

# Township of Stirling-Rawdon

## Zoning By-law

### 320-03



**Embracing the Future  
while Remembering our Past**



#### **Office Consolidation: July 2023**

(Contains amendments up to July 31, 2023)

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Official versions of all By-laws can be obtained from the Clerk's Office by calling (613) 395-3380.

**TOWNSHIP OF STIRLING-RAWDON**

**COMPREHENSIVE ZONING BY-LAW 320-03**

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**FILE NO.: 21527-1**

TOWNSHIP OF STIRLING-RAWDON  
ZONING BY-LAW 320-03

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**THE CORPORATION OF THE TOWNSHIP OF STIRLING-RAWDON**

**ZONING BY-LAW  
(By-law No. 320-03)**

**SECTION 1 - PURPOSE**

This comprehensive Zoning By-law is intended to prohibit the use of land and the erection or use of buildings or structures for or except for such purposes as set down in this by-law; to prohibit the erection or use of buildings on land which is subject to flooding, or on land by reason of its rocky, marshy or unstable character the cost of construction of satisfactory waterworks, sewage, or drainage facilities is prohibitive; to regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; to regulate the minimum frontage and depth of a parcel of land and the portion of the area thereof that any building or structure may occupy; to require loading and parking facilities for buildings or structures erected or used for certain purposes; to prohibit the making or establishment of pits and quarries within defined areas and to regulate the making or establishment of pits and quarries within defined areas of the municipality.

**SECTION 2 - TITLE**

This By-law shall be cited as "Zoning By-law No. 320-03" and shall apply to all land included within the Township of Stirling-Rawdon as shown on the attached Schedules.

**BY-LAW 988-84 OF THE VILLAGE OF STIRLING IS HEREBY REPEALED.**

**BY-LAW 1360-91 OF THE TOWNSHIP OF RAWDON IS HEREBY REPEALED.**

**READ A FIRST TIME THIS 3RD DAY OF FEBRUARY, 2003.**

**READ A SECOND TIME THIS 3RD DAY OF FEBRUARY, 2003.**

**READ A THIRD TIME AND FINALLY PASSED THIS 3RD DAY OF FEBRUARY, 2003.**

\_\_\_\_\_  
**Original Signed by:**  
**Mayor**

\_\_\_\_\_  
**Original Signed by:**  
**Administrator/Clerk**

**I hereby certify that the following is a true copy of By-law No. 320-03 as enacted by the Council of the Corporation of the Township of Stirling-Rawdon.**

\_\_\_\_ day of \_\_\_\_, 2003.

**Administrator/Clerk, Township of Stirling-Rawdon**

### **SECTION 3 - DEFINITIONS**

For the purposes of this By-law, the definitions and interpretations in this Section shall govern unless the context indicates otherwise. The word "shall" is mandatory and not directory. Words used in the present tense include the future tense and the reverse. Words used in the plural number include the singular number and the reverse.

- 3.1 "ABANDONED"** shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.
- 3.2 "ABATTOIR"** shall mean a slaughter-house designed for the purpose of killing animals, skinning, dressing and cutting up of carcasses, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.
- 3.3 "ACCESSORY BUILDING"** shall mean a detached building or structure the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith and includes, but is not limited to, the following: sauna, boathouse, gazebo, pumphouse and deck.
- 3.4 "ACCESSORY USE"** shall mean a use customarily incidental and subordinate to, and exclusively devoted to the main use of the lot, building or structure and located on the same lot as such main use.
- 3.5 "ADJACENT LANDS (WETLAND)"** shall mean those lands within 120 metres (393.7 ft.) of an individual Environmental Protection Wetland Zone.
- 3.6 "AGGREGATES"** shall mean gravel, sand, clay earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, or other material prescribed under the *Aggregate Resources Act*, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.
- 3.7 "AGRICULTURE/AGRICULTURAL USE"** shall mean the use of land, buildings, or structures for the purposes of the growing of field crops, flower gardening, market gardening, berry crops, tree crops, nurseries, aviaries, apiaries or farms for the grazing, breeding, raising, boarding of livestock or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops, or livestock on the same lot.
- 3.8 "AGRICULTURAL PRODUCE SALES OUTLET"** shall mean a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 3.9 "AIR TREATMENT CONTROL"** shall mean the functional use of industrial grade 2.5 multi-stage carbon filtration system, or similar technology, to reduce and/or treat the

emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person

- 3.10 "ALTER"** shall mean any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a building or structure or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, the word "alter" means to decrease the width, depth or area of any required yard, setback, landscaped open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.
- 3.11 "AMUSEMENT ARCADE"** shall mean a building or place of amusement containing games of chance and/or skill, including pinball/video games and billiards to be used by the general public for recreational purposes and operated for a profit. This definition does not include an establishment, the primary use of which is not an amusement arcade and in which not more than 3 such games of chance are located.
- 3.12 "APIARY"** shall mean a place where bees, bee hives, or bee colonies are kept for the purpose of producing honey.
- 3.13 "ARENA"** shall mean a building or structure constructed around an ice rink, including spectator seating, two or more seating areas for visiting teams and provisions made for storage and access of ice cleaning equipment and all other required equipment used for the purpose of organized activities including sports and other group functions.
- 3.14 "ART GALLERY"** shall mean a building or structure for the creation and display of art, sculpture, photography, crafts, and similar products.
- 3.15 "ASSEMBLY HALL"** shall mean a building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and shall include a banquet hall, private club or fraternal organization.
- 3.16 "ASSEMBLY OPERATION"** shall mean the assembling of finished parts or materials into a final product but shall not include any largescale manufacturing operation or any operation discharging large amounts of liquids.
- 3.17 "AUCTION OUTLET"** shall mean a building or part of a building where goods, merchandise, substances, articles, or things are sold at a public sale to the person who bids or offers a higher price than any other is willing to pay.
- 3.18 "AUTOMOBILE"** shall mean any vehicle propelled or driven otherwise than by muscular power, but does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running upon rails.
- 3.19 "AUTOMOBILE BODY SHOP"** shall mean a building where automotive cleaning, polishing, body repair and repainting is conducted but shall not include any other automotive use.

- 3.20 "AUTOMOBILE SALES AGENCY (New and Used)"** shall mean a building and/or lot used for the display and sale of new and used automobiles and may include the servicing, repair and repainting of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.
- 3.21 "AUTOMOBILE SERVICE STATION"** shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of motor vehicles is executed or performed. An automobile service station may operate on a self-serve basis.
- 3.22 "BAKE SHOP"** shall mean the commercial use of land, buildings, or structures for the purposes of processing, baking, and retail sale of baked goods.
- 3.23 "BASEMENT"** shall mean that portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height above the adjoining ground level.
- 3.24 "BASEMENT, WALKOUT"** shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than .5 metres below grade, and which has an entrance and exit at grade level.
- 3.25 "BED AND BREAKFAST ESTABLISHMENT"** shall mean a single detached dwelling containing not more than 4 guest rooms used or maintained for the short-term accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for 4 or more persons but does not include other establishments otherwise defined or classified herein.
- 3.26 "BOARDING OR ROOMING HOUSE"** shall mean a dwelling in which long-term lodging with or without meals is supplied for gain to not more than 4 guest rooms but does not mean or include a motel, hotel, hospital or similar commercial, community facility or institutional use, an apartment building or a bed and breakfast establishment.
- 3.27 "BOATHOUSE, PRIVATE"** shall mean a detached accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy, which does not exceed 4.1 m (13.45 ft.) In height.
- 3.28 "BUILDING (when used as a noun)"** shall mean any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials, or equipment. Any tent, awning, bin, silo, vessel, or vehicle used for any of the said purposes shall be deemed a building.



- 3.29 "BUILDING HEIGHT"** shall mean the vertical distance between the established grade and:
- a) the highest point of a flat roof;
  - b) the deck line of a mansard roof;
  - c) the mean height between the eaves and ridges of a gabled or hip roof;
  - d) but exclusive of a roof or penthouse structure accommodating an elevator, staircase, tank, ventilating fan, or other similar equipment; a smoke stack; barn; silo; communications tower; drive-in theatre screen; or other utilitarian structure which does not provide habitable living space.
- 3.30 "BUILDING, SUPPLY OUTLET"** shall mean an establishment involved in the storage, display and sales of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.
- 3.31 "BUILDING, PRINCIPAL"** shall mean a building or structure in which the primary use is conducted.
- 3.32 "BULK DEALER"** shall mean the use of land, structure, or building for the purposes of buying and selling merchandise or materials that are not included in the "Bulk Fuel Dealer" definition.
- 3.33 "BULK FUEL DEALER"** shall mean the use of land, building, or structure for the purposes of buying and selling coal, fuel, oil, wood, lumber, building materials and ice, but does not include any manufacturing industry, as defined herein.
- 3.34 "BULK STORAGE YARD"** shall mean a place where land is used for the storage in the open of goods and materials, machinery, petroleum products and/or equipment, but does not include the storage of such items as would require approval under the Health Protection and Promotion Act, as amended, nor does it include a salvage yard as defined by this by-law.
- 3.35 "BUNKHOUSE"** shall mean a separate building without sanitary sewage facilities used or intended to be used for the seasonal accommodation of workers on a farm, in which lodging with or without meals is supplied or is intended to be supplied to such employees, which use is not for profit, reward or gain, and which may include a travel trailer.
- 3.36 "BUSINESS, ADMINISTRATIVE OR PROFESSIONAL OFFICE"** shall mean any building or part of a building in which one or more persons are employed in the management or direction of any agency, business, brokerage, labour or fraternal organization and shall include offices for doctors, dentists, optometrists, chiropractors, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, Ontario Land Surveyors or Chartered Accountants and for any purpose incidental thereto the administrative office or offices of a non-profit organization or a business administrative office or offices.
- 3.37 "BY-LAW ENFORCEMENT OFFICER"** shall mean the officer or employee of the municipality appointed by the Corporation with the duty of administering and enforcing the provisions of all municipal by-laws.

- 3.38 "CABIN, SLEEPING"** shall mean an accessory and subordinate detached building or structure with a maximum of 29.7 sq. m (320 sq. ft.) designed as sleeping accommodation only to permit the better or more convenient enjoyment of the principal seasonal residential dwelling and shall not contain any plumbing or sanitary waste disposal systems. In no case shall the definition of a sleeping cabin be deemed to include a premise for the temporary accommodation of members of the public for a fee. In the case of a sleeping cabin to be located on a lot which is at least two times the minimum lot frontage and lot area required by this By-law; a maximum of 55.7 sq. m (600 sq. ft.) may be permitted.
- 3.39 "CABIN, TOURIST"** shall mean a detached building for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.
- 3.40 "CAMP, CHARITABLE"** shall mean a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.
- 3.41 "CAMPER TRAILER"** shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for temporary living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle.
- 3.42 "CAMPING ESTABLISHMENT"** shall mean a tourist establishment consisting of at least five (5) camping lots and comprising land used or maintained as grounds for the camping or temporary parking of travel trailers, motorized mobile homes, truck campers, camper trailers or tents but does not include parks or camping grounds maintained by any department of the Government of Ontario of Canada or any Crown corporation, commission, or board.
- 3.43 "CANNABIS"** shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs, fiber, and biofuel).
- 3.44 "CANNABIS PRODUCTION AND PROCESSING"** shall mean lands, buildings, or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health pursuant to the Access to Cannabis for Medical Purposes Regulations, the Controlled Drugs and Substances Act, or any applicable legislation or successors thereto.
- 3.45 "CARPORT"** shall mean a building or structure of which is used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one ton capacity and wherein neither servicing nor repairing of motor vehicles is carried on for remuneration.
- 3.46 "CAR WASH"** shall mean building or structure for the operation of automobile washing.

- 3.47 "CAR WASH, AUTOMATIC"** shall mean a car wash where the labour is not supplied by the patron.
- 3.48 "CAR WASH, COIN OPERATED"** shall mean a car wash where the patron supplies the labour.
- 3.49 "CARTAGE OR EXPRESS TRUCK TERMINAL"** shall mean a building, structure, or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a warehouse.
- 3.50 "CELLAR"** shall mean the portion of a building or structure which is partly underground and below the first floor and which has at least one half of its clear height below the adjoining ground level.
- 3.51 "CEMETERY"** shall mean a cemetery or columbarium within the meaning of the Cemetery Act, as amended.
- 3.52 "CERTIFICATE OF OCCUPANCY"** shall mean a certificate issued by the Chief Building Official for the occupancy of any land, building or structure, residential, commercial, or industrial purposes to the effect that the proposed use or activity complies with this By-law.
- 3.53 "CHIEF BUILDING OFFICIAL"** shall mean the officer or employee of the municipality and appointed by the Corporation with the duty of administering the provisions of the Ontario Building Code, Building By-law, and Zoning By-law.
- 3.54 "CHURCH"** means a building which may include a church hall, auditorium, Sunday school, convent, monastery, or other related uses, dedicated to public worship by a recognized religion that is:
- a) charitable according to the laws of Ontario;
  - b) organized for the conduct of religious worship; and
  - c) permanently established both as to the continuity of its existence and as to its religious beliefs and practices.
- 3.55 "CLINIC"** shall mean a building or part thereof used by qualified medical practitioners, dentists, osteopaths, or drugless practitioners, numbering more than two for public or private medical, surgical, physiotherapeutic, or other human health purposes, but does not include a private or public hospital.
- 3.56 "CLUB"** see "PRIVATE CLUB" and "COMMERCIAL CLUB".
- 3.57 "COMMERCIAL"** shall mean the use of land, buildings, or structures for the purpose of buying and selling commodities and supplying services as distinguished from such uses as the manufacturing or assembling of goods, warehousing, transport terminals, construction, and other similar uses.

- 3.58 "COMMERCIAL CLUB"** shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.
- 3.59 "COMMERCIAL RECREATIONAL ESTABLISHMENT"** shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club, or similar uses.
- 3.60 "COMMERCIAL VEHICLE"** shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor busses including school busses and tractor trailers used for hauling purposes on the highway.
- 3.61 "COMMUNITY CENTRE"** shall mean any tract of land, building or buildings used for community activities whether used for commercial purposes or not, the control of which is operated under the Community Centres Act, as amended from time to time.
- 3.62 "CONSERVATION/CONSERVATION USES"** shall mean the preservation, protection, improvement, and use of land and/or water for the purpose of planned management of these natural resources.
- 3.63 "CONTRACTOR'S YARD"** shall mean a place where land is used for the storage in the open, of goods and materials, machinery and/or equipment normally utilized by the construction industry and may include the repair of machinery, but does not include the storage of such items as would require approval under the Health Protection and Promotion Act, as amended, nor does it include a salvage yard as defined by this by-law nor equipment or materials used for blasting.
- 3.64 "CONVERTED DWELLING"** see "DWELLING, CONVERTED".
- 3.65 "CORNER LOT"** see "LOT, CORNER".
- 3.66 "CORPORATION"** shall mean the Corporation of the municipality.
- 3.67 "COTTAGE, HOUSEKEEPING"** shall mean a temporary dwelling unit in a tourist establishment designed for human habitation and equipped with a kitchen, and having a water supply in common with the other buildings in a group, should the cottage be part of a group of similar cottages.
- 3.68 "COUNCIL"** shall mean the Municipal Council of the Corporation.
- 3.69 "CRAFT SHOP"** shall mean a building or structure where manufacturing is performed by tradesmen or craftsmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweler's shop, sculptor's studio, or similar uses. A craft shop may also involve the sale of goods or materials manufactured on the premises.
- 3.70 "DAY NURSERY"** shall mean a facility operated for pre-school age children within the meaning of The Day Nurseries Act, as amended.

- 3.71 "DECK"** shall mean a horizontal surface supported on piers, free of any roof or other covering and which may be surrounded by a railing the height of which is governed by the Ontario Building code.
- 3.72 "DEER YARD"** shall mean any area where deer concentrate in the winter months.
- 3.73 "DERELICT VEHICLE"** shall mean a motor vehicle, whether intact or operable, which:
- a) is not currently licensed or is not exempt from licensing for operation on a highway under the provisions of the Highway Traffic Act; and
  - b) has not been moved under its own power during any period of 21 consecutive days; and
  - c) is not located in an enclosed building or other location so as not to be visible from any adjacent lands which are not occupied by the owner of the vehicle,
- but shall not include a motor vehicle which is kept for sale or repair upon premises which are lawfully used hereunder for a motor vehicle body shop, motor vehicle repair garage, motor vehicle service station or a motor vehicle sales lot.
- 3.74 "DEVELOPMENT"** shall mean the construction, erection, or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes such related activities as site grading and the placing or dumping of fill and/or any other operations that disrupt the natural environment in, on, over or under land or water.
- 3.75 "DOCK"** shall mean a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse.
- 3.76 "DOCK, COMMUNAL"** shall mean any dock owned and/or used by more than one interest.
- 3.77 "DRIVE-IN RESTAURANT"** see "RESTAURANT, DRIVE-IN".
- 3.78 "DRIVEWAY"** shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking aisle.
- 3.79 "DRY CLEANING SHOP"** see "LAUNDRY AND DRY-CLEANING SHOP".
- 3.80 "DRY INDUSTRY"** shall mean an industry which does not require the excessive use of water or other fluids in an industrial process.
- 3.81 "DUPLEX"** see "DWELLING, DUPLEX".
- 3.82 "DWELLING"** shall mean a building or structure or part of a building or structure occupied and capable of being occupied for human habitation, and includes a building that would be or could be intended to be used for such purpose except for its state of disrepair and shall include any mobile dwelling unit.

- 3.83 "DWELLING, ACCESSORY"** shall mean a single detached dwelling which is accessory to a permitted non-residential use, located on the same lot therein and is occupied by either the owner or the person employed on the lot where such dwelling is located.
- 3.84 "DWELLING UNIT"** shall mean a suite of two or more rooms, designed, or intended for use by one or more persons, in which sanitary conveniences are provided, in which facilities are provided for cooking, or the installation of cooking equipment, in which a heating system is provided and containing a private entrance from outside the building or from a common hall or stairway inside.
- 3.85 "DWELLING UNIT, ACCESSORY"** shall mean a dwelling unit which is part of and accessory to a permitted non-residential building other than an automobile service station or commercial garage. Such dwelling unit shall be occupied by the owner of the non-residential building or by a person employed on the lot where such dwelling unit is located.
- 3.86 "DWELLING, CONVERTED"** shall mean a dwelling erected prior to passing of this By-law altered to contain no more than 2 dwelling units.
- 3.87 "DWELLING, DUPLEX"** shall mean a building that is divided horizontally into two dwelling units, each of which has an independent entrance either directly or through a common vestibule.
- 3.88 "DWELLING, MULTIPLE"** shall mean a separate building containing three or more dwelling units which are horizontally and/or vertically attached with masonry walls and which have separate private entrances from the exterior of the building or from a common hallway.
- 3.89 "DWELLING, SENIOR CITIZEN MULTIPLE"** shall mean any multiple dwelling for senior citizens sponsored and administered by any public agency or any service club, church or non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal governments, or by public subscription or donation, or by any combination thereof, and such multiple dwellings shall include auxiliary uses such as club and lounge facilities, usually associated with senior citizens' development.
- 3.90 "DWELLING, SEASONAL"** shall mean a detached building constructed and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.
- 3.91 "DWELLING, SEMI-DETACHED"** shall mean a separate building containing two single dwelling units separated vertically by a common wall, each unit having separate entrance and exit facilities.
- 3.92 "DWELLING, SINGLE DETACHED"** shall mean a separate building designed and intended to be occupied as a single housekeeping unit.
- 3.93 "DWELLING UNIT, BACHELOR"** shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining,

sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

- 3.94 "EATING ESTABLISHMENT"** shall mean a building or part of a building where food is prepared and/or cooked for sale to the public, and includes a restaurant, a drive-in restaurant, a take-out restaurant, a snack bar, a dairy bar, coffee shop, dining room, café, ice cream parlour, tea or lunch room, refreshment stand or chip wagon but does not include a boarding or rooming house.
- 3.95 "ELDERLY PERSONS' CENTRE"** shall mean any facility intended primarily for the use of elderly persons for purposes which include social, cultural, athletic, or recreational activities, and shall include any centre established under the Elderly Persons Centres Act, as amended.
- 3.96 "ENVIRONMENTAL IMPACT STUDY (EIS)"** shall mean a study prepared in accordance with established procedures to identify and assess the impacts of development on provincially significant wetlands.
- 3.97 "EQUIPMENT SALES/RENTAL AND REPAIR ESTABLISHMENT"** shall mean a building or part of a building, structure or yard in which articles, machinery, and equipment, including heavy machinery are offered for rent and may be serviced or repaired, and may be offered or kept for rent, lease or hire under agreement for compensation.
- 3.98 "ERECT"** when used in this By-law includes construction, reconstruction, and relocation of buildings and structures, and without limiting the generality of the work, also includes:
- a) any preliminary physical operation such as excavating, filling, regrading, or draining;
  - b) altering any existing building or structure by adding, enlarging, extending, remodelling, renovating, moving, demolishing, or effecting other structural changes;
  - c) any work for the doing of which a building permit is required under the Building By-law of the Corporation; and
  - d) erect, erected or erection shall have a corresponding meaning.
- 3.99 "ESTABLISHED BUILDING LINE"** shall mean the average setback of the existing buildings. A building line is considered to be established when at least three buildings have been erected on any one side of a continuous 300 metres (984.3 ft.) of land with street frontage.
- 3.100 "ESTABLISHED GRADE"** shall mean the average elevation of the ground level or sidewalk adjoining the walls of the building or structure.
- 3.101 "EXISTING"** unless otherwise described, shall mean existing as of the date of the passing of this By-law.
- 3.102 "EXTERIOR SIDE LOT LINE"** see "LOT LINE, EXTERIOR SIDE".

**3.103 "EXTERIOR SIDE YARD"** see "YARD, SIDE".

**3.104 "FAIRGROUND"** shall mean a place, building, or part of a building, used for the purpose of outdoor fairs, shows, displays, exhibitions, sporting events, bingos, day nursery and other general assembly types of uses.

**3.105 "FARM IMPLEMENT AND SUPPLY DEALER"** shall mean an establishment for the repair and/or sale of agricultural implements including the sale of fuel, lubricants, and related items for agricultural equipment on the same premises.

**3.106 "FARM PRODUCE OUTLET"** shall mean a use accessory to a permitted farm which consists of the retail sale of agricultural products.

**3.107 "FACTORY OUTLET"** shall mean a building or part of a building in which the wholesale or retail sale of products to the general public is carried on. The outlet shall be located in the factory in which the goods were produced and the outlet must be located on the same property in which the factory is located.

**3.108 "FIRST FLOOR"** shall mean the floor of a building at or immediately above the established grade.

**3.109 "FLEA MARKET"** shall mean a building or part of a building where second-hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

**3.110 "FLOOD PLAIN"** shall mean:

- a) the area, usually low lands, adjoining a watercourse which has been, or may be, covered by flood waters; or
- b) where the high-water mark is not known, any land situated between a watercourse and a line parallel to and at a distance of 15 metres (49.2 ft.) measured at right angles from the top of the bank of a watercourse; or
- c) where the high-water mark is not known and the bank of a watercourse is not discernible, the horizontal area, 20 metres (65.6 ft.) wide, on either side of the centre of a watercourse.

**3.111 "FLOOR AREA, GROSS"** shall mean the total floor area of all the storeys of a building and shall include the floor area of any apartment or areas common to the tenants, which floor areas are measured between exterior faces of the exterior walls of the building at each floor level, but excluding car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this definition, the walls of an inner court are and shall be deemed to be exterior walls.

**3.112 "FLOOR AREA, GROUND"** shall mean the floor area of the lowest storey of a building, approximately at or first above the finished grade level, of which the area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building and any finished or unfinished basement or cellar. For the purpose of this paragraph, the walls of an inner court are and shall be deemed to be exterior walls.



- 3.113 "FOOD MARKET"** shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.
- 3.114 "FORESTRY/FORESTRY USES"** shall mean the management, development, cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection and production of water supplies, and preservation of the recreation resource.
- 3.115 "FOUNDATION"** shall mean a system or arrangement of structural members including footings, rafts, or piles through which the loads from a building are transferred to supporting soil or rock.
- 3.116 "FRONT LOT LINE"** see "LOT LINE, FRONT".
- 3.117 "FRONT YARD"** see "YARD, FRONT".
- 3.118 "FUEL STORAGE TANK"** shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.
- 3.119 "FUNERAL HOME/PARLOUR"** shall mean a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.
- 3.120 "FUR FARM"** shall mean the breeding and/or raising of animals for their fur.
- 3.121 "GARAGE, COMMERCIAL"** shall mean a building, structure, or lot where commercial motor vehicles are stored or where vehicles are repaired or maintained.
- 3.122 "GARAGE, PRIVATE"** shall mean a separate building or a part of the principal building used for the parking or storage of private passenger motor vehicles or commercial vehicles of less than one ton capacity and wherein neither servicing nor repairing is carried on for remuneration.
- 3.123 "GARAGE, PUBLIC"** see "AUTOMOBILE SERVICE STATION".
- 3.124 "GARDEN SUITE"** shall mean a manufactured detached dwelling consisting of separate modular or panelized sections which are designed to permit easy delivery to and assembly into one integral unit on a specific site, and which are reusable and designed to permit easy disassembly for transport back to the factory or to another site at an appropriate time. Under no circumstances shall a garden suite be defined to include a single wide or double wide mobile home, a motorized mobile home, a travel trailer, tent trailer or trailer otherwise designed.
- 3.125 "GAS BAR"** shall mean one or more pump islands, each consisting of one or more gasoline pumps and shelter having a floor area of not more than 100 square feet,

excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing, but this definition shall not include a kiosk on a pump island.

**3.126 "GASOLINE PUMP ISLAND"** shall mean a structure which is an accessory use intended to provide gasoline for vehicles.

**3.127 "GAZEBO"** shall mean a freestanding, roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

**3.128 "GIFT SHOP"** shall mean a building or part of a building where crafts, souvenirs, gifts, or similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified in this By-law.

**3.129 "GOLF COURSE"** shall mean a public or private area operated for the purpose of playing golf and includes a par 3 or larger golf course, a miniature golf course and driving range.

**3.130 "GROUP HOME"** shall mean a premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit but does not include a facility maintained and operated primarily for persons:

- a) Who have been placed on probation under the Probation Act, The Criminal Code (Canada) or the Youth Criminal Justice Act (Canada) as amended or their successor legislation; or
- b) who have been released on parole under the Ministry of Correctional Services Act; the Corrections and Conditional Release Act (Canada) or the Provincial Offences Act, as amended or their successor legislation; or
- c) who are admitted to an institution for correctional purposes.

**3.131 "HEALTH SPA"** shall mean a building or buildings and associated land, facilities and accessory buildings and uses which provide for the physical and emotional treatment of the human body.

**3.132 "HEIGHT/HEIGHT OF BUILDING"** shall mean the vertical distance, measured between the finished grade at the front of the building, and:

- a) in the case of a flat roof, the highest point of the roof surface;
- b) in the case of a mansard roof, the deck roof line; and
- c) in the case of a gable, hip or gambrel roof, the height between the eaves and ridge.

**3.133 "HEREAFTER"** shall mean after the date of the passing of this By-law.

- 3.134 "HEREIN"** shall mean in this By-law and shall not be limited to any particular section of this By-law.
- 3.135 "HIGH WATER MARK"** shall mean the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
- 3.136 "HOME INDUSTRY"** shall mean an industry which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted either entirely within a single dwelling or in an accessory building to a single dwelling, by an inhabitant thereof. Such industries shall include: a veterinary hospital or clinic; a woodworking shop; a welding shop; a machine or automobile body shop, a small engine repair shop, a blacksmith shop or similar use.
- 3.137 "HOME OCCUPATION"** shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant thereof and shall not use more than 25% of the gross floor area of the dwelling. Such uses may, among others, include an outlet or office for the making of crafts, a real estate agent; hairdresser; dressmaker; dentist; doctor; chiropractor; physiotherapist; licensed masseur or masseuse or osteopath or other professional; or a bed and breakfast establishment.
- 3.138 "HOSPITAL, PRIVATE"** shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.
- 3.139 "HOSPITAL, PUBLIC"** shall mean a hospital as defined by the Public Hospitals Act, as amended from time to time.
- 3.140 "HOTEL"** shall mean a building or structure used for the purpose of catering to the needs of the travelling public by supplying sleeping accommodations, and may or may not include food and refreshments and which may include permanent staff accommodation and may or may not be licensed under the *Liquor Licence Act*.
- 3.141 "HUNT CAMP"** shall mean a base camp for recreational activities such as hunting which provides seasonal or temporary accommodations only, in a remote location where municipal or community services are usually not available and shall not mean a dwelling unit or a commercial facility and shall not be used for habitation on a permanent basis.
- 3.142 "INTERIOR SIDE YARD"** see "YARD, SIDE".
- 3.143 "KENNEL - COMMERCIAL"** shall mean a building or structure where dogs, cats, or other domestic household pets are kept, boarded and/or bred and the operation is registered by an appropriate recognized professional organization or club and in which enclosed outside runs shall be permitted, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment.

- 3.144 "KENNEL - PRIVATE"** shall mean a building or structure where dogs are kept for the personal use of the owner and shall contain no more than 8 dogs over the age of 4 months and in which no breeding, boarding or sales of dogs shall take place and in which enclosed outside runs shall be permitted.
- 3.145 "LANDSCAPED"** shall mean an area not built upon and not used for any purpose other than as a landscaped area and which shall include at least a hedgerow of hardy shrubs or similar type of vegetation not less than .3 metres (1 ft.) in height at the time of planting and which, when fully grown, will reach a height of not less than 2 metres (6.6 ft.), extending the full length of the landscaped area and be maintained in a healthy growing condition. A landscaped area does not include driveways, parking spaces or parking aisles.
- 3.146 "LANE"** shall mean a thoroughfare or way, which affords only a secondary means of access to abutting property.
- 3.147 "LAUNDRY AND DRY-CLEANING SHOP"** shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing, or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service laundry and/or self-service dry-cleaning establishments.
- 3.148 "LAWN, GARDEN SUPPLIES SALES OUTLET"** shall mean a building, or part of a building, and land adjacent thereto for growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation which is sold to the public at retail and shall also include the sale of such goods, products and equipment as are normally associated with gardening or landscaping.
- 3.149 "LIBRARY"** shall mean a public library within the meaning of the *Public Libraries Act*.
- 3.150 "LIVESTOCK"** shall mean poultry, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats, fur bearing animals or any other domesticated animal used for consumption.
- 3.151 "LIVESTOCK ASSEMBLY EXCHANGE"** shall mean a commercial establishment for the sale and marketing of livestock.
- 3.152 "LIVESTOCK FACILITY"** shall mean a farm unit which includes the raising or keeping of livestock as defined herein.
- 3.153 "LOADING SPACE"** shall mean an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area:
- a) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle, and such parking shall not be for the purpose of sale or display;
  - b) is suitable for the temporary parking of one commercial motor vehicle;
  - c) is not upon or partly upon any street, lane, or alley; and

- d) has adequate access to permit ingress and egress of a commercial motor vehicle from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which shall be used for the temporary parking or storage of one or more motor vehicles.

**3.154 "LODGE"** shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation to at least five (5) guests in rooms or cabins, but shall not include any establishment otherwise defined herein.

**3.155 "LOGGING"** shall mean the removal or cutting of merchantable timber either by strip or clear or total cutting operations but does not include the selective harvesting of mature timber nor does it include the clearing of land incidental to putting the land into a condition necessary for the bonafide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.

**3.156 "LOT"** shall mean a parcel of land, the boundaries of which are defined in the last registered instrument by which legal or equitable title to the said parcel was lawfully and effectively conveyed or which is a whole lot as shown on a Registered Plan of Subdivision subject to the provisions of the Planning Act.

**3.157 "LOT AREA"** shall mean the total horizontal area within the lot line of a lot, and in the case of a corner lot having street lines rounding at the corner with a radius of 6 metres (19.7 ft.) or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

**3.158 "LOT, CORNER"** shall mean a lot situated at the intersection of two or more streets or private roads, having an angle of intersection of not more than 135 degrees. The front lot line on a corner lot is deemed to be either lot line abutting the street.

**3.159 "LOT COVERAGE"** shall mean that percentage of the lot area covered by all buildings or structures but excluding any part of a building or structure which is constructed entirely below grade. For the purposes of calculating lot coverage, the lot coverage of each zone shall be deemed to apply only to that portion of such lot that is located within the said zone.

**3.160 "LOT DEPTH"** shall mean the horizontal distance between the midpoints of the front and rear lot lines, and where there is no rear lot line, lot depth means the length of a line within the lot between the midpoint of the front lot line and the most distance point of the apex(s) of a triangle formed by the side lot lines.

**3.161 "LOT FRONTAGE"** shall mean the horizontal distance between the side lot lines measured along the front lot line, but where the front lot line is not a straight line or where the side lot lines are not parallel, the lot frontage is to be measured nine (9) metres (29.5 ft.) back from the front lot line and parallel to the chord of the lot frontage. For the purpose of this paragraph the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.

- 3.162 "LOT, INTERIOR"** shall mean a lot other than a corner lot.
- 3.163 "LOT LINE"** shall mean any boundary of a lot.
- 3.164 "LOT LINE, EXTERIOR SIDE"** shall mean the longer of the lot lines of a corner lot which abuts a street.
- 3.165 "LOT LINE, FRONT"** shall mean the line that divides a lot from a street, a private road, or a navigable waterway. In the case of a lot with frontage on a street, the front lot line shall be deemed to be the line that divides the lot from the street. In the case of a lot with frontage on a private road and/or a navigable waterway, either lot line may be deemed to be the front lot line. In the case of a corner lot either lot line may be deemed to be the front lot line.
- 3.166 "LOT LINE, REAR"** shall mean the lot line farthest from and opposite to the front lot line and where the side lot lines converge at the rear of the lot to form a triangular shaped parcel of land, the rear lot line shall mean the apex of the triangle formed by the side lot lines. Furthermore, where the rear lot line is situated adjacent to a body of water, such lot line shall be the line formed by the high-water mark of a body of water.
- 3.167 "LOT LINE, SIDE"** shall mean any lot line other than the rear or front lot line.
- 3.168 "LOT, THROUGH"** shall mean 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 deemed a corner lot for the purpose of this By-law.
- 3.169 "LUMBER YARD"** shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this by-law.
- 3.170 "MANUFACTURING OR PROCESSING PLANT"** shall mean a plant in which the process of producing a product suitable for use by hand and/or mechanical power and machinery is carried on systematically with division of labour.
- 3.171 "MARINA, PUBLIC/PRIVATE"** shall mean a building or structure with access to a body of water, where boats and boat accessories are berthed, stored, serviced, repaired, or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
- 3.172 "MARINE/SNOWMOBILE DEALER"** shall mean any building or structure used for the purpose of supplying and selling marine and snowmobile products and may include repair facilities for the purpose of repairing only those items either sold by or related to the products supplied by the dealer.
- 3.173 "MARINE FACILITY"** shall mean an accessory building or structure which is used to take a boat into or out of a waterbody to moor, berth or store a boat and includes a boat launching ramp, boat lift, pumping station, dock or boathouse and a water pumphouse but shall not include any building used for human habitation or any boat service, repair or sales facility and shall comply with the minimum side yard

requirements of the respective zone.

**3.174 "MARKET GARDEN"** shall mean the use of land for the intensive commercial cultivation of vegetables, fruits, or flowers.

**3.175 "MEDICAL/DENTAL CLINIC"** shall mean a building or part of a building where members of the medical profession, dentists, chiropractors, osteopaths, optometrists, physicians or occupational therapists, either singularly or in union provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses as reception areas, offices, coffee shop, consultation, X-ray and minor operating rooms, and a dispensary, providing that all such users have access only from the interior of the building.

**3.176 "MERCHANDISE SERVICE SHOP"** shall mean a building or part of a building in which persons are employed in furnishing the repair or servicing of articles, machines, goods, or materials as opposed to the manufacture of same. Merchandise service shops include such establishments as small engine repair of such items as lawn mowers, chainsaws, and snowmobiles.

**3.177 "MINIMUM DISTANCE SEPARATION"** means a separation requirement as provided for in Appendix 1 and 2.

- a) Minimum Distance Separation I provides minimum distance separation for new or expanding development from existing livestock facilities.
- b) Minimum Distance Separation II provides minimum distance separation for new or expanding livestock facilities from existing or approved development.

**3.178 "MOBILE HOME"** shall mean a transportable single detached dwelling suitable for long term occupancy, designed to be transported on its own wheels or by other means and arriving at the site ready for occupancy and does not include a modular home.

**3.179 "MOBILE HOME PARK"** shall mean a lot containing two or more mobile home sites and which is under single management and ownership, used for the siting of mobile homes together with commercial-recreational and service uses for the Mobile Home Park residents, including any building, structure or enclosure forming a part of such mobile home park.

**3.180 "MODULAR HOME"** shall mean a factory built, detached structural unit designed to be and capable of being transported after fabrication to a lot, and which is suitable for year- round occupancy in similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connections to utilities.

**3.181 "MOTEL"** shall mean an establishment which consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodations with or without meals and which may include permanent staff accommodation and may or may not be licensed under the Liquor Licence Act.

- 3.182 "MOTOR VEHICLE"** shall mean an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of The Highway Traffic Act.
- 3.183 "MOTORIZED ALL TERRAIN VEHICLE (A.T.V.)"** shall mean a motorized recreational vehicle used for off road recreational purposes.
- 3.184 "MOTORIZED MOBILE HOME/RECREATIONAL VEHICLE"** shall mean any motor vehicle so constructed as to be a self-contained, self-propelled unit capable of being utilized for the living, sleeping, or eating accommodation of persons.
- 3.185 "MOTORIZED SNOW VEHICLE"** shall mean a motorized snow vehicle within the meaning of The Motorized Snow Vehicle Act.
- 3.186 "MULTIPLE DWELLING"** see "DWELLING, MULTIPLE".
- 3.187 "MUNICIPAL/PUBLIC UTILITIES YARD"** shall mean a lot which may include a building or structure and also associated storage structures used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civil works and shall include a public works yard.
- 3.188 "MUNICIPAL/PUBLIC WORKS YARD"** shall mean any land, building, or structure owned by the Corporation of the Township of Stirling-Rawdon or the Province of Ontario used for the storage, maintenance or repair of supplies, materials, equipment, machinery, or motor vehicles used in connection with civil works.
- 3.189 "MUNICIPALITY"** shall mean the Corporation of the Township of Stirling-Rawdon.
- 3.190 "MUSEUM"** shall mean a building or structure used for the display and/or preservation of a collection of paintings, photographs, and/or other works of art, object of natural or cultural history, mechanical, scientific, or philosophical inventions, instruments, models, and/or designs, dedicated to the recreation and education of the public, and may include libraries, reading rooms, laboratories, and/or other offices and premises used in connection therewith.
- 3.191 "NON-COMPLYING USE"** shall mean a permitted land use building or structure existing at the date of the passing of this By-law which does not comply with a provision or provisions of the zone within which it is located.
- 3.192 "NON-CONFORMING USE"** shall mean a building, structure, or land existing at the date of the passing of this By-law which is used for purposes not permitted in the respective zone in which it is located.
- 3.193 "NUISANCE"** shall mean any condition existing that is or may become injurious or dangerous to health or that prevents or hinders or may prevent or hinder in any manner the suppression of a disease.



**3.194 "NURSERY/GARDEN CENTRE/GREENHOUSE"** shall mean:

- a) a place where young trees or other plants are grown for transplanting or for sale, and may also include the sale of related accessory supplies.
- b) land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale.
- c) a building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees, or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.

**3.195 "NURSERY SCHOOL"** shall mean a day nursery within the meaning of the Day Nurseries Act, as amended from time to time, and shall include a day care centre.

**3.196 "NURSING HOME"** shall mean:

- a) a building in which the proprietor supplies for hire or gain, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required, and includes a rest home, or convalescent home, and any other establishment required to operate under the appropriate statute.
- b) any premises in which persons are cared for, lodged, either by a charitable institution within the meaning of the appropriate statute or for hire, where, in addition to sleeping accommodation and meals, personal care, nursing services or medical care and treatment are provided or made available, but shall not include a Maternity boarding house. For the purpose of this definition, 'personal care' means personal services such as the provision of aid to residents in walking or climbing or descending stairs, in getting in or out of bed, in feeding, dressing, bathing or in other matters of personal hygiene, and includes the preparation of special diets, the provision of tray service for meals, the supervision of medication and other similar types of personal assistance and 'resident' means a person who is cared for or lodged for hire in such premises.

**3.197 "OPEN SPACE/OPEN SPACE USES"** shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure, which is suitable and used for the growth of grass, flowers, bushes and other vegetation and may include any surface pedestrian walk, patio, pool, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, vehicular maneuvering areas or similar areas.

**3.198 "ORNAMENTAL STRUCTURE"** shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.

**3.199 "OTHER PLACE OF ENTERTAINMENT"** shall mean a motion picture or other theatre, auditorium, public hall, billiard or pool room, bowling alley, ice or roller-skating rink, dance hall or music hall; and shall include arcades and other places of amusement licensed in accordance with the Municipal Act, but does not include an adult entertainment parlour or any place of entertainment or amusement otherwise defined

or classified in this By-law.

- 3.200 "OUTDOOR FURNACE"** shall mean a building or structure that is used to provide heat or heated water to the main building on a lot but is separate from the main building on the lot.
- 3.201 "OUTSIDE STORAGE"** shall mean an accessory storage area outside of the principal or main building on the lot.
- 3.202 "PARK, PRIVATE"** shall mean a park other than a public park.
- 3.203 "PARK, PUBLIC"** shall mean a recreational area owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario or Government of Canada.
- 3.204 "PARKING AISLE"** shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces.
- 3.205 "PARKING ANGLE"** shall mean the angle, equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.
- 3.206 "PARKING AREA"** shall mean an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located or upon a privately owned lot situated within 60 metres (196.9 ft.) of the said lot and which areas comprise all parking spaces of at least the minimum number required according to the provisions of this By-law, and all driveways, aisles, vehicular maneuvering areas, entrances, exits and similar areas used for the purpose of gaining access to or egress from the said parking spaces.
- 3.207 "PARKING LOT"** shall mean any parking area other than a parking area accessory to a permitted use.
- 3.208 "PARKING SPACE"** shall mean an area of land having a width of not less than 2.7 metres (8.9 ft.) and a length of not less than 6 metres (19.69 ft.), exclusive of aisles or any other land used for access or vehicular maneuvering, for the temporary parking of one motor vehicle. A parking space may be located in the open or within a private garage, carport, building or other covered area and shall have adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles, or similar areas.
- 3.209 "PERSON(S)"** shall mean any human being, association, firm, partnership, private club, incorporated company, corporation, agent, or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- 3.210 "PERSONAL SERVICE SHOP"** shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons. Personal service shops, include such establishments as barber shops, hairdressing salons, shoe repair and shoeshine shops and depots for collecting dry-cleaning and laundry.

**3.211 "PIT"** shall mean land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.

**3.212 "PLACE OF WORSHIP"** shall mean a building dedicated to a religious worship and includes a church, synagogue, or assembly hall, and may include such accessory uses as a nursery school, a school of religious education, convent, monastery, or parish hall.

**3.213 "PLANTING SCREEN"** shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

**3.214 "PORTABLE ASPHALT PLANT"** shall mean a facility,

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not permanent construction, but which is to be dismantled at the completion of the construction project.

**3.215 "PORTABLE CANTEEN"** shall mean a vehicular and mobile facility where light meals and drink are prepared and served to the public and which does not necessarily provide for consumption thereof on the premises and shall include a chip truck or chip wagon.

**3.216 "PORTABLE CONCRETE PLANT"** shall mean a facility,

- a) with equipment designed to mix cementing materials, aggregate, water, and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**3.217 "PRINTING/PUBLISHING ESTABLISHMENT"** shall mean a building or part of a building in which the business of producing books, newspapers or periodicals by mechanical means and reproducing techniques such as photo copying is carried on and may include the sale of newspapers, books, magazines, periodicals, or the like to the general public.

**3.218 "PRIVATE CLUB"** shall mean a building or part of a building used as a meeting place for members sharing a common interest and includes a fraternal lodge or organization and a labour union hall. Such private clubs shall not be operated for profit.

**3.219 "PRIVATE GARAGE"** see "GARAGE, PRIVATE".

**3.220 "PRIVATE PARK"** see "PARK, PRIVATE".

- 3.221 "PRIVATE ROAD"** shall mean a street other than a "Street" as defined in this By-law.
- 3.222 "PRODUCE SALES OUTLET"** shall mean a seasonal fruit, vegetable, flower, or farm produce sales outlet located on the farm on which the majority of the goods for sale have been produced.
- 3.223 "PROVINCIALY SIGNIFICANT WETLANDS"** shall mean Wetlands in the Great Lakes - St. Lawrence Region as defined in *"An Evaluation System for Wetlands of Ontario South of the Precambrian Shield"* Second Edition 1984 as amended from time to time.
- 3.224 "PUBLIC GARAGE"** see "GARAGE, PUBLIC".
- 3.225 "PUBLIC PARK"** see "PARK, PUBLIC".
- 3.226 "PUBLIC USE"** shall mean the Corporation of the municipality and any Boards or Commissions thereof: The Bell Telephone Company of Canada, any company supplying natural gas to the municipality, the electric authority, the County of Hastings and any Department of the Government of Ontario and Canada, or other similarly recognized agencies.
- 3.227 "QUARRY"** shall mean land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under the Aggregate Resources Act.
- 3.228 "RACEWAY"** shall mean a track for the running and/or training of horses which is accessory to the function of a riding stable or farm and which does not operate on a commercial basis.
- 3.229 "REAR LOT LINE"** see "LOT LINE, REAR".
- 3.230 "REAR YARD"** see "YARD, REAR".
- 3.231 "RECREATIONAL USE"** shall mean the use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, picnic areas, swimming pools, riding clubs, day camps, community centres, snow skiing and all similar uses, together with necessary and accessory buildings and structures, but does not include an arcade, a track for the racing of animals, motor vehicles, snowmobiles, or motorcycles.
- 3.232 "RECREATIONAL USE, ACTIVE OUTDOOR"** shall mean uses such as golf courses, lawn bowling greens, tennis courts, outdoor skating rinks and swimming pools, together with necessary and accessory buildings and structures.
- 3.233 "RECREATIONAL USE, PASSIVE OUTDOOR"** shall mean such uses as hiking and ski trails, nature observation locations and open space as opposed to (for example) tennis courts, golf courses and baseball diamonds.

- 3.234 "RECREATIONAL ESTABLISHMENT, COMMERCIAL"** shall mean a building used or intended to be used for a theatre, bowling alley, curling rink, swimming pool, billiard parlour, health club, athletic club, or similar uses.
- 3.235 "RELIGIOUS INSTITUTION"** shall mean buildings used as dwellings by religious orders for their own members, such as a convent or monastery.
- 3.236 "RESEARCH FACILITY"** shall mean a building or part of a building or an area of open space in which investigation or inquiry for the purpose of producing new information or products is carried on, and shall be conducted in accordance with the provisions of Sections 5.20 and 5.21 of this By-law.
- 3.237 "RESIDENTIAL"** shall mean the use of land, buildings, or structures for human habitation.
- 3.238 "RESTAURANT"** shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where dining tables and table service are provided.
- 3.239 "RESTAURANT, DRIVE-IN"** shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.
- 3.240 "RESTAURANT, TAKE-OUT"** shall mean a building or part of a building where food is prepared and/or cooked and offered for sale or sold to the public and where neither dining tables nor table service are provided.
- 3.241 "RETAIL STORE"** shall mean a building or part of a building where goods, merchandise, substances, articles, or things are offered for retail sale directly to the general public and includes storage on the store premises of such goods, merchandise, substances, articles, or things sufficient only to service such store.
- 3.242 "RETAIL STORE, CONVENIENCE"** shall mean a retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines, and newspapers.
- 3.243 "RIDING CLUB/BOARDING STABLE"** shall mean a commercial establishment where horses are housed or boarded and are available for riding, riding instructions, agility training or jumping.
- 3.244 "SALVAGE YARD"** shall mean a fenced lot and/or land for the storage and/or handling of scrap material, which without limiting the generality of the foregoing, may include vehicles, tires, metal, used bicycles, waste paper and/or other scrap material and salvage.
- 3.245 "SANITARY SEWER"** shall mean a system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to a

place of treatment which meets with the approval of the Ministry of the Environment.

- 3.246 "SAUNA"** shall mean an enclosed structure which does not exceed 10 square metres (107.6 sq. ft.) in area with an approved heating device to produce steam.
- 3.247 "SAW AND/OR PLANING MILL"** shall mean a building, structure, or area where timber is cut, sawed, or planed, either to finished lumber or as an intermediary step and may include facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.
- 3.248 "SCHOOL"** shall mean a public, separate, or high school under the jurisdiction of the Board of Education or the Roman Catholic Separate School Board, a private school, a continuation school, a technical school, a vocational school, a college, a university, or other educational institution, but not a commercial school.
- 3.249 "SCHOOL, COMMERCIAL"** shall mean a school which provides instruction on any subject for profit or gain and without limiting the generality of the foregoing, including a dance school, a music school, a modelling school, an arts and crafts school or studio but does not include a public school, separate school, or private school.
- 3.250 "SEASONAL RESIDENCE"** see "DWELLING, SEASONAL".
- 3.251 "SEASONAL FARM WORKER"** shall mean one or more persons employed as a farm worker during the months of April to November on a year-to-year basis.
- 3.252 "SELECTIVE CUTTING"** shall mean the harvesting of mature timber without causing undue damage to adjacent standing growth.
- 3.253 "SELF STORAGE BUILDING"** shall mean a building (or part thereof) containing individual doorways each accessing a fully enclosed room that is used for storage of inactive and stable dry goods only.
- 3.254 "SEMI-DETACHED DWELLING"** see "DWELLING, SEMI-DETACHED".
- 3.255 "SENIOR CITIZEN HOUSING"** shall mean housing owned and operated by the government to provide residential accommodation for senior citizens.
- 3.256 "SERVICE SHOP"** shall mean a building or part of a building, whether connected with a retail shop or not, used for the repair or servicing of articles, machines, goods, or materials as distinguished from manufacturing of same.
- 3.257 "SETBACK"** shall mean the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.
- 3.258 "SEWAGE TREATMENT PLANT"** shall mean a building, structure, or area approved by the Ministry of Environment and Energy, where domestic and/or industrial waste is

treated. This definition shall also include a sewage lagoon.

**3.259 "SHOPPING CENTRE"** shall mean a group of commercial uses which has been designed and developed as a unit by a single owner or group of owners, as distinguished from a business area consisting of unrelated individual commercial uses.

**3.260 "SHORELINE"** shall mean any lot line or portion thereof that abuts a waterbody.

**3.261 "SIDE LOT LINE"** see "LOT LINE, SIDE".

**3.262 "SIDE YARD"** see "YARD, SIDE".

**3.263 "SINGLE DETACHED DWELLING"** see "DWELLING, SINGLE DETACHED".

**3.264 "SIGHT TRIANGLE"** shall mean an area free of buildings or structures, which area is determined by measuring from the point of intersection of street lines on a corner lot or where a corner is rounded from the point at which the extended street lines meet, the distance required by this By-law along each such street line and joining such points with a straight line thereby creating a triangular-shaped parcel of land. This triangular-shaped parcel of land located between the intersecting street lines and the straight line joining the points located the required distance along the street lines is the sight triangle.

**3.265 "SOLAR COLLECTOR"** shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or ornamental purposes or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source. For the purposes of this by-law, a solar collector shall be considered an accessory structure.

**3.266 "STORMWATER MANAGEMENT"** shall mean long- and short-term management of stormwater runoff quality and quantity which may require the construction and installation of permanent stormwater facilities.

**3.267 "STORMWATER MANAGEMENT FACILITIES"** shall mean a designated area or structural device that would control the quantity or quality or velocity of stormwater runoff leaving a property to achieve specific objectives such as reduce flooding and erosion, remove pollutants, and provide other amenities.

**3.268 "STREET"** shall mean a public highway as defined under the Highway Traffic Act, as amended, from which access may be taken to an abutting lot and which is dedicated, assumed, and maintained by a municipality, a county, or the Province of Ontario. A street does not include an unopened road allowance, a lane or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act.

**3.269 "STREET LINE"** shall mean the limit of the street allowance and is the dividing line between a lot and a street.

- 3.270 "STRUCTURE"** shall mean anything constructed or erected, the use of which requires location on the ground, or which is attached to something having location on the ground.
- 3.271 "TAKE-OUT RESTAURANT"** see "RESTAURANT, TAKE-OUT".
- 3.272 "TAVERN"** shall mean "a tavern" as defined by the Liquor Licence Act, as amended from time to time.
- 3.273 "TAXI DEPOT"** shall mean a permanent location of a taxi business and the source of dispatch rather than the location of the taxi on its dispatch.
- 3.274 "TEA ROOM"** shall mean a public room accommodating no more than 20 persons, where tea and light refreshments, but not complete meals, are served for immediate consumption within the building. A tea room does not include premises licensed under the Liquor Licence Board of Ontario or any other form of eating establishment as defined herein.
- 3.275 "TENT"** shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.
- 3.276 "THROUGH LOT"** see "LOT, THROUGH".
- 3.277 "TOP OF BANK, STEEP AND UNSTABLE SLOPE"** shall mean any change in elevation resulting in a slope equal to or greater than 3:1 (horizontal: vertical) or approximately 18 degrees.
- 3.278 "TOURIST ESTABLISHMENT"** shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a tourist cabin and a housekeeping cottage as well as docks, eating establishments and convenience stores but does not include:
- a) a camp operated by a charitable corporation approved under the Charitable Institutions Act;
  - b) a summer camp within the meanings of the regulations under Health Protection and Promotion Act; or
  - c) a club owned by its members and operated without profit or gain.
- 3.279 "TRACTOR TRAILER TRUCK"** shall mean a self-propelled motor vehicle designed for the haulage of goods in an attached trailer but not for the carriage of any load when operating independently.
- 3.280 "TRANSMISSION TOWER"** shall mean a structure located on a non-residential lot that is intended for transmitting or receiving television, radio, or telephone communication, excluding those used exclusively for dispatch services.



- 3.281 "TRANSPORT TERMINAL OR YARD"** shall mean a building, structure, or place where trucks or transports are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, store or parked on the property are dispatched for hire as common carriers or which is a bonded warehouse.
- 3.282 "TRAVEL TRAILER"** shall mean any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, notwithstanding that such vehicle is jacked-up or that its running gear is removed, but not including any vehicle unless it is used or intended for the temporary living, sleeping or eating accommodation of persons therein, and shall be deemed to include a tent, truck camper or camper trailer, and may not be placed on a foundation.
- 3.283 "TRAVEL TRAILER PARK"** shall mean a tourist establishment use comprising of land used or maintained as grounds for the temporary parking of park model trailers, motorized mobile homes, recreational vehicles, truck campers, camper trailers, tents, and any other temporary shelter.
- 3.284 "TRAVEL TRAILER SITE"** shall mean an area of land within a travel trailer park that is or is intended to be occupied by one tent or one trailer or similar vehicle within the meaning of a trailer as defined above with adequate access to a driveway or public street.
- 3.285 "TRUCK CAMPER"** shall mean any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the temporary living, sleeping, or eating accommodation of persons.
- 3.286 "USE"** shall mean the purpose for which any land, building or structure is arranged, designed, or intended to be used, occupied, or maintained.
- 3.287 "USE, ACCESSORY"** shall mean a use customarily incidental and subordinate to the principal use or building located on the same lot.
- 3.288 "VETERINARY CLINIC"** shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.
- 3.289 "WAREHOUSE"** shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles, or things and may include facilities for a wholesale or retail commercial outlet but shall not include a truck terminal.
- 3.290 "WASTE DISPOSAL SITE"** shall mean any land or land covered by water (such as in the case of a sewage lagoon) upon, into, in or through which a building or structure in which waste, exclusive of liquid industrial waste, is deposited or processed and any machinery or equipment or operation required for the treatment or disposal of waste and shall include a sewage treatment plant or sewage lagoon.
- 3.291 "WASTE MANAGEMENT SYSTEM"** shall mean all facilities, equipment, and operations for the complete management of waste including the collection, handling,

transportation, storage, processing, and disposal thereof and may include one or more waste disposal sites.

**3.292 "WATER FRONTAGE"** shall mean all property abutting a water body measured along the high-water mark.

**3.293 "WATERBODY"** shall mean any bay, lake, wetland, canal, or natural watercourse but excludes a drainage or irrigation channel.

**3.294 "WATERBODY, NARROW"** shall mean an area where the minimum average distance from shoreline to shoreline is 150 metres for a lake and 50 metres for a river.

**3.295 "WATERCOURSE"** shall mean any surface stream or river and includes a natural channel for an intermittent stream and a municipal drain as defined by "The Drainage Act", as amended.

**3.296 "WAYSIDE PIT"** shall mean:

- a) a temporary sand or gravel pit opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction, or
- b) a minor sand and gravel pit on a farm unit required only for the use of that farm unit.

**3.297 "WAYSIDE QUARRY"** shall mean a temporary quarry opened and used by a governmental authority or authorized contractor for the purpose of a particular public project such as road construction.

**3.298 "WETLANDS"** shall mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of Wetlands are swamps, marshes, bogs, and fens.

**3.299 "WOODLOT"** shall mean a wooded area in which the majority of trees are at least 10.2 centimeters (4.0 inches) in diameter and in which there is a minimum of a fifty (50) percent closed canopy of tree foliage.

**3.300 "WORKSHOP"** shall mean a building or structure where manufacturing is performed by tradespeople requiring manual or mechanical skills and may include a carpenter's shop, a woodworker's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, an upholsterer's shop, a welder's shop, or similar uses.

**3.301 "YARD"** shall mean the space appurtenant to a building or structure on the same lot which is open, uncovered, and unoccupied except for such accessory buildings, structures, or uses which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

- 3.302 "YARD, FRONT"** shall mean the yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any buildings or structures on the lot. The "minimum" front yard shall mean the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.
- 3.303 "YARD, REAR"** shall mean the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any principal building or structure on the lot. Where a rear yard is required for an accessory building in this By-law then this definition shall apply except that the words "accessory building" shall be substituted for "principal building". The "minimum" rear yard shall mean the minimum distance between the rear lot line and the nearest wall of any principal building or accessory building on the lot, according to the context in which the term is used.
- 3.304 "YARD, SIDE"** shall mean the yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on the lot.
- 3.305 "YARD, INTERIOR SIDE"** shall mean the side yard extending from the front yard to the rear yard between the side lot line and the nearest part of any building or structure on any lot and excluding any exterior side yard. The "minimum" interior side yard shall mean the minimum distance between an interior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.
- 3.306 "YARD, EXTERIOR SIDE"** shall mean the side yard of a corner lot in which the side yard extends from the front yard to the rear yard between the side street line and the nearest part of any building or structure on the corner lot. The "minimum" exterior side yard shall mean the distance between the exterior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.
- 3.307 "ZONE"** shall mean a designated area of land use shown on the Schedules of this By-law.

## **SECTION 4 - ADMINISTRATION**

### **4.1 ZONING ADMINISTRATION**

This By-law shall be administered by a person appointed by the Council of the municipality as the Clerk-Administrator.

### **4.2 ISSUANCE OF BUILDING PERMITS**

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-law, no permit or licence required under any by-law of the Corporation for the use of the land or for the erection or the use of the building or structure shall be issued.

### **4.3 APPLICATIONS FOR BUILDING PERMITS**

In addition to the requirements of the Ontario Building Code, the Corporation's Building By-law or any other by-law of the Corporation, every application for a building permit shall be accompanied by plans (which depending upon the nature and location of the work to be undertaken may be required, by the Corporation, to be based upon an actual survey prepared by an Ontario Land Surveyor) drawn to an appropriate scale and showing the following:

- a) the true shape and dimensions of the lot to be used or upon which it is proposed to erect any building or structure;
- b) the proposed location, height and dimensions of the building, structure, or work in respect of which the permit is being applied for;
- c) the location of every building or structure already erected or partly erected on such lot;
- d) the proposed locations and dimensions of yards, landscaped open spaces, parking areas, and loading spaces required by this By-law;
- e) proposed grading or change in elevation or contour of the land and the proposed method for the disposal of storm and surface water from the land and from any building or structures thereon;
- f) a statement signed by the owner or his agent duly authorized thereinto in writing, filed with the Chief Building Official, which statement shall set forth in detail the intended use of each building and structure or part thereof and giving all information necessary to determine whether or not every such building or structure conforms with the regulations of this By-law.

**4.3.1** In addition to the above requirements, every application which involves the installation, enlargement, or reconstruction of a well or a sewage disposal system shall be accompanied by:

- a) in the case of a well, a well driller's report demonstrating a water pumping capacity satisfactory to the Chief Building Official;
- b) in the case of a well, a bacteriological analysis demonstrating a potable water supply; and

- c) in the case of a well and/or sewage disposal system, approval in writing from the appropriate responsible authority for the proposed well or method of sewage disposal.

**4.3.2** In addition to the above, where lands lie within established fill or flood lines, any building permit application in respect of such land shall be accompanied by the written approval and technical recommendations of the Conservation Authority having jurisdiction.

#### **4.4 INSPECTION OF LAND OR BUILDINGS**

Where the Chief Building Official has reason to believe that any person has used land or used a building or structure contrary to this By-law, he/she, or an employee of the municipality authorized by him/her, may at any reasonable hour, enter and inspect the land, building or structure.

#### **4.5 VIOLATIONS AND PENALTIES**

Any person who contravenes any provisions of the By-law is guilty of an offence, and for the purposes of this By-law, each day that a breach of this By-law continues shall constitute a separate offence and on summary, the offender shall be liable to be fined under the provisions of the Provincial Offences Act.

The conviction of an offender upon the breach of any of the provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any such provision and any court of competent jurisdiction may convict any offender repeatedly for repeated breaches of the By-law.

#### **4.6 OCCUPATION OF BUILDINGS**

Occupation of all new buildings and converted dwellings may require a Certificate of Occupancy from the municipal Building Department in accordance with the Ontario Building Code and any other municipal by-laws.

#### **4.7 CERTIFICATE OF CONVERSION**

Where a Certificate is for the conversion of a seasonal dwelling to a permanent dwelling, the following additional regulations apply:

- 4.7.1** a rezoning to a zone category deemed appropriate by the municipality shall be required;
- 4.7.2** the applicant shall prepare a site plan showing the location and size of all existing and proposed buildings and structures and the location of the existing or proposed sanitary sewage disposal system, as well;
- 4.7.3** the applicant shall comply with the regulations of the approving agency with respect to sewage disposal for year-round occupancy.

- 4.7.4 the applicant has been issued a building permit in accordance with the Ontario Building Code in effect at the time of the zone change;
- 4.7.5 the applicant has satisfied the municipality that the electrical system has been inspected and approved by the appropriate authority;
- 4.7.6 the applicant shall submit a letter of compliance from a heating contractor that the heating system is adequate for permanent year-round occupancy;
- 4.7.7 that the applicant has entered into an agreement with the municipality indicating that the municipality will not be held responsible for road maintenance, waste collection, insulation value or structural deficiencies.

#### **4.8 VALIDITY, EFFECTIVE DATE AND EXISTING BY-LAWS**

##### **4.8.1 Validity**

If any section, clause or provision of the By-law, including anything contained on Schedule A to E attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the section, clause, or provision so declared to be invalid and 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 take effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

##### **4.8.2 Effective Date**

This By-law shall come into force and take effect upon being passed by the Council of the municipality.

##### **4.8.3 Existing By-laws**

All by-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height and use of buildings and structures are amended insofar only as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern unless otherwise specified.

##### **4.8.4 Repeal of Existing Zoning By-law**

By-law No. 988-84 as amended of the Corporation of the Village of Stirling is hereby repealed.

By-law No. 1360-91 as amended of the Corporation of the Township of Rawdon is hereby repealed.

## **SECTION 5 - GENERAL PROVISIONS**

### **5.1 APPLICATION**

This By-law shall apply to all lands within the municipality, and shall take effect on the day it is enacted.

### **5.2 INTERPRETATION**

Nothing in this By-law shall be construed to exempt any person from complying with the requirement of any by-law of the Municipality or the Corporation of the County of Hastings or from any law of the Province of Ontario or Canada, or any regulations under the provisions of the Conservation Authorities Act of a Conservation Authority having jurisdiction or from any other law in force from time to time.

**5.2.1** In this By-law, the word "shall" is mandatory.

**5.2.2** With the exceptions of sections 5.8.6, 5.9.4(b) Hazard Lands – Calculation of Zone Provisions and Section 5.9.4(b) Wetland Areas – Calculation of Zone Provisions a zone line will be treated as a lot line for the purpose of zone interpretation.

### **5.3 ZONES**

**5.3.1** For the purpose of this By-law, the municipality has been divided into zones, the boundaries of which are shown on Schedules A to E.

**5.3.2** Schedules A to E are detailed maps for portions of the municipality.

**5.3.3** The zones are referred to by the following names or symbols and are identified on Schedules A to E by the following symbols:

<u>ZONE</u>	<u>SYMBOL</u>
PERMANENT AGRICULTURE ZONE	PA
MARGINAL AGRICULTURE ZONE	MA
RURAL RESIDENTIAL ZONE	RR
LIMITED-SERVICE RESIDENTIAL ZONE	LSR
WATERFRONT RESIDENTIAL ZONE	WR
MOBILE HOME RESIDENTIAL ZONE	MHR
RESIDENTIAL FIRST DENSITY ZONE	R1
RESIDENTIAL SECOND DENSITY ZONE	R2
MULTIPLE RESIDENTIAL ZONE	MR
URBAN COMMERCIAL ZONE	UC
BUSINESS COMMERCIAL ZONE	BC
RURAL COMMERCIAL ZONE	RC
RECREATIONAL/RESORT COMMERCIAL ZONE	RRC
URBAN INDUSTRIAL ZONE	UI
RURAL INDUSTRIAL ZONE	RI
MINERAL EXTRACTIVE ZONE	MX

WASTE DISPOSAL ZONE	WD
COMMUNITY FACILITY ZONE	CF
GROUP HOME ZONE - <b>REPEALED</b>	GH
OPEN SPACE ZONE	OS
ENVIRONMENTAL PROTECTION WETLAND ZONE	EPW
ENVIRONMENTAL PROTECTION ZONE	EP

- 5.3.4** Where the boundary of any zone is uncertain, and the boundary is shown following a street, lane, railway right-of-way, electric transmission line, right-of-way, or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line, right-of-way or watercourse is the zone boundary.
- 5.3.5** Where the boundary line of a zone does not correspond to a property line, to the centre line of a street, highway line, right-of-way or watercourse, the location of said boundary line shall be scaled from the scale shown on Schedules A to E.
- 5.3.6** Where the boundary of any zone is uncertain and notwithstanding the provisions of this subsection, the dimensions contained in any amending by-law shall apply.
- 5.3.7** Where the regulations of a zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres, such minimum yard shall be determined by measuring at right angles from either the street line of the public street or the lot line abutting such yard in the direction of such lot or parcel of land a distance equal to the said specific number of metres in the relevant regulation of such zone.
- 5.3.8** Subject to the provisions of Section 5.12, the minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located or such larger area as may be required by the appropriate authority pursuant to the provisions of the Health Protection and Promotion Act.

#### **5.4 HOLDING ZONES**

Where any zone symbol as shown on Schedule A to E is followed by the symbol "h", this signifies that no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure until such time as the holding symbol has been removed by the municipality in accordance with the provisions of the Planning Act. Upon removal of the holding symbol the permitted use of the subject property and the erection of any buildings or structures thereon shall be undertaken in accordance with the provisions of the underlying zoning category.

##### **5.4.1 Zone Regulations**

Uses existing prior to the passing of this By-law and accessory uses thereto may be enlarged, reconstructed, renovated, or replaced in accordance with the relevant zone regulations where such use is normally permitted.

##### **5.4.2 General Provisions**

All special provisions of this Section 5 "General Provisions" shall apply, where



applicable to any land, lot, building, structure or use within zones subject to the aforementioned "Holding" criteria.

## **5.5 PROHIBITIONS**

- 5.5.1** No person shall use any land or erect any building or structure within a zone except for a permitted use established or erected in accordance with the regulations provided by this By-law for the zone in which it is located.
- 5.5.2** No person, except a public authority engaged in the implementation of public works or services shall reduce in area or frontage any lot already built upon, either by conveyance or alteration, so that the lot coverage of the building exceeds the maximum permitted by this By-law, or so that the area or frontage of the lot will be less than the minimum permitted by this By-law for the zone in which the lot is located.
- 5.5.3** Except in a commercial or industrial zone, not more than one permitted use shall be allowed on a lot unless specifically permitted in this By-law. This section shall not prohibit the establishment of a home occupation or home industry in conjunction with a dwelling where such use is permitted.
- 5.5.4** The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from a lot, if such change, erection, or severance creates a situation that contravenes any of the provisions of this By-law applicable to each individual remaining building, accessory building, or lot.
- 5.5.5** Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended, or enlarged except upon a lot nor shall any land be used for any permitted use unless it comprises a lot as defined herein; but this provision shall not prevent the use of any parcel or tract of land for agricultural purposes excluding the erection or enlargement of any building or structure except a fence.
- 5.5.6** No person shall erect or use any building as a dwelling upon any lot on which a building already exists, or which is in the course of construction or for which a building permit has been issued.
- 5.5.7** Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes:
- a) unless such building has been substantially completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit, and
  - b) unless such building is serviced with electricity, a pressurized potable water supply system, and an appropriate sanitary sewage disposal system.
- 5.5.8** Notwithstanding anything contained in the By-law, no person shall use any building, structure or land for any purpose that would have a negative impact on groundwater resources in the municipality. As part of the building permit, severance or rezoning process, the applicant may be required to obtain Ministry of Environment approval for

any use.

## **5.6 PLANNED WIDTH OF ROAD**

**5.6.1** Notwithstanding any other provision contained in this By-law, no building or structure shall be hereafter erected in any zone closer than the sum of the front yard or exterior side yard requirement for such zone and the following where applicable:

- a) 15.25 metres (50.0 ft.) from the centre line of former County Roads and Provincial Highways unless the provisions of the applicable County By-law require a larger setback in which case the provisions of that By-law shall apply; and
- b) 10 metres (32.8 ft.) from the centre of the right-of-way of all other public roads in the municipality.

**5.6.2** Notwithstanding the provisions of this by-law to the contrary, where a building, structure or accessory use thereto is to be erected in a built-up area where there is an established building line, such dwelling or accessory use is not to be erected closer to the street line or to the centre line of the road or street, as the case may be, than the established building line on the date of passing of this By-law.

## **5.7 HEALTH APPROVAL**

No building permit shall be issued for any building or structure which requires a septic tank unless the building permit application is accompanied by approval in writing from the appropriate responsible authority for the proposed method of sewage disposal.

## **5.8 LANDS ADJACENT TO WATERBODIES, WATERCOURSES, EMBANKMENTS AND ENVIRONMENTALLY SENSITIVE LANDS**

Notwithstanding anything in this By-law, no permit shall be issued for any building to be constructed within those areas outlined in subsections 5.8.1, 5.8.2 and 5.8.3 herein without the prior written approval of the Conservation Authority, the Ministry of Natural Resources and/or the Canadian Parks Service having jurisdiction.

**5.8.1** No building or structure shall be located within the flood plain of a watercourse, including a municipal drain, except where a municipal drain forms part of a road allowance, notwithstanding that such watercourse is not shown on any schedule forming part of this By-law.

**5.8.2** Notwithstanding anything in this By-law, no building, structure, or septic tank installation including the weeping tile field shall be located:

- a) within 30 metres (98.4 ft.) of the highwater mark of a waterbody or permanent watercourse, notwithstanding that such body of water or watercourse is not shown on any schedule forming part of this By-law; or
- b) within 15 metres (49.2 ft.) of the top of bank; or
- c) within 30 metres (98.4 ft.) of an Environmental Protection Wetland Zone.

**5.8.3** The provisions of subsections 5.8.1 and 5.8.2 shall not apply to buildings, structures and services requiring direct access to the water as an operational necessity such as a boathouse, marina, marine facility, or other similar structure.

**5.8.4** Excluding lands within 120 metres of Habitat of Endangered and Threatened Species and Provincially Significant Wetland, the construction of a single detached dwelling and associated accessory structures on an existing lot of record shall be permitted, where the use is permitted within the zone category applied to a property, without requiring an Environmental Impact Statement. For all other development, the following provision applies:

Development that is proposed on lands adjacent to environmentally sensitive lands as identified in Natural Heritage Features and Areas Schedule OP-B of the Hastings County Official Plan, shall be permitted provided that a satisfactorily completed Environmental Impact Statement, prepared in accordance with Section 7.8.6 of the Official Plan is submitted, and approved by the municipality in consultation with the Ministry of Environment, Conservation and Parks (MECP), The Ministry of Natural Resources and Forestry, and the Conservation Authority or other appropriate authority. The following measures of adjacency shall be used:

Fish Habitat	120 metres
Provincially Significant Wetlands	120 metres
Significant Woodlands	120 metres
Significant Valley lands	120 metres
Significant Wildlife Habitat	120 metres
Significant Areas of Natural and Scientific Interest	120 metres
Habitat of Endangered and Threatened Species	120 metres
Significant Wetlands	120 metres

**5.8.5** In accordance with the Provincial Policy Statement, new buildings, structures or uses or additions, alterations or replacement of existing buildings or structures associated with established agricultural activities shall be permitted without the need for an Environmental Impact Study on lands adjacent to a Provincially Significant Wetland.

**5.8.6** Lands zoned as Environmental Protection or Environmental Protection Wetland may be used in calculating minimum lot area and minimum frontage requirements.

**5.8.7 Special Policy Area - Stirling-Rawdon - Flood Susceptibility**

Where any zone symbol as shown on Schedule 'E' is followed by the symbol "fs" (e.g., UC (fs)), the zoning provisions of the preceding zone symbol shall apply exclusively

and in their entirety. The "fs" symbol signifies that lands so zoned are susceptible to flooding in the event of the occurrence of a "Timmins Storm" event, notwithstanding that they may be floodproofed.

All development within the area zoned with the attached flood susceptibility symbol "fs" shall be subject to the floodproofing requirements of the local Conservation Authority.

For the purpose of this By-law, "floodproofed" shall mean measures that are taken to ensure that a building or structure is safe from flooding which more specifically means that openings of any kind such as windows, doors, vents, in and out coming service and utility installations, but excluding openings provided for the purposes of sump pump (including a check valve) use, shall be located a minimum of .3 metres above the engineered 1:100 year flood line of Rawdon Creek as delineated in the flood line mapping forming part of the "Flood Damage Reduction Study for Rawdon Creek" prepared by Kilborn Limited, for the Lower Trent Region Conservation Authority in August 1985.

#### **5.8.8 Flood Plain**

All new development and site alteration there shall be a minimum setback of 30 metres from the high-water mark, intermittent watercourse or outside the regulatory flood elevation of lakes, rivers, streams, or creeks, whichever is greater. If the regulatory flood elevation is known and exceed the minimum 30 metres prescribed herein, then the greater setback shall be applied.

### **5.9 NON-CONFORMING USES**

#### **5.9.1 Continuation of Existing 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 on the day of passing of this By-law, so long as it continues to be used for that purpose.

#### **5.9.2 Building Permit Issued**

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the passing of this By-law been approved and a permit issued by the municipality's Chief Building Official 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 that the erection of such a building or structure is commenced within one year after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.

#### **5.9.3 Restoration to a Safe Condition**

The provisions of this By-law shall not apply to prevent the strengthening to a safe

condition of any non-conforming building or structure or part thereof provided such strengthening generally does not increase the height, size, or volume, of such building or structure.

#### **5.9.4 Rebuilding or Repair or Strengthen to Safe Condition Permitted on Lands Zoned as Environmental Protection and Environmental Protection Wetland**

Nothing in this By-law shall prevent the rebuilding or repair of any legal non-conforming building or structure that is damaged or destroyed, or the strengthening to a safe condition of any building or structure which does not conform to the provisions of this By-law, subsequent to the passage of this by-law, provided that the dimensions of the original building or structure are not increased and the use of the building or structure not altered.

##### Hazard Lands Within Developed Areas

- a)
  - i) Hazard lands within the municipality have been denoted by the zone category Environmental Protection (EP).
  - ii) Hazard lands include lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes, or other similar physical limitations.
  - iii) Notwithstanding any other provisions of this By-law to the contrary, all lands within the Environmental Protection Zone may continue to be used for those uses existing as of the date of passage of this by-law.
  - iv) Prior to issuing a building permit for any building or structure within the Environmental Protection Zone, the municipality should be satisfied that no physical hazard exists which would cause harm to life or property. The municipality may require technical reports to be submitted in support of any development (i.e., drainage reports, slope stability reports, environmental reports) and may require the written approval of the Conservation Authority.
  
- b) Hazard Lands - Calculation of Zone Provisions

Lands zoned as Environmental Protection may be used in calculating minimum lot area and minimum lot frontage requirements.

##### Wetlands Within Developed Areas

- a)
  - i) Provincially significant wetlands within the municipality have been denoted by the Environmental Protection Wetland (EPW) zone category.
  - ii) Notwithstanding any other provisions of this By-law to the contrary, all lands within the Environmental Protection Wetland Zone may continue to be used for those uses existing as of the date of passage of this by-law.
  - iii) New buildings, structures or uses, or additions, alternations or replacement of existing buildings or structures notwithstanding Section 5.11 hereof to the contrary shall only be permitted where an

Environmental Impact Study (EIS) or a Site Plan assesses to the satisfaction of the municipality, the Ministry of Natural Resources, the Conservation Authority, and the Health Unit that the proposed development will have no impact on the Wetland.

b) Wetland Areas - Calculation of Zone Provisions

Lands zoned as Environmental Protection Wetland may be used in calculating minimum lot area and minimum lot frontage requirements.

## **5.10 NON-COMPLIANCE OF EXISTING USES**

### **5.10.1 Building on Existing Lots**

Where a building has been lawfully erected prior to the date of the passing of this By-law on a lot having less than the minimum frontage and/or area, or having less than the minimum front yard, side yard, rear yard or usable open space required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided said enlargement, reconstruction, repair or renovation does not serve to further reduce a required yard or required usable open space and provided all other provisions of this By-law are complied with.

### **5.11 REPLACEMENT OF BUILDINGS OR STRUCTURES**

A building or structure, including a legal non-conforming and/or legal non-complying building or structure, may be replaced with a new building or structure in the case of partial or complete destruction caused by fire, lightning, explosion, tempest, flood or force majeure, or demolition by order of the municipality, the local Health Unit, or other authority for safety, health or sanitation requirements, providing such building or structure is serviced by a well and sewage disposal system approved by the appropriate responsible authority. The provisions of Section 5.10 shall apply in the case of the reconstruction of a legal non-complying building or structure.

### **5.12 EXISTING UNDERSIZED LOTS**

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 on the date of passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that the parcel has a minimum frontage of fifty percent (50%) or more of the minimum frontage required by the zone in which the parcel is situated, provided that an adequate supply of potable water is available to service the proposed use, provided such erection, alteration or use does not contravene any other provisions of this by-law and provided that all relevant requirements of the Building Code with respect to sewage system are complied with.

### **5.13 CELLAR**

Notwithstanding anything contained in this By-law, no cellar or part of a cellar of any building shall be used as a whole dwelling unit, and the whole or any part of a cellar shall not be used for calculating the required minimum gross floor area or minimum ground floor area of any dwelling or dwelling unit.

### **5.14 YARD ENCROACHMENTS PERMITTED**

**5.14.1** Except as otherwise provided in this By-law, every part of any required yard shall be open and unobstructed by any building or structure from the ground to the sky, except for:

- a) sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, or other ornamental features, provided however that the same shall not project more than .6 metres (2 ft.) into any required yard;
- b) drop awnings, clothes poles, garden trellises, TV or radio antennae including satellite dish antennae, or similar accessories;
- c) fences, solar collectors, parking lots, retaining walls, gatehouses in industrial zones, driveways, patios, and other such uses as specifically permitted in this By-law;
- d)
  - i) signs, provided however that the same shall be erected in accordance with the provisions of any Sign By-law of the Municipality, County, or the Ministry of Transportation;
  - ii) in lieu of a municipal sign by-law:
    - . in a residential zone, there shall be no display other than a sign of a maximum size of 0.3 square metres (6 square feet) to indicate that any part of a dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
    - . in an industrial, marginal agricultural, or rural commercial zone, one temporary, portable roadside sign per lot frontage may be located with the written approval of the property owner and Council. The temporary portable sign shall be located on private property and shall not interfere with parking or traffic circulation on the site or adjoining roadway;
- e) light standards, fuel pump islands and fuel pumps of automobile service stations, provided however that the same shall be erected in accordance with the applicable provisions of this By-law;
- f) fire escapes, provided however that the same shall project into any required side or rear yard a distance of not more than 1.5 metres (4.9 ft.); and
- g) accessory buildings, provided however that the same shall be erected in accordance with the applicable provisions of this By-law.

**5.14.2** Notwithstanding the yard provisions of this By-law to the contrary, canopies, steps and unenclosed and uncovered decks and porches may project into any required front or rear yard a maximum distance of 1.5 metres (4.9 ft.). This however, does not permit a balcony and/or porch to extend into a required yard if in fact the balcony and/or porch is an addition to the house intended to circumvent the intent of this section. For the purpose of this section, a "deck" shall mean a horizontal surface

supported on piers, free of any roof or other covering, and which may be surrounded by a railing the height of which is governed by the Ontario Building Code.

**5.14.3** Notwithstanding any other provisions of this By-law, a railway spur shall be permitted in an Industrial Zone within a required yard. Where such yard abuts a residential zone, the railway spur shall conform to the yard and setback requirements of the zone in which it is located.

#### **5.15 LANDS SEVERED BY PUBLIC UTILITY LINES**

Where lands are acquired for the purpose of a public utility line and such acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed for the purpose of this By-law to have frontage on such street providing the land has a permanent right of access to such street.

#### **5.16 TEMPORARY USES**

Nothing in this By-law shall prevent the use of any land, or the erection or use of any building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure including a temporary sales or rental office, which is incidental to and necessary for construction work of the premises, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned. "Abandoned" in this Section shall mean the failure to proceed expeditiously with the construction of a work, specifically abeyance of construction for six months.

#### **5.17 PUBLIC USES AND UTILITIES AND COMMUNITY FACILITIES**

**5.17.1** Notwithstanding anything contained in this By-law, the municipality or any local board thereof, any telephone or telegraph company, any transportation system owned, operated, or authorized by or for the municipality, any Department of the Federal or Provincial Government or any Conservation Authority established by the Government of Ontario, may, for purposes of public service, use any land or erect or use any building or structure in any zone except Environmental Protection or Environmental Protection Wetland provided:

- a) that such use, building or structure, shall be in compliance with the height, coverage, landscaped open space and yard regulations prescribed for such a zone;
- b) that there shall be no open storage of goods, materials, or equipment in the yards of any residential zone; and
- c) that any building or structure erected or used in any residential zone shall be of a character and shall be maintained in general harmony with the buildings of the type permitted in the said zone.

**5.17.2** Nothing in this By-law shall prevent the use of any land as a public park, a public street or for the location of a properly authorized traffic sign or signal, or any sign or notice of any Municipal, Provincial or Federal government department or authority provided it does not adversely affect public health and safety.



**5.17.3** Where in a zone in this by-law under the heading of "Permitted Uses" a public use is specifically permitted within a zone, then such use shall only be permitted within that zone.

**5.17.4** Where in this by-law a public use is not specifically referred to in any zone, then such public use shall be permitted in any zone.

**5.17.5** A community facility use shall be permitted in all zones other than the Environmental Protection, Environmental Protection Wetland, Permanent Agriculture and Mineral Extraction.

### **5.18 MULTIPLE USES ON ONE LOT**

Notwithstanding anything contained in this By-law, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than three (3) metres (9.8 ft.) to any other building on the lot except a building accessory to such dwelling. A dwelling or dwelling unit as an accessory use will be allowed where permitted by this By-law in accordance with Section 5.19 below.

### **5.19 DWELLING OR DWELLING UNIT AS AN ACCESSORY USE IN A NON-RESIDENTIAL SETTING**

No person shall use any lot or erect, alter or use any building or structure for the purpose of a dwelling or dwelling unit where the zoning is not residential except in accordance with the following regulations:

- a) A dwelling as a separate structure shall have a minimum gross floor area of 92.9 square metres (1,000 sq. ft.) and where there is more than one floor, a minimum ground floor area of 44.5 square metres (479.0 sq. ft.). A dwelling unit as an apartment within a non-residential building shall have a minimum gross floor area of 55 square metres (592.0 sq. ft.).
- b) A dwelling unit shall have separate bathroom and kitchen facilities from those of the non-residential use.
- c) Each dwelling unit shall have separate parking spaces as required by the parking requirements hereto.
- d) The dwelling unit shall have a separate building entrance to that provided for the non-residential use.
- e) Separate storage facilities containing a minimum of 2.8 square metres (30 sq. ft.) shall be provided for each dwelling unit.
- f) In a Commercial zone, one dwelling unit shall be permitted in a non-residential building provided it is located on the second storey of such building.
- g) Notwithstanding the provisions of clause 5.19(i) of this subsection, the gross floor area of the residential portion of a non-residential building in a Commercial zone shall not exceed one hundred (100) percent of the non-residential floor area.
- h) A single detached dwelling as a separate structure shall be permitted if occupied by the owner, caretaker, watchman or similar person, provided that such person is employed on the lot on which such dwelling house is located.

- i) A dwelling unit shall be permitted in a portion of a non-residential building, except in the case of a motor vehicle service station, motor vehicle dealership or motor vehicle repair garage where such dwelling unit shall not be permitted.

## **5.20 PROHIBITED USES**

**5.20.1** Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone;

- a) refining coal oil or petroleum products;
- b) tanning hides or skins;
- c) manufacturing gas;
- d) manufacturing glue;
- e) a track for the racing of motor vehicles, motorcycles, go-carts, or snowmobiles; and
- f) locating or storing on any land for any purpose whatsoever, any disused railroad car, truck, bus, or coach body, whether or not the same is situated on a foundation

## **5.22 SPECIAL OCCASION USES**

**5.22.1** Nothing in this by-law shall prevent the use of land in any zone where a residential use is permitted for the purpose of a garage sale or yard sale but such use shall not be conducted more than twice in one calendar year and for not more than 48 consecutive hours.

**5.22.2** Nothing in this by-law shall prevent the use of land in any zone for the purpose of special occasion events such as a concert, a fundraising event, fair or other similar use provided such use is not operated more than once in one calendar year and for not more than 72 continuous hours. The municipality may issue a special occasion permit in accordance with the municipal by-laws.

## **5.23 TRUCK, BUS, AND COACH BODIES**

Except as otherwise specifically permitted in this By-law, no truck, bus, coach body or structure of any kind, other than a dwelling unit erected and used in accordance with this and all other By-laws of the municipality shall be used for human habitation or storage of goods and materials within any area affected by this by-law, whether or not the same is mounted on wheels or other form of mounting or foundation.

## **5.24 SWIMMING POOLS**

Notwithstanding any other provisions of this By-law a swimming pool is permitted as an accessory use in any residential, agricultural, commercial, community facility or open space zone provided that:

- a) no part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot;
- b) except in the case of an above ground pool, the maximum height of such pool shall be 2.5 metres (8.2 ft.) above the established grade;
- c) any building or structure required for changing clothing or for pumping or

- filtering facilities, or other similar accessory uses shall meet all of the accessory building requirement of the zone in which the pool is located;
- d) every swimming pool shall be enclosed by a fence of at least 1.52 metres (5.0 ft.) in height that is located at a distance of not more than 4.5 metres (14.8 ft) from the pool or by the walls of a dwelling in conjunction with a fence located as described above.

## **5.25 ACCESSORY BUILDINGS**

- 5.25.1** The total lot coverage of accessory buildings and structures including detached private garages shall not exceed ten (10) percent of the lot area except where a swimming pool or tennis court is provided the total lot coverage for accessory uses shall not exceed twenty (20) percent. In no case shall the lot coverage of all buildings on a lot exceed the maximum lot coverage of the principal use set out in the applicable provisions of this By-law except where a swimming pool and/or tennis court is developed in which case the swimming pool and/or tennis court may increase the lot coverage by 20% in addition to the lot coverage of the main building.
- 5.25.2** Any accessory building which is not part of the main building shall be erected to the rear of the projected front or exterior side wall of the main building. Where accessory buildings are located behind the main buildings, they shall be located in accordance with the provisions of the particular zone.
- 5.25.3** Where an accessory building is attached to the main building, the front yard, side yard, rear yard and area requirements of this By-law shall be complied with as if the accessory building was part of the main building.
- 5.25.4** No person shall use an accessory building for human habitation except where a dwelling is permitted as an accessory building.
- 5.25.5** An accessory building shall not be built closer to any lot line than the minimum distance required by this By-law except that common semi-detached garages may be erected on a mutual side lot line.
- 5.25.6** Except in accordance with Section 5.16 no accessory building shall be erected prior to the erection of a principal building or structure.
- 5.25.7** The minimum distance of an accessory building from a principal building shall be 3.0 metres (9.8 ft.) and in no case shall any overhang, eaves, or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

## **5.26 FRONTAGE ON A STREET**

No person shall erect any building or structure in any zone, except in a Limited Service Residential (LSR) Zone, unless the lot upon which such building or structure is to be erected fronts upon a public street. For the purposes of this By-law a street does not include an unopened road allowance, a lane, or an unassumed road on a Registered Plan which has been deemed not to be a Registered Plan under the Planning Act. The

above provisions shall not apply to prohibit the erection of any building on a lot on a registered plan of subdivision where a subdivision agreement has been entered into but in which the streets will not be assumed until the end of the maintenance period.

### **5.27 RESIDENTIAL EXTERIOR SIDE YARDS**

Notwithstanding any provisions of this By-law to the contrary, the minimum required exterior side yard may be reduced to a minimum of five (5) metres (16.4 ft.) provided that for every one (1) metre or part thereof, the exterior side yard is reduced below the minimum requirement, the minimum front yard shall be correspondingly increased by the same distance.

### **5.28 SIGHT TRIANGLES**

Unless otherwise specified in this By-law, on a corner lot, within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line, each point being measured nine (9) metres (29.5 ft.) along the street lines from the point of intersection of the street lines, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected and no trees, shrubs, hedges, fences or walls shall be planted, erected or maintained of greater height than one (1) metre (3.3 ft.) above the centre line of the adjacent road at the lowest point. 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 tangents to the street lines.

### **5.29 HOME OCCUPATIONS**

Home occupations are categorized as Type 'A' and Type 'B' home occupations. Home occupations Type 'A' and Type 'B' are permitted in the zones as indicated in this By-law in accordance with the following:

- a) there is no display, other than a sign of a maximum size of .55 square metres (6.0 sq. ft.) to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be setback a minimum of 3 metres (9.8 ft.) from any lot line;
- b) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular, in regard to noise, obnoxious odours, emission of smoke, traffic or parking;
- c) such home occupation does not interfere with television or radio reception;
- d) not more than 25 percent of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a bed and breakfast establishment in which situation the provisions of subsection 5.29.3 shall apply.

#### **5.29.1 Additional Provisions for Type 'A' Home Occupations**

- a) Type 'A' Home Occupations may be conducted in the dwelling unit provided that the home occupation shall not exceed more than 25% of the gross floor area of the dwelling unit;

- b) Type 'A' home occupations may be permitted in an accessory structure with a maximum area of 50 square metres (540 square feet)
- c) The goods, materials or matters sold shall be produced on the same property as the Type A home occupation.

### **5.29.2 Additional Provisions for Type 'B' Home Occupations**

Type 'B' home occupations shall be conducted entirely within the principal residence and shall be limited to personal service and medical occupations such as hairdressers, day nurseries limited to 5 children or less, doctors and dentists' offices and may employ one (1) person in addition to persons residing in the residence.

### **5.29.3 Additional Provisions for Bed and Breakfast as a Home Occupation**

- a) Where a bed and breakfast establishment is established as a home occupation, the maximum number of guest rooms available shall be 3;
- b) Verification by a qualified person and applicable approval authority of adequate supply of water and sewer/septic capacity.

## **5.30 HOME INDUSTRY**

Home industries are categorized as Type 'A' and Type 'B' home industries. Home industries Type 'A' and Type 'B' are permitted in the zones as indicated in this By-law in accordance with the following:

- a) there is no external storage of goods or materials;
- b) there is no display, other than a sign of a maximum size of .55 square metres (6 sq. ft.) to indicate to persons outside, that any part of the dwelling or accessory building is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres (9.8 ft.) from any lot line;
- c) the home industry is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance; in particular in regard to noise, noxious odours, emission of smoke, traffic, or parking;
- d) the home industry does not interfere with television or radio reception;
- e) there are no goods, wares, or merchandise, publicly offered or exposed for sale on the premises outside of any buildings;
- f) onsite parking is provided in accordance with Section 5.31; and
- g) not more than 25% of the gross floor area of the dwelling in addition to the accessory structure is used for the purpose of home industries;
- h) Notwithstanding any provision to the contrary, a home industry is prohibited on waterfront lots.

### **5.30.1 Additional Provisions for Type 'A' Home Industries**

Type 'A' Home Industries shall include craft shops, woodworking, repair and service shops and similar type uses and associated retail sales in accordance with the following:

- a) any accessory structure used for a Type 'A' home industry shall not exceed 39 sq. metres (419.8 sq. ft.);
- b) not more than one (1) person not residing in the residence on the lot shall be permitted.

### **5.30.2 Additional Provisions for Type 'B' Home Industries**

Type 'B' Home Industries shall include craft shops, woodworking, light manufacturing, repair and service shops and other similar type uses and associated retail sales in accordance with the following:

- a) any accessory structure used for a Type 'B' home industry shall not exceed 93 sq. metres (800 sq. ft.);
- b) not more than two (2) persons not residing in the residence on the lot shall be permitted;
- c) the minimum lot size for a Type 'B' home industry shall be 2 hectares (4.94 ac.).
- d) one commercial vehicle associated with the home industry is permitted.

### **5.31 OFF STREET PARKING PROVISION**

For every building or structure to be erected for, altered for, or its use converted to any of the uses specified in the following table, off-street parking facilities shall be provided and maintained either on the same lot on which the principal use is located or, where this is not possible, on a lot within 60 metres (196.9 ft.) of the lot on which the principal use is located and in accordance with the following table and other provisions contained in this subsection unless otherwise specifically provided.

#### **5.31.1 Minimum Parking Space Requirements**

- |   |   |
|---|---|
| a) Residential  | Two (2) spaces for every dwelling unit  |
| b) Marina   | One (1) space for every 2 docking berths  |
| c) Senior Citizen Multiple Dwelling                         | <ul style="list-style-type: none"> <li>i) Up to 30 dwelling units, parking spaces shall equal 50 percent of the number of dwelling units</li> <li>ii) Between 30 and 60 units, parking spaces shall equal 40 percent of the number of dwelling units</li> </ul> |
| d) Private or Public Hospital or Nursing Home               | One (1) space for every four (4) beds   |
| e) Private or Commercial Club or Recreational Establishment | One (1) space for every three (3) persons to be accommodated in the design capacity of the building   |
| f) Funeral Home   | One (1) space for every 3 chapel seating  |

- spaces or fraction thereof with a minimum of ten (10) spaces
- g) Church or Place of Worship, Community Hall, Arena One (1) space for every three (3) persons to be accommodated according to maximum permitted capacity
- h) Schools One (1) space per classroom, and one space for each ten (10) people of maximum design capacity of the assembly hall or auditorium
- i) Government or Public Utility Building One (1) space for every twenty-three (23) square metres (247.6 sq. ft.) of gross floor area
- j) Business or Professional Office One (1) space for every twenty-three (23) square metres (247.6 sq. ft.) of gross floor area or where such use conflicts with the office of a doctor or dentist, there shall be a minimum of three (3) parking spaces provided on the same lot
- k) Hotel/Motel/Resort One (1) space for every guest room and one (1) space for every eight (8) square metres (86.1 sq. ft.) of gross floor area devoted to public use
- l) Boarding or Rooming House, Bed and Breakfast or Tourist Home One (1) space for each bedroom
- m) Place of Assembly such as Halls, Lodges, Labour Union Halls, Dance Halls, Community Centres, Theatres One (1) space for every three (3) persons of maximum design capacity
- n) Bowling Lanes and Billiard Establishments One (1) space for every two (2) persons of design capacity. Design capacity shall mean six (6) persons per bowling lane and two (2) persons per billiard table
- o) Drive-In Restaurant or Take-Out Restaurant One (1) space for every ten (10) square metres (107.6 sq. ft.) of gross floor area
- p) Restaurant, Tavern, Banquet Hall, Beverage Room, Lounge or Meeting Areas, excluding a Drive-In or Take-Out Restaurant One (1) space for every four and one half (4.5) square metres (48.4 sq. ft) of public floor area or one (1) space for every four (4) persons of design capacity, which is the greater with a minimum of 10 spaces
- q) Retail, Wholesale Sales, Service One (1) space for every twenty-eight (28)

Establishment or Studio	square metres (391.4 sq. ft) of gross floor area
r) Retail Lumber and Building Supply Outlet	One (1) space for every 28 square metres (391.4 sq. ft) of retail floor space with a minimum of 6 spaces
s) Automotive Sales Establishment (New and Used)	A minimum of ten (10) spaces plus one (1) space for every employee working on the premises during the peak business period
t) Industrial Establishment	One (1) space for every thirty-seven (37) square metres (398.3 sq. ft) of gross floor area
u) Warehouse or Bulk Storage Yard	One (1) space for every employee working on the premises during the peak business period
v) Post Offices, Museums, Art Galleries and Libraries	One (1) space for every forty-six (46) square metres (495.2 sq. ft) or fraction thereof of public floor area
w) Home Occupation or Home Industry	One (1) space for every eighteen (18) square metres (193.8 sq. ft) of floor area devoted to the use
x) Uses Permitted by this By-Law other than Those Listed Above but Excluding Accessory Uses to Single Detached -Dwellings	One (1) space for every twenty-eight (28) square metres (301.4 sq. ft) of gross floor area

### **5.31.2 Accessible Parking**

- a) In any zone, the required number of parking spaces shall include the provision of accessible parking spaces in the minimum quantity specified below:
- i) Residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
  - ii) Residential Exception: Accessible parking is not required for single detached, semi-detached, duplexes, triplexes, and row houses (townhouses) that do not have a shared parking arrangement;
  - iii) Commercial and residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
  - iv) Industrial: Accessible parking spaces are provided at a rate of 4% for the first 200 required parking spaces, included a minimum of one Type A (Van Accessible) required accessible space, rounded up to the nearest whole number. Equal numbers of Type A (Van Accessible) and Type B are required. If an odd number is required, the additional space may be either type;



- v) Institutional: Accessible parking spaces are provided at a rate of 10% of the required parking spaces;
  - vi) All other uses: Accessible parking spaces are provided at a rate of 4% of the required parking spaces;
  - vii) When determining the required number of parking spaces in accordance with the above provisions, any fraction derived from the calculation shall be rounded up to the nearest whole number;
  - viii) Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of the zoning by-law, an equal number of parking spaces that meet the requirements of Type A Parking space and Type B Parking space must be provided; and
  - ix) Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the zoning by-law, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A Parking space and a Type B Parking space, but the additional parking space, the odd numbered space, may be a Type B Parking Space.
- b) The following regulations shall apply to accessible parking spaces:
- i) Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible;
  - ii) Type B spaces shall have minimum rectangular dimensions of 2.4 metres width by 6.0 metres length;
  - iii) An access aisle with minimum rectangular dimensions of 1.5 metres in width and 6.0 metres in length and marker with a high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between spaces;
  - iv) All accessible parking spaces shall be marked by an identifying marker on the pavement consisting of the international symbol of access as a 1.5 metre by 1.5 metre white border and a symbol with a blue background field colour centered on the parking stall;
  - v) All accessible parking spaces shall be appropriately signed in accordance with provincial regulation;
  - vi) A minimum vertical clearance of 2.1 metres shall be provided at accessible parking spaces, passenger loading zones and along routes to accessible parking spaces;
  - vii) Maximum running slope for a barrier free vehicle parking space shall be 1:8;
  - viii) Accessible parking spaces shall be located and distributed in a manner that provides substantially equivalent or greater accessibility in terms of distance from an entrance or user convenience; and
  - ix) Curb ramps, where required shall be provided to permit access from the parking area to a sidewalk.

### **5.31.3 Handicap Parking**

Handicap parking spaces shall be provided for all commercial uses listed in Section 5.31.1 at the rate of 1 space per 500 sq. metres (5,382.0 sq. ft.) with a minimum of

2 spaces. Handicap parking spaces should be a minimum of 3.5 metres (11.5 ft.) wide and be located in close proximity to the entrance of the commercial establishment.

### **5.32 LOADING SPACE REQUIREMENTS**

- a) No person shall erect or use any building or structure in any zone for any commercial or industrial purpose involving the movement of goods unless loading spaces are provided and maintained in accordance with the following provisions:
  - i) 280 m<sup>2</sup> (3,014 ft.<sup>2</sup>) - 930 m<sup>2</sup> 1 space  
(10,010.8 ft.<sup>2</sup>)
  - ii) exceeding 930 m<sup>2</sup> (10,010.8 ft.<sup>2</sup>) 2 loading spaces plus a minimum of 1 additional loading space for each 1400 square metres (15,070.0 sq. ft.) or fraction thereof in excess of 930 m<sup>2</sup> (10,010.8 ft.<sup>2</sup>).
- b) Each loading space shall be at least 9.0 metres (29.5 ft.) long, 3.5 metres (11.5 ft.) wide and have a vertical clearance of at least 4.0 metres (13.1 ft.).
- c) The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.
- d) For any commercial or industrial use, no loading space or part thereof shall be located and no land shall be used for loading purposes within 1.5 metres (4.9 ft.) of any lot line, or within 3 metres (9.8 ft.) of any street line or boundary of any residential zone or urban residential zone, or within 3 metres (9.8 ft.) of the lot line of a residential use.
- e) Access to loading spaces shall be by means of a driveway at least 6 metres (19.7 ft.) wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.
- f) The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.
- g) The loading requirements referred to herein shall not apply to any building in existence at the date of enactment of this By-law so long as the gross floor area as it existed at the date is not increased. If an addition is made, then additional loading spaces shall be provided up to the number required for such addition.

### **5.33 GROUP HOMES**

Group Homes are permitted within the Group Home Zone as established in this by-law and are subject to the following requirements:

- a) A group home may be established in any zone in which there is a permitted residential use as a principal use.
- b) The establishment or expansion of any type of group home shall be by

- amendment to this by-law.
- c) Facilities lawfully existing on the date of passage of this by-law which meet Provincial licensing standards but do not comply with the by-law regulations for group homes as outlined in Section 26 of this by-law shall be permitted to continue in operation.
  - d) All group home facilities existing at the time of passage of this by-law shall be permitted to expand their operation beyond that which existed on the date of the passing of this by-law only by amendment to this by-law.

### **5.34 GARDEN SUITES**

Notwithstanding the provisions of Section 5.5.3 of the By-law to the contrary, garden suites shall be permitted subject to the following requirements;

- a) Must be located on the same lot as the principal residence;
- b) Is permitted only in conjunction with a single detached dwelling, duplex dwelling and semi-detached dwelling uses and is identified as a permitted use within the zone;
- c) the gross floor area of living space in such dwelling shall consist of a minimum of 49 square metres (527.4 ft<sup>2</sup>) and a maximum of 65 square metres (699.7 ft<sup>2</sup>);
- d) the dwelling unit shall be a detached residential and shall have a private entrance, kitchen facility, sanitary, living and sleeping area;
- e) the sanitary sewage disposal, water supply and electrical services for the dwelling unit shall be derived from and connected to the services of the principal dwelling subject to the approval of the authorities responsible for the various services;
- f) all of the provisions of the respective zones in which the garden suite is situated shall be complied with in addition to the following special criteria:
 

Rear Yard (Minimum)	4.5 metres (14.8 ft)
Building Height (Maximum)	4.5 metres (14.8 ft)
Distance from the Principal Dwelling (Maximum)	4.5 metres (14.8 ft)
- g) the owner/occupant of the principle dwelling and occupant of the garden suite upon which lot the garden suite is situated enter into an agreement with the municipality pursuant to the Municipal Act stating that the owner of the detached dwelling and the occupant of the garden suite are related by blood or marriage, the age of the occupant of the garden suite, that no other individual(s) will occupy the garden suite and that the garden suite will be removed when it is no longer needed;
- h) access from a public road to a garden suite shall be obtained by the driveway serving the principal dwelling on the lot;
- i) a garden suite shall be located behind the principal dwelling house on the property;
- j) the placement of a garden suite on a lot shall be subject to site plan control pursuant to the Planning Act to ensure all servicing, buffering, parking, and other issues are addressed;

- k) a temporary use zoning by-law is passed by Council in accordance with the provisions of the Planning Act. The by-law shall be in place for a period not exceeding ten (10) years.

### **5.35 AREAS OF INFLUENCE**

No person shall erect any residential structure in any zone within 500 metres (1,640.4 ft.) of lands zoned MX - Mineral Extractive or MP - Mineral Preservation without the approval of the Ministry of Natural Resources upon successful application for a minor variance and provided the residential use is a permitted use on the adjacent lands within the area of influence.

### **5.36 AGRICULTURE - MINIMUM DISTANCE SEPARATION**

Notwithstanding any other provision of this by-law:

- a) Unless otherwise specified no residential, institutional, commercial, industrial, or recreation use located on a separate lot and otherwise permitted by this by-law, shall be established and no building or structure for such use shall be erected or altered unless it complies with the Minimum Distance Separation (MDS I) requirements applied in accordance with the MDS I Implementation Guidelines;
- b) No livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II) requirements applied in accordance with the MDS II Implementation Guidelines;
- c) Where an existing use that was in compliance with the MDS provisions is changed, the new use shall also be subject to MDS I or MDS II provisions, whichever is applicable. For the purposes of this subsection, a change in the type of livestock use houses is considered to be a change of use; and
- d) Where an existing building is destroyed in full or in part by a catastrophe and is being reconstructed in the same located and same dimensions, then the building or structure is exempt from MDS I or MDS II, whichever would be applicable;]
- e) Existing Lots of Record with a lot area less than 1 hectare in area are exempt from MDS I;
- f) Lands within the Urban and Hamlet land use designations of the Hastings County Official Plan are exempt from the MDS I formula from existing facilities;
- g) Empty livestock facilities are exempt from MDS II calculations provided a building permit is obtained to alter the facility so that they are no longer capable of housing livestock or manure.

### **5.37 WATERTAKING PERMITS**

All lands that are the subject of an application to the Ministry of the Environment for a Permit to Take Water under the Ontario Water Resources Act RSO 1990, Chapter 0.40 and the Environmental Bill of Rights, Statutes of Ontario, 1993, Chapter 28, shall be subject to an amendment to this by-law and shall be zoned to a special Open Space Zone.

**5.38 OPEN STORAGE**

Open storage of goods or materials shall be permitted in those zones where permitted only if the goods are accessory to a use permitted in the zones and in accordance with other provisions of this by-law.

**5.39 EXTERNAL DESIGN**

The following building materials shall not be used for more than 5 percent of the exterior vertical facing of any wall of any residential building within the municipality:

- a) building paper;
- b) asphalt roll-type siding;
- c) insulbrick.

**5.40 HEIGHT EXCEPTIONS**

Notwithstanding the height provisions herein contained, nothing in this by-law shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided the principal use is a use permitted within the zone in which it is located: a church spire, belfry, flag pole, light standard, clock tower, chimney, water tank, windmill, radio or television antenna, air conditioner duct, incidental equipment required for processing and external equipment associated with internal building equipment.

**5.41 ABANDONED EQUIPMENT**

Unused and/or discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any zone in a location where they will be visible from a street or road or from adjacent lots.

**5.42 STORAGE AND PARKING OF MOTOR VEHICLES**

No land in the municipality shall be used for the storage or parking of a derelict vehicle.

No land in the municipality shall be used for the parking of a motor vehicle which is undergoing repairs unless:

- a) such repairs are affected within an enclosed building; or
- b) such repairs are completely affected within a period of not more than 72 consecutive hours and while the vehicle is parked upon a driveway or rear yard as herein provided; or
- c) such repairs are affected while the vehicle is parked in a location such that it is not visible from any adjacent lands which are not occupied by the owner of the vehicle.

No land in the municipality shall be used for the outdoor storage of motor vehicle parts unless such motor vehicle parts are stored in a location such that they are not visible from any adjacent lands which are not occupied by the owner of such parts.

### **5.43 INTERIOR SIDE YARD**

- 5.43.1** Marine facilities shall not be permitted to locate closer than 1.5 metres to any interior side lot line.
- 5.43.2** Communal docks shall not be permitted to locate closer than 60 metres to any interior side lot line adjacent to a residential zone.

### **5.44 OUTDOOR WOODBURNING FURNACES**

An outdoor woodburning furnace shall be permitted to be located only within PA and MA zones and shall comply with the following regulations:

Minimum setback from:

A lot line abutting a residential zone	100 metres (328 ft)
Any other lot line	60 metres (196.8 ft)

That no outdoor furnace shall be constructed or installed on a lot without the issuance of a building permit for construction from the municipality. For the purposes of this subsection, the term "construction" has the same meaning as set out in Section 1(1) of the Building Code Act, S.O. 1992, c. 23 as amended.

### **5.45 TRAVEL TRAILERS, MOTORIZED MOBILE HOMES, CAMPER TRAILERS, TRUCK CAMPERS**

- 5.45.1** The use of travel trailers, truck campers and camper trailers shall be prohibited in all zones except for a Resort/Recreational Commercial Zone.
- 5.45.2** A maximum of one motorized mobile home, truck camper, travel trailer or camper trailer shall be permitted to be parked or stored on a residential lot.
- 5.45.3** The use of any of the above mentioned or similar vehicles shall not be used for human habitation, except in a Resort/Recreational Commercial Zone.
- 5.45.4** The above-named vehicles shall not be used in any zone for carrying on business.

### **5.46 MODULAR HOMES**

- 5.46.1** A modular home shall be permitted in any residential zone, subject to the following:
- a building permit is required to erect a modular home;
  - modular homes may be permitted, and are required to be placed on a permanent foundation.
  - servicing for modular homes must be approved by the appropriate authority.
- 5.46.2** In an agricultural zone:
- a modular/mobile home may be used as an accessory building to house a maximum of six seasonal farm workers by the owner of the lands on which the modular/mobile home is accessory. Such modular/mobile home shall be

- located to the rear or side of the main building.
- b) such use of a modular/mobile home shall be permitted by passage of a temporary use by-law by the municipality.

#### **5.47 MOBILE HOMES**

Mobile homes shall only be permitted in a Mobile Home Residential (MHR) Zone and in the Permanent Agricultural (PA) Zone and Marginal Agricultural (MA) Zone as an accessory dwelling to a permitted agricultural use.

#### **5.48 FENCES**

No fence exceeding a maximum height of 1.8 metres shall be erected except that on a required front yard or exterior side yard, the maximum height shall be 1 metre. Notwithstanding the above, a fence in excess of 1.8 metres in height may be erected for a public use or where provincial/federal regulations require a fence to be erected in excess of 1.8 metres.

#### **5.50 SIGNS**

Signs shall only be permitted in accordance with the following:

- a) In "All Zones," the following signs shall be permitted:
- i) an authorized traffic sign or signal;
  - ii) a public election list or other proclamation by government authority;
  - iii) a "No Trespassing" sign or similar announcement or sign other than an advertisement;
  - iv) a sign incidental to construction on the premises and a non-illuminated real estate sign not exceeding 0.5 square metres in area, advertising the sale, rental or lease of any lot or premises;
  - v) a nameplate not exceeding 0.2 square metres in area indicating the name of the occupant of a dwelling on a lot;
  - vi) in all zones which permit home occupations, a sign not exceeding .55 square metres (6 sq. ft.) shall be permitted for purposes of advertising a home occupation;
  - vii) in all zones which permit a home industry, a sign not exceeding .55 square metres (6 sq. ft.) shall be permitted for the purpose of advertising a home industry.
- b) In all Industrial zones, the following signs shall be permitted:
- i) a maximum of two permanent business signs advertising or identifying the industrial firm or uses on the lot, such signs shall be attached to a building or located on a pylon or similar structure situated on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line or lot line;
  - ii) a non-illuminated sign not exceeding one square metre in area advertising the sale of land.

- c) In a Community Facility (CF), Open Space (OS) and/or Environmental Protection (EP) Zone, one or more signs or bulletin boards identifying the name of the premises and indicating other information concerning the premises such as traffic directional signs and parking area signs shall be permitted. Such signs shall not exceed 0.5 square metres in aggregate area for each metre of street line abutting the lot, and shall be attached to a building, or located on a pylon or similar structure situated on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line or lot line.
- d) In a Permanent Agriculture or Marginal Agriculture zone, the following signs shall be permitted:
  - i) a temporary roadside sign may be located with the written approval of the owner of the property and Council;
  - ii) a non-illuminated sign not exceeding one (1) square metre in area advertising the sale of the premises or of agricultural products raised or produced on the premises.
- e) In all Commercial zones, one or more business signs advertising businesses or services lawfully conducted on the lot shall be permitted. Such signs shall not exceed one (1) square metre in aggregate area for each metre of street line abutting the lot. The signs shall be attached to the principal building and shall not project more than two metres therefrom or shall be located on a pylon or similar structure on the ground. No pylon or similar structure shall be located closer than 2.5 metres to any street line. In addition, temporary roadside signs may be located with the written approval of the owner of the property and Council.
- f) Temporary Signs:
 

In addition to the above, one temporary sign shall be permitted on any non-residential lot in the Township. Such sign shall be for the purpose of advertising a special event and shall not be located on the lot for more than 30 consecutive days.

#### **5.51 CANNABIS PRODUCTION AND PROCESSING**

Notwithstanding any other provision of this by-law, any Cannabis Production and Processing shall be subject to the following provisions:

- a) No lands, building, structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Urban Industrial (UI) Zone, or the Rural Industrial (RI) Zone may be located closer to any Residential Zone, Community Facility Zone, Group Home Zone, or Open Space Zone than 70 metres.
- b) No lands, building, structure or portion thereof for Cannabis Production and Processing purposes that is equipped with air treatment control situated in an agricultural zone, such as the Marginal Agricultural (MA) Zone or the Permanent Agricultural (PA) Zone, may be located closer to any Residential Zone,



- Community Facility Zone, Group Home Zone, or Open Space Zone than 150 metres.
- c) No lands, building, structure or portion thereof for Cannabis Production and Processing purposes that is equipped with air treatment control situated in the Urban Industrial (UI) Zone, or the Rural Industrial (RI) Zone may be located closer to any dwelling, public school, private school, place of worship, or day care nursery than 150 metres.
  - d) No lands, building, structure or portion thereof used for Cannabis Production and Processing purposes that is equipped with air treatment control situated in an Agricultural Zone, such as the Marginal Agricultural (MA) Zone or the Permanent Agricultural (PA) Zone shall be located closer to any dwelling, public school, private school, place of worship or day care nursery than 150 metres.
  - e) No lands, building, structure or portion thereof used for Cannabis Production and Processing purposes that is not equipped with air treatment control situated in any permitted zone may be located closer to any dwelling, public school, private school, place of worship, or day care nursery more than 300 metres.
  - f) A building or structure used for security purposes for Cannabis Production and Processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard, and rear yard setbacks.
  - g) Outdoor storage is prohibited on the property in which the Cannabis Production and Processing is located.
  - h) Cannabis Production and Processing shall only be permitted within the zones as explicitly indicated in a site-specific zoning by-law amendment.
  - i) All development in relation to the establishment of or expansion of Cannabis Production and Processing shall be subject to Site Plan Control.

### **5.53 FORESTRY AND LOGGING**

Notwithstanding any provision to the contrary active commercial and industrial tree harvesting and logging adjacent to watercourses and waterbodies shall maintain a minimum 30 metre vegetated, naturalized setback from the shoreline for a waterbody and top of bank for a watercourse.

### **5.54 GROUP HOME**

Notwithstanding any provision to the contrary a group home is permitted in all zones that permit a single detached dwelling accessed and serviced by a year-round publicly maintained road.

### **5.55 WATERFRONT USE**

The following shoreline uses will be permitted within 30 metres of the high-water mark or floodplain subject to all applicable provisions of the Zoning By-Law:

- a) Dock;
- b) Boathouse; and
- c) Boat launch.

It is prohibited to alter or remove the natural vegetation 30 metres adjacent to any shoreline of a water feature except:

- a) 25% of the shoreline frontage or up to 23 metres (75 feet), whichever is the lesser, for linear shoreline residential development;
- b) 35% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations, and waterfront landings;
- c) 50% of the shoreline frontage for marinas; and
- d) Where both b) and c) are present on a lot adjacent to a water feature the aggregate percentage of the shoreline devoted to those uses shall be a maximum of 75% of the shoreline frontage.

#### **5.56 REGULATIONS FOR DWELLINGS WITH COMMON PARTY WALLS**

For the purpose of side yard, lot width, lot area and lot coverage the following dwelling types with common party walls shall be considered as one building occupying one building lot: semi-detached, two and four dwelling unit buildings, townhouse dwellings and court apartments.

#### **5.57 REGULATIONS FOR PITS AND QUARRIES**

- a) Location of Gravel Pits:

Notwithstanding any other provisions of this by-law to the contrary, no gravel pit shall be established or made within 300 metres (984 feet) of any rear or interior side lot line or portion thereof which abuts a Residential or Institutional Zone.

- b) Location of Stone Quarries:

Notwithstanding any other provisions of this by-law to the contrary, no stone quarry shall be made or established within 500 metres (1640 feet) of any rear or interior side lot line or portion thereof which abuts a Residential or Institutional Zone.

- c) Location of Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

Notwithstanding any other provisions or this by-law to the contrary, wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

## **SECTION 6 - PA - PERMANENT AGRICULTURE ZONE**

**6.1** Within a PA - Permanent Agriculture Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and also such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **6.2 PERMITTED USES**

- 1) agricultural uses, including a livestock facility,
- 2) conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife,
- 3) wood lots,
- 4) outdoor recreational uses such as hiking and cross-country ski trails,
- 5) wayside pits and quarries,
- 6) a single detached dwelling,
- 7) a bed and breakfast establishment,
- 8) open space uses,
- 9) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law,
- 10) a Type 'A' and Type 'B' home industry, in accordance with the provisions of Section 5.30 of this By-law,
- 11) an agricultural produce sales outlet,
- 12) a converted dwelling,
- 13) an accessory building or use to the above uses including a single detached dwelling as an accessory use to agriculture,

### **6.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

Lot Area (Minimum)	18.2 hectares (45 acres)
Lot Frontage (Minimum)	100 metres (328.1 ft)
Building Height (Maximum)	45 metres (147.6 ft)
Agricultural Uses	45 metres (147.6 ft)
All Other Uses	11 metres (36.0 ft)
Front Yard, Exterior Side Yard, and Rear Yard (Minimum)	20 metres (65.6 ft)
Interior Side Yard (Minimum)	5 metres (16.4 ft)
Off-Street parking shall be provided in accordance with Section 5.31	
Livestock facilities shall be located in accordance with Section 5.36	

#### **b) For Accessory Buildings Not Attached to the Principal Building**

Rear Yard (Minimum)	3.0 metres (9.8 ft)
Interior Side Yard (Minimum)	3.0 metres (9.8 ft)
Exterior Side Yard (Minimum)	20 metres (65.6 ft)

Height (Maximum)	5 metres (16.41 ft)
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**c) Gross Floor Area**

Single Detached Dwelling (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)
Converted Dwelling	74.3 m <sup>2</sup> (800 sq. ft)

**6.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the PA - Permanent Agriculture Zone.

**6.5 SPECIAL PA - PERMANENT AGRICULTURE ZONES**

**6.5.1 PA-1 – Concession 3, Part Lot 1 – 47 Fargey Court**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-1 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

1) the number of livestock animal units shall be limited to a maximum of six horses.

All other provisions of this by-law shall apply.

**6.5.2 PA-2 – Concession 4, Part Lot 18 – 550 Barrett Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-2 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

1) the number of livestock animal units shall be limited to a maximum of six.

2) the front yard setback shall be reduced on the existing house and barn to permit the disposal of a surplus dwelling.

All other provisions of this by-law shall apply.

**6.5.3 PA-2 – Concession 7, Part Lot 5 – 727 Sarles Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-2 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

1) a single-family dwelling on 2.2 acres

2) restrict residential development on the remaining PA zone.

All other provisions of this by-law shall apply.

#### **6.5.4 PA-3 – Concession 3, Part Lot 20 – Hoards Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-3 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) creation of a retirement lot containing an existing house, garage, and outbuilding.
- 2) the number of livestock animal units should be limited to a maximum of 6.

All other provisions of this by-law shall apply.

#### **6.5.5 PA-4 – Concession 4, Part Lots 12 & 13 – Stirling Marmora Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-4 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) restrict residential development and recognize reduced lot size in the PA zone.

All other provisions of this by-law shall apply.

#### **6.5.6 PA-5 – Concession 3, Part Lot 14 – 145 Mount Pleasant Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-5 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) reduce the lot size in a Permanent Agricultural zone

All other provisions of this by-law shall apply.

#### **6.5.7 PA-6 – Concession 2, Part Lot 4 – 35 McInroy Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-6 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Permit a retail equestrian tack shop
- 2) reduce the lot size to approximately 13 acres

All other provisions of this by-law shall apply.

#### **6.5.8 PA-7 – Concession 2, Part Lot 3 – 1084 Ridge Road**

Notwithstanding any provision of this by-law to the contrary, on lands zoned PA-7 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to reduce the lot size to approximately 159.3 acres
- 2) to prohibit future construction of any new residential dwelling

EPW zone to remain.

All other provisions of this by-law shall apply.

#### **6.5.9 PA-8 – Concession 2, Part Lots 7 & 8 – Demorest Road**

Notwithstanding any provision of this by-law to the contrary, on lands zoned PA-8 and shown on Schedule 'D' attached; the following special provisions shall apply:

##### Zone Provisions

- 1) to prohibit the future construction of any new residential dwelling on the remaining approximately 85.7± acres
- 2) EP Zone to remain.

All other provisions of this by-law shall apply.

#### **6.5.10 PA-9 – Concession 9, Part Lot 24 – Springbrook Road – REPEALED 1463-21**

Notwithstanding any provision of this by-law to the contrary, on lands zoned PA-9 and shown on Schedule 'A' attached; the following special provisions shall apply:

##### Zone Provisions

- 1) to recognize the reduced lot size to approximately 40.6± acres

All other provisions of this by-law shall apply.

#### **6.5.11 PA-10 – Concession 7, Part Lot 4 – Sarles Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-10 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to permit the use of a low visitation cemetery
- 2) to prohibit the use of a church or other congregational structure
- 3) designate the parcel a Type 'A' land use for the purpose of MDS guidelines

All other provisions of this by-law shall apply.

#### **6.5.12 PA-11 – Concession 6, Part Lot 16 – Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-11 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to exclude/prohibit residential uses on approximately 48.8 acres

All other provisions of this by-law shall apply.

#### **6.5.13 PA-12 – Concession 3, Part Lot 19 – Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-12 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) approximately 95.3 acres to permit agriculture and agriculture-related uses only while prohibiting residential uses

All other provisions of this by-law shall apply.

#### **6.5.14 PA-13 – Concession 1, Part Lot 15 – 406 Hoards Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-13 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to prohibit residential uses
  - 2) to recognize a reduced lot size of 32 acres
- This proposal will permit the disposal of a surplus dwelling for a bona fide farmer.

All other provisions of this by-law shall apply.

#### **6.5.15 PA-14 – Concession 5, Part Lot 8 – 536 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-14 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to recognize a lot area of 6.3 acres
- 2) to recognize agricultural uses including sales from greenhouse operations, nursery, and chicken coop.
- 3) to prohibit the keeping of livestock other than the existing chicken coop

All other provisions of this by-law shall apply.

**6.5.16 PA-15 – Concession 8, Part Lot 12 – Cooke Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-15 and shown on Schedule 'B' attached, the following special provisions shall apply:

Zone Provisions

- 1) to exclude/prohibit residential uses on approximately 113 acres

All other provisions of this by-law shall apply.

**6.5.17 PA-16 – Part Lot 6, Concession 10 – REPEALED – 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-16 and shown on Schedule 'B' attached, the following special provisions shall apply:

Zone Provisions

- 1) to recognize the location of existing buildings

All other provisions of this by-law shall apply.

**6.5.18 PA-17 – Concession 1, Part Lot 9 – 253 Ridge Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-17 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) to exclude/prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.19 PA-18 – Concession 2, Part Lot 21 – Spencer Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-18 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 24.6 acres:

- 1) to prohibit residential uses
- 2) to recognize the resultant side yard of 3.1 metres for the accessory structure located to the rear lot line on the severed lot



All other provisions of this by-law shall apply.

**6.5.20 PA-19 – Concession 7, Part Lot 14 and 15 – Hoover Road – REPEALED – 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-19 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 178 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.21 PA-20 – Concession 6, Part Lot 9 – 383 Salem Road – REPEALED 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-20 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 49 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.22 PA-21 – Concession 3, Part Lot 4 – McInroy Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-21 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 67± acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.23 PA-22 – Concession 6, Part Lot 16 – Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-22 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 34 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.24 PA-23 – Concession 11, Part Lot 23 – REPEALED 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-23 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 98.6 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.25 PA-23 – Concession 11, Part Lot 23 – REPEALED 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-23 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 98.6 acres:

- 1) to reflect the change in the Official Plan designation from Agricultural to Rural
- 2) to permit a residential use on the said property

All other provisions of this by-law shall apply.

**6.5.26 PA-24- Concession 1, Part Lot 18 – Merrick Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-24 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

The following zone provisions apply to approximately 73 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.27 PA-25 – Concession 10, Part Lot 19 – 3336 Springbrook Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-25

and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

The following provisions apply to approximately 145 acres:

- 1) to prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.28 PA-26-h – Concession 7, Part Lot 22 & 23 – 1104/1106 Hoover Road**

Notwithstanding any provision of By-Law No. 320-03, as amended, to the contrary, on lands zoned Permanent Agriculture-26-holding (PA-26-h), the following special provisions shall apply:

Permitted Uses:

The following shall be a permitted use, in addition to all uses permitted in the typical Permanent Agriculture (PA) Zone:

- 1) CANNABIS PRODUCTION FACILITY

Special Provisions Applicable to CANNABIS PRODUCTION FACILITY Only

- i) Gross Floor Area (Maximum) of all structures – 1096m<sup>2</sup>
- ii) Gross Floor Area for CANNABIS CULTIVATION – 650m<sup>2</sup>
- iii) Front Yard (minimum) – 250m
- iv) Interior Side Yard (minimum) – 300m
- v) Rear Yard (minimum) – 300m
- vi) The holding provision (-h) shall be removed once the operator has secured all required provincial and Federal approvals/licenses associated with the production of cannabis, and has entered into a site plan agreement with the Township.

All other provisions of this by-law shall apply.

**6.5.29 PA-27 – Concession 10, Part Lot 21 – 386 Sweet Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-27 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 1) To prohibit residential uses
- 2) To recognize the reduced road frontage

All other provisions of this by-law shall apply.

### **6.5.30 PA-28 – Concession 3, Part Lot 2 – Fargey Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-28 and shown on Schedule 'C' attached, the following special provisions shall apply:

#### Zone Provisions

The following zone provisions apply to approximately 45.7 acres:

- 1) To recognize the reduced frontage

All other provisions of this by-law shall apply.

### **6.5.31 PA-29 – Concession 7, Part Lot 19 – 738 Hoover Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-29 and shown on Schedule 'C' attached, the following special provisions shall apply:

#### Zone Provisions

The following provisions apply to approximately 137 acres:

- 1) To prohibit residential uses

All other provisions of this by-law shall apply.

### **6.5.32 PA-30 – Concession 9, Part Lot 11 – 2311 Springbrook Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-30 and shown on Schedule 'B' attached, the following special provisions shall apply:

#### Zone Provisions

- 1) To recognize the second dwelling unit
- 2) To recognize the deficient front yard setback of the existing single detached dwelling

All other provisions of this by-law shall apply.

### **6.5.33 PA-31- Concession 7, Part Lot 7 – Sarles Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-31 and shown on Schedule 'B' attached, the following special provisions shall apply:

#### Zone Provisions

The following zone provisions apply to approximately 44± acres:

- 1) To prohibit residential uses
- 2) To prohibit the existing barn on the property from housing livestock

All other provisions of this by-law shall apply.

**6.5.34 PA-32 – Concession 3, Part Lot 17 – Mount Pleasant Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-32 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

- 1) To prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.35 PA-33 – Concession 3, Part Lot 5 – 158 McGee Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-33 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) To permit the operation of a Registered Motor Vehicle Licensing Station

All other provisions of this by-law shall apply.

**6.5.36 PA-34 – Concession 2, Part Lot 5 – 1282 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-34 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) To prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.37 PA-35 – Concession 10, Part Lot 23 – 3804 Springbrook Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-35 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 1) To permit the construction of a third dwelling

All other provisions of this by-law shall apply.

**6.5.38 PA-36 – Plan 38, Part Lots 5&6, corner of Demorest & Edward Street**

Notwithstanding any provision of this by-law to the contrary, on lands zoned PA-36

and shown on Schedule 'E' and 'D' attached, the following special provisions shall apply:

Zone Provisions

1) To recognize a reduced area and frontage.

All other provisions of this by-law shall apply.

**6.5.39 PA-38 – Concession 10, Part Lot 22 – 3684 Springbrook Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-38 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

1) To prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.40 PA-39 – Concession 5, Part Lot 5 – 866 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-39 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

1) To prohibit residential uses

All other provisions of this by-law shall apply.

**6.5.41 PA-40 – Concession 5, Part Lots 18 & 19 – 995-1057 Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-40 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

1) To prohibit *new* residential uses.

All other provisions of this by-law shall apply.

**6.5.42 PA-41 – Concession 6, Part Lot 21 – 472 Maple Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-41 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

- 1) To prohibit residential uses on retained land
- 2) To prohibit existing buildings to be used to house livestock on retained land

All other provisions of this by-law shall apply.

#### **6.5.43 PA-42 – Concession 6, Part Lot 2 – 1281 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-42 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To prohibit residential uses on the property

All other provisions of this by-law shall apply.

#### **6.5.44 PA-43 – Concession 6, Part Lot 9 – 405 & 445 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-43 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To prohibit residential uses on the property
- 2) To prohibit the use, raising and housing of livestock in existing buildings

All other provisions of this by-law shall apply.

#### **6.5.45 PA-44 – Concession 4, Part Lot 17 – 567 Kings Mill Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned PA-44 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) to prohibit residential uses
- 2) to prohibit the existing buildings from being used for livestock.

All other provisions of this by-law shall apply.

## **SECTION 7 - MA - MARGINAL AGRICULTURE ZONE**

**7.1** Within a MA - Marginal Agriculture Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **7.2 PERMITTED USES**

- 1) agricultural uses, including a livestock facility,
- 2) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil or wildlife,
- 3) wood lots,
- 4) wayside pits and quarries,
- 5) open space uses,
- 6) a private kennel,
- 7) an apiary,
- 8) a fur farm,
- 9) a riding club or boarding stable,
- 10) a nursery/garden centre/greenhouse,
- 11) a golf course,
- 12) passive recreational outdoor uses,
- 13) a warehouse,
- 14) a grain drying facility,
- 15) a livestock assembly area or a livestock exchange,
- 16) a hunt camp,
- 17) a single detached dwelling,
- 18) a bed and breakfast establishment,
- 19) a research facility,
- 20) an agricultural produce sales outlet,
- 21) an accessory building or use to the above uses, including a single detached dwelling as an accessory use to agriculture,
- 22) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law,
- 23) a Type 'A' and Type 'B' home industry, in accordance with the provisions of Section 5.30 of this By-law,
- 24) logging.
- 25) a converted dwelling.

### **7.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

Lot Area (Minimum)	6 hectares (15 acres)
Lot Frontage (Minimum)	60 metres (196.9 ft)
Building Height (Maximum)	
i) Agricultural Uses	45 metres (147.6 ft)
ii) All other Uses	11 metres (36.0 ft)



Front Yard and Exterior Side Yard (Minimum)	20 metres (65.6 ft)
Interior Side Yard (Minimum)	5 metres (16.4 ft)
Rear Yard (Minimum)	20 metres (65.6 ft)
No building or structure used for the housing, training, or care of animals in conjunction with a kennel as defined in this by-law, shall be located less than 150 metres (492.1 ft) from a residential zone or existing use	
Off Street Parking shall be provided in accordance with Section 5.31	
Livestock facilities shall be located in accordance with Section 5.36	

**b) Gross Floor Area**

Single Detached Dwelling (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)
Converted Dwelling	74.3 m <sup>2</sup> (800 sq. ft)

**c) For Accessory Buildings Not Attached to the Principal Building**

Rear Yard (Minimum)	3.0 metres (9.8 ft)
Interior Side Yard (Minimum)	3.0 metres (9.8 ft)
Exterior Side Yard (Minimum)	20 metres (65.6 ft)
Height (Maximum)	5 metres (16.41 ft)

**d) For Hunt Camps**

Notwithstanding other provisions of this by-law, hunt camps shall be subject to the following special provisions in addition to all other applicable provisions of this by-law:

Lot Area (Minimum)	40.5 hectares (100 acres)
The minimum distance of buildings or structures from a residential zone shall be 200 metres (656.2 ft)	
A building permit shall be required for any buildings or structures on the site	
New hunt camps shall not be permitted to establish on a public road	
No shooting shall be permitted within 100 metres (328.1 ft) of a public or private road	
The building inspector shall decide if buildings or structures on the site are fit for human occupancy. Cottage standards as outlined in the Ontario Building Code may be applied.	

**e) For Logging Operations**

Notwithstanding other provisions of this by-law, no logging operation shall be permitted within:

- i) 600 metres (1,968.5 ft.) of settlement areas or urban areas;
- ii) 120 metres (393.7 ft.) of an area zoned Open Space;

- iii) 120 metres (393.7 ft.) from the highwater mark of any lake, river, or stream, except an intermittent stream;
- iv) 120 metres (393.7 ft.) from the boundary of a Provincial Highway;
- v) 23 metres (75.5 ft.) from the boundary of a Township Road;
- vi) 30 metres (98.4 ft.) from a residence on an adjacent property.

but nothing in this by-law shall prevent the selective cutting, as defined in this by-law, of mature timber within such distances.

#### **7.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MA - Marginal Agriculture Zone.

#### **7.5 SPECIAL MA - MARGINAL AGRICULTURE ZONES**

##### **7.5.1 MA-1 – Concession 7, Part Lot 24 – Harold Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-1 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) the zone shall allow for a small hobby farm
- 2) the zone will reduce the lot size in a Marginal Agricultural Zone

Note: Environmental Protection zone to remain.

All other provisions of this by-law shall apply.

##### **7.5.2 MA-2 – Concession 11, Part Lot 11 & 12 – Bateman Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-2 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) the zone will reduce the lot frontage of 95' in a Marginal Agricultural zone.

All other provisions of this by-law shall apply.

##### **7.5.3 MA-3 – Concession 13, Part Lot 2 – 233 Storms Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-3 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) the zone will recognize a reduced lot size in a Marginal Agricultural zone

All other provisions of this by-law shall apply.

#### **7.5.4 MA-4 – Concession 12, Part Lot 15 – 289 Huff Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-4 and shown on Schedule 'A' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) the zone will recognize a reduced lot size of approximately 7.5 acres

All other provisions of this by-law shall apply.

#### **7.5.5 MA-5 – Concession 2, Part Lot 6 – 329 Goods Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-5 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Approximately 7.8± acres to the resultant lot area that is less than the requirements of the zoning by-law

EP zone to remain.

All other provisions of this by-law shall apply.

#### **7.5.6 MA-6 – Concession 13, Part Lot 5 – 583 Storms Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-6 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize the reduced lot size of approximately 10± acres.

All other provisions of this by-law shall apply.

#### **7.5.7 MA-7 – Concession 10, Part Lots 9 & 10 – Bateman Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-7 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) A new house to meet Minimum Distance Separation (MDS)(220m) from the existing barn at 349 Bateman Road.

All other provisions of this by-law shall apply.

#### **7.5.8 MA-8 – Concession 7, Part Lot 6 – 732 Cooke Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-8 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize the reduced lot size – one lot approximately nine acres and the other approximately ten acres.

EP zone to remain.

All other provisions of this by-law shall apply.

#### **7.5.9 MA-9 – Concession 7, Part Lot 3 – Cooke Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-9 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize the existing accessory structure in the front yard
- 2) To permit the existing front yard setback of the existing structure

All other provisions of this by-law shall apply.

#### **7.5.10 MA-10 – Concession 12 & 13, Part Lot 21 & 22 – St. Marks Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-10 and shown on Schedule 'A' and 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To reflect the change in the Official Plan designation from Agricultural to Rural
- 2) To recognize deficient frontage on St. Mark's Road

All other provisions of this by-law shall apply.

#### **7.5.11 MA-11 – Concession 8, Part Lot 5 – 863 Cooke Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MA-11 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To allow an exception to section 5.23 of the comprehensive zoning by-law (No. 320-03)
- 2) To permit the installation of a maximum of three (3) pre-fabricated (8' x 40')

- buildings to be used in a hydroponic grow-operation for vegetables
- 3) To reflect the change in the Official Plan designation from Agricultural to Rural

All other provisions of this by-law shall apply.

## **SECTION 8 - RR - RURAL RESIDENTIAL ZONE**

**8.1** Within a RR - Rural Residential Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **8.2 PERMITTED USES**

- 1) a single detached dwelling,
- 2) an accessory building or use,
- 3) a Type 'A' or Type 'B' Home Occupation in accordance with the provisions of Section 5.29 of this By-law,
- 4) a Type 'A' Home Industry in accordance with the provisions of Section 5.30 of this By-law,
- 5) a bed and breakfast establishment.

### **8.3 ZONE REGULATIONS**

#### **a) For Single Detached Dwellings**

Lot Area (Minimum)	4000 m <sup>2</sup> (43,057.1 ft <sup>2</sup> )
Lot Frontage (Minimum)	46 metres (151.9 ft)
Front Yard (Minimum)	20 metres (65.6 ft)
Rear Yard (Minimum)	10 metres (32.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	20 metres (65.6 ft)
Lot Coverage (Maximum)	30 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off Street Parking shall be provided in accordance with Section 5.31	
Gross Floor Area (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	3 metres (9.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	3 metres (9.8 ft)
Height (Maximum)	5 metres (16.41 ft)

### **8.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RR - Rural Residential Zone.

### **8.5 SPECIAL RR - RURAL RESIDENTIAL ZONES**

**8.5.1 RR-1 – Concession 5, Part Lot 11 – 132 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-1 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) the zone shall permit an accessory dwelling unit within a single detached dwelling.

All other provisions of this by-law shall apply.

**8.5.2 RR-2 – Concession 3, Part Lot 13 – 117 Mount Pleasant Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-2 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

- 1) to recognize an existing single-family dwelling on an expanded lot having less than the required minimum lot area and front yard depth

All other provisions of this by-law shall apply.

**8.5.3 RR-3 – 282 Edward Street**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-3 and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

- 1) A Senior Citizen Lodge with a maximum of four (4) guest rooms to be occupied by not more than five (5) residents.

All other provisions of this by-law shall apply.

**8.5.4 RR-4 – Concession 2, Part Lot 6 – Evergreen Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-4 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) Approximately 1± acres to establish development setback a minimum of 200' from the high-water mark of Rawdon Creek

All other provisions of this by-law shall apply.

#### **8.5.5 RR-5-h – Stonewall Heights (Pierce) Subdivision**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-5 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Reduced lot frontage

All other provisions of this by-law shall apply.

#### **8.5.6 RR-6-h – Stonewall Heights (Pierce) Subdivision, Lot 10**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-6 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Reduced lot frontage and to prohibit development (including private septic systems within a Wellhead Protection Areas (WHPA) 'D' and 'E' as identified in the Trent Coalition Assessment Report as approved by the Ministry of the Environment on October 6 2011.

All other provisions of this by-law shall apply

#### **8.5.7 RR-7 – Concession 3, Part Lot 1 – 23 Fargey Court**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-7 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Establish a minimum lot area of 5.5 acres

All other provisions of this by-law shall apply.

#### **8.5.8 RR-8 – Concession 3, Part Lot 19 – 1732 Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-8 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize an existing single-family dwelling
- 2) Establish a minimum lot area of 2.7± acres
- 3) To permit the operation of an automobile repair shop with a maximum size of 1100 square feet

This proposal will permit the disposal of a surplus dwelling for a bona fide farmer.



All other provisions of this by-law shall apply.

#### **8.5.9 RR-9 – Concession 1, Part Lot 15 – 333 Hoards Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-9 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To establish a minimum lot area of 2.5 acres

All other provisions of this by-law shall apply.

#### **8.5.10 RR-10 – Concession 5, Part Lot 3 – 1082 & 1102 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-10 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To establish a minimum setback of 150 metres from the "Hagerman Pit"
- 2) To establish a minimum setback of 150 metres from the esker located on the retained lot (as detailed in the David Mullett report, dated July 16, 2014)

All other provisions of this by-law shall apply.

#### **8.5.11 RR-11 – Concession 1, Part Lot 9 – 323 Ridge Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-11 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To prohibit the keeping of livestock

All other provisions of this by-law shall apply.

#### **8.5.12 RR-12 – Concession 2, Part Lot 21 – 182 Spencer Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-12 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

The following zone provisions apply to approximately 1.4 acres:

- 1) To prohibit the keeping of livestock
- 2) To recognize the resultant front yard depth of 4.5 metres (or as required as a result of road widening)

All other provisions of this by-law shall apply.

#### **8.5.13 RR-13 – Concession 7, Part Lot 14 & 15 – 222 Hoover Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-13 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

The following zone provisions apply to approximately 1.5 acres:

- 1) To recognize an existing single-family dwelling with a front yard setback of 60.66 feet

All other provisions of this by-law shall apply.

#### **8.5.14 RR-14 – Concession 11, Part Lot 23 – 179 Sweet Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-14 and shown on Schedule 'A' attached, the following special provisions shall apply:

##### Zone Provisions

The following zone provisions apply to approximately 1.4± acres:

- 1) To recognize an existing single-family dwelling and an existing accessory building in the front yard having a front yard depth of 0'

All other provisions of this by-law shall apply.

#### **8.5.15 RR-15 – Concession 13, Part Lots 1 & 2 – 969 Bronson Rapids Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-15 and shown on Schedule 'B' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize a setback of 120 metres from the Bend Bay Valley Life Sciences Area of Significant Natural or Scientific Interest (ANSI)

All other provisions of this by-law shall apply.

#### **8.5.16 RR-16 – Concession 4, Part Lot 2 – 552 Hollowview Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-16 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) Approximately 1± acre to permit a single-family residential building lot with an established building envelope that is appropriately setback from the intersection of Hollowview and Hagerman Roads.

All other provisions of this by-law shall apply

#### **8.5.17 RR-17 – Concession 6, Part Lot 16 – 460 Wellmans Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-17 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To prohibit the keeping of livestock on approximately 0.89 hectares (1.2 acres).

All other provisions of this by-law shall apply.

#### **8.5.18 RR-18 – Concession 1, Part Lot 1 – 1067 Tuftsville Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-18 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To recognize a Minimum Distance Separation (MDS) setback of 500 feet

All other provisions of this by-law shall apply.

#### **8.5.19 RR-19 – Concession 8, Part Lots 23 & 24 – 2104 Wingfield Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-19 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To prevent development of structures and the septic system within the 120 metre setback of the Rylstone Provincially Significant Wetland.

All other provisions of this by-law shall apply.

#### **8.5.20 RR-20 – Concession 2, Part Lot 16 – 476 Hoards Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RR-20 and shown on Schedule 'C' attached, the following special provisions shall apply:

##### Zone Provisions

- 1) To permit the operation of Stirling GellyBall, pursuant to a vegetative buffer being installed on the east side of the property.

All other provisions of this by-law shall apply.

## **SECTION 9 - LSR - LIMITED-SERVICE RESIDENTIAL ZONE**

- 9.1** Within a LSR - Limited-Service Residential Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

In a Limited-Service Residential Zone, there is no commitment or requirement by the municipality to assume responsibility for ownership or maintenance of any private road. Due to road conditions of privately maintained roads, there is no commitment or requirement by the municipality to ensure that emergency vehicles are able to access privately owned roads. The intent of the Limited-Service Residential Zone is to recognize residential development on private roads.

### **9.2 PERMITTED USES**

- 1) a seasonal dwelling,
- 2) a single detached dwelling,
- 3) an accessory building or use, including one sleeping cabin,
- 4) a Type 'A' home occupation, in accordance with the provisions of Section 5.29 of this By-law.

### **9.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

Lot Area (Minimum)	8000 m <sup>2</sup> (86,114 sq. ft)
Lot Frontage on a Private Road and/or Navigable Waterway (Minimum)	46 metres (150.1 ft)
Front Yard (Minimum)	10 metres (32.8 ft)
Rear Yard (Minimum)	10 metres (32.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Lot Coverage (Maximum)	20 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off Street Parking shall be provided in accordance with Section 5.31	
Gross Floor Area Single Detached Dwelling (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)
Gross Floor Area Seasonal Dwelling (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	3 metres (9.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	3 metres (9.8 ft)
Building Height (Maximum)	5 metres (16.41 ft)
Gross Floor Area: Sleeping Cabin	23 sq. metres (247.6 sq. ft)

Only (Maximum)	
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**c) Vegetative Buffer Adjacent to The Shoreline**

- i) a natural vegetative buffer strip 30 metres in width shall be maintained.

**9.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the LSR - Limited-Service Residential Zone.

**9.5 SPECIAL LSR - LIMITED-SERVICE RESIDENTIAL ZONES**

**9.5.1 LSR-1 – Concession 14, Part Lot 19 & 20 – 63 Harmony Lane**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-1 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 1) to reflect the resulting lot area and frontage to ensure the lands will be considered one lot

All other provisions of this by-law shall apply.

**9.5.2 LSR-2 – Concession 14, Part Lot 19 & 20 – 55 Harmony Lane**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-2 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 2) To recognize the lot frontage of 100 ft and a lot area of 0.4 acres

All other provisions of this by-law shall apply.

**9.5.3 LSR-3 – Concession 14, Part Lot 19 & 20 – 8 Harmony Lane**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned LSR-3 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 3) To recognize a total lot area of 0.9 acres

All other provisions of this by-law shall apply.

## **SECTION 10 - WR - WATERFRONT RESIDENTIAL ZONE**

**10.1** Within a WR - Waterfront Residential Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **10.2 PERMITTED USES**

- 1) a single detached dwelling,
- 2) a seasonal dwelling,
- 3) an accessory building or use,
- 4) a Type 'A' and Type 'B' home occupation, in accordance with the provisions of Section 5.29 of this By-law,
- 5) a Type 'A' home industry, in accordance with the provisions of Section 5.30 of this By-law.

### **10.3 ZONE REGULATIONS**

#### **a) For the Single Detached Dwelling**

Lot Area (Minimum)	4000 m <sup>2</sup> (43,057.1 sq. ft)
Road Frontage (Minimum)	46 metres (150.1 ft)
Water Frontage (Minimum)	46 metres (150.1 ft)
Front Yard (Minimum)	20 metres (65.6 ft)
Rear Yard (Minimum)	20 metres (65.6 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	20 metres (65.6 ft)
Lot Coverage (Maximum)	20 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off Street Parking shall be provided in accordance with Section 5.31	
Gross Floor Area (Minimum)	55.7 m <sup>2</sup> (600 sq. ft)

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	3 metres (9.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	3 metres (9.8 ft)
Building Height (Maximum)	5 metres (16.41 ft)

#### **c) Vegetative Buffer Adjacent to The Shoreline**

- i) a natural vegetative buffer strip 15 metres (49.2 ft.) in width shall be maintained.

### **10.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable,

to any land, lot building, structure or use within the WR - Waterfront Residential Zone.

**10.5 SPECIAL WR - WATERFRONT RESIDENTIAL ZONES**



## **SECTION 11 - MHR - MOBILE HOME RESIDENTIAL ZONE**

**11.1** Within a MHR - Mobile Home Residential Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this section and also no person shall within any MHR zone use any lot or install, place, erect, alter or use any building or structure unless such lot is served by a communal water system and a sanitary sewer systems and except in accordance with the regulations contained or referred to in this section.

### **11.2 PERMITTED USES**

- 1) mobile home,
- 2) an accessory dwelling,
- 3) mobile home park,
- 4) mobile home park management office,
- 5) a public use,
- 6) a recreational use accessory to a mobile home park.

### **11.3 ZONE REGULATIONS**

#### **a) For Mobile Home Sites**

Site Area (Minimum)	700 m <sup>2</sup> (7,535.0 sq. ft)
Site Frontage (Minimum)	18 metres (59.1 ft)
Front Yard (Minimum)	13.5 metres (44.3 ft)
Setback from Internal Roads	9 metres (29.5 ft)
Exterior Side Yard (Minimum)	13.5 metres (44.3 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Rear Yard (Minimum)	3 metres (9.8 ft)
Site Coverage (Maximum)	33 percent
Building Height (Maximum)	5 metres (16.4 ft)

#### **b) For Mobile Home Parks**

Lot Area (Minimum)	3 hectares (7.4 acres)
Lot Frontage (Minimum)	60 metres (196.9 ft)
Interior Side Yard (Minimum)	7.6 metres (24.9 ft)
Exterior Side Yard (Minimum)	13.5 metres (44.3 ft)
Rear Yard (Minimum)	7.6 metres (24.9 ft)
Dwelling Unit area for Accessory Dwelling House	74 m <sup>2</sup> (796.6 sq. ft)
Landscaped Area (Minimum)	30 percent
Accessory Dwellings Per Lot (Maximum)	1

### **11.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the MHR - Mobile Home Residential

Zone.

**11.5 SPECIAL MHR - MOBILE HOME RESIDENTIAL ZONES**

## **SECTION 12 - R1 - RESIDENTIAL FIRST DENSITY ZONE**

**12.1** Within a R1 - Residential First Density Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **12.2 PERMITTED USES**

- 1) a single detached dwelling,
- 2) a public park,
- 3) an accessory building or use to the above uses,
- 4) a Type 'A' and Type 'B' home occupation, according to the provisions of Section 5.29 of this By-law.

### **12.3 ZONE REGULATIONS**

#### **a) For a Single Detached Dwelling**

Lot Area (Minimum) - Public Water and Sanitary Sewers	550 m <sup>2</sup> (5,920 sq. ft)
Lot Frontage (Minimum) - Public Water and Sanitary Sewers (except in the case of a corner lot for which the minimum lot frontage shall be 21 metres)	18 metres (59 ft)
Lot Frontage (Minimum) - Public Water and Public Sewage Disposal System	24 metres (78.7 ft)
Lot Coverage (Maximum) (all buildings)	25 percent
Building Height (Maximum)	11 metres (36.1 ft)
Landscaped Open Space (Minimum)	30 percent
Number of Dwellings per Lot (Maximum)	1
Gross Floor Area (Minimum)	92.9 m <sup>2</sup> (1,000 sq. ft)
Minimum Yard Provisions: - Front or Rear Yard Depth - Interior Side Yard Width - Exterior Side Yard Width	7.5 metres (24.6 ft) 2 metres (6.5 ft) 7.5 metres (24.6 ft)
Off Street Parking shall be provided in accordance with Section 5.31	

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	3 metres (9.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	3 metres (9.8 ft)
Building Height (Maximum)	5 metres (16.41 ft)

### **12.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable,

to any land, lot building, structure or use within the R1 - Residential First Density Zone.

Where a dwelling which existed at the time of the passing of this by-law is located on a lot in the R1 Zone, such dwelling and lot shall be deemed to comply with all the requirements of the R1 Zone.

Where a dwelling which existed at the time of the passing of this by-law is located on a lot in the R1 Zone, such dwelling may be extended, enlarged or improved provided the yards existing at the time of the passing of this by-law are not reduced in depth and, where any such yards are greater in depth than the minimum required by this by-law, such yards may be reduced to the minimum yards required by this by-law and provided also that such dwelling continues to be used in the same manner and for the same purpose it was used on the date of passing of this by-law.

#### **12.5 SPECIAL R1 - RESIDENTIAL FIRST DENSITY ZONES**

## **SECTION 13 - R2 - RESIDENTIAL SECOND DENSITY ZONE**

**13.1** Within a R2 - Residential Second Density Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **13.2 PERMITTED USES**

- 1) a single detached dwelling,
- 2) a semi-detached dwelling,
- 3) a duplex dwelling,
- 4) a converted dwelling,
- 5) a boarding or rooming house,
- 6) a public park,
- 7) an accessory building or use to the above uses,
- 8) a Type 'A' and Type 'B' home occupation, according to the provisions of Section 5.29 of this By-law.

### **13.3 ZONE REGULATIONS**

#### **a) For a Single Detached Dwelling**

Lot Area (Minimum)	464.5 m <sup>2</sup> (5,000 sq. ft)
Lot Frontage (Minimum)	15 metres (49.2 ft)
Lot Coverage (Minimum)	25 percent
Building Height (Maximum)	11 metres (36.1 ft)
Landscaped Open Space (Minimum)	25 percent
Number of Dwellings Per Lot (Maximum)	1
Gross Floor Area (Minimum)	92.9 m <sup>2</sup> (1,000 sq. ft)
Minimum Yard Provisions:	
- Front or Rear Yard Depth	7.5 metres (24.6 ft)
- Interior Side Yard Width	2 metres (6.5 ft)
- Exterior Side Yard Width	7.5 metres (24.6 ft)

#### **b) For a Semi-Detached Dwelling, A Duplex Dwelling, A Boarding or Rooming House and a Converted Dwelling**

Lot Area (Minimum)	800 m <sup>2</sup> (8,611.4 sq. ft)
Lot Frontage (Minimum)	21 metres (68.9 ft)
Front Yard (Minimum)	10 metres (32.8 ft)
Rear Yard (Minimum)	10 metres (32.8 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Gross Floor Area (Minimum)	180 m <sup>2</sup> (1,937 sq. ft)
Lot Coverage (Maximum)	30 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off-Street Parking shall be provided in accordance with Section 5.31	

**c) For a Converted Dwelling and a Boarding or Rooming House**

The minimum gross floor area of a one-bedroom dwelling unit shall be 42 m <sup>2</sup> (452.1 ft. <sup>2</sup> ) plus an additional 13 m <sup>2</sup> (139.9 ft. <sup>2</sup> ) for each additional bedroom.
The minimum lot area per dwelling unit shall be 1400 m <sup>2</sup> (15,070.0 ft. <sup>2</sup> ) (for a converted dwelling).
No addition or enlargement shall be made to the external walls or roof of the dwelling.
No external stairway other than an open fire escape shall be provided.
Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
The 3-metre strip immediately adjacent to any lot line shall be landscaped.
Off-street parking shall be provided in accordance with Section 5.31.
The sewage disposal system shall be inspected and approved by the appropriate authority.

**d) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	2.5 metres (8.2 ft)
Interior Side Yard (Minimum)	2.5 metres (8.2 ft)
Exterior Side Yard (Minimum)	7.5 metres (24.6 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**13.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the R2 - Residential Second Density Zone.

**13.5 SPECIAL R2 - RESIDENTIAL SECOND DENSITY ZONES**

**13.5.1 R2-1 – N.E. Corner of Allan Street and West Front Street**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R2-1 and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

- 1) a service shop for small engines which shall include sale of these items.

All other provisions of this by-law shall apply.

**13.5.2 R2-2 – 97 Edward Street**

Notwithstanding any other provision of this by-law to the contrary, the following special provisions shall apply:

Zone Provisions

- 1) to recognize a reduced lot area of approximately 0.56 acres
- 2) to recognize setbacks for an existing residence

All other provisions of this by-law shall apply.

**13.5.3 R2-3 – Wells/Ryell Homes Subdivision**

Notwithstanding any other provision of this by-law to the contrary the following special provisions shall apply to the lands zoned Special Residential Second Density (R2-3) Zone:

Lot Coverage (Maximum)	35 percent
Front Yard Depth (Minimum)	6 metres (19.6 ft)
Interior Side Yard Width (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard Width	6 metres (19.6 ft)

All other provisions of this by-law shall apply.

**13.5.4 R2-4 – Plan 149, PT Block E RP21R12906 Pts 1 & 2; RP21R9531 Pts 2 & 4 and RP21R13035 Pt 1**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R2-4, and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions:

- 1) reduced interior side yard setback from 2m to 1.2m
  - 2) reduced exterior side yard setback from 7.5m to 5m to accommodate wider format houses on lots within the subdivision
- All other provisions of this by-law shall apply.

**13.5.5 R2-4-h – Plan 149, PT Block E RP21R12096 Pts 1 & 2; RP21R9531 Pts 2 & 4 and RP21R13035 Pt 1, Lots 21 through 25 - DorAnn Homes**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned R2-4-h and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

- 1) Holding symbol to remain until conditions as specified by the Lower Trent Conservation in its email dated June 12, 2012 have been satisfied

All other provisions of this by-law shall apply.

### **13.5.5 R2-5 – 186 Mill Street**

Notwithstanding any other provision of this by-law to the contrary, the following special provisions shall apply to the lands zoned Special Residential Second Density (R2-5):

#### Zone Provisions

- 1) A deficient interior side yard width of 0.2 feet to an existing garage and proposed addition
- 2) A deficient interior side yard width of 4 feet to a proposed accessory

All other provisions of this by-law shall apply.

### **13.5.6 R2-6 – Harvest Glen Subdivision**

Notwithstanding any other provision of this by-law to the contrary, the following special provisions shall apply to the lands zoned Special Residential Second Density (R2-6) zones:

#### **a) Permitted Uses:**

- i) A single Detached Dwelling

#### **b) Zone Regulations:**

Lot Area (Minimum)	333.0 m <sup>2</sup> (3,584 ft)
Lot Frontage (Minimum)	12.2 metres (40 ft)
Front Yard Depth (Minimum)	6 metres (19.6 ft)
Interior Side Yard (Minimum)	1.2 metres (3.9 ft)
Exterior Side Yard (Minimum)	5.5 metres (18 ft)
Lot Coverage (Maximum)	35 percent

All other provisions of this by-law shall apply.

### **13.5.7 R2-7 – Church Street North – Farnsworth**

Notwithstanding any other provision of this by-law to the contrary, the following special provisions shall apply to the lands zoned Special Residential Second Density (R2-7) zones:

#### Zone Provisions:

- 1) To permit a reduced area and frontage for a semi-detached dwelling unit

All other provisions of this by-law shall apply.



## **SECTION 14 - MR - MULTIPLE RESIDENTIAL ZONE**

**14.1** Within an MR - Multiple Residential Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **14.2 PERMITTED USES**

- 1) multiple dwelling including triplex, fourplex, townhouse and low-rise apartment complex,
- 2) a senior citizen multiple dwelling,
- 3) a converted dwelling,
- 4) a Type 'A' home occupation in accordance with Section 5.29,
- 5) a public park,
- 6) an accessory building or use to the above uses.

### **14.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

Lot Area (whichever is greater) - Minimum - Minimum per Dwelling Unit	4000 m <sup>2</sup> (43,057.1 sq. ft) 1400 m <sup>2</sup> (15,070 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	10 metres (32.8 ft)
Rear Yard (Minimum)	10 metres (32.8 ft)
Interior Side Yard (Minimum) i) to a wall of a building containing windows to habitable rooms ii) to a wall of a building containing no windows to habitable rooms	8 metres (26.2 ft) 3 metres (9.8 ft)
Interior Side Yard (Minimum) between dwelling units	Nil
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Building Height (Maximum)	11 metres (36.1 ft)
Lot Coverage (Maximum)	30 percent
Minimum Number of Dwelling Units in One Principal Building	3 dwelling units
Off Street Parking shall be provided in accordance with Section 5.31	

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	2.5 metres (8.2 ft)
Interior Side Yard (Minimum)	2.5 metres (8.2 ft)
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**c) For a Converted Dwelling**

A converted dwelling shall be permitted on lands zoned MR in accordance with the following regulations.

- i) The minimum gross floor area of a one-bedroom dwelling unit shall be 40 m<sup>2</sup> (430.6 ft.<sup>2</sup>) plus an additional 10 m<sup>2</sup> (107.6 ft.<sup>2</sup>) for each additional bedroom.
- ii) The minimum lot area per dwelling unit shall be 1,400 m<sup>2</sup> (15,070.0 ft.<sup>2</sup>).
- iii) No external stairway other than an open fire escape shall be provided.
- iv) Such dwelling shall be certified by the Chief Building Official to be structurally suitable for such conversion.
- v) The 3 metre (9.8 ft.) strip immediately adjacent to any lot line shall be landscaped.
- vi) Off-street parking shall be provided in accordance with Section 5.31.
- vii) The sewage disposal system has been inspected and approved by the appropriate authority.

**14.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the MR - Multiple Residential Zone.

**14.5 SPECIAL MR - MULTIPLE RESIDENTIAL ZONES****14.5.1 MR-1 – 12 Tanner Drive**

Notwithstanding any provision of this By-law to the contrary, on land zoned MR-1 and shown on Schedule 'E' attached, the following special provisions shall apply:

Interior Side Yard (Minimum) to a wall of a building containing no windows to habitable rooms	5.36 metres (17.5 ft)
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All other provisions of this by-law shall apply.

**14.5.2 MR-2h – Wells/Ryell Homes Subdivision**

Notwithstanding any other provision of this by-law to the contrary, on lands zoned MR-2h, the following special provisions shall apply:

Lot Coverage (Maximum)	40 percent
Front Yard Depth (Minimum)	6 metres (19.6 ft)
Rear Yard Depth (Minimum)	4 metres (13.1 ft)
Interior Side Yard Width (Minimum) to a wall of a building with or without windows to habitable rooms	1.5 metres (4.9 ft)
Lot Frontage (Minimum)	As per final approval of the Site Plan

Lot Area per Dwelling Unit (Minimum)	As per final approval of the Site Plan
Number of Dwelling Units (Maximum)	16

Holding Symbol removed following the approval of a Site Plan for development of the subject property.

All other provisions of the MR Zone shall apply.

#### **14.5.3 MR-3-h – Part of Park Block 15, Plan 38 – Baker Street Subdivision**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MR-3, the following provisions shall apply:

Permitted uses shall be limited to the following:

- 1) Dwelling, Multiple (townhouses)

Lot Area per Dwelling Unit (Minimum)	340 m <sup>2</sup> (3,659.7 sq. ft)
Lot Frontage per Dwelling Unit (Minimum)	7 metres (22.9 ft)
Front Yard (Minimum)	6 metres (19.6 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard between dwelling units sharing a common wall (minimum)	0 metres (0 ft)
Lot Coverage (Maximum)	40 percent

The 'h' shall be removed by by-law when the owner has entered into a Site Plan Agreement with the Corporation of Township of Stirling-Rawdon, which agreement shall address all municipal requirements, financial or otherwise, in accordance with Sections 41 of the Planning Act, R.S.O 1990, c.P.13., as amended.

All other provisions of the MR Zone and By-law No. 320-03, as amended, shall apply to the lands zoned Mr-3-h.

#### **14.5.4 MR-4 – Part of Park Lot 15, Plan 38, Parts 1, 2 &3, Plan 21R21952 – 223 Baker Street**

Notwithstanding any provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-4:

Lot Area per Dwelling Unit	320 m <sup>2</sup> (3,444.5 sq. ft)
Lot Frontage per Dwelling Unit	7 metres (22.9 ft)
Front Yard (Minimum)	6 metres (19.6 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Lot Coverage (Maximum)	42 percent

All other provisions of the MR Zone shall apply.

#### **14.5.5 MR-5 – Part of Park Lot 15, Plan 38, Parts 1, 2 &3, Plan 21R21952 – 229-235 Baker Street**

Notwithstanding any provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-5:

Lot Area per Dwelling Unit	290 m <sup>2</sup> (2,475 sq. ft)
Lot Frontage per Dwelling Unit	7 metres (22.9 ft)
Front Yard (Minimum)	6 metres (19.6 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Rear Yard (Minimum)	7.5 metres (24.6 ft)
Lot Coverage (Maximum)	42 percent

All other provisions of the MR Zone shall apply.

#### **14.5.6 MR-6 – Harvest Glen Subdivision**

Notwithstanding any provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-6:

- 1) To remove the 'holding' (-h) symbol from 21 lots and 5 townhouse blocks in phase 1 of the Harvest Glen Subdivision
- 2) To permit the development of the said lots in conformity with the zoning by-law

All other provisions of the MR Zone shall apply.

#### **14.5.7 MR-6h – Wells/Ryell Homes Subdivision**

Notwithstanding any provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-6:

Lot Coverage (Maximum)	40 percent
Front Yard Depth (Minimum)	6 metres (19.6 ft)
Rear Yard Depth (Minimum)	4 metres (13.1 ft)
Interior Side Yard Width to a wall of a building with or without windows to habitable rooms (Minimum)	1.5 metres (4.9 ft)
Lot Frontage (Minimum)	As per final approval of the Site Plan
Lot Area per Dwelling Unit (Minimum)	As per final approval of the Site Plan
Number of Dwelling Units (Maximum)	4

All other provisions of the MR Zone shall apply.

#### **14.5.8 MR-7h – Wells/Ryell Homes Subdivision**

Notwithstanding any other provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-7:

Lot Coverage (Maximum)	40 percent
Front Yard Depth (Minimum)	6 metres (19.6 ft)
Rear Yard Depth (Minimum)	4 metres (13.1 ft)
Interior Side Yard Width to a wall of a building with or without habitable windows to habitable rooms (Minimum)	1.5 metres (4.9 ft)
Lot Frontage (Minimum)	As per final approval of the Site Plan
Lot Area per Dwelling Unit (Minimum)	As per final approval of the Site Plan
Number of Dwelling Units per Building (Maximum)	4
Building Height	Maximum one story

All other provisions of the MR Zone shall apply.

#### **14.5.9 MR-8 – 174/176 Mill Street**

Notwithstanding any other provisions of this by-law to the contrary, the following special provisions shall apply to the lands zoned MR-8:

##### Zone Provisions

- 1) To permit a 40ftx30ft garage with a maximum height of 30ft
- 2) To recognize a reduced rear yard and interior side yard setback of 4ft

All other provisions of this by-law shall apply.

## **SECTION 15 - UC - URBAN COMMERCIAL ZONE**

**15.1** Within UC - Urban Commercial Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **15.2 PERMITTED USES**

- 1) a retail store, including a gift shop, craft shop and antique shop,
- 2) a convenience retail store,
- 3) a service shop including a personal service shop,
- 4) a lawn, garden and farm equipment and supplies sales outlet,
- 5) a laundry and/or dry-cleaning shop including coin operated establishments,
- 6) an eating establishment including an assembly hall and a tea room,
- 7) a food market,
- 8) a tavern,
- 9) a Liquor Control Board or Brewer's Retail Outlet,
- 10) a hotel/motel,
- 11) a bank and/or trust company,
- 12) printing or publishing establishment,
- 13) a business, administrative and/or professional office,
- 14) a theatre, cinema, or other place of entertainment,
- 15) a taxi depot,
- 16) a commercial recreational establishment such as a bowling or billiard establishment or other similar use,
- 17) a funeral home/parlour,
- 18) a medical or dental clinic,
- 19) a bake shop,
- 20) a private or commercial club,
- 21) a restaurant, take- out,
- 22) a car wash,
- 23) a bottle return depot,
- 24) a nursery school,
- 25) a veterinary clinic,
- 26) a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section,
- 27) an automobile service station,
- 28) an automobile sales agency,
- 29) dwelling units in the form of apartments as an accessory use in buildings in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20,
- 30) an accessory building or use to the above uses.

### **15.3 ZONE REGULATIONS**

#### **a) For All Uses Except an Automobile Service Station**

Lot Area (Minimum)	1000 m <sup>2</sup> (10,764.3 sq. ft)
Lot Frontage (Minimum)	15 metres (49.2 ft)
Front Yard (Minimum)	6 metres (19.6 ft)
Rear Yard (Minimum)	6 metres (19.6 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off Street Parking and Off-Street Loading Facilities shall be provided in accordance with Sections 5.31 and 5.32	
Access to an accessory dwelling unit shall be separate from access to a commercial use	

All other provisions of this by-law shall apply.

**b) For an Automobile Service Station**

Lot Area (Minimum)	2,000 m <sup>2</sup> (21,528.6 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Lot Depth (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	15 metres (49.2 ft)
Rear Yard (Minimum) except where a rear yard abuts a residential zone, the rear yard shall be a minimum of 15 metres (49.2 ft) of which the 4.5 metres (14.8 ft) adjacent to the lot line shall be retained in an open space condition	7.5 metres (24.6 ft)
Side Yard (Minimum) except where one or both side yards abut a residential zone, the side yard shall be a minimum of 15 metres (49.2 ft) of which the 4.5 metres (14.8 ft) adjacent to the lot line shall be retained in an open space condition	7.5 metres (24.6 ft)
A sight triangle of 15 metres (49.2 ft) minimum shall be provided on a corner lot	
Light stands and signs may be located in any required minimum yard at a minimum distance of 2.5 metres (8.2 ft) from any street line	
Fuel Pump Islands and Fuel Pumps may be located in any required minimum yard distance of 6 metres (19.6 ft) from any street line. A sight triangle is not to be construed to be part of the minimum yard for the purposes of this paragraph. Where a lot is a corner lot, no portion of any pump island or gasoline pump shall be located closer than 3 metres (9.8 ft) to a straight line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15 metres (49.2 ft) from the intersection of such lot lines.	
The distance between means of access or ramps shall be 12 metres (39.4 ft) and on a corner lot, no ramp may be located within 15 metres (49.2 ft) of the intersection of the street lines.	

Each ramp shall have a width of 7.5 metres (24.6 ft) and the interior angle formed between the lot line and the center line of the ramp shall be between seventy (70) and ninety (90) degrees.
No ramp shall be located within 4.5 metres (14.8 ft) of a side lot line.
Off-Street Parking and Off-Street Loading Facilities shall be provided in accordance with Sections 5.31 and 5.32.

**c) For Hotels and Motels**

Lot Area (Minimum) Public Water and Sanitary Sewers	930 m <sup>2</sup> (10,010.7 sq. ft)
Gross Guest Room Area (Minimum)	23 m <sup>2</sup> (247.6 sq. ft)
Lot Frontage (Minimum) Public Water and Sanitary Sewers	38 metres (124.7 ft)
Front Yard Depth (Minimum)	12 metres (39.4 ft)
Exterior Side Yard Width (Minimum)	12 metres (39.4 ft)
Interior Side Yard Width (Minimum)	6 metres (19.6 ft) or where the interior side lot line abuts a Residential Zone, the minimum interior side yard width shall be 9 metres (29.5 ft)
Rear Yard Depth (Minimum)	7.5 metres (24.6 ft) or where the rear lot line abuts a Residential Zone, the minimum rear yard depth shall be 9 metres (29.5 ft)
Lot Coverage (All Buildings) (Maximum)	25 percent
Setback from Street Centerline (Minimum) Former Provincial Highway Former County Road Urban Street	32 metres (105 ft) 25 metres (82 ft) 13 metres (42.7 ft)
Landscaped Open Space (Minimum)	20 percent
Building Height (Maximum)	11 metres (36.1 ft)
Distance Between Buildings Where two or more buildings are erected on the same lot, the minimum distance between buildings shall not be less than the minimum distance which would be required if each building were on a separate lot and subjected to the minimum yard requirements stated in Section 16.3 e) of the by-law.	

**e) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	3 metres (9.8 ft)



Building Height (Maximum)	5 metres (16.41 ft)
Minimum distance from any other building on the lot shall be 3 metres (9.8 ft) provided that in no case shall any overhang, eaves, or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.	

**f) For Lands Abutting a Residential Zone**

Notwithstanding the provisions of subsection 16.3 of this part, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 9 metres (29.5 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear and/or interior side lot line shall be landscaped.

**15.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UC - Urban Commercial Zone.

**15.5 SPECIAL UC - URBAN COMMERCIAL ZONE**

**15.5.1 UC-2 – Concession 10, Part Lot 12 – 4876-4880 Stirling Marmora Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-2 and shown on Schedule 'B' attached, the following special provisions shall apply:

Zone Provisions

- 1) to recognize the location of the existing buildings and permit a lot area of a minimum of 1.5 acres as a result of the provision approval for consent File No. B11/12 for the consolidation of land parcels
- 2) to permit an assembly hall and an eating establishment.

All other provisions of this by-law shall apply.

**15.5.2 UC-3 – Concession 1, Part Lot 11 – 2472 Stirling Marmora Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned UC-3 and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

- 1) a retail store, including a gift shop, craft shop and antique shop
- 2) a convenience retail store
- 3) a service shop, including a personal service shop
- 4) a lawn, garden and farm equipment and supplies sales outlet
- 5) a laundry and/or dry-cleaning shop including coin operated establishments
- 6) a food markets

- 7) printing or publishing establishment
- 8) a business, administrative and/or professional office
- 9) a commercial recreational establishment such as a bowling or billiard establishment or other similar use
- 10) a bake shop
- 11) a restaurant, take out
- 12) a car wash
- 13) a nursery school
- 14) a public or private parking area, including parking facilities associated with the principal use(s) permitted under this section
- 15) an automobile service station
- 16) a Self-Storage Facility
- 17) dwelling units in the form of apartments as an accessory use in building in which commercial uses are permitted, except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Sections 5.19 and 5.20
- 18) an accessory building or use to the above uses

All other provisions of this by-law shall apply.

## **SECTION 16 - BC - BUSINESS COMMERCIAL ZONE**

**16.1** Within a BC - Business Commercial Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **16.2 PERMITTED USES**

- 1) an agricultural equipment sales and repair establishment,
- 2) a cartage, express or truck terminal,
- 3) an automobile service station,
- 4) an automobile sales agency,
- 5) a bottle return depot,
- 6) a take-out restaurant,
- 7) a printing/copying establishment,
- 8) a building supply outlet,
- 9) a warehouse,
- 10) a retail store,
- 11) an equipment rental establishment,
- 12) any manufacturing operation located within a building,
- 13) a merchandise repair and service shop,
- 14) a business, professional or government office,
- 15) a public utility or public works yard,
- 16) a bank, trust company or other financial institution,
- 17) a theatre, cinema, or other place of entertainment,
- 18) a funeral home/parlour,
- 19) a car wash,
- 20) a post office,
- 21) a nursery school,
- 22) a private or commercial club,
- 23) a veterinary clinic,
- 24) a wholesale distribution centre,
- 25) a garden centre,
- 26) a factory outlet store,
- 27) a motorcycle, boat or snowmobile sales and repair establishment,
- 28) a bowling or billiard establishment,
- 29) a mini rental storage establishment,
- 30) one accessory dwelling unit per building.

### **16.3 ZONE REGULATIONS**

#### **a) For Principal Buildings**

Lot Area (Minimum)	700 m <sup>2</sup> (7,535 sq. ft)
Lot Frontage (Minimum)	20 metres (65.6 ft)
Front Yard (Minimum)	6 metres (19.6 ft)
Rear Yard (Minimum)	6 metres (19.6 ft)

Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	11 metres (36.1 ft)
Access to an accessory dwelling unit shall be separate from access to a commercial building.	

**b) For Accessory Buildings Not Attached to the Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**c) For Lands Abutting a Residential or Institutional Zone or Any Existing Residential Use**

Notwithstanding the yard provisions outlined above, where an interior side yard and/or a rear yard abuts a residential or institutional zone or any existing residential use, then such interior side yard and/or rear yard shall be a minimum of 15 metres (49.2 ft.). These 15 metres (49.2 ft.) area shall be maintained in an open space condition and no parking or loading spaces and no open storage of goods or materials shall be permitted within these 15 metres (49.2 ft.) area. The 3 metre (9.8 ft.) strip immediately adjacent to the interior side and/or rear lot line shall be landscaped.

**d) For Open Storage**

The outdoor storage of goods or merchandise for sale to the public shall only be permitted in conjunction with the following uses:

- i) an agricultural equipment sales and repair establishment,
- ii) an automobile sales outlet,
- iii) a building supply outlet,
- iv) an equipment rental establishment,
- v) a motorcycle, boat or snowmobile sales and repair establishment,
- vi) a garden centre.

**16.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the BC - Business Commercial Zone.

**16.5 SPECIAL BC - BUSINESS COMMERCIAL ZONE**

## **SECTION 17 - RC - RURAL COMMERCIAL ZONE**

**17.1** Within a RC - Rural Commercial Zone, no person shall use any land, erect, alter, enlarge, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **17.2 PERMITTED USES**

- 1) a farm implement and supply dealer, including the sale and service of snowmobiles and lawn and garden equipment,
- 2) an agricultural equipment supply and repair outlet,
- 3) an auction outlet,
- 4) a butcher shop and retail meat establishment,
- 5) a fertilizer mixing and sales establishment,
- 6) a feed and seed mill,
- 7) a sawmill or planing mill,
- 8) a greenhouse, nursery, or garden centre,
- 9) a bulk fuel dealer,
- 10) a craft shop,
- 11) an abattoir,
- 12) a merchandise service shop,
- 13) an accessory building or use to the above uses,
- 14) self-storage buildings,
- 15) flea market,
- 16) a warehouse,
- 17) commercial kennel,
- 18) drive-in restaurant,
- 19) a diesel, propane and/or natural gas outlet,
- 20) a retail or wholesale lumber and building supply outlet,
- 21) an automobile, snowmobile, motorcycle, or boat service station,
- 22) an automobile, mobile home, or travel trailer sales agency,
- 23) an automatic or coin operated car wash with the sale of petroleum products incidental thereto,
- 24) a hotel/motel,
- 25) an assembly hall,
- 26) an eating establishment, including an assembly hall,
- 27) a tavern,
- 28) an establishment for the sale, service, storage, or repair of small internal combustion engines such as snowmobiles, outboard motors, and lawnmowers,
- 29) a retail and/or wholesale outlet for the storage, display, and sale of lumber, building supplies and other similar new goods or materials,
- 30) a motorcycle, snowmobile, boat and machinery sales and service establishment, including the sale of parts and petroleum products incidental thereto,
- 31) a convenience retail store,
- 32) a convenience retail store and a restaurant as an accessory use to an automobile service station,
- 33) an accessory building or use to the above uses,

- 34) one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use to any of the foregoing except automobile service stations or other uses involving the sale of gasoline or other similar petroleum products, in accordance with the provisions of Section 5.19,
- 35) an agricultural produce sales outlet.

### **17.3 ZONE REGULATIONS**

#### **a) For the Principal Building**

Lot Area (Minimum)	4,000 m <sup>2</sup> (43,057.1 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	8 metres (26.2 ft)
Rear Yard (Minimum)	8 metres (26.2 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard	8 metres (26.2 ft)
Building Height (Maximum)	11 metres (36.1 ft)
Lot Coverage (Maximum)	40 percent
Off-Street Parking and Off-Street Loading Facilities shall be provided in accordance with Sections 5.31 and 5.32	
Access to a dwelling unit shall be separate from access to a rural commercial use	

#### **b) For an Automobile Service Station**

Lot Frontage (Minimum)	45 metres (147.6 ft)
Lot Depth (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	15 metres (49.2 ft)
Rear Yard (Minimum) except where the rear yard abuts a residential zone the rear yard shall be a minimum of 15 metres (49.2 ft) of which the 4.5 metres (14.8 ft) adjacent to the lot line shall be maintains in an open space condition	7.5 metres (24.6 ft)
Side Yards (Minimum) except where one or both side yards abut a residential zone the side yard shall be a minimum of 15 metres (49.2 ft) of which the 4.5 metres (14.8 ft) adjacent to the lot line shall be maintained in an open space condition	7.5 metres (24.6 ft)
A sight triangle of 8 metres (26.2 ft) minimum shall be provided on a corner lot	
Light stands and signs may be located in any required minimum yard at a minimum distance of 2.5 metres (8 ft) from any street line	
Fuel pump islands and fuel pumps may be located in any required minimum yard at a minimum distance of 6 metres (19.7 ft) from any street line. A sight triangle is not to be construed to be part of the required minimum yard for the purposes of this paragraph. Where a lot is a corner lot, no	

portion of any pump island or gasoline pump shall be located closer than 3 metres (9.8 ft) to a straight line between a point in the front lot line and a point in the exterior side lot line, each point being distant 15 metres (49.2 ft) from the intersection of such lot lines
The distance between means of access or ramps shall be 12 metres (39.4 ft) and on a corner lot, no ramp may be located within 115 metres (49.2 ft) of the intersection of the street lines
Each ramp shall have a width of 7.5 metres (24.6 ft) and the interior angle formed between the lot line and the centre line of the ramp shall be between seventy (70) and ninety (90) degrees
No ramp shall be located within 4.5 (14.8 ft) of a side lot line
Off-Street Parking and Off-Street Loading Facilities shall be provided in accordance with Sections 5.31 and 5.32

**c) For Commercial Kennels**

- i) Kennels shall be separated from a residential use by a minimum of 100 metres (328.1 ft.).
- ii) No more than 8 dogs over the age of 4 months shall be kept in the kennels.
- iii) No commercial kennel shall be erected within 45 metres (147.6 ft.) of the lot line of adjacent lands which are held in separate and distinct ownership.
- iv) Enclosed exercise areas or runs shall be provided.
- v) A minimum of 9.3 square metres (100 square feet) shall be provided for each animal.
- vi) Where a commercial kennel existed as of the date of passing of this by-law which does not comply with the foregoing setback or yard requirements, such commercial kennel shall not be extended, enlarged, reconstructed, or altered if the effect of such extension, enlargement, reconstruction, or alteration thereof is to further reduce or encroach on the setback, yard or yards that is or are less than required.

**d) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Building Height (Maximum)	5 metres (16.41 ft)
Gross Floor Area for Access Only Single Detached Dwelling	92.9 m <sup>2</sup> (1,000 sq. ft)

**e) For Land Abutting a Residential Zone or Residential Use**

Notwithstanding the provisions of subsection 17.3, where an interior side yard and/or a rear yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip

immediately adjacent to the rear and/or interior side lot lines shall be landscaped.

#### **17.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot building, structure or use within the RC - Rural Commercial Zone.

#### **17.5 SPECIAL RC - RURAL COMMERCIAL ZONES**

##### **17.5.1 RC-1-h – Concession 1, Part Lot 6 – 144 Evergreen Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-1-h and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted use:

- 1) flea market;
- 2) single detached dwelling;
- 3) parking accessory to the above two uses.

##### Zone Provisions

Building Gross Floor Area (Maximum)	1,997 m <sup>2</sup> (21,500 sq. ft)
The lands described as Part 2, Plan 21R5846 and zoned RC-2 shall be used only for parking spaces in conjunction with the flea market use	
6 metres (19.6 ft)	

##### Removal of Holding ('h') Symbol

The Holding ('h') provision may be removed by Council once Council is satisfied that a site plan agreement has been entered into which shall provide for the following:

- 1) a 15-metre construction setback from the watercourse to the west;
- 2) a drainage plan and grading that will prevent runoff from flowing directly into the watercourse and will prevent backup flooding at peak flow;
- 3) maintenance of a natural buffer along the watercourse a minimum of 7.5 metres on each side of the watercourse;
- 4) the parking area between the building and the watercourse to remain unpaved and to be graded to facilitate sheet drainage away from the watercourse;
- 5) provision for buffering between the loading, deck area and neighbouring residential land uses, satisfactory to the local municipality and an agreement to take steps to prevent interference with the livestock operation to the south and west;
- 6) other issues of concern to the local municipality, including access, sewage disposal and solid waste disposal;
- 7) mitigation through preservation or resource removal and documentation of any adverse impacts on any significant archaeological resource found as a result of an archaeological assessment of the entire property, as set out in the



Archaeological Assessment Technical Guidelines. Such assessment was a condition of consent.

All other provisions of this by-law shall apply.

#### **17.5.2 RC-2 – Concession 11, Part Lot 12 & 13 – 45 Williams Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-2 and shown on Schedule 'A' attached, the following special provisions shall apply:

##### Zone Provisions

The following shall be the only permitted uses:

- 1) commercial greenhouse;
- 2) buildings or structures accessory to the principal use.

All other provisions of this by-law shall apply.

#### **17.5.3 RC-3 – Concession 13, Part Lots 13 & 14 – 5882 Stirling Marmora Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-3 and shown on Schedule 'A' attached, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted uses:

- 1) furniture and cabinet-making;
- 2) furniture and cabinet retail and wholesale sales;
- 3) a flea market
- 4) a greenhouse operation

##### Zone Provisions

- a) the existing shed and its addition may be used for the above uses.

*Flea Market: shall mean a building or part of a building where second-hand goods, articles and antiques are offered for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.*

All other provisions of this by-law shall apply.

#### **17.5.4 RC-4 – Concession 2, Part Lot 11 – 7 Demorest Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-4 and shown on Schedule 'D' attached, the following special provisions shall apply:

- 1) landscape/building supply depot

2) the sale of farm products

All other provisions of this by-law shall apply.

**SECTION 18 - RRC - RECREATIONAL/RESORT COMMERCIAL**

**18.1** Within a RRC - Recreational/Resort Commercial Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

**18.2 PERMITTED USES**

- 1) a marina, including a boat sales and service establishment and the sale of parts and petroleum products incidental thereto,
- 2) a tent and/or travel trailer park,
- 3) a tourist establishment including hotels, lodges, housekeeping cottages, tourist establishments,
- 4) a gift shop,
- 5) an eating establishment,
- 6) a bed and breakfast establishment,
- 7) a convenience retail store,
- 8) a miniature golf course, driving range or other similar recreationally oriented use,
- 9) a public or private park,
- 10) one dwelling or dwelling unit as an accessory use for the owner or operator of a principal use, in accordance with the provisions of Section 5.19,
- 11) an accessory building or use to the above uses;

**18.3 ZONE REGULATIONS**

**a) For All Principal Uses**

Lot Area (Minimum)	4,000 m <sup>2</sup> (43,057.1 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	8 metres (26.2 ft)
Rear Yard (Minimum)	8 metres (26.2 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	11 metres (36.1 ft)
Off-Street Parking shall be provided in accordance with Section 5.31 and 5.32	
Access to an accessory dwelling unit shall be separate from access to a commercial use	
All means of ingress and egress shall have a minimum width of 6 metres (19.7 ft) and in the case of a corner lot, no means of ingress or egress shall be located within 15 metres (49.2 ft) of the intersection of the street lines, or, where a corner is rounded, the points at which the extended street lines meet.	

**b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Building Height (Maximum)	5 metres (16.41 ft)
Gross Floor Area for Access Only Single Detached Dwelling	92.9 m <sup>2</sup> (1,000 sq. ft)

**c) For Lands Abutting a Residential Zone or Residential Use**

- i) Notwithstanding the provisions of subsection 18.3, where a rear yard and/or an interior side yard abuts a residential zone or any existing residential use, then such interior side yard shall be a minimum of 5 metres (16.4 ft.) and such rear yard shall be a minimum of 10 metres (32.8 ft.). The 3 metre (9.8 ft.) strip immediately adjacent to the rear and/or interior side lot lines shall be landscaped.
- ii) Water oriented commercial uses such as marinas or docks shall be located a minimum of 60 metres (196.9 ft.) from the nearest residential zone or use.

**d) Additional Zone Regulations for A Marina**

- i) Notwithstanding the provisions of subsection 18.3, a marina use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.
- ii) Where a rear yard and interior side yard abuts a navigable body of water, then such rear yard and/or interior side yard may be reduced to zero metres.
- iii) No entrance channel, turning basin, dock or boat mooring area shall be located closer than 60 metres (196.9 ft.) to a residential zone, a residential use, or a street line.
- iv) Facilities for the refuelling of marine craft shall be provided at a separate pier or dock area from boat mooring facilities.
- v) Catwalks shall have a minimum width of .6 metres (2 ft.) and boat mooring docks shall have a minimum width of 1.2 metres (3.9 ft.).
- vi) A minimum of one parking space shall be provided for every two boat slips.

**e) Additional Zone Regulations for A Tent and/or Travel Trailer Park**

Notwithstanding the provisions of subsection 18.3, a tent and/or travel trailer park use shall be subject to the following special provisions in addition to all other applicable provisions of this By-law:

Lot Area (Minimum)	4.0 hectares (9.9 acres)
The minimum distance of buildings or structures or a tent or travel trailer	

site from any lot line shall be 15 metres (49.2 ft)	
The minimum distance of buildings or structures or a tent or travel trailer site from the centre of road allowance shall be 25 metres (82.0 ft)	
Travel Trailer Park Density (Maximum)	30 trailers per gross hectare to a maximum of 50 sites
Travel Trailer Site Area (Minimum)	200 m <sup>2</sup> (2,142.8 sq. ft)
Travel Trailer Site Frontage (Minimum)	6 metres (19.7 ft)
Building Height (Maximum)	4.5 metres (14.8 ft)
Maximum Number of Travel Trailers on a Travel Trailer Site	1 travel trailer
Travel Trailer Park Usable Waterfront (Minimum)	2 m/site (6.68ft/site)
Lot Coverage (Maximum)	25 percent
No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 30 metres (98.4 ft) of the highwater mark of any water body	
The creations of a new tent and trailer park or the expansion of an existing park shall require an amendment to this by-law	
No campsite, building or structure, except a marine facility for launching and/or servicing of boats, shall be permitted within 30 metres of the high-water mark of any water feature	
A tent and trailer park located in the Waterfront area shall provide a waterfront amenity area of not less than the greater of 30 metres or 2 metres of waterfront for each site but shall not exceed 35% of the shoreline frontage. The remaining 65% of the shoreline shall be maintained in an undisturbed natural state.	

**f) Additional Zone Regulations for Hotels, Motels & Rental Cabins**

Notwithstanding the provisions of subsection 18.3, motels, hotels and/or rental cabin uses shall be subject to the following special provisions in addition to all other applicable provisions of this By-law.

Lot Area (Minimum)	2.0 hectares (4.9 acres)
Maximum Density	1 unit/4,000 m <sup>2</sup> (43,057.1 sq. ft) to a maximum of 50 units
No campsite, building or structure except a marine facility for launching and/or servicing of boats or a water pump house is permitted within 30 metres (98.4 ft) of the highwater mark of any waterbody	
No building, structure, septic tank, or tile field, except a pump house or marine facility for the launching and/or servicing of boats shall be located closer than 30 metres to the highwater mark of any watercourse	

**18.4 GENERAL PROVISIONS**

All other special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land lot, building, structure or use within the RRC - Recreational/Resort Commercial Zone.

**18.5 SPECIAL RRC - RECREATIONAL/RESORT COMMERCIAL ZONES**

## **SECTION 19 - UI - URBAN INDUSTRIAL ZONE**

**19.1** Within a UI - Urban Industrial Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **19.2 PERMITTED USES**

- 1) a manufacturing, processing, or warehousing undertaking including storage and self-storage warehousing,
- 2) a workshop for the repair, processing, or treatment of small goods and wares, and any other service industries,
- 3) an automobile body shop,
- 4) a yard for the open or concealed storage of goods or materials,
- 5) a machine or welding shop,
- 6) a motor vehicle repair garage,
- 7) a lumber yard,
- 8) a research facility,
- 9) a merchandising service shop,
- 10) a transport terminal or yard,
- 11) any business, administrative or professional offices accessory to a permitted industrial use, including a union hall,
- 12) a builder's supply outlet,
- 13) an accessory dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
- 14) an accessory building or use to the above uses including a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

### **19.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings or Uses**

Lot Area (Minimum)	4,000 m <sup>2</sup> (43,057.1 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	8 metres (26.2 ft)
Rear Yard (Minimum)	8 metres (26.2 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	15 metres (49.2 ft)
Off-Street Parking shall be provided in accordance with Section 5.30	
Off-Street Loading Facilities shall be provided in accordance with Section 5.31	
A sight triangle of 15 metres (49.2 ft) shall be provided on a corner lot	

**b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**c) For Lands Abutting a Residential Zone or Residential Use**

Notwithstanding the provisions of this section, where an interior side yard and/or rear yard abuts a residential zone then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). These 22 metres (72.2 ft.) area shall be maintained in an open space condition and the open storage of goods or materials shall not be permitted within these 22 metres (72.2 ft.) area.

**d) For Lands Abutting a Public or Private Road Allowance or Opposite a Residential Zone**

Where any lot line in an UI Zone abuts a public road allowance or a private road allowance or where the lot on the opposite side of a street or a public or private road allowance is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the UI Zone lot.

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The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens, or shrubs, not less than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.

Maintenance

A buffer/planting strip shall be planted, nurtured, and maintained by the owner or owners of the lot on which the strip is located.

Landscaped Open Space

A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

Interruption for Driveways or Pedestrian Walks

In all cases where ingress and egress driveways or walks extend through a buffer/planting strip or it shall be permissible to interrupt the strip within 3 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of



the edge of such walk.

**19.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the UI - Urban Industrial Zone.

**19.5 SPECIAL UI - URBAN INDUSTRIAL ZONES**

## **SECTION 20 - RI - RURAL INDUSTRIAL ZONE**

**20.1** Within a RI - Rural Industrial Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **20.2 PERMITTED USES**

- 1) a cartage, express or truck terminal,
- 2) a cheese factory,
- 3) an outside storage uses,
- 4) a fuel storage tank depot,
- 5) an agricultural equipment supply and repair outlet,
- 6) a woodworking shop/showroom,
- 7) a contractor's yard,
- 8) a canning factory,
- 9) a bulk storage yard,
- 10) an automobile repair garage,
- 11) a lumber mill, sawmill and a planing mill, dry kiln, chipper, repair depot,
- 12) a feed and seed mill,
- 13) a merchandise service shop,
- 14) a machine shop,
- 15) a warehouse,
- 16) an assembly operation,
- 17) a retail and/or wholesale building supply outlet,
- 18) a factory outlet,
- 19) an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19,
- 20) an accessory building or use to the above uses including a bank, a cafeteria, and a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the principal building, and occupies not more than five (5) percent of the gross floor area of the principal building.

### **20.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings or Uses**

Lot Area (Minimum)	4,000 m <sup>2</sup> (43,057.1 sq. ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	8 metres (26.2 ft)
Rear Yard (Minimum)	8 metres (26.2 ft)
Interior Side Yard (Minimum)	3 metres (9.8 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	15 metres (49.2 ft)
Off-Street Parking shall be in accordance with Section 5.31	

Off-Street Loading Facilities shall be provided in accordance with Section 5.32
A sight triangle of 15 metres (49.2 ft) minimum shall be provided on a corner lot
Open Storage uses shall be set back in accordance with the minimum yard provisions set out in this subsection and where accessory to a principal Rural Industrial Use, no open storage use shall be permitted in any front or exterior side yard.

**b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	8 metres (26.2 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**c) For Open Storage**

The outdoor storage of goods or merchandise for sale to the public shall only be permitted in conjunction with the following uses:

- i) an agricultural equipment sales and repair establishment,
- ii) an automobile sales outlet,
- iii) a building supply outlet,
- iv) an equipment rental establishment,
- v) a motorcycle, boat or snowmobile sales and repair establishment,
- vi) a garden centre.

**d) For Lands Abutting a Residential Zone or A Residential Use**

Notwithstanding the provisions of this section, where an interior side yard and/or rear yard abuts a residential zone or residential use then such interior side yard and/or rear yard shall be a minimum of 22 metres (72.2 ft.). These 22 metres (72.2 ft.) area shall be maintained in an open space condition and no open storage of goods or material shall be permitted within these 22 metres (72.2 ft.) area.

**e) For Lands Abutting a Public or Private Road Allowance or Opposite a Residential Zone**

Where any lot line in a Rural Industrial (RI) Zone abuts a public or private road allowance or where the lot on the opposite side of a street or a public or private road allowance is in a residential zone, a buffer planting strip adjoining such abutting lot line shall be provided on the Rural Industrial (RI) Zone lot.

- i) Contents  
The buffer/planting strip shall consist of an earth berm and/or a continuous unpierced hedgerow of tree, evergreens, or shrubs, not less

than 2.0 metres (6.6 ft.) high and 3 metres (9.8 ft.) wide immediately adjoining the lot line or portion thereof along which such planting strip is required. The earth berm shall not be greater than a 3:1 slope.

- ii) Maintenance  
A buffer/planting strip shall be planted, nurtured, and maintained by the owner or owners of the lot on which the strip is located.
- iii) Landscaped Open Space  
A buffer/planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.
- iv) Interruption for Driveways or Pedestrian Walks  
In all cases where ingress and egress driveways or walks extend through a buffer/planting strip or it shall be permissible to interrupt the strip within 3.0 metres (9.8 ft.) of the edge of such driveway or within 1.5 metres (4.9 ft.) of the edge of such walk.

#### **20.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the RI - Rural Industrial Zone.

#### **20.5 SPECIAL RI - RURAL INDUSTRIAL ZONES**

##### **20.5.1 RI-1 – Concession 1, Part Lot 6 – 251 Goods Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned RC-4 and shown on Schedule 'D' attached, the following special provisions shall apply:

##### Zone Provisions:

- 1) To limit the permitted uses in the Rural Industrial (RI) zone to a metal roofing business only

All other provisions of this by-law shall apply.

## **SECTION 21 - MX - MINERAL EXTRACTIVE ZONE**

**21.1** Within a MX - Mineral Extractive Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **21.2 PERMITTED USES**

- 1) a pit or quarry, including drilling and blasting,
- 2) open space, conservation, forestry, and agricultural uses,
- 3) the processing of mineral aggregates, including aggregate crushing, screening, and washing,
- 4) asphalt plants, ready-mix concrete plants, and aggregate transfer stations,
- 5) a single detached dwelling accessory to an agricultural use,
- 6) accessory buildings or uses to the above uses,
- 7) a wayside pit or quarry

### **21.3 ZONE REGULATIONS**

#### **a) For Excavation Area and Storage Uses**

Rear and Interior Side Lot Lines (Minimum)	15 metres (49.2 ft)
Front and Exterior Side Lot Lines (Minimum)	30 metres (98.4 ft)
Setback from residential, commercial, community facility, or industrial zone or use (Minimum)	30 metres (98.4 ft)
Setback from any road right-of-way (Minimum)	30 metres (98.4 ft)
Setback from Natural Water Course	30 metres (98.4 ft)

#### **b) For Open and Enclosed Pit or Quarry Processing Operations**

Rear and Interior Side Lot Lines (Minimum)	15 metres (49.2 ft)
Front and Exterior Side Lot Lines (Minimum)	30 metres (98.4 ft)
Setback from residential, commercial, community facility or industrial zone or use (Minimum)	90 metres (295.3 ft)
Setback from any road right-of-way (Minimum)	30 metres (98.4 ft)

#### **c) For Accessory Buildings to Pit or Quarry Operations**

All Yards (Minimum)	30 metres (98.4 ft)
Setback from residential, commercial, community facility, or industrial zone or use (Minimum)	90 metres (295.3 ft)
Setback from any road right-of-way	30 metres (98.4 ft)
Maximum Height	5 metres (16.41 ft)

#### **d) For Conservation, Forestry and Agricultural Uses**

- i) The zone regulations contained in Section 7 of this By-law shall apply.

**e) For Open Space Uses**

- i) The zone regulations contained in Section 27 of this By-law shall apply.

**f) Landscaping**

- i) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any MX zone and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or lot line. Where an MX zone abuts a Residential Zone, or a roadway is the only separation between two such areas, then no aggregate extraction use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line and no parking use shall be made of any land within 7.5 metres (24.6 ft.) of the abutting lot line. The intervening land shall be kept in an open space condition with grass, trees and shrubs and retained as part of the normal operation of the extraction activity.

**21.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply where applicable to any land, lot, building, structure, or use within the MX - Mineral Extractive Zone.

**21.5 SPECIAL MX - MINERAL EXTRACTIVE ZONES**

**21.5.1 MX-1 – Concession 14, Lots 13 and 14**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MX-1 and shown on Schedule 'A' attached, the following special provisions shall apply:

Zone Provisions

- 1) setback for gravel extraction from residential use (minimum) shall be 210 m (700 ft.)

All other provisions of this by-law shall apply.

**21.5.2 MX-2 – Concession 6, Part Lot 3 – 1281 Salem Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned MX-2 and shown on Schedule 'D' attached, the following special provisions shall apply:

Zone Provisions

- 1) to prohibit residential uses on the property

All other provisions of this by-law shall apply.

## **SECTION 22 - WD - WASTE DISPOSAL ZONE**

**22.1** Within a WD - Waste Disposal Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure of any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **22.2 PERMITTED USES**

- 1) a sanitary landfill site,
- 2) a sewage treatment plant,
- 3) a sewage lagoon,
- 4) a waste transfer station,
- 5) a waste processing facility including the recycling and reprocessing of waste materials into new products,
- 6) a salvage yard,
- 7) agricultural, open space, conservation and forestry uses, excluding dwellings,
- 8) accessory buildings or uses to the above uses.

### **22.3 ZONE REGULATIONS**

#### **a) For Agricultural, Conservation and Forestry Uses**

- i) The zone regulations of Section 7 of this By-law shall apply.

#### **b) For Open Space Uses**

- i) The zone regulations of Section 27 of this By-law shall apply.

#### **c) For a Salvage Yard**

Lot Area (Minimum)	2 hectares (4.9 acres)
Lot Frontage (Minimum)	60 metres (196.6 ft)
Yard Requirements	15 metres (49.2 ft)
Lot Coverage (Maximum)	40 percent
A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any salvage yard site and any adjacent community facility, commercial or industrial zone or use, and along any adjacent street line or adjoining lot line. Where a salvage yard site abuts a residential zone or use or a roadway is the only separation between two such areas, then no salvage yard use of any kind shall be made within 30 metres (98.4 ft.) of the adjacent lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees and shrubs and maintained as part of the normal operation of the salvage yard activity.	
No land shall be used for the storage or mechanized processing of goods, wares, merchandise, articles, or things within 300 metres (984.3 ft.) of any residential or commercial zone or use, nor closer than 100 metres ( <b>328.1 ft.</b> ) to a lot line or a street line. Without limiting the generality of this	

subsection, mechanized processing includes the use of machinery or equipment to crush, compact, separate, refine, incinerate, or similarly treat goods, wares, merchandise, articles, or things.
The salvage yard site shall be sufficiently screened by a fence, a berm, or a combination of the two so that waste materials being stored or processed on the site are not visible from adjacent roads. The screening shall extend a minimum of 3 metres (9.8 ft.) above grade or to a height equal to that of the goods, wares, merchandise, articles, or things being stored or processed within the salvage yard site, whichever is the greater. All fences shall be constructed of an opaque material and shall be painted or otherwise preserved and kept painted from time to time, to maintain the fences in good condition.
An accessory weighing scale and recording office shall be permitted no closer than 30 metres (98.4 ft.) to a street line.
A salvage yard site shall not be located on land covered by water or subject to flooding and shall be so located that no direct drainage leads to a watercourse.
No open burning shall be permitted.
Prior to the storage or processing of any goods, wares, merchandise, articles, or things all fluids shall be drained and disposed of in a manner approved by the Ministry of the Environment if they are not stored for the purposes of resale.

**d) For All Other Waste Disposal Uses**

- i) No person, including the municipality, shall establish, alter, enlarge, or extend a sanitary landfill site, a sewage treatment plant, a sewage lagoon, a transfer station, or a waste processing facility unless a Provincial Certificate of Approval has been issued by the Ministry of the Environment and Energy.
- ii) All waste disposal sites shall be established and operated in accordance with the requirements of the Environmental Protection Act and the Environmental Assessment Act.
- iii) A strip of land not less than 15 metres (49.2 ft.) in width shall be reserved for landscaping purposes between any sanitary landfill site, sewage treatment plant, sewage lagoon, transfer station or waste processing facility and any adjacent commercial, community facility or industrial zone or use and along any adjacent street line or adjoining lot line. Where such uses abut a residential zone or an existing residential use or a roadway is the only separation between two such areas, then no waste disposal use shall be made of any kind within 30 metres (98.4 ft.) of the abutting lot line. The land reserved for landscaping purposes shall be kept in an open space condition with grass, trees, and shrubs and maintained as part of the normal operation of the waste disposal activity.



**22.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the WD - Waste Disposal Zone.

**22.5 SPECIAL WD - WASTE DISPOSAL ZONES**

## **SECTION 23 - CF - COMMUNITY FACILITY ZONE**

**23.1** Within an CF - Community Facility Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **23.2 PERMITTED USES**

- 1) any undertaking established or maintained by a governmental board, authority, agency, or commission,
- 2) a place of worship, with accessory uses including a cemetery and a dwelling unit,
- 3) a cemetery,
- 4) any undertaking of a utility company, such as a natural gas company or telephone company,
- 5) a school,
- 6) a commercial or private club or fraternal arena lodge,
- 7) a public or private hospital,
- 8) a community centre,
- 9) a nursing home or extended care facility,
- 10) a nursery school,
- 11) a library,
- 12) an elderly person's centre,
- 13) a public park,
- 14) any other institutional or community facility use,
- 15) charitable camp,
- 16) museum or art gallery,
- 17) a fairground,
- 18) an accessory building or use to the above uses.

### **23.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings**

Lot Area (Minimum)	4,000 m <sup>2</sup> (43,057.1 sq ft)
Lot Frontage (Minimum)	45 metres (147.6 ft)
Front Yard (Minimum)	10 metres (32.8 ft)
Rear Yard (Minimum)	10 metres (32.8 ft)
Interior Side Yard (Minimum)	7.5 metres (24.6 ft)
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Lot Coverage (Maximum)	40 percent
Building Height (Maximum)	15 metres (49.2 ft)
Off-Street Parking shall be provided in accordance with Section 5.31	

#### **b) For Accessory Buildings Not Attached to The Principal Building**

Rear Yard (Minimum)	1.5 metres (4.9 ft)
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Interior Side Yard (Minimum)	1.5 metres (4.9 ft)
Exterior Side Yard (Minimum)	10 metres (32.8 ft)
Building Height (Maximum)	5 metres (16.41 ft)

**c) For Lands Abutting a Residential Zone or Residential Use**

Notwithstanding the provisions of subsection 26.3, where a rear yard and/or interior side yard abuts a residential zone or existing residential use then such interior side yard shall be a minimum of 10 metres (32.8 ft.) and such rear yard shall be a minimum of 15 metres (49.2 ft.). The 1 metre (3.3 ft.) strip immediately adjacent to the rear yard and/or interior side yard shall be landscaped.

**23.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the CF - Community Facility Zone.

**23.5 SPECIAL CF - COMMUNITY FACILITY ZONES**

**23.5.1 CF-1 – 437 West Front Street**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-1 and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

3) development shall be permitted on a private sanitary sewage disposal system.

All other provisions of this by-law shall apply.

**23.5.2 CF-2 – 97 Edward Street**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-2 and shown on Schedule 'E' attached, the following special provisions shall apply:

Zone Provisions

33) reduce lot area to approximately 0.56 acres, setbacks, and parking requirements for an existing church

All other provisions of this by-law shall apply.

**23.5.3 CF-3 – Concession 8, Part Lot 4 – 991 Cooke Road**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned CF-3 and shown on Schedule 'B' attached, the following special provisions shall apply:

Zone Provisions

4) to permit the construction of a school house for Amish Children

All other provisions of this by-law shall apply.

## **SECTION 24 – GH - GROUP HOME ZONE – REPEALED 1463-21**

**24.1** Within a GH – Group Home Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure of any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **24.2 PERMITTED USES**

- 1) A group home that is licenced by the Ministry of Community and Social Services

### **24.3 ZONE REGULATIONS**

#### **a) For All Principal Buildings or Uses**

- 1) The establishment of a new or the expansion of an existing group home shall be by amendment to this by-law to a Group Home Zone.
- 2) A group home shall comply with the zone requirements of the appropriate residential zone for the dwelling type being occupied.

- Dwelling Type:

- A single detached dwelling unit;
- A converted single detached dwelling unit;
- A semi-detached dwelling (both units);
- A duplex (both units).

- Occupancy

A group home shall occupy the whole of the residential dwelling

- Minimum Floor Area (including staff and/or receiving family) shall be:

- 18 square metres of gross floor area per adult resident'
- 9 square metres of gross floor area per child resident.

- Minimum Rear Yard Amenity Area:

There shall be a minimum rear yard amenity area of 14 square metres (494 sq. ft.) for each group home resident, exclusive of staff or receiving family, and not less than a total of 100 square metres (3,531 sq. ft.) for each group home

- Minimum Distance Separation

A group home shall be located at least 500 metres (1,640 ft.) from any other group home.

- Parking

In addition to the minimum parking requirements of Section 5.31, one additional parking space shall be provided for each attendant or staff member who resides outside of the group home.

b) **For Accessory Buildings Not Attached to the Principal Building**

- 1) An accessory building shall comply with the accessory building requirements of the zone in which it is being established.

#### **24.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the GH – Group Home Zone.

#### **24.5 SPECIAL GH – GROUP HOME ZONES**

##### **24.5.1 GH-1 – 948 Wingfield Road – REPEALED 1463-21**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned GH-1 and shown on Schedule 'C' attached, the following special provisions shall apply:

Zone Provisions

- 1) Exclusively permit the provision of residential support for individuals with autism spectrum disorder as licenced by the Ministry of Community and Social Services.

All other provisions of this by-law shall apply.

**SECTION 25 - OS - OPEN SPACE ZONE**

**25.1** Within an OS - Open Space Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

**25.2 PERMITTED USES**

- 1) open space and conservation use, including forestry, reforestation and other activities connected with the conservation of soil and wildlife,
- 2) agricultural uses but not intensive agricultural uses,
- 3) a fairground,
- 4) a woodlot,
- 5) a public or private park, conservation area, playground, roadside park, public boat launch or swimming or picnicking area, playing field, recreational trail, swimming pool, wading pool, beach, picnic area, bandstand, skating rink, tennis court, bowling green, golf course or other similar outdoor recreational uses, both passive and active,
- 6) a tent and/or travel trailer park, in accordance with the provisions of subsection 25.3 below,
- 7) an accessory dwelling or dwelling unit for a caretaker or security guard, in accordance with the provisions of Section 5.19 of this By-law,
- 8) an accessory building or use to the above uses, including an accessory commercial building or use to serve an open space use.

**25.3 ZONE REGULATIONS**

**a) For All Uses Except a Tent and/or Travel Trailer Park**

The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft.).	
The minimum distance of buildings or structures from the centre line of any road shall be 30 metres (98.4 ft.).	
Building Height (Maximum)	6 metres (19.7 ft)
Lot Coverage (Maximum)	50 percent

**b) For Tent and/or Travel Trailer Parks**

- i) The applicable provisions of Section 18 of this By-law shall apply.

**25.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the OS - Open Space Zone.

**25.5 SPECIAL OS - OPEN SPACE ZONES**

**SECTION 26 - EPW - ENVIRONMENTAL PROTECTION WETLAND ZONE**

**26.1** Within an EPW - Environmental Protection Wetland Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

**26.2 PERMITTED USES**

- 1) a conservation use excluding any buildings,
- 2) a use that was in existence on or before the date of passage of the Zoning By-law,
- 3) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
- 4) an accessory use to the above uses, excluding any buildings,
- 5) hunting, but not hunt camps,
- 6) fishing.

**26.3 ZONE REGULATIONS**

- a) All applications for development adjacent to EPW lands shall be dealt with on a site-by-site basis, at the time of application.
- b) Additional zone regulations shall be established by the municipality at the time of application in consultation with the Conservation Authority and the Ministry of Natural Resources.
- c) The appropriate setback from wetland shall be 30 metres (98.4 ft.).

**26.4 GENERAL PROVISIONS**

All special provisions of Section 5 "General Provisions" shall apply, where applicable, to any land, lot, building, structure or use within the EPW - Environmental Protection Wetland Zone.

**26.5 SPECIAL EPW - ENVIRONMENTAL PROTECTION WETLAND ZONES**



## **SECTION 27 - EP - ENVIRONMENTAL PROTECTION ZONE**

**27.1** Within an EP - Environmental Protection Zone, no person shall use any land, erect, alter, enlarge, use, or maintain any building or structure for any use other than as permitted in this section and such use, building or structure shall be in accordance with the regulations contained or referred to in this section.

### **27.2 PERMITTED USES**

- 1) conservation uses, including forestry, reforestation and other activities connected with the conservation of soil and wildlife,
- 2) agricultural uses,
- 3) a conservation area, excluding any buildings,
- 4) a use that was in existence on or before the date of passage of this by-law,
- 5) a building or structure required by a public authority for flood or erosion control or for conservation or wildlife management purposes,
- 6) passive outdoor recreational uses,
- 7) public and private parks, excluding any buildings,
- 8) an accessory use to the above uses, excluding any buildings, subject to the approval of Council in consultation with the Conservation Authority and the Ministry of Natural Resources.

### **27.3 ZONE REGULATIONS**

- a) The minimum distance of buildings or structure from any lot line shall be 10 metres (32.8 ft.).
- b) The minimum distance of buildings or structures for the centreline of any road shall be 20 metres (65.6 ft.).
- c) The minimum separation distance between buildings and Environmental Protection lands shall be 15 metres (49.2 ft.).
- d) The minimum setback from the highwater mark of any lake, river, creek, or stream shall be 30 metres (98.4 ft.).
- e) Building Height (Maximum) shall be 6 metres (19.6 ft.)

### **27.4 GENERAL PROVISIONS**

All special provisions of Section 5 General Provisions shall apply, where applicable, to any land, lot, building, structure or use within the EP - Environmental Protection Zone.

### **27.5 SPECIAL EP - ENVIRONMENTAL PROTECTION ZONES**

#### **27.5.1 EP-1 – 17 East Front Street**

Notwithstanding any provisions of this by-law to the contrary, on lands zoned EP-1 and shown on Schedule 'E' attached, the following special provisions shall apply:

##### Permitted Uses

The following shall be the only permitted uses:

- 1) business or professional office;
- 2) no expansion of the existing building shall be permitted without the approval of the local Conservation Authority.

All other provisions of this by-law shall apply.

**TOWNSHIP OF STIRLING-RAWDON**  
**ZONING BY-LAW 320-03**