6.1.3 shall apply.

Provisions	Single Dwelling	Semi-detached Dwelling	Duplex Dwelling
1. lot area (min.)	0.3 ha	0.4 ha aggregate for both dwelling units and 0.2 ha per dwelling unit	0.4 ha
2. lot frontage (min.)	30 m	40 m aggregate for both dwelling units and 20 m per dwelling unit	40 m
3. front yard depth (min.)	6 m	6 m	6 m
4. exterior side yard width (min.)	6 m	6 m	6 m
5. interior side yard width (min.)	2 m	2 m on one side and nil on the other side	2 m
6. rear yard depth (min.)	8 m	8 m	8 m
7. building height (max.)	11 m	11 m	11 m
8. lot coverage (max.)	30 %	30 %	30 %
9. General Provisions	in accordance with Section 3		
10. Specific Use Provisions	in accordance with Section 4		
11. Overlay Zones	in accordance with Section 5		

#### 6.1.3 Special Provisions

Where a lot is to be serviced by the municipal sanitary sewer system the following provisions shall apply.

Provisions	Single Dwelling Duplex Dwelling	Semi-detached Dwelling
1. lot area (min.)	600 m <sup>2</sup>	400 m <sup>2</sup>
2. lot frontage (min.)	15 m	20 m aggregate for both dwelling units and 10 m per dwelling unit

#### 6.1.4 Exception Zones

1. R1-1: Lot 12, Concession 5, 5105 & 5095 Fatima Street, St-Eugene

Notwithstanding the provisions of Section 6.2 to the contrary, on the lands zoned R1-1, the following provisions shall apply.

1. The maximum number of single dwellings shall be 1 per lot.
2. The minimum interior side setback for the existing mobile home shall be 0.3 m from the west property line as established by Consent Application No. B-125-2014.

#### 6.2 RESIDENTIAL TYPE TWO (R2) ZONE

##### 6.2.1 Permitted Uses

single dwelling  
semi-detached dwelling  
duplex dwelling  
converted dwelling (max. 5 dwelling units)  
boarding/rooming house  
street townhouse dwelling (max. 5 dwelling units)  
planned unit townhouse dwelling (max. 5 dwelling units)  
multiple dwelling (max. 5 dwelling units)  
apartment dwelling (max. 5 dwelling units)  
retirement home  
residential care facility

##### 6.2.2 Zone Provisions

The following provisions apply where a lot is to be serviced by an individual septic system. Where a lot is to be serviced by the municipal sanitary sewer system, the minimum lot area and frontage requirements of Section 6.2.3 shall apply.

Use	Provisions
Single Dwelling Semi-detached Dwelling Duplex Dwelling	in accordance with Section 6.1.2
Use	Provisions
Retirement Home Residential Care Facility	in accordance with Section 9

<b>Provisions</b>	<b>Boarding/Rooming House Converted Dwelling</b>	<b>Street Townhouse Dwelling</b>	<b>Planned Unit Townhouse Dwelling Multiple Dwelling Apartment Dwelling</b>
1. lot area (min.)	0.4 ha	0.4 ha aggregate for all dwelling units and 600 m <sup>2</sup> per dwelling unit	0.6 ha
2. lot frontage (min.)	40 m	40 m aggregate for all dwelling units and 6 m per dwelling unit	60 m
3. front yard depth (min.)	6 m	6m	6 m
4. exterior side yard width (min.)	6 m	6m	6 m
5. interior side yard width (min.)	2 m	Nil, except that the minimum width adjoining an end unit shall be 3 m	3 m
6. rear yard depth (min.)	8 m	8 m	8 m
7. building height (max.)	11 m	11 m	11 m
8. lot coverage (max.)	30%	30%	30%
9. General Provisions	in accordance with Section 3		
10. Specific Use Provisions	in accordance with Section 4		
11. Overlay Zones	in accordance with Section 5		

### 6.2.3 Special Provisions

Where a lot is to be serviced by the municipal sanitary sewer system the following provisions shall apply.

<b>Provisions</b>	<b>Boarding/Rooming House Converted Dwelling</b>	<b>Street Townhouse Dwelling</b>	<b>Planned Unit Townhouse Dwelling Multiple Dwelling Apartment Dwelling</b>
1. lot area (min.)	600 m <sup>2</sup>	1,200 m <sup>2</sup> aggregate for all dwelling units and 240 m <sup>2</sup> per dwelling unit	1,200 m <sup>2</sup>
2. lot frontage (min.)	15 m	30 m aggregate for all dwelling units and 6 m per dwelling unit	30

### 6.2.4 Exception Zones *[reserved for future use]*

### 6.3 LIMITED SERVICES RESIDENTIAL (R3) ZONE

No person shall within any R3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

#### 6.3.1 Permitted Uses

seasonal dwelling  
single dwelling

#### 6.3.2 Zone Provisions

1. lot area (min.)	0.4 ha
2. lot frontage (min.)	40 m
3. front yard depth (min.)	30 m, defined as the minimum setback from a watercourse
4. exterior side yard width (min.)	8 m
5. interior side yard width (min.)	3 m
6. rear yard depth (min.)	8 m, defined as the depth from a private right-of-way
7. lot coverage (maximum)	15%
8. building height (maximum)	11 m
9. dwellings per lot (maximum)	1
10. General Provisions	in accordance with Section 3
11. Specific Use Provisions	in accordance with Section 4
12. Overlay Zones	in accordance with Section 5

#### 6.3.3 Special Provisions

1. The front yard located next to a watercourse shall be maintained in a natural state except as shown on an approved site plan.

#### 6.3.4 Exception Zones *[reserved for future use]*

### 6.4 MOBILE HOME PARK (R4) ZONE

No person shall within any R4 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

#### 6.4.1 Permitted Uses

1. Residential Uses  
  
mobile home  
modular dwelling  
accessory single dwelling

## 2. Non-Residential Uses

assembly hall for mobile home park residents  
commercial storage for mobile home park residents  
convenience store  
laundromat  
mobile home sales  
private park  
accessory uses and structures to the foregoing

### 6.4.2 Zone Provisions

#### 1. Mobile Home Park

1. lot area (min.)	4 ha
2. lot frontage (min.)	80 m
3. front yard depth (min.)	10 m
4. exterior side yard width (min.)	10 m
5. interior side yard width (min.)	6 m
6. rear yard depth (min.)	10 m
7. landscaped open space (min.)	30%
8. building height (max.)	11 m
9. General Provisions	in accordance with Section 3
10. Specific Use Provisions	in accordance with Section 4
11. Overlay Zones	in accordance with Section 5

#### 2. Mobile Home Site or Lot

1. area (min.)	465 m <sup>2</sup>
2. frontage (min.)	15 m
3. front yard depth (min.)	6 m
4. exterior side yard width (min.)	6 m
5. interior side yard width (min.)	3 m
6. rear yard depth (min.)	6 m
7. site or lot coverage (max.)	30%

Where a yard is required for a dwelling site or lot, it may be included within the required front, exterior side, interior side or rear yard as set out in Section 6.4.2.1.

### 6.4.3 Special Provisions *[reserved for future use]*

### 6.4.4 Exception Zones *[reserved for future use]*



## **SECTION 7 VILLAGE CORE (VC) ZONE**

No person shall within any VC Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions.

### **7.1 Permitted Uses and Zone Provisions**

Residential uses in accordance with the Residential Type 2 (R2) Zone  
Commercial uses in accordance with the General Commercial (C1) Zone  
Institutional uses in accordance with the Institutional (I) Zone  
Open Space uses in accordance with the Open Space (O) Zone

### **7.2 Exception Zones *[reserved for future use]***

## **SECTION 8 COMMERCIAL ZONES**

No person shall use any lot or erect, alter or use any building or structure within any of the following Commercial Zones except in accordance with the following provisions.

### **8.1 GENERAL COMMERCIAL (C1) ZONE**

#### **8.1.1 Permitted Uses**

##### 1. Non-Residential Uses

- animal care
- animal clinic
- assembly hall
- bake shop
- beverage room
- butcher shop
- commercial school
- convenience store
- custom workshop
- financial office
- funeral home
- hotel
- institution
- laundromat
- licensed day nursery
- market
- medical clinic
- office
- personal service
- place of entertainment
- place of recreation
- repair service
- restaurant
- retail store
- shopping centre
- take out restaurant, excluding drive-through
- warehouse use accessory to any of the foregoing
- wholesale use accessory to any of the foregoing

##### 2. Residential Uses

- apartment unit or units in the upper storeys of a non-residential building
- existing residential buildings
- accessory single dwelling
- former residential buildings converted from a non-residential use back to a residential use

### 8.1.2 Zone Provisions

1. lot area (min.)
  - septic system 0.4 ha
  - sanitary sewer 1,200 m<sup>2</sup>
2. lot frontage (min.)
  - septic system 40 m
  - sanitary sewer 30 m
3. front yard depth (min.) 6 m
4. exterior side yard width (min.) 6 m
5. interior side yard width (min.) 3 m
6. rear yard depth (min.) 8 m
7. lot coverage (max.) 30%
8. building height (max.) 11 m
9. dwellings units (max.) 1 accessory single dwelling and 2 apartment units
10. General Provisions in accordance with Section 3
11. Specific Use Provisions in accordance with Section 4
12. Overlay Zones in accordance with Section 5

### 8.1.3 Special Provisions

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 8.1.2

### 8.1.4 Exception Zones *[reserved for future use]*

## 8.2 HIGHWAY COMMERCIAL (C2) ZONE

### 8.2.1 Permitted Uses

1. Non-Residential Uses
  - animal care
  - animal clinic
  - assembly hall
  - auction sale
  - automobile body shop
  - automobile care
  - automobile gas bar
  - automobile rental
  - automobile sales
  - automobile service station
  - automobile washing establishment
  - beverage room
  - building supply outlet
  - commercial school
  - commercial storage
  - contractor or tradesman establishment

convenience store  
 custom workshop  
 farm implement sales  
 farm supply sales  
 garden centre  
 hotel  
 market  
 open storage  
 personal service  
 place of entertainment  
 place of recreation  
 recreational vehicle sales  
 repair service  
 restaurant  
 take out restaurant  
 warehouse use accessory to any of the foregoing  
 wholesale use accessory to any of the foregoing

## 2. Residential Uses

accessory single dwelling or an accessory dwelling unit in a portion of a Non-Residential building, except that an accessory dwelling unit is not permitted in an automobile service station, automobile gas bar and automobile body shop.

### 8.2.2 Zone Provisions

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 |                              |
| • septic system                    | 0.4 ha                       |
| • sanitary sewer                   | 1,600 m <sup>2</sup>         |
| 2. lot frontage (min.)             | 40 m                         |
| 3. front yard depth (min.)         | 10 m                         |
| 4. exterior side yard width (min.) | 10 m                         |
| 5. interior side yard width (min.) | 3 m                          |
| 6. rear yard depth (min.)          | 8 m                          |
| 7. lot coverage (max.)             | 30%                          |
| 8. building height (max.)          | 11 m                         |
| 9. dwellings units (max.)          | 1                            |
| 10. General Provisions             | in accordance with Section 3 |
| 11. Specific Use Provisions        | in accordance with Section 4 |
| 12. Overlay Zones                  | in accordance with Section 5 |

### 8.2.3 Special Provisions

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 8.2.2

## 8.2.4 Exception Zones

### 1. C2-1: Lot 13, Concession II, 1370 Concession Road 1

The following provisions shall apply to the lands zoned C2-1.

#### 1. Permitted Uses

- Open market
- Existing single dwelling
- Accessory uses buildings and structures to any of the foregoing permitted uses

#### 2. Zone Provisions

- minimum lot area: 8.47 ha
- minimum lot frontage: 197.5 m
- minimum vending space per stall: 28 m<sup>2</sup>
- maximum vending space per stall: 46.4 m<sup>2</sup>
- maximum number of vending space stalls: 139
- minimum number of parking spaces: 330
- minimum number of handicapped parking spaces: 10  
(included in total)
- minimum setback from any watercourse: 30 m
- minimum width of access driveway: 7 m
- minimum width of parking or vending aisle: 4.5 m

#### 3. Additional Provisions

- The open market shall only be permitted to operate on Saturdays and Sundays from April 15 to October 15 between the hours of 7:00 AM and 6:00 PM.
- No permanent buildings shall be permitted as part of the open market.

## 8.3 RECREATRIONAL COMMERCIAL (C3) ZONE

### 8.3.1 Permitted Uses

#### 1. Non-Residential Uses

accessory convenience store, laundromat and/or office  
conservation  
golf course  
hotel  
hunting/fishing camp  
marina  
marine facility  
museum  
private park  
place of entertainment  
place of recreation  
restaurant  
take out restaurant  
tourist campground  
tourist establishment

## 2. Residential Uses

accessory single dwelling or an accessory dwelling unit in a portion of a Non-Residential building.

### 8.3.2 Zone Provisions

1. lot area (min.)
  - septic system 0.4 ha
  - sanitary sewer 1,600 m<sup>2</sup>
2. lot frontage (min.) 40 m
3. front yard depth (min.) 10 m
4. exterior side yard width (min.) 10 m
5. interior side yard width (min.) 3 m
6. rear yard depth (min.) 8 m
7. lot coverage (max.) 30%
8. building height (max.) 11 m
9. dwellings units (max.) 1
10. General Provisions in accordance with Section 3
11. Specific Use Provisions in accordance with Section 4
12. Overlay Zones in accordance with Section 5

### 8.3.3 Special Provisions

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 8.3.2

### 8.3.4 Exception Zones

1. C3-1: Lot 4, Concession III, Domaine Road

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to the lands zoned C3-1:

1. The permitted uses shall be restricted to the uses existing on January 15, 2003.
2. All subsequent development and redevelopment requiring private services shall be subject to a hydrogeology and terrain analysis study prepared to the satisfaction of the Ministry of the Environment, Conservation and Parks, or its designated agent.
3. The zone provisions of Section 6.4.4.2 shall apply to any mobile home or park model trailer site.

## SECTION 9 INSTITUTIONAL (I) ZONE

No person shall use any lot or erect, alter or use any building or structure within an Institutional Zone except in accordance with the following provisions.

### 9.1 Permitted Uses

#### 1. Non-Residential Uses

accessory office, restaurant, personal service shop, convenience store and/or retail store  
assembly hall  
cemetery  
community centre  
church  
funeral home  
hospital  
institution  
licensed day nursery  
medical clinic  
museum  
public park  
religious institution  
residential care facility  
retirement home  
school

#### 2. Residential Uses

accessory single dwelling or accessory dwelling unit in a portion of a Non-Residential building.

### 9.2 Zone Provisions

1. lot area (min.)
  - septic system 0.4 ha
  - sanitary sewer 1,200 m<sup>2</sup>
2. lot frontage (min.)
  - septic system 40 m
  - sanitary sewer 30 m
3. front yard depth (min.) 6 m in Community Policy Area and 10 m elsewhere
4. exterior side yard width (min.) 6 m in Community Policy Area and 10 m elsewhere
5. interior side yard width (min.) 3 m
6. rear yard depth (min.) 8 m
7. lot coverage (max.) 30%
8. building height (max.) 11 m
9. dwellings units (max.) 1
10. General Provisions in accordance with Section 3
11. Specific Use Provisions in accordance with Section 4
12. Overlay Zones in accordance with Section 5

### **9.3 Special Provisions**

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 9.2

### **9.4 Exception Zones**

1. I-1: 1988 Principale Street, Chute-a-Blondeau

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned I-1, the following provisions shall apply.

1. A retirement home is a permitted use.
2. The following provisions apply:
  - lot area (min.) 0.2 ha
  - rear yard depth (min.) 3 m
  - interior side yard width (min.) 2 m
3. No loading spaces are required.
4. The minimum number of parking spaces shall be 18.



**SECTION 10 OPEN SPACE (OS) ZONE**

No person shall use any lot or erect, alter or use any building or structure within an Open Space Zone except in accordance with the following provisions.

**10.1 Permitted Uses**

1. Non-Residential Uses

- accessory office, restaurant, personal service shop and/or retail store
- community centre
- conservation
- fairground
- golf course
- marina
- marine facility
- private park
- public park

2. Residential Uses

accessory single dwelling or accessory dwelling unit in a portion of a Non-Residential building.

**10.2 Zone Provisions**

- 1. lot area (min.)
  - septic system 0.4 ha
  - sanitary sewer 1,200 m<sup>2</sup>
- 2. lot frontage (min.)
  - septic system 40 m
  - sanitary sewer 30 m
- 3. front yard depth (min.) 6 m
- 4. exterior side yard width (min.) 6 m
- 5. interior side yard width (min.) 3 m
- 6. rear yard depth (min.) 8 m
- 7. lot coverage (max.) 30%
- 8. building height (max.) 11 m
- 9. dwellings units (max.) 1
- 10. General Provisions in accordance with Section 3
- 11. Specific Use Provisions in accordance with Section 4
- 12. Overlay Zones in accordance with Section 5

**10.3 Special Provisions**

- 1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 10.2

**10.4 Exception Zones [reserved for future use]**

## **SECTION 11 INDUSTRIAL ZONES**

Only those uses which are able to comply with The Health Protection and Promotion Act and are not likely to be obnoxious or dangerous by reason of fire, explosion, noise, smoke, or odour are permitted. Subject to this qualification, no person shall use any lot or erect, alter or use any building or structure within any Industrial Zone except in accordance with the following provisions.

### **11.1 RURAL INDUSTRIAL (M1) ZONE**

#### **11.1.1 Permitted Uses**

##### **1. Non-Residential Uses**

- abattoir
- accessory office and/or retail store
- agriculture-related use
- assembly plant
- automobile body shop
- bulk storage
- cannabis production and processing facility
- commercial storage
- communication facility
- contractor or tradesman establishment
- custom workshop
- dairy
- fabricating plant
- farm implement sales
- farm supply sales
- industrial facility
- industrial mall
- industrial or business service
- manufacturing plant
- open storage
- printing shop
- processing plant excluding abattoirs, rendering plants, and similar operations
- repair service
- transportation facility
- warehouse
- wholesale outlet

##### **2. Residential Uses**

an accessory dwelling house or an accessory dwelling unit in a portion of a Non-Residential building, except that an accessory dwelling unit is not permitted in an automobile body shop, retail propane/compressed natural gas transfer facility.

### 11.1.2 Zone Provisions

1. lot area (min.)
  - Septic system 0.4 ha
  - sanitary sewer 1,600 m<sup>2</sup>
2. lot frontage (min.) 40 m
3. front yard depth (min.) 10 m
4. exterior side yard width (min.) 10 m
5. interior side yard width (min.) 8 m
6. rear yard depth (min.) 8 m
7. lot coverage (max.) 30%
8. building height (max.) 11 m
9. dwellings units (max.) 1
10. General Provisions in accordance with Section 3
11. Specific Use Provisions in accordance with Section 4
12. Overlay Zones in accordance with Section 5

### 11.1.3 Special Provisions

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 13.2.

### 11.1.4 Exception Zones *[reserved for future use]*

## 11.2 SALVAGE YARD (M2) ZONE

### 11.2.1 Permitted Uses

1. Non-Residential Uses
  - salvage yard
2. Residential Uses
  - accessory single dwelling

### 11.2.2 Zone Provisions

1. Non-Residential Uses
  1. lot area (min.) 2 ha
  2. lot frontage (min.) 60 m
  3. front yard depth (min.) 15 m
  4. exterior side yard width (min.) 15 m
  5. interior side yard width (min.) 15 m
  6. rear yard depth (min.) 15 m
  7. lot coverage (max.) 20%
  8. building height (max.) 11 m
  9. dwellings units (max.) 1
  10. General Provisions in accordance with Section 3
  11. Specific Use Provisions in accordance with Section 4
  12. Overlay Zones in accordance with Section 5

### 11.2.3 Special Provisions

#### 1. Accessory Single Dwelling

An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 13.2

#### 2. Open Storage and Uses

1. A solid fence, wall or berm, a minimum of 2.4 m in height shall be erected around the area used for storage, handling and/or processing.
2. No storage shall be permitted to extend above the height of the fence, wall or berm.
3. The minimum landscaped open space requirement does not apply to open storage and uses.

#### 3. Landscaped Open Space

The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard and where parking is provided. The required yards shall not be used for the storage of vehicles or equipment associated with the salvage yard use.

### 11.2.4 Exception Zones *[reserved for future use]*

## 11.3 WASTE DISPOSAL (M3) ZONE

### 11.3.1 Permitted Uses

waste disposal  
recycling depot or transfer facility

### 11.3.2 Zone Provisions

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 | 2 ha                         |
| 2. lot frontage (min.)             | 60 m                         |
| 3. front yard depth (min.)         | 30 m                         |
| 4. exterior side yard width (min.) | 30 m                         |
| 5. interior side yard width (min.) | 30 m                         |
| 6. rear yard depth (min.)          | 30 m                         |
| 7. lot coverage (max.)             | 20%                          |
| 8. building height (max.)          | 11 m                         |
| 9. General Provisions              | in accordance with Section 3 |
| 10. Specific Use Provisions        | in accordance with Section 4 |
| 11. Overlay Zones                  | in accordance with Section 5 |

### **11.3.3 Special Provisions**

1. The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard and where parking is provided. The required yards shall not be used for the storage of vehicles or equipment associated with the waste disposal use.

### **11.3.4 Exception Zones** *[reserved for future use]*

## SECTION 12 MINERAL EXTRACTION (MX) ZONE

No person shall use any lot or erect, alter or use any building or structure within a Mineral Extraction Zone except in accordance with the following provisions.

### 12.1.1 Permitted Uses

conservation, excluding buildings  
forestry, excluding buildings  
agriculture, excluding buildings  
pit  
quarry

### 12.1.2 Zone Provisions

1. lot area (min.)	no minimum
2. lot frontage (min.)	no minimum
3. front yard depth (min.)	30 m
4. exterior side yard width (min.)	30 m
5. interior side yard width (min.)	15 m
6. rear yard depth (min.)	15 m
7. building height (max.)	11 m excluding processing structures
8. General Provisions	in accordance with Section 3
9. Specific Use Provisions	in accordance with Section 4
10. Overlay Zones	in accordance with Section 5

### 12.1.3 Special Provisions

#### 1. Landscaped Open Space

The required yards shall be used for no purpose other than landscaped open space except where a driveway or entrance passes through the required yard and where parking is provided. The required yards shall not be used for the storage of vehicles or equipment associated with the mineral extraction use.

#### 2. Separation Distances

No pit shall be located closer than 300 m from an existing dwelling, and no quarry shall be located closer than 500 m from an existing dwelling on another lot.

### 12.1.4 Exception Zones *[reserved for future use]*

**SECTION 13 RURAL (RU) ZONE**

No person shall use any lot or erect, alter or use any building or structure within a Rural Zone except in accordance with the following provisions.

**13.1 Permitted Uses**

1. Non-Residential Uses

- agriculture
- animal clinic
- cemetery
- church
- conservation
- forestry
- hobby farm
- hunting/fishing camp
- kennel
- livestock facilities
- on-farm diversified uses

2. Residential Uses

- single dwelling
- semi-detached dwelling
- duplex dwelling
- accessory single dwelling

**13.2 Zone Provisions**

- |                                    |   |
|------------------------------------|---|
| 1. lot area (min.)                 | 0.4 ha  |
| 2. lot frontage (min.)             | 40m   |
| 3. front yard depth (min.)         | 10 m adjacent to an existing public road<br>6m on an interior lot in a plan of subdivision  |
| 4. exterior side yard width (min.) | 10 m adjacent to an existing public road<br>6 m on an interior lot in a plan of subdivision |
| 5. interior side yard width (min.) | 3 m   |
| 6. rear yard depth (min.)          | 8 m   |
| 7. lot coverage (max.)             | 20%   |
| 8. building height (max.)          | 11 m  |
| 9. dwellings per lot (max.)        | 1   |
| 10. General Provisions             | in accordance with Section 3  |
| 11. Specific Use Provisions        | in accordance with Section 4  |
| 12. Overlay Zones                  | in accordance with Section 5  |

### 13.3 Special Provisions

#### 1. Second Single Dwelling

Notwithstanding Section 13.2.9 to the contrary, a second single dwelling may be erected as an accessory single dwelling on a lot having an area of at least 40 ha, provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons whose principal occupation is the conduct of an agriculture use.

#### 2. Agriculture and Hobby Farm

Agriculture uses that include the keeping of livestock and hobby farm uses shall be subject to the following additional provisions.

1. The minimum lot area shall be 2 ha.
2. The Minimum Distance Separation Formulae shall apply.

#### 3. Kennel

A kennel use shall be subject to the following additional provisions.

1. The minimum lot area shall be 4 ha.
2. No kennel shall be located closer than 200 m from an existing dwelling on another lot.

### 13.4 Exception Zones

#### 1. RU-1: Lot 27, Broken Front Concession, Golf Road

Notwithstanding any provisions of Section 13 of this By-law to the contrary, on the lands zoned RU-1, the following provisions shall apply:

1. The permitted uses shall be restricted to:
  - single dwelling
  - open space
2. The zone provisions shall be as follows:

• minimum lot area:	0.4 ha
• minimum lot frontage:	30 m
• minimum setback from any watercourse:	15 m
• minimum setback from top of bank:	10 m

#### 2. RU-2: Lot 1, Concession 6, La Grande Montee Road

Notwithstanding any provisions of Section 13 of this By-law to the contrary, on the lands zoned RU-2, the following provisions shall apply.



1. An accessory building for the for the storage of industrial equipment shall be permitted.
  2. The maximum permitted height for the accessory storage building shall be 11 m.
  3. No open storage is permitted.
3. RU-3; Lot 1, Gore Concession 6, Concession Road 7

Notwithstanding any provisions of this Bylaw to the contrary, on the lands zoned RU-3, a farm produce outlet may offer meat and fish products that are not produced on the farm on which the farm produce outlet is located.

4. RU-4: Lot 30, Concession 1, 3030 Front Road

Notwithstanding any provisions of Section 13 of this By-law, on the lands zoned RU-4, the following provisions shall apply.

1. No minimum lot frontage shall be required, provided that access to a public road can be provided by a registered right-of-way.
  2. The minimum front yard setback shall be 5 m.
5. RU-5: Lot 1, Concession 6, Concession Road 7

Notwithstanding any provisions of Section 13 of this By-law, on the lands zoned RU-5, residential uses are not permitted.

6. RU-6: Lot 4, Concession 3, Domaine Road

Notwithstanding any provisions of Section 13 of this By-law, on the lands zoned RU-6, the permitted uses shall be restricted to one single dwelling.

7. RU-7: Lot 33, Concession 1 3379 Front Road

Notwithstanding any provisions of Section 13 to the contrary, on the lands zoned RU-7, the following provisions shall apply.

1. The minimum lot area shall be 2,530 m<sup>2</sup>.
  2. The minimum lot frontage shall be 25 m.
8. RU-8: Lot 33 Concession 1, 3377 Front Road

Notwithstanding any provisions of Section 13 to the contrary, on the lands zoned RU-8, the following provisions shall apply.

1. The minimum lot frontage shall be 7.5 m.
2. The minimum rear yard setback shall be 7.9 m.

9. RU-9: Lot 24, Concession Broken Front, 2425 Front Road

Notwithstanding any provisions of Section 13 to the contrary, on the lands zoned RU-9, the minimum front yard depth shall be 30 m.

10. RU-10: Lot 22, Concession Broken Front

Notwithstanding any provisions of Section 13 to the contrary, on the lands zoned RU-10, the minimum front yard depth shall be 80 m.

## **SECTION 14 AGRICULTURE ZONES**

No person shall use any lot or erect, alter or use any building or structure within any of the following Agriculture Zones except in accordance with the following provisions

### **14.1 AGRICULTURE TYPE 1 (A1) ZONE**

#### **14.1.1 Permitted Uses**

##### 1. Non-Residential Uses

- agriculture
- conservation
- forestry
- hobby farm
- kennel
- livestock facilities
- on-farm diversified uses

##### 2. Residential Uses

- accessory single dwelling to an agriculture use
- single dwelling
- surplus farm dwelling on a lot created by the Land Division Committee

#### **14.1.2 Zone Provisions**

1. lot area (min.)	40 ha
2. lot frontage (min.)	40 m
3. front yard depth (min.)	10 m
4. exterior side yard width (min.)	10 m
5. interior side yard width (min.)	6 m
6. rear yard depth (min.)	8 m
7. lot coverage (max.)	20%
8. building height (max.)	11 m
9. dwellings per lot (max.)	1
10. General Provisions	in accordance with Section 3
11. Specific Use Provisions	in accordance with Section 4
12. Overlay Zones	in accordance with Section 5

#### **14.1.3 Special Provisions**

##### 1. Second Single Dwelling

Notwithstanding Section 14.1.2.9 to the contrary, a second single dwelling may be erected as an accessory single dwelling on a lot having an area of at least 40 ha, provided one dwelling is to be occupied by the owner of the lands and the other dwelling is to be occupied by a person or persons whose principal occupation is the conduct of an agriculture use.

2. Surplus Farm Dwelling

Notwithstanding Sections 14.1.2.1 and 14.1.2.2 to the contrary, the minimum lot area and minimum lot frontage for a new lot that is to be created by consent on which there is an existing single dwelling that is surplus to an agriculture use shall be as approved by the consent granting authority.

3. Kennel

Where an existing lot of record has less than the required minimum lot area, such lot may be used for a kennel subject to the following provisions:

1. The minimum lot area shall be 4 ha.
2. No kennel shall be located closer than 200 m from an existing dwelling on another lot.

4. Hobby Farm

Where an existing lot of record has less than the required minimum lot area, such lot may be used for a hobby farm subject to the following provisions.

1. The minimum lot area shall be 2 ha.
2. The Minimum Distance Separation Formulae shall apply.

**14.1.4 Exception Zones**

1. A1-1: Lot 5, Concession IX, Concession Road 9

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-1, the minimum lot frontage shall be 18 m.

2. A1-2: Lot 32, Concession IV, County Road 10

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-2, the Minimum Distance Separation shall be 42.9 m.

3. A1-3: Lot 17, Concession VII, Concession Road 7

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-3, a second single dwelling shall be permitted.

4. A1-4: Lot 23, Concession VI, Concession Road 7

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-4, the minimum lot area shall be 29 ha.

5. A1- 5: Lots 5 and 6, Concession VI, Concession Road 7

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-5, the minimum lot area shall be 6 ha.

6. A1-6: Lot 5, Concession 7, Lalonde-Martineau Road

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-6, the following provisions shall apply.

1. The minimum side and rear yard setbacks may be reduced to 0m for all buildings and structures existing on August 7, 2007.
2. All subsequent buildings and structures shall meet the minimum yard requirements of Section 14.1.2.
3. The minimum lot area shall be 0.4 ha and the maximum lot area shall be 3 ha.

7. A1-7: Lot 1, Gore Concession 2, La Grande Montee Road

Notwithstanding any provisions of Section 14 of this By-law to the contrary, on the lands zoned A1-7, two single dwellings shall be permitted.

8. A1-8: Lots 20 and 21, Concession 5, County Road 10

Notwithstanding any provisions of Section 14 of this By-law to the contrary, on the lands zoned A1-8, a gun club is a permitted use.

9. A1-9: Lot 24, Concession 4, Concession Road 3

Notwithstanding the provisions of Section 14 of this By-law to the contrary, on the lands zoned A1-9, no development shall be permitted.

10. A1-10: Concession 8, Tittley Road

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-10, the following provisions shall apply:

1. the minimum lot area shall be 5.8 ha;
2. the permitted uses shall include:
  1. agriculture (including on-farm diversified uses)
  2. agri-tourism uses
  3. arboretum
  4. a second single detached dwelling to be used as a bed & breakfast with a maximum 10 guest suites
  5. agricultural-related use limited to the processing and sale of agricultural products
  6. education, demonstration and cultural activities associated with the foregoing uses

11. A1-11: Concession 8, Tittley Road

Notwithstanding any provisions of this By-law to the contrary, on the lands zoned A1-11, the permitted uses shall include:

1. agriculture (including on-farm diversified uses)
2. agri-tourism uses
3. guest accommodation in temporary facilities, either in moveable log cabins or tepees, with a maximum of 10 sites
4. education, demonstration and cultural activities associated with the foregoing uses

**14.2 AGRICULTURE TYPE 2 (A2) ZONE**

**14.2.1 Permitted Uses**

1. Non-Residential Uses

agriculture  
conservation  
forestry  
livestock facilities  
on-farm diversified uses

2. Residential Uses

all residential uses are prohibited

**14.2.2 Zone Provisions**

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 | no minimum                   |
| 2. lot frontage (min.)             | no minimum                   |
| 3. front yard depth (min.)         | 10 m                         |
| 4. exterior side yard width (min.) | 10 m                         |
| 5. interior side yard width (min.) | 6 m                          |
| 6. rear yard depth (min.)          | 8 m                          |
| 7. lot coverage (max.)             | 20%                          |
| 8. building height (max.)          | 11 m                         |
| 9. General Provisions              | in accordance with Section 3 |
| 10. Specific Use Provisions        | in accordance with Section 4 |
| 11. Overlay Zones                  | in accordance with Section 5 |

**14.2.3 Special Provisions** *[reserved for future use]*

**14.2.4 Exception Zones** *[reserved for future use]*

## **14.3 AGRICULTURE TYPE 3 (A3) ZONE**

### **14.3.1 Permitted Uses**

#### 1. Non-Residential Uses

agriculture-related uses  
conservation  
forestry  
livestock facilities  
on-farm diversified uses

#### 2. Residential Uses

an accessory single dwelling or an accessory dwelling unit in a portion of a Non-Residential building

### **14.3.2 Zone Provisions**

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 | 0.4 ha                       |
| 2. lot frontage (min.)             | 40 m                         |
| 3. front yard depth (min.)         | 10 m                         |
| 4. exterior side yard width (min.) | 10 m                         |
| 5. interior side yard width (min.) | 6 m                          |
| 6. rear yard depth (min.)          | 8 m                          |
| 7. lot coverage (max.)             | 20%                          |
| 8. building height (max.)          | 11 m                         |
| 9. dwellings per lot (max.)        | 1                            |
| 10. General Provisions             | in accordance with Section 3 |
| 11. Specific Use Provisions        | in accordance with Section 4 |
| 12. Overlay Zones                  | in accordance with Section 5 |

### **14.3.3 Special Provisions**

1. An accessory single dwelling shall be located on the lot so that there is a private amenity area abutting each exterior wall which is measured as though the dwelling is located on a separate lot in accordance with the provisions of Section 14.3.2

### **14.3.4 Exception Zones *[reserved for future use]***

## **SECTION 15 WETLAND (W) ZONE**

No person shall use any lot or erect, alter or use any building or structure within a Wetland Zone except in accordance with the following provisions.

### **15.1 Permitted Uses**

#### 1. Non-Residential Uses

conservation, excluding buildings  
existing uses

#### 2. Residential Uses

existing uses

### **15.2 Zone Provisions**

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 | existing                     |
| 2. lot frontage (min.)             | existing                     |
| 3. front yard depth (min.)         | 10 m                         |
| 4. exterior side yard width (min.) | 10 m                         |
| 5. interior side yard width (min.) | 6 m                          |
| 6. rear yard depth (min.)          | 8 m                          |
| 7. lot coverage (max.)             | 20%                          |
| 8. building height (max.)          | 11 m                         |
| 9. General Provisions              | in accordance with Section 3 |
| 10. Specific Use Provisions        | in accordance with Section 4 |
| 11. Overlay Zones                  | in accordance with section 5 |

### **15.3 Special Provisions**

1. No building or structure shall be erected or enlarged and no change of use shall be permitted except for a conservation use.

### **15.4 Exception Zones *[reserved for future use]***



## SECTION 16 DEVELOPMENT (D) ZONE

No person shall use any lot or erect, alter or use any building or structure within a Development Zone except in accordance with the following provisions.

### 16.1 Permitted Uses

Existing uses

### 16.2 Zone Provisions

- |                                    |                              |
|------------------------------------|------------------------------|
| 1. lot area (min.)                 | existing                     |
| 2. lot frontage (min.)             | existing                     |
| 3. front yard depth (min.)         | 10 m                         |
| 4. exterior side yard width (min.) | 10 m                         |
| 5. interior side yard width (min.) | 6 m                          |
| 6. rear yard depth (min.)          | 8 m                          |
| 7. lot coverage (max.)             | 20%                          |
| 8. building height (max.)          | 11 m                         |
| 9. General Provisions              | in accordance with Section 3 |
| 10. Specific Use Provisions        | in accordance with Section 4 |
| 11. Overlay Zones                  | in accordance with Section 5 |

### 16.3 Special Provisions *[reserved for future use]*

### 16.4 Exception Zones *[reserved for future use]*

**SECTION 17 APPROVAL**

This By-law shall become effective on the date of passing hereof, subject to the approval of the Local Planning Appeal Tribunal or following the last date for filing objections, as the case may be.

**READ A FIRST AND SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, AND READ A THIRD TIME AND FINALLY PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
**Robert Kirby, Mayor**

\_\_\_\_\_  
**Hemi Villeneuve, Clerk**