



**THE CORPORATION OF THE  
TOWNSHIP OF NORTH STORMONT**

**COMPREHENSIVE ZONING BY-LAW**

**BY-LAW# 08-2014**

**Office Consolidation May 9th, 2019**

**Prepared by**

**Township of North Stormont  
Municipal Planning Staff  
15 Union Street  
Berwick, Ontario  
K0C 1G0**



**THE CORPORATION OF THE  
TOWNSHIP OF NORTH STORMONT  
BY-LAW NO. 08-2014**

**A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT regulating the use of all land; and the density, size, location and the use of all buildings within its territory.**

**WHEREAS** an Official Plan was adopted for the United Counties of Stormont, Dundas and Glengarry, on July 18, 2005

**AND WHEREAS** Section 27 of the Planning Act requires that the Zoning By-law of the Township of North Stormont be amended to conform to the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

**AND WHEREAS** Section 24 of the Planning Act provides that no Zoning By-law may be passed that does not conform with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

**AND WHEREAS** it is now deemed necessary and expedient to enact a new Zoning By-law for the Township of North Stormont which will be in conformity with the Official Plan;

**NOW THEREFORE** the Council of the Corporation of the Township of North Stormont, pursuant to Section 34 of the Planning Act, R.S.O. 1990, chapter P.13 enacts as follows:

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## **SECTION 1 – APPLCIATION, INTERPRETATION AND ENFORCEMENT**

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### **1.1 TITLE OF BY-LAW**

This By-law may be cited as “The Comprehensive Zoning By-law of the Township of North Stormont” or for short title as “The Zoning By-law.”

### **1.2 SCOPE OF BY-LAW**

#### **(1) LANDS SUBJECT TO BY-LAW**

The provisions of this By-law shall apply to all those lands lying within the corporate limit6s of the Township of North Stormont.

#### **(2) CONFORMITY WITH BY-LAW**

No lands shall hereafter be used and no building or structure shall be erected, altered or used within the Corporation except in conformity with the provisions of this By-law and except as permitted by this By-law.

### **1.3 EXISTING USES CONTINUED**

Nothing in this By-law shall apply to prevent the use of any existing 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 or before the date of passing of this By-law, so long as it continues to be used for that purpose.

### **1.4 PLANS APPROVED PRIOR TO PASSING OF BY-LAW**

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by the provisions of this By-law, if the plans for such building or structure were approved by the Corporation and either a building permit was issued or a Site Plan or Site Plan Agreement was entered into on or before the date of passing of this By-law, so long as:

- (a) when such building or structure is erected, it shall be used and shall continue to be used only for the same purpose for which the said building or structure was intended when such building permit was issued or such Site Plan Agreement was entered into and shall not be altered in any way except in conformity with the provisions of this By-law; and
- (b) the erection of such building or structure is commenced within one (1) year after the date of passing of this By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.

### **1.5 COMPLIANCE WITH OTHER RESTRICTIONS**

This By-law shall not be construed so as to reduce or mitigate any restrictions or

regulations in any By-law, permit or license lawfully imposed or issued by the Corporation or by any governmental authority having jurisdiction to make such restrictions or regulations. Nothing in this By-law shall prevent the erection, alteration, or use of a building or structure, nor the use or alteration of a lot for which a Minor Variance has been granted by the Committee of Adjustment

**1.6 ADMINISTRATION**

This By-law shall be administered by a person designated from time to time by Council as the Zoning Administrator or such other person as the Council designates.

**1.7 INSPECTION**

**(1) ENTRY**

Subject to Subsection (2) of this Section, and any other applicable provisions of the Planning Act, the Zoning Administrator, or any other officer or employee of the Corporation appointed by Council to administer or enforce the provisions of this By-law, or any person acting under his or her instructions, is hereby authorized, upon producing proper identification, to enter at all reasonable times, upon any property or premises to inspect any property on, or in respect of which he believes on reasonable grounds that this By-law is being contravened.

**(2) USE OF SEARCH WARRANT**

Notwithstanding anything to the contrary in Subsection (1) of this Section, no officer or employee of the Corporation shall enter any room or place actually being used as a dwelling unit or part thereof without the consent of the occupier, except under the authority of a search warrant issued under Section 49.1 of the Planning Act, R.S.O. 1990, c.P.13, or any successors thereto. The occupant shall be informed that the right of entry may be refused and entry made only under the authority of a search warrant.

**1.8 REQUESTS FOR AMENDMENTS**

Every request for an amendment to this By-law shall be accompanied by a completed copy of the appropriate application form provided by the Corporation and the required fee.

**1.9 RISK, EXPENSE AND COMPLIANCE**

The facilities, yards or other matters required by this By-law shall be provided and maintained at the sole risk and expense of the owner of the lands in respect of such matters as are hereby required and the said owner shall at all times bear full responsibility for ensuring compliance in all respects with this By-law.

## **1.10 INTERPRETATION OF BY-LAW**

### **(1) DEFINITIONS**

In this By-law, unless the context requires otherwise, the definitions and interpretations set out in Part II hereof shall apply. Words not defined shall have the customary meaning or as defined in a standard dictionary.

### **(2) SINGULAR AND PLURAL WORDS AND GENDERS**

In this By-law, unless the context requires otherwise:

- (a) words used in the singular include the plural;
- (b) words used in the plural include the singular; and
- (c) words used in the masculine gender include the feminine and neuter.

### **(3) "SHALL" IS MANDATORY**

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

### **(4) "USE" AND "OCCUPY"**

In this By-law, unless the context requires otherwise:

- (a) the verb "use" shall include "design to be used", "arrange to be used", "intend to be used", and "permit to be used"; and
- (b) the verb "occupy" shall include "design to be occupied", "arrange to be occupied", "intend to be occupied", and "permit to be occupied".

### **(5) SCHEDULES TO BY-LAW PART OF BY-LAW**

Schedules "1 thru 12" which are attached hereto and described in this Section, are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein. Schedule "1", "2", "3", etc.

Thru to "11" may be referred to as the Zoning Maps. Schedule "12" contains the list of special exceptions to the zoning by-law, their locations, and special provisions for permitted uses, zone requirements or any other requirements covered by the zoning by-law. This schedule shall be read in conjunction with the Zoning By-law text and the Schedules of this by-law, which will show the location of these special exceptions.

**(6) INTERPRETATION OF ZONING BOUNDARIES**

- (a) Boundaries of zones shall be construed wherever possible, to be concurrent with lot lines of a registered plan, property boundaries, centre lines of streets, street allowances, closed street allowances, rights-of-way for railways, hydro-electric transmission corridors or pipelines, lot or concession boundaries, or high water marks, watercourses, regulatory flood lines or other conservation authority regulation lines or boundaries of registered plans. In the event that a street, lane, right-of-way or any portion thereof is closed and where such street or right-of-way was a zone boundary, the new zone boundary shall be the former centre line of the closed street, lane, or right-of-way;
- (b) Where the boundary of a zone appears to be parallel to a lot line, property boundary, a street, highway, lane or a street allowance, a closed street allowance or the right-of-way of a railway, hydro-electric transmission corridor or pipeline, such boundary shall be construed as being parallel to such feature at the distance determined by the scale of the Schedule.
- (c) Where the boundary of a zone cannot be resolved by reference to a physical feature, a lot line, property boundary, the centre line of a street, a street allowance, a closed street allowance or the right-of-way of a railway, a hydro-electric transmission corridor or pipeline or a high water mark, a regulatory flood line or other conservation authority regulation line or a boundary of a registered plans, then the limits of the zone shall be determined by scaling on the zone maps to the centre of the line depicting the zone limit.
- (d) Where a zone boundary is indicated as approximately following a natural feature such as a height of land, ridge or contour line, the boundary shall be the natural feature. Where a zone boundary is shown to follow a shoreline, the high water mark and any changes thereto shall be taken to be the boundary. Where the boundary of an environmental protection zone, hazard zone or wetland zone, watercourse, top of bank, high water mark or similar environmental feature as interpreted in the field to the satisfaction of the conservation authority or the Ministry of Natural Resources varies from the limit shown on the Schedules to this By-law, the refined limit as interpreted in the field, shall be deemed to be the zone boundary, without an amendment to the By-law.
- (e) Where a zone boundary is indicated as passing through undeveloped land, the said boundary shall be scaled from the attached Schedules;



- (f) Where a zone boundary is indicated as approximately following Township or Settlement Area limits, the limits shall be the boundaries;
- (g) Where none of the foregoing provisions apply and where appropriate, the boundaries shall be scaled from the attached schedules;
- (h) Where the boundary of a zone is represented on Schedules showing varied levels of detail, and such boundary is contested due to conflict, the boundary shall be deemed to be that as shown on the more detailed or smaller scale schedule.

**(7) MULTIPLE USES**

Unless otherwise prohibited by this By-law and provided all the applicable requirements of this By-law are satisfied, a lot, structure or building may contain more than one use permitted in the designated zone. Where any land or building is used for more than one purpose, use or zone, all provisions of this By-law relating to each use shall be complied with except as otherwise provided for in this By-law. Where there is conflict between the requirements of such uses (e.g. lot size, lot frontage or yards), the more restrictive requirements shall prevail.

Notwithstanding the previous Sections, in listed commercial zones where residential dwelling units are located in or above a building containing commercial uses, and the commercial uses occupy more than fifty percent (50%) of the total floor area, the requirements for the commercial use shall apply, except with respect to parking ratios or as otherwise provided for in this By-law.

**(8) LOT COVERAGE REQUIREMENTS**

Unless otherwise provided, the maximum lot coverage requirements of any individual zone shall include the total area of a lot that can be covered by both main buildings and accessory buildings contained on the lot.

**(9) TYPOGRAPHICAL CORRECTIONS**

No amendment to this By-law shall be required in order for the Corporation to make typographical changes where, in the opinion of the Corporation, such corrections do not affect the intent of the By-law.

**(10) SEVERABILITY OF PROVISIONS**

The provisions, sections or subsections of this By-law are hereby declared to be separate from each other and the invalidity of any provision, section or subsection does not affect the validity of any other provision, section or subsection.

**(11) REFERENCES TO OTHER LEGISLATION AND AGENCIES**

Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors or changes in the titles, numbering, or regulations there under. Where this By-law makes reference to the jurisdiction of a public agency and where the name or responsibilities of said public agency are changed, the said reference shall be deemed to include any and all successors to such public agency or legislation. Reference to MDS I or MDS II formulae shall be deemed to include the most current standards.

**(12) COMPLIANCE WITH ZONING REQUIREMENTS**

The extent and boundaries of all zones are shown on the Schedules attached hereto. For all such zones, both the general provisions and specific zone provisions shall be met.

The provisions of this By-law shall be held to be the minimum (or maximum, where applicable) requirements adopted for the promotion of the public health, safety, convenience and general welfare. Nothing shall prevent any person from erecting a building or structure or from undertaking any development which exceeds the minimum requirements of this By-law.

Except as otherwise provided in this By-law, no person shall hereafter use any land, buildings or structure unless the use is permitted in the zone in which it is situated or is a use which may be permitted in any zone and all applicable general provision and individual zone requirements are satisfied.

**(13) ZONE SYMBOLS**

The short form symbols used on the Schedules attached hereto refer to individual zones used in the By-law and may be used when describing or making reference to any zone herein.

**(14) LOTS SPLIT BY MORE THAN ONE ZONE**

Where a lot has more than one zone applying to it, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zones. Where the use or uses of a lot divided into two or more zones are permitted in all such zones, the more restrictive zone requirements shall apply.

**(15) CALCULATION OF NUMERICAL REQUIREMENTS**

Where the application of this By-law results in a fraction, the more restrictive requirement shall apply.

**(16) LOTS AFFECTED BY GOVERNMENT ACTION**

Where a lot is reduced in area or frontage by a Government action such as road widening, property acquisition or expropriation and the lot is below the minimum lot frontage or area for the zone as a result of such action, the lot shall be deemed to be in conformity with the requirements provided all other applicable requirements of the zone and this By-law are satisfied.

**(17) PROHIBITED USES**

With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

**1.11 APPLICATIONS AND SITE PLANS**

In addition to the requirements of any Building By-law, every application for a building permit shall be accompanied by a site plan prepared by a professional Architect of Ontario, drawn to scale and showing the following:

- (a) the true dimensions and/or legal description of the lot to be built upon or otherwise used;
- (b) the proposed location, height and dimensions of any building, structure or use proposed for such lot;
- (c) the proposed location, height and dimensions of yards, landscaping, buffering, fences, open storage/display areas, parking areas and loading spaces required by this By-law;
- (d) the location of all existing buildings or structures on the lot, including the lot area, lot coverage of existing and proposed structures;
- (e) the location of sewage disposal systems and water wells on the property;
- (f) the location of accessibility features on the property;
- (g) the pre- and post-construction or alteration Geodetic Elevation;
- (h) the current and proposed drainage features;
- (i) required setbacks of lot features from watercourses, and all other setbacks as required in the provisions of this By-law;
- (j) a statement, signed by the owner disclosing the exact use of all existing and proposed uses of land, buildings or structures and such other information as may be required to determine whether the uses conform with the requirements of this By-law; and

- (k) such other information that may be required in the Site Plan control By-law or other applicable By-law

**1.12 PENALTIES**

Every person who violates any of the provisions of this By-law is guilty of an offense and upon conviction is liable to a fine prescribed under the Planning Act or other applicable statute.

Where a conviction is entered under Subsection, in addition to any other remedy or any penalty provided by By-law, the applicable court may make an order prohibiting the continuation or repetition of the offence by the person convicted

Penalties imposed by conviction under this Section shall be recoverable under The *Provincial Offences Act*, R.S.O. 1980, as amended.

**1.13 REMEDIES**

Where any building or structure is erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is used, or any lot is used, in contravention of any requirements or other provisions of this By-law, such contravention may be removed or altered at the insistence of the Township pursuant to the provisions of the *Planning Act*, or The *Municipal Act*.

The contravention of any requirement of this By-law may be restrained by action of any ratepayer of the Township pursuant to the provisions of the *Municipal Act*.

Where any matter or thing is required to be done by a person or corporation under the provisions of this By-law, Township Council may direct that in default of it being done by said person or Corporation, such matter or thing may be done by the Township at the sole expense of the person or Corporation and the expenses thereof with interest may be recovered by the Township in accordance with the provisions of the *Municipal Act*.

**1.14 REPEAL OF FORMER BY-LAWS**

The following By-laws and all amendments thereto passed under Section 34 of the *Planning Act*, 1990, or its predecessor, are hereby repealed and such repeal shall come into effect upon the date that this By-law comes in to force:

- (a) By-law # 17-1986 of the former Township of Finch.
- (b) By-law # 183-1980 of the former Village of Finch.
- (c) By-law # 5-86 of the former Township of Roxborough.

(d) By-law # 804 of the former Township of Roxborough.

The adoption of this By-law shall not prevent any pending or future prosecution of, or action to abate any existing violation of the said By-laws if the violation is also a violation of any of the provisions of this By-law.

## **SECTION 2 – DEFINITIONS**

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**For the purpose of this By-Law, the definitions and interpretations given in this Section shall apply:**

- 2.1** **ABATTOIR** means a building or structure specifically designed to accommodate the pending and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, storing and sale of the product on the premises.
- 2.2** **ACCESSORY** means when used to describe a use, building or structure means a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith. For an accessory building or structure, it shall also be uninhabitable and detached from the main building.
- 2.3** **ACTIVE RECREATIONAL USE** means a recreational use or activity with buildings or requires alteration of soil or topography and includes such activities golf courses, playing fields, stadium, trailer parks, campgrounds and conversations areas involving built structures.
- 2.4** **ADULT ENTERTAINMENT USE** means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, live entertainment or services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes a body rub parlour.
- 2.5** **ADVENTURE GAMES** means an active commercial recreational activity where participants pay a fee to play combat games in protective gear with paintball guns, air soft guns or similar equipment in a designated area.
- 2.6** **ADVERSE EFFECTS** shall mean one or more of the following: impairment of the quality of the natural environment for any use that can be made of it, injury or damage to property or plant or animal life, harm or material discomfort to a person, an adverse effect on the health of any person, impairment of the safety of any person, rendering any property or plant or animal life unfit for human use, loss of enjoyment of normal use of property and interference with normal conduct of business.
- 2.7** **AGGREGATE RECYCLING FACILITY** means a *premises* used for the recycling of used aggregate materials such as concrete and asphalt into a usable product but does not include the operation of an asphalt or concrete batching plant.

- 2.8** **AGRICULTURAL USES** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment. Agricultural use shall not be construed to include facilities such as commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales.
- 2.9** **AGRICULTURAL USE (SMALL)** means agricultural uses limited to five (5) Nutrient Units or less as defined by the Nutrient Management Act and its regulations, as amended from time to time. Agricultural Uses (small) shall be accessory to the primary use of the land.
- 2.10** **AGRICULTURAL INDUSTRY** means the use of land, buildings or structures related to agriculture and necessary in close proximity to farm operations, such as animal husbandry services, produce or grain storage facilities, grain drying and or cleaning operations, seed, feed and other farm supply sales and services, farm machinery outlets, but does not include any manufacturing, assembling, processing, warehousing or construction uses.
- 2.11** **AGRICULTURAL MACHINERY SALES AND SERVICE** means a building and/or lot used principally for the display and sale of new and/or used agricultural machinery, accessories and related products and may include the servicing and repair of such products.
- 2.12** **ALTER** means;
- (1) When used in reference to a building, structure or part thereof, means:
- a) to change any one or more of the external dimensions of such building or structure; or
  - b) to change the type of construction of the exterior walls or roof of such building or structure; or
  - c) to change the use of such building or structure or the number or types of uses or dwelling units contained therein.
- (2) When used in reference to a lot means:
- a) to change the boundary of such lot with respect to a street or lane; or

- b) to change any dimension or area, relating to such lot;
- c) to change the grade and drainage pattern of such lot; or
- d) to change the use of such lot or the number of uses located thereon.

(3) When used in reference to a shoreline means:

- a) to change, straighten, divert or interfere in any way with the channel of any watercourse.

“Altered” and “Alteration” shall have corresponding meanings.

- 2.13 ALTERNATE ENERGY SYSTEM** shall mean sources of energy or energy conversion process that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional systems.
- 2.14 AMENITY AREA** means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- 2.15 ANIMAL HOSPITAL** shall mean a building or part of a building used by a veterinary surgeon where companion domestic animals (household pets) and birds are kept for treatment including surgery, and where veterinary drugs and other related products, including pet food, may be sold. The treatment of livestock (cattle, horses, etc.) and similar animals is specifically excluded.
- 2.16 ANTIQUE SHOP** means a building or part of a building or structure where antiques, arts and crafts are offered or kept for sale at retail, or restored and may include a craft shop and may be operated as either a main use or as a Rural Home Business.
- 2.17 ART GALLERY** means a building, place or area where paintings, sculptures or other works of art are exhibited or sold and may be operated as either a main use or as a Rural Home Business.
- 2.18 ARTIST’S STUDIO** means a building or part of a building used to produce artist’s products including the display and retail sales of artist’s supplies and products and may be operated as either a main use or as a Rural Home Business.
- 2.19 ASPHALT BATCHING PLANT** means an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the



business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

- 2.20 ASSEMBLY HALL** shall mean a Building or Structure or part of thereof where facilities are provided for athletic, civic, educational, political or social events, trade shows, conferences, fashion shows and may include an arena, auditorium, community centre, gymnasium, stadium, theatre, banquet hall, auction hall or similar use and are operated for gain or profit.
- 2.21 ATTACHED** means a building or structure otherwise complete in itself which is connected to, and which depends for structural support upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.22 ATTIC** means the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.
- 2.23 AUCTION ESTABLISHMENT** means the offering for sale of new and used goods by means of a request or invitation for bids, includes a livestock auction sales barn and vehicle or liquidation auction.
- 2.24 AUTOMOBILE BODY SHOP** shall mean an establishment where motor vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of motor vehicles to customers whose motor vehicles are being repaired. This definition shall not include a salvage yard as defined herein.
- 2.25 AUTOMOBILE DEALERSHIP** shall mean a place where new or used passenger or family vehicles such as cars, vans, motorcycles and trucks, are leased, rented, sold or auctioned at retail. Accessory uses may include enclosed and/or exterior showroom and areas for display; car wash; automobile service; automotive parts sales distribution; automobile body and structural work and painting; storage and parking areas for vehicles which are for lease, rent, sale or auction and for those being serviced by the dealership; office space; and restricted eating establishment.
- 2.26 AUTOMOBILE SERVICE STATION** shall mean a building where gasoline, propane, diesel fuel or oil is kept for sale including alternative sources of fuel, where only minor or emergency repairs essential to the actual operation of motor vehicles may also be performed, where grease, anti-freeze, tires, spark plugs and other automobile accessories may be sold incidentally, and where motor vehicles may also be oiled, greased, or washed, but where no other activities of a commercial garage are carried on.

- 2.27** **AUTOMOTIVE STORE** shall mean an establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing maintenance and repair operations on motor vehicles. This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.
- 2.28** **BAKE SHOP** means a place where baked foods are made for retail sale on the premises.
- 2.29** **BALCONY** means an open platform projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing.
- 2.30** **BANK or FINANCIAL OFFICE** means a chartered bank, finance company office, co-op, trust company office, loan company or similar establishment.
- 2.31** **BASEMENT** shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from finished floor to finished ceiling above the average level of ground adjacent to the exterior walls of the building.
- 2.32** **BED AND BREAKFAST ESTABLISHMENT** means a private dwelling designed to be used in part for the accommodation of the travelling or vacationing public.
- 2.33** **BIOMASS ENERGY SYSTEM** shall mean a renewable electrical generation facility using renewable biomass resources and/or waste products that produces electrical power for needs of a user or to feed into the transmission or local distribution grid. "Biomass" means any plant derived organic matter available on a renewable basis. A biomass energy system includes all components, supporting infrastructure, and outbuildings.
- 2.34** **BIO-SOLIDS** shall mean nutrient rich organic by-products of the anaerobic digested waste water treatment process.
- 2.35** **BINGO HALL** means a building or premise or part thereof used for bingo or a bingo event and is duly registered under the Gaming Control Act, 1992, S.O. 1992, c. 24, or a successor thereto and is in compliance with municipal by-laws and approvals.
- 2.36** **BOARDING, LODGING AND ROOMING HOUSE** means a building;
- (a) that has a building height not exceeding three stories and the gross floor

area of the ground floor shall not exceed 600 m<sup>2</sup>;

(b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and;

(c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants; but does not include a bed and breakfast establishment, a hotel, a hospital, children's home, home for the aged, or other establishment otherwise classified or defined in this By-law.

**2.37** **BOAT HOUSE** means an accessory building or structure intended for use to house, shelter or protect a boat or other form of water transportation, which shall not be capable of being occupied as a permanent or seasonal dwelling. When constructed in association with a dwelling, a boat house shall be deemed to be an accessory building. Consultation with the applicable Conservation Authority will be required for any new boathouse.  
3m from lot line,

**2.38** **BUILDING** shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and accommodation of persons, animals or goods:

(a) Accessory Building shall mean a building customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.

(b) Main Building shall mean the building serving the principal or primary uses for which the lot was purchased, leased or rented.

(c) Temporary Building shall mean a building or structure intended for removal or demolition within a prescribed time, not exceeding two years, as set out in a building permit.

**2.39** **BUILDING BY-LAW** shall mean any By-law of the Corporation passed pursuant to the Building Code Act.

**2.40** **BUILDING CODE** means the *Ontario Building Code Act, R.S.O. 1992, c.23*, and any successor thereto.

**2.41** **BUILDING CONTRACTOR'S SHOP** means a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, or truck, bulldozer, loader and backhoe operating and such place of business may be used for the storage of equipment, materials

and vehicles which are used on construction sites and may include such related uses as office space or maintenance facilities, but shall not include a retail business sales counter nor a wholesale business.

- 2.42 BUILDING LINE** means a line within a lot drawn parallel to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.
- 2.43 BUILDING SUPPLY OUTLET** means a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail sale. This definition shall not include a salvage yard, where used building supplies are stored, displayed, or kept for retail sale.
- 2.44 BUILT HERITAGE RESOURCES** shall mean one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.
- 2.45 BULK STORAGE TANKS** shall mean a tank for the bulk storage of petroleum, petroleum products, chemicals, gases, flammable liquid or fluid, or similar substances. This definition shall not include a fuel storage tank which is accessory to another use on the lot where such tank is located (see Fuel Storage Tank).
- 2.46 BUSINESS OFFICE (see OFFICE)**
- 2.47 CAMPGROUND - RECREATIONAL** means an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which without limiting the generality of the foregoing, shall include, but shall not be limited to the following: children's camp or establishment, scout camp, religious camp, institutional camp, or other like or similar camp or establishment, but shall not include a tourist establishment, mobile homes or a mobile home park.
- 2.48 CAMPGROUND – TOURIST** means an area of land providing short term accommodation for tents, recreational vehicles or campers and may include accessory uses such as a Laundromat, convenience store, sale of propane fuels and recreational uses for persons using the campground where a fee is charged or paid for such accommodation but shall not include mobile homes or a mobile home park.

- 2.49** **CANOPY** means a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.
- 2.50** **CANTEEN** shall mean a snack bar or small cafeteria providing food and drink and could also include the sale of personal supplies.
- 2.51** **CAR PORT** means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles.
- 2.52** **CARDLOCK ESTABLISHMENT** means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by custom access, or similar card systems.
- 2.53** **CAR WASHING ESTABLISHMENT** shall mean a building or structure or part thereof containing facilities for washing automobiles, either by production line methods and mechanical devices, or by a self-service operation.
- 2.54** **CATERING ESTABLISHMENT** means an establishment in which home made meals and beverages are prepared on a small scale to be served for consumption off the premises.
- 2.55** **CELLAR** shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to finished ceiling below the average level of ground adjacent to the exterior walls of the building.
- 2.56** **CEMETERY** means a property used for interring of dead persons or in which human bodies have been buried and as regulated by the Cemeteries Act, R.S.O. 1990, c. C.4. A cemetery may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments, but shall not include crematoriums or pet cemeteries.
- 2.57** **CEMETERY, PET** means a property used for the disposal of material consisting entirely of the remains of dead domestic pets
- 2.58** **CHIEF BUILDING OFFICIAL** shall mean the officer or employee of the Corporation charged with the duty of enforcing the provisions of the Building Code Act, together with any regulations made thereunder, and the provisions of the Building By-law.
- 2.59** **CHURCH** see **PLACE OF WORSHIP**
- 2.60** **CLINIC** means a building used solely for the purpose of consultations, diagnosis and treatment of patients, by one (1) or more legally qualified physicians,

dentists, optometrists, chiropodists, chiropractors or drugless practitioners, together with their qualified assistants and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic, but shall not include accommodation for in-patient care or operating rooms for major surgery.

- 2.61**            **COMMERCIAL GARAGE** see **MOTOR VEHICAL REPAIR GARAGE**
- 2.62**            **COMMERCIAL GREENHOUSE** shall mean a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale. This definition shall not include any premises used for growing of mushrooms.
- 2.63**            **COMMERCIAL PATIO** shall mean an outdoor area in association with a restaurant where food, beverages, wine, spirits or any combination of these are served to the public or to members of a private club or other similar organization.
- 2.64**            **COMMERCIAL SCHOOL, SKILL** see **SCHOOL COMMERCIAL**
- 2.65**            **COMMERCIAL SCHOOL, TRADE PROFESSION** see **SCHOOL COMMERCIAL**
- 2.66**            **COMMUNICATIONS FACILITY** means an installation which transmits, receives and/or relays communications such as a microwave relay tower, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower, fibre optic communication infrastructure or similar facility.
- 2.67**            **COMMUNITY CENTRE** means any parcel of land or building(s) used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 2.68**            **COMPOST FACILITY** means a *premises* owned or operated by a government authority or by a private operator with a Ministry of Environment Certificate of Approval where the primary purpose is for the composting of food *waste* and organic materials.
- 2.69**            **CONSERVATION AUTHORITY** shall mean a Conservation Authority as defined by the Conservation Authorities Act.
- 2.70**            **CONTRACTOR'S SHOP** see **BUILDING CONTRACTOR'S SHOP**
- 2.71**            **CONCRETE BATCHING PLANT** see **ASHPHALT BATCHING PLANT**

- 2.72 CONSERVATION USE** means the use of lands which are intended to remain open in character with the priority use given to preservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized.
- 2.73 CONVENIENCE STORE** means a building or part of a building used primarily for the sale of grocery and confectionery items and incidentally for the sale of such other merchandise as is required to fulfil the day-to-day needs of a surrounding community; and for the automated banking machines, rental of items such as videos, video games or similar items.
- 2.74 CORPORATION** means The Corporation of The Township of North Stormont.
- 2.75 COUNCIL** means the Council of The Corporation of The Township of North Stormont.
- 2.76 COUNTY** shall mean the Corporation of the United Counties of Stormont, Dundas and Glengarry.
- 2.77 CREMATORIUM** means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.
- 2.78 CULTURAL HERITAGE LANDSCAPE** shall mean a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act, and the village, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, railways and industrial complexes of cultural heritage value.
- 2.79 CUSTOM WORKSHOP** shall mean land and/or a building or part of a building used by a contractor, builder or tradesman to perform manufacturing, repair or assembly work or for the storage of equipment and materials used for off-site work and includes those operated by a carpenter, well driller, tile drainage installer, a locksmith, blacksmith, tinsmith, gunsmith, welder or persons involved in similar occupations.
- 2.80 DAY NURSERY – LICENSED** means a place wherein the temporary care of children is provided in facilities and by staff licensed by the Province of Ontario and

operated in accordance with the provisions of the *Day Nurseries Act, R.S.O. 1990, c. D.2.*

- 2.81 DAY NURSERY – PRIVATE** means a place wherein the temporary care of children is provided, in accordance with the applicable provisions of the *Day Nurseries Act, R.S.O. 1990, c. D.2,* for a maximum of 5 children.
- 2.82 DECK** means a structure abutting a dwelling or building with no roof or walls except for visual partitions and railings which is constructed on piers or a foundation above-grade for use as an outdoor living area.
- 2.83 DETACHED** – When used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.
- 2.84 DOCK, FLOATING** means an accessory structure used for the mooring of marine vessels which is designed to float freely on the surface of the water body and which may be secured to the shoreline.
- 2.85 DOCK, PERMENANT** means an accessory structure used for the mooring of marine vessels which is secured to the shoreline and/or the bottom of the water body by concrete, metal or wood pillars or such other foundation.
- 2.86 DRIVEWAY** means a vehicular access connected to only one public street or thoroughfare, which provides ingress to and/or egress from lot, but shall not include a lane as defined herein.
- 2.87 DRIVING RANGE** means a public or private area operated for the purpose of developing golf techniques, including a miniature golf course, but excluding a golf course.
- 2.88 DRY CLEANING DEPOT** means a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and/or distributing any articles or goods of fabric, which have been received therein.
- 2.89 DRY CLEANING AND LAUNDRY ESTABLISHMENT** means a building or part of a building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric may be performed. This definition may include a dry cleaning depot.
- 2.90 DWELLING** means a detached building occupied or capable of being occupied as the home, residence or sleeping place by one or more persons, and containing one or more dwelling units but shall not include a mobile home, a tent, bus,



boat, vessel, motor vehicle, recreational vehicle, camper or commercial trailer but shall include a factory built home.

- 2.91 DWELLING – ACCESSORY** means a dwelling which is incidental, subordinate and exclusively devoted to a main use and is located on the same lot therewith.
- 2.92 DWELLING APARTMENT** means the whole of a building that contains three (3) or more dwelling units, which units are served by a common entrance from street level and by a common corridor and the occupants of which units have the right to use in common the corridors, stairs, yards, or one or more of them.
- 2.93 DWELLING – ACCESSORY APARTMENT** means a self-contained dwelling unit created through the conversion of part of or the addition onto and existing single, semi-detached or duplex dwelling that does not exceed 95 m<sup>2</sup> or 40% of the total gross floor area, whichever is lesser. An accessory apartment may occupy all or part of the basement of a dwelling unit.
- 2.94 DWELLING – CONVERTED** means a dwelling altered to contain a greater number of dwelling units, with each self-contained dwelling unit having a floor space of not less than 55 m<sup>2</sup>.
- 2.95 DWELLING – DUPLEX** means a building divided horizontally into two (2) dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 2.96 DWELLING – FOURPLEX** means a building that is divided horizontally and/or vertically in four (4) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common entrance, but does not include a converted dwelling or townhouse dwelling.
- 2.97 DWELLING – LINKED** means one of a pair of single detached dwellings which have no apparent structural connection above grade, but which are horizontally coupled at the footing or foundation along not more than one side of each such dwelling house, provided that for a horizontal distance of not more than 1.5 metres (5 feet) of its length, each such couples side may have that portion of its footing or foundation which is not occupied.
- 2.98 DWELLING – MOBILE HOME** means a transportable, factory built dwelling designed to be used as a year-round residential dwelling and has been manufactured to comply with the Canadian Standards Association (CSA) Standard No. Z240, as amended or replaced from time to time, but does not include a modular home dwelling, a park model trailer, a motor home, a mobile camper trailer, a truck camper or any other dwelling defined in this by-law. For the purposes of this By-law a single section factory manufactured home shall be

deemed to be a "mobile home dwelling".

- 2.99 DWELLING, MODULAR HOME** mean a single detached dwelling that is constructed by assembling, on a permanent foundation, at least two factory manufactured modular units each of which comprises at least one room or living area and has been manufactured in a Canadian Standards Association (CSA) A277 certified factory. For the purposes of this By-law a modular home dwelling shall be considered as a single detached dwelling.
- 2.100 DWELLING PARK MODEL TRAILER** means a manufactured building designed and constructed in conformance with CAN/CSA-Z241 Series M "Park Model Trailer, as set out in the Ontario Building Code Act, R.S.O. 1992, c.23, and is used or intended to be used as a dwelling or seasonal dwelling.
- 2.101 DWELLING – SEMI-DETACHED** means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.
- 2.102 DWELLING – SINGLE DETACHED** means a detached building containing one (1) dwelling unit, and shall include a modular home.
- 2.103 DWELLING – TOWNHOUSE** means a building divided vertically into three (3) or more dwelling units but not more than six (6) units, attached by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.
- 2.104 DWELLING – TRIPLEX** means a building that is divided horizontally into three (3) separate dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.105 DWELLING UNIT** means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities, but shall not include a boarding house, hotel, motel, rental cottage or cabin or similar commercial use of a private or semi-private institution.
- 2.106 DWELLING UNIT – ACCESSORY** means a dwelling unit which is part of and accessory to a permitted non-residential building other than a motor vehicle service station or commercial garage or a single family dwelling.
- 2.107 EASEMENT** means the legal right acquired by contract to pass over, along, upon or under the lands of another.
- 2.108 ENERGY FROM WASTE** shall mean the incineration of municipal solid waste (garbage) to produce electricity. Energy from waste is primarily to provide a

means for waste reduction and disposal. Electrical generation is a secondary consideration of this process.

- 2.109**      **EQUESTRIAN ESTABLISHMENT** means an establishment engaged in the operation of a horse riding academy or horse riding stables.
- 2.110**      **EQUESTRIAN USE** means an area of land where horses are boarded and taken out to be ridden by their owners or rented to others and where riding lessons may be given.
- 2.111**      **EQUIPMENT RENTAL** means a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures and other goods, only of a size and type which would be used for a specific home improvement or household purpose and which could be transported by the individual household user.
- 2.112**      **EQUIPMENT REPAIR** means a building or part of a building wherein the primary use is the service or repair of machinery, equipment, and other goods, of a size and type which would be used for agricultural, business, industrial and major construction undertakings or which may involve bulk shipping of such goods, or similar non-household oriented repair functions.
- 2.113**      **EQUIPMENT SALES AND RENTAL** means a building or part of a building wherein the primary use is the sale or rental of machinery, equipment, furniture, fixtures and other goods, of a size and type which would be used for agricultural, business, industrial and major construction undertakings or which may involve bulk shipping of such goods, or similar non-household oriented rental functions.
- 2.114**      **ERECT** means to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension. This includes any work for the doing of which a building permit is required under the Ontario Building Code Act, R.S.O. 1992, c.23.
- 2.115**      **ESTABLISHED BUILDING LINE** except as otherwise provided for in this By-law, means the average setback from the centerline of a street or road of existing buildings on one side of one block where more than one-half of the frontage upon said side of the block has been built upon.
- 2.116**      **ESTABLISHED GRADE** means the average elevation of the finished level of the ground adjoining all of the walls of the building exclusive of any artificial embankments or berms.

- 2.117**        **EXISTING** means legally existing as of the date of the passing of this By-law.
- 2.118**        **FAIRGROUNDS** means lands where fairs, livestock shows, horseracing, demolition derbies, other sports events, circuses or exhibitions are held primarily outdoors, and includes any accessory and temporary buildings.
- 2.119**        **FARM** see **AGRICULTURAL USE**
- 2.120**        **FACTORY OUTLET** shall mean a building or part of a building, accessory to a permitted industrial use, where the products manufactured by that industry are kept for wholesale or retail sale.
- 2.121**        **FARM EQUIPMENT SALES AND SERVICE** means a building, structure or area where farm machinery and farm supplies are kept for sale at retail and may include facilities for the servicing of such machinery but shall not include any other establishment otherwise defined or classified herein.
- 2.122**        **FARM PRODUCE OUTLET** means a use accessory to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.
- 2.123**        **FARM SUPPLY ESTABLISHMENT – INDOOR** means a building wherein farm supplies which may include feed, seed, agricultural chemicals, hardware, farm working apparel, etc may be sold or rented and shall exclude any outdoor storage.
- 2.124**        **FARMER'S MARKET** means an establishment or premises where the farm products of a local farming community are sold at retail from covered or uncovered areas designed for individual retailers.
- 2.125**        **FENCE** means any barrier or structure constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.
- 2.126**        **FINISHED GRADE** see **ESTABLISHED GRADE**
- 2.127**        **FIRE HALL** means a building or structure used for the purposes of supporting the provision of municipal fire protection services and which can include sleeping and dining facilities for fire fighting personnel, vehicle storage, maintenance and repair facilities, training space and office space.
- 2.128**        **FISH HABITAT** means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend upon directly or indirectly in order to carry out their life processes.

- 2.129** **FITNESS CENTRE** means a premises in which are offered equipment, training, programs or other services designed to influence the condition of a persons body and includes the operation of a whirlpool, but does not include the operation of a swimming pool.
- 2.130** **FLEA MARKET** means a street market composed of a series of individual retailer's booths or tables where sundry, new or second hand articles, fresh produce or preserves are offered for sale.
- 2.131** **FLOOD LINE** means the line defined by the 1 in 100 year flood storm as established by the Ministry of Natural Resources, South Nation Conservation, Raisin Region Conservation Authority or other designated agency or by an approved engineering study.
- 2.132** **FLOOD PLAIN** means the area of a river, stream and small inland lake systems, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards (Typically the area below the *Flood Line*).
- 2.133** **FLOODPROOFING** means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.
- 2.134** **FLOOR AREA - GROSS** means the total area of all floors above grade measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls, except that, in any other occupancy than a residential occupancy, where an access or a building service penetrates a firewall, measurements shall not be taken to the centre line of such firewall.
- 2.135** **FLOOR AREA – NET** means usable or habitable space above or below grade, measured from the exterior face of the exterior walls of the building or structure but shall not include:  
any private garage, porch, veranda, and unfinished basement, cellar or attic;  
any part of the building or structure below grade which is used for building services, storage or laundry facilities;  
any part of the building or structure used for the storage or parking of motor vehicles.
- 2.136** **FOOD STORE** 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.
- 2.137** **FORESTRY USE** means the general raising, management and harvesting of wood

and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and Silva culture practices.

- 2.138 FUEL DEPOT – BULK** means land, building or structures used for the bulk storage, distribution and sale of gasoline, propane, heating oil, diesel, ethanol, natural gas or motor oil.
- 2.139 FUEL STORAGE TANK** shall mean a tank which is an accessory to a permitted use for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable liquid or fluid.
- 2.140 FUNERAL HOME** means a building used for the preparation of deceased human bodies for the internment or cremation, for the viewing of deceased persons, and for the holding of funeral services, but does not include a crematorium.
- 2.141 FURNITURE AND HOME IMPROVEMENT CENTRE** means a retail store specializing the sale of home building/design and garden products and the provision of related services. Goods offered for sale may include lumber, lighting, electrical and plumbing supplies, hardware, flooring, window coverings, roofing materials, paint/wallpaper, furniture and appliances, seasonal items, lawn and garden supplies, flowers and plants, shrubs, trees or similar vegetation, but shall not include a nursery or the bulk storage of unpackaged sand, gravel, soil, fertilizers or similar material. Related services may include a tool rental centre and a fast food kiosk, which is not a drive through service facility. Do-it-yourself training facilities are permitted as an accessory use.
- 2.142 GARDEN CENTRE** means a lot, building or structure or part thereof used for the wholesale and retail sale of trees, shrubs, plants, soil, landscaping supplies, garden ornaments, fertilizers and similar materials.
- 2.143 GARDEN NURSERY** means a lot, building or structure or part thereof used for the growing and sale of trees, shrubs, plants, soil, landscaping supplies, garden ornament, fertilizers and similar materials.
- 2.144 GARDEN SUITE** means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable
- 2.145 GASOLINE RETAIL FACILITY** shall mean an establishment or a lot where the retail sale of gasoline or other petroleum products for motor vehicles constitutes either the sole use, such as a gas bar, or an accessory use such as a self serve facility in combination with a retail store. This definition shall not include an automobile service station or commercial garage.

**2.146** **GOLF COURSE** shall mean a public or private area operated for the purpose of playing golf and shall include:

- (a) Par 3 golf course
- (b) Clubhouse
- (c) Proshop
- (d) Putting green
- (e) Driving range
- (f) Miniature golf course
- (g) Office
- (h) Storage Buildings
- (i) Storage yard
- (j) Repair shop limited to repair of equipment
- (k) Banquet hall
- (l) Conference facilities
- (m) Accessory dwelling
- (n) Canteen
- (o) Accessory use

**2.147** **GRADE** means the average level of proposed or finished ground adjoining a building at all exterior walls.

**2.148** **GRAIN DRYING AND STORAGE FACILITY** means any land, buildings or structures wherein agricultural commodities such as cereal grains, corn, and soybeans are customarily dried and stored.

**2.149** **GREENHOUSE** mean a building or structure for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are sold directly from such buildings or lot at wholesale or retail.

**2.150** **GROUP HOME TYPE 1** means a residence licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, physical or social condition or legal status, require group living arrangement for their well being, but excluding a *Group Home Type 2*.

**2.151** **GROUP HOME TYPE 2** means a Group Home which is primarily intended to house persons convicted under the Criminal Code or the Young Offenders Act, such as Halfway Houses for Ex-Offenders (Charitable Institutions Act), Community Resources Centres (Ministry of Correctional Services Act), or Group Homes for Young Offenders ( Young Offenders Act). A Group Home Type 2 shall be licensed or approved by either the Ministry of Community and Social Services or the Ministry of Community Safety and Correctional Services.

- 2.152** **HABITABLE ROOM** means a room designed for living, dining, sleeping or kitchen accommodations. This definition may include a bathroom, den, library, or enclosed sunroom, but shall not include any garage, carport, porch, veranda, unfinished attic, unfinished basement or unfinished cellar. HUMAN HABITATION shall have similar meanings.
- 2.153** **HAULED SEWAGE** shall mean material removal from a holding tank (class 5 system) or from a septic tank (class 4 system).
- 2.154** **HEIGHT** shall mean when used in reference to a building, the vertical distance measured between finished grade and:
- (a) the highest point of the roof surface of a flat roof; or
  - (b) the average (mean) level between eaves and ridge of any other type of roof.
- 2.155** **HIGH WATER MARK** shall mean the mark made by the action of water under natural conditions on the shore or bank of a waterbody 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.
- 2.156** **HIGHWAY** shall mean a public thoroughfare intended for vehicular use by the general public.
- 2.157** **HOME IMPROVEMENT CENTRE** shall mean an establishment engaged in the wholesale and/or retail sales, or installation of, home furnishings and building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning and similar items.
- 2.158** **HOME INDUSTRY** means a small-scale use providing a service primarily to the local community and which is accessory to a single detached dwelling or agricultural operation, and which use which is clearly incidental or secondary to the residential use of a single detached dwelling and is conducted entirely within a single detached dwelling or in an accessory building to a single detached dwelling, by an inhabitant thereof. Such use may include a carpentry shop, cabinet maker, craft shop, electrical shop, a small engine repair shop, a welding shop, metal working shop, blacksmith or similar use, but does not include any activity relating to the operation or maintenance of a motor vehicle or any activity requiring the use of toxic chemicals.
- 2.159** **HOME OCCUPATION** shall mean an occupation, trade, business, profession or



craft carried on as an accessory use to the use of the dwelling and shall include the following:

- (a) instruction in or business involving music, academic subjects, religion, dancing, arts and crafts such as pottery, weaving, painting or sculpting, sewing, hairdressing or similar use;
- (b) business involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters or operators of commercial vehicles, including school buses, provided that the storage of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;
- (c) business involving work conducted primarily in other locations, such as those operated by electricians, plumbers, carpenters, caterers or operators of commercial vehicles, equipment or materials does not take place at the residence except in accordance with the provisions of the By-law;
- (d) business involving the repair of small appliances, radios, televisions and similar items, skate or knife sharpening or similar uses;
- (e) an office used by a physician, dentist or other medical practitioner, an insurance agent, accountant, engineer, sales person, or a person engaged in a similar occupation;
- (f) business involving catering;
- (g) a bed and breakfast.

**2.160** **HOME OF THE AGED** means a home established and maintained under the Homes for the Aged and Rest Homes Act R.S.O. 1990, CHAPTER H.13 or any subsequent Act.

**2.161** **HOSPICE** means a facility that provides palliative care and attends to the emotional and spiritual needs of terminally ill patients and their families.

**2.162** **HOSPITAL** means a hospital as defined by the Private Hospitals Act, R.S.O. 1990, c. p.24 or a hospital as defined by the Public Hospitals Act, R.S.O. 1990, c. p.40. but does not include animal or veterinary hospitals.

**2.163** **HOTEL** means one or more buildings designed or used for the accommodation of the travelling or vacationing public by furnishing sleeping accommodations with or without facilities for serving meals, containing therein four (4) or more guest

rooms accessible from the interior served. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

**2.164 HUMAN HABITATION** see **HABITABLE ROOM**

**2.165 INSTITUTIONAL USE** means land, building, structure or part thereof used by any government agency, organization, group or association, for the promotion of religious, charitable, educational, medical or recreational benevolent objectives or public service and which is not operated for profit or gain.

**2.166 INDUSTRIAL USES:**

(1) **CLASS I INDUSTRY - LIGHT INDUSTRIAL USES** means a place of business for a small scale, self contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, auto parts supply.

(2) **CLASS II INDUSTRY - MEDIUM INDUSTRIAL USES** means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. Examples include dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing and contractor's yard.

(3) **CLASS III - HEAVY INDUSTRIAL USES** means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other sensitive land uses in order to limit any potential adverse effects on the environment or the surrounding areas and public health.

**2.167 KENNELS** means lands, building, structure or area where dogs, cats, birds or other domestic animals which is used to maintain, board, breed or train five (5) or more domestic animals for personal use or as a commercial service to the general public and where domestic pet foods and pet supplies can be sold and may also include a human society, shelter or pound.

**2.168 LANDSCAPED BUFFER** means the area of a lot, exclusive of any easement for the purposes of underground or overhead utilities or services, which serves to

provide separation and to partially or fully obstruct the view of adjacent land uses by means of a vegetative screen, fencing, and/or berms.

**2.169**        **LANDSCAPED OPEN SPACE** means the open unobstructed space from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway, sidewalk, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a front yard or exterior side yard.

**2.170**        **LANE** means:

- (a) a subsidiary thoroughfare providing access from within a lot, principally from parking or loading spaces or from a lot to a public street; or
- (b) a subsidiary public thoroughfare for the sole use of pedestrians and connecting public streets, open spaces or buildings.

**2.171**        **LAUNDROMAT** means a building or structure or part thereof containing two (2) or more washing machines and/or self-service dry-cleaning machines and/or dryers for use by the public which is operated for a profit or gain.

**2.172**        **LIBRARY** means a public building or structure where books, printed materials, electronic and other audio-visual resources may be read, consulted or borrowed.

**2.173**        **LIVESTOCK** means dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur bearing animals, deer & elk, game animals, birds, and other animals identified in Table 1 of the Minimum Distance Separation Formula Implementation Guidelines, Publication 707 Ministry of Agriculture, Food and Rural Affairs.

**2.174**        **LOADING SPACE** means a space or bay located on a lot or within a building which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials in connection with the use of the lot or any building thereon, and which has unobstructed access not necessarily in a straight line to a street.

**2.175**        **LONG-TERM CARE HOME** means a place that is licensed as a long-term care home under the Long-Term Care Homes Act, 2007 S.O. 2007, c. 8 and includes a municipal home, joint home or First Nations home approved under Part VIII

**2.176**        **LOT** means a parcel of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act or is described in accordance with a registered Plan of Condominium.

- 2.177** **LOT AREA** means the total horizontal area within the lot lines of a lot.
- 2.178** **LOT, CORNER** means a lot situated at the intersection of two or more streets having an angle of intersection not exceeding 135 degrees. In the case of a curved street, such angles shall be formed by their tangents drawn from the points where the side lot lines meet the street line but does not include a lot abutting the bulb of a cul-de-sac or a turning circle.
- 2.179** **LOT COVERAGE** means the horizontal area at grade of all buildings and roofed structures on a lot. For the purposes of this definition, decks, patios, swimming pools, and all accessory buildings, excluding detached garages, are not to be included within the lot coverage calculation.
- 2.180** **LOT DEPTH** means the average horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, the lot depth shall be measured by a straight line joining the mid-point of the front lot line with the mid-point of the rear lot line. Where there is no rear lot line, the lot depth shall be measured by a straight line joining the mid-point of the front lot line with the apex of the triangle formed by the side lot lines.
- 2.181** **LOT, FLAG** means any Lot which gains frontage on to a public street through the use of a narrow strip of land which is an integral part of the Lot and includes a panhandle, key or flag lot.
- 2.182** **LOT FRONTAGE** means the distance measured along the front lot line between the side lot lines where the side lot lines are parallel. In cases where the side lot lines are not parallel, the distance is measured from a point on each side lot line that is located a distance equal to the required front yard from the front lot line or the hypothetical intersection of the front lot line and the side lot line.
- 2.183** **LOT, INTERIOR** means a lot other than a corner lot or a through lot which has frontage on a public street.
- 2.184** **LOT, LINE** means any boundary of a Lot or its vertical projection.
- 2.185** **LOT LINE, EXTERIOR SIDE** means a side lot line that abuts a street.
- 2.186** **LOT LINE, FRONT** means in the case of an interior lot, the line that divides the lot from the public street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line abutting the street shall be deemed to be the exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.

- 2.187**        **LOT LINE, SIDE** means a lot line, other than a front or rear lot line.
- 2.188**        **LOT LINE, REAR** means the lot line or intersection of the side lot lines, opposite to, and most distant from, the front lot line.
- 2.189**        **LOT, THROUGH** means a lot bounded on opposite sides by a public street. However, if the lot qualifies as being both a corner lot and a through lot, such lot is deemed to be a corner lot for the purposes of this By-law.
- 2.190**        **LUMBER YARD** means a lot and accessory building where the primary use is the storage of construction grade wood for sale at retail or wholesale.
- 2.191**        **MAIN WALL** means any exterior wall of a building and all structural members essential to the support of a fully enclosed space or roof.
- 2.192**        **MANUFACTURING** means the use of land, buildings or structures for the purpose of producing, assembling, making, preparing, inspecting, finishing, treating, altering, warehousing or storing or adapting for the sale of any goods, substance, article or service.
- 2.193**        **MARINA** means a lot, building or structure with or without docking facilities where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent and where the facilities for the sale of marine fuels and lubricants may be provided. This definition may include a boat launching ramp, a boat lift, marine railway, dock or boathouse, but does not include any building used for human habitation.
- 2.194**        **MARINE FACILITY** shall mean a non-commercial accessory building or structure having a maximum height of 5.0 m which is used to moor, berth or store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse but does not include any building used for human habitation or any boat service, repair or sales facility.
- 2.195**        **MARKET GARDEN** means the small scale production of fruits, vegetables and flowers as cash crop, frequently sold directly to customers or restaurants.
- 2.196**        **MAUSOLEUM** means a building or other structure used as a place for the interment of the dead in sealed crypts or compartments.
- 2.197**        **MEDICAL CLINIC** means a building or structure containing offices and common administration and/or reception areas used by members of the medical or health care professions to provide medical, dental, and/or therapeutic diagnosis and treatment to the general public without overnight accommodation and may

include accessory dispensary facilities.

- 2.198 MICRO-BREWERY** means a building used for the making of beer on a small scale and may include tasting and dining facilities and the retail sale of related items of 25% of the total floor area to a maximum of 400 m<sup>2</sup>. This definition shall also include a Craft Brewery.
- 2.199 MINI GOLF** mean an area designed for the purpose of a novelty golf game played with a putter on a miniature golf course having tunnels, bridges, corners or other similar obstacles.
- 2.200 MINI WAREHOUSE & PUBLIC STORAGE** means a commercial building or part of a building wherein general merchandise, vehicles, furniture and household goods are stored in separate, secured storage areas or lockers which are generally accessible by means of individual loading doors.
- 2.201 MOBILE HOME** see **MOBILE HOME DWELLING**
- 2.202 MOBILE HOME PARK** means land which has been provided and designed for the location thereon of two or more occupied mobile homes and/or park model trailer (prefabricated and less than 75m<sup>2</sup> (807 sq ft)), for non-transient use.
- 2.203 MOBILE HOME SPACE** means a parcel of land within mobile home park intended for the exclusive use of a mobile home.
- 2.204 MODEL HOME** means a building which is used on a temporary basis as a sales office and/or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used for human habitation.
- 2.205 MONUMENT SALES AND MANUFACTURING** means a place where cemetery monuments and related articles are manufactured and/or displayed for sale or sold.
- 2.206 MOTEL** means a building or buildings designed or used for the accommodation of the travelling or vacationing public, containing therein four (4) or more guest rooms, each guest room having a separate entrance directly from outside and may include an accessory eating establishment, meeting rooms, ancillary retail or service commercial or recreational facilities provided for the conveniences of motel patrons, a pool, banquet rooms, public dining rooms and any premises licensed under the Liquor License Act, R.S.O. 1990, but shall not include hotels as herein defined.
- 2.207 MOTOR VEHICLE** means a motor vehicle, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of

power, including muscular power, in accordance with the Highway Traffic Act, but not including the cars of electric or steam railways running only upon rails.

- 2.208** **MOTOR VEHICLE BODY SHOP** means a building with a service bay, where painting, refinishing, restoration or repairs to the coachwork of motor vehicles are performed, but shall not include an automobile wrecking yard or salvage yard.
- 2.209** **MOTOR VEHICLE DEALERSHIP** means a building and/or lot used principally for the display and sale of new and/or used motor vehicles and may include the servicing, repair, cleaning of motor vehicles, the sale of automotive accessories and related products and the leasing or renting of motor vehicles, but shall not include any other defined automotive uses.
- 2.210** **MOTOR VEHICLE GAS BAR** means one or more pump islands, each consisting of one or more gasoline pumps, and a kiosk having a floor area of not more than 2.5 square metres, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of a motor vehicle.
- 2.211** **MOTOR VEHICLE INSPECTION GARAGE** means a building or part of a building where Motor Vehicles are inspected for safety certification and licensing purposes under the Ministry of Transportation regulations. The premise shall be licensed by the Ministry of Transportation.
- 2.212** **MOTOR VEHICLE RENTAL AGENCY** means the use of land, building or structure where motor vehicles are kept for lease and where such vehicles may be dropped off or picked up.
- 2.213** **MOTOR VEHICLE REPAIR GARAGE** means a building where major repairs of motor vehicles are performed. Such repairs may include all mechanical repairs but shall not include body work, painting, dismantling of motor vehicles for scrap or the storage of motor vehicles awaiting scrapping.
- 2.214** **MOTOR VEHICLE SERVICE STATION** means a building and/or lot used for the sale of fuels for vehicles and may include the renting, servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, but shall not include any other automotive use defined in this by-law.
- 2.215** **MOTOR VEHICLE WASHING ESTABLISHMENT** means a building or portion thereof used for washing or cleaning of motor vehicles for gain.
- 2.216** **MUNICIPAL DRAINS** means a drain constructed by the municipality or a natural water course dedicated as a municipal drain, to regulate the water table or water

level within or on any lands and maintained by the municipality.

- 2.217 MUNICIPALITY** means The Corporation of the Township of North Stormont.
- 2.218 MUSEUM** means the use of land, buildings or structures for the purposes of assembling, preparing and displaying a collection of articles and artifacts illustrating science, art, ancient life or other subjects and includes accessory uses such as facilities for repair, renewing and storage and may include retail outlets for souvenirs and refreshments.
- 2.219 NAMEPLATE GENERATING CAPACITY** means the manufacturer's posted maximum generating capacity of a renewable energy system under optimal conditions.
- 2.220 NATURAL HERITAGE FEATURES** means features and areas, such as significant wetlands, significant woodlands, fish habitat, significant portions of the habitat of endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.
- 2.221 NEGATIVE IMPACTS** means:
- (a) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.
  - (b) in regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.
- 2.222 NON-CONFORMING** means an existing use or activity of any land, building or structure that is not an identified permitted uses for the Zone in which it is located as of the date of passage of this By-law.
- 2.223 NON-COMPLYING** means a lot, building or structure that does not meet the regulations of the Zone in which it is located as of the date of passage of this By-law.
- 2.224 NOISE CONTROL BARRIER** means a physical structure placed between a noise source and a noise sensitive area where reduced noise levels are required.
- 2.225 NURSING HOME** see **LONG-TERM CARE HOME**
- 2.226 OFFICE** means a building, structure or part thereof used for the purpose of providing accommodation for the performance and transaction of business including administrative, clerical and professional activities and may include



accessory retail sale of goods.

- 2.227** **OFFICIAL PLAN** means the Official Plan of the United Counties of Stormont, Dundas and Glengarry or parts thereof and amendments thereto and any Official Plan which may be adopted by the municipality under the Planning Act, R.S.O.1990, c. P.13.
- 2.228** **ONE HUNDRED YEAR FLOOD** means an event that has a 1% chance of occurring or being exceeded in any given year or having the average return period of 100 years.
- 2.229** **OPEN SPACE** means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas.
- 2.230** **OPEN STORAGE** means storage or display of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof. This definition shall not include the open storage of goods or equipment incidental to a residential occupancy of a lot, a parking area or parking space or the outdoor display of a limited number of samples of goods, merchandise or equipment for the purpose of sales and advertisement.
- 2.231** **OPEN STORAGE AREA** means an area within or outside of a building used or intended for use for the open storage of goods, merchandise or equipment which may or may not be intended for immediate sale.
- 2.232** **ORGANIC SOILS** means those soils normally formed in a water saturated environment (e.g. wetland) where the soil is not exposed to the air for a sufficient enough time to permit the break down of vegetative material.
- 2.233** **OUTDOOR COMMERCIAL PATIO** means an outdoor area adjoining a restaurant, a bar or a tavern, consisting of outdoor tables, chairs and related decorations and fixtures, and where meals or beverages are served to the public for consumption on the premises. An outdoor café may be located within the public road right-of-way where an encroachment agreement exists between the operator and the Municipality.
- 2.234** **OUTDOOR SALES AND DISPLAY AREA** means a portion of a lot used for exhibiting in an orderly manner, completely assembled or finished merchandise, equipment, goods or products sold by a retail or wholesale business on the same lot.
- 2.235** **OUTDOOR RECREATIONAL FACILITY** means an establishment which provides

recreational activities primarily located outside of a building such as a golf driving range, miniature golf, lawn bowling, tennis court, model airplane flying or similar activities. A go-cart, ATV or motocross track is not included within this definition.

**2.236** **PARK** shall mean an area of land consisting mainly of open space which may include a recreational area, playground, playfield or similar use.

(a) Public Park shall mean a park owned and maintained by the Municipality or other public authority;

(b) Private Park shall mean a park other than a public park.

**2.237** **PARKING AISLE** means a portion of a private parking area, or a commercial parking lot, or a private or a commercial parking structure which abuts a parking space on one or more sides and which provides access from the parking space to a street or lane, and is which is not used for vehicular parking.

**2.238** **PARKING AREA** means a lot or portion thereof required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all zones, and shall not include the storage or parking of four (4) or more motor vehicles for hire and gain, display or for sale.

**2.239** **PARKING GARAGE** shall mean an enclosed structure used for the temporary parking for more than four vehicles and available for public use either free, for compensation or as an accommodation to customers.

**2.240** **PARKING SPACE** means an area exclusive of driveways, aisles, ramps or columns, used for the temporary parking of one motor vehicle and includes spaces for the handicapped.

**2.241** **PATIO** means a surfaced, unenclosed open space of land at grade adjacent to a residential dwelling unit, and shall include an outdoor patio, sidewalk patio, patios within shopping malls, and patios associated with restaurants.

**2.242** **PASSIVE RECREATIONAL USE** means enjoyment of the natural environment through non-intensive activities that are passive in nature and cause minimal impact on the natural features and functions of an area. Passive recreations uses include access trails, nature study, bird watching, outdoor education and associated facilities, but do not include recreational buildings, sports fields and golf courses.

**2.243** **PERMITTED** means permitted by this By-law.

**2.244** **PERMITTED USES** means a use which is listed under the heading "Permitted

Uses” in the zone where such use is located or as authorized under the General Provisions of this By-law.

- 2.245**      **PERSON** means an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.
- 2.246**      **PERSONAL SERVICE ESTABLISHMENT** means an establishment wherein a personal service is performed. This definition may include a barber shop, beauty salon, shoe repair, photographic studio, tailor or dressmaker, laundromat or a dry cleaning distribution station or a similar use. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.
- 2.247**      **PET SHOP** means a shop or place where animals, small reptiles, fish or birds for use as pets are sold, kept for sale or groomed and where pet supplies and pet foods are sold but does not include a shop or place for the breeding or overnight boarding of pets.
- 2.248**      **PIT** means any open excavation made for the removal of unconsolidated aggregate such as soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works and includes accessory uses such as screening, washing and storage of such materials.
- 2.249**      **PLACE OF ASSEMBLY** means a building specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion show, public meetings, banquets, conference meetings and similar activities.
- 2.250**      **PLACE OF ENTERTAINMENT** means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a motion picture or other theater, cinema, covered arena, auditorium, public dance hall, public hall (includes premises for wedding reception, banquets and other social gatherings), music hall, arcade show or penny arcade, pinball machines and video games, billiard or pool room, bowling alley, miniature golf, driving range, electric kiddy car facility, ice or roller skating rink, or similar use conducted within an enclosed building or in the open air, but does not include casino or bingo hall, a motorcycle riding facility, a go-kart track facility, all terrain vehicle riding facilities or similar use.

- 2.251 PLACE OF WORSHIP** means lands or buildings used for worship by an association of persons that is:
- (a) charitable under the laws of the Province of Ontario or the Federal Government; and
  - (b) organized for the advancement of religion and for the conduct of religious worship, service or rites; and
  - (c) permanently established as to the continuity of its existence,
  - (d) and may include accessory uses such as a residence for the caretaker or head of congregation, a nursery school, a church day nursery, a church assembly hall or auditorium, a school of religious education, convent monastery, parish hall or similar use.
- 2.252 POINT OF RECEPTION** refers to the Ministry of Environment publication “interpretation for Applying MOE NPC Technical Publications to Wind Turbine Generator (V1)” which defines a point of reception as any point on the premises of a person within 30 metres of a dwelling or camping area, where sound or vibration originating from other than those premises is received.
- 2.253 PORCH** means a structure abutting a main wall of a building having a roof, but walls that are generally open and unenclosed, used as an outdoor living area.
- 2.254 PORTABLE ASPHALT/CONCRETE PLANT** means a facility certified by the Ministry of the Environment which complies with minimum separation distances having equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt/concrete paving material and which includes stockpiling and storage of bulk materials used in the process, and which facility is not of permanent construction but is designed to be dismantled and moved to another location as required.
- 2.255 PREMISES** means the area of a building or lot occupied or used by a business or enterprise. In a multiple tenancy building occupied by more than one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered individual premises.
- 2.256 PRINTING AND PUBLISHING ESTABLISHMENT** means a building or part thereof used primarily for printing, regardless of the method, and publishing of newspapers, periodicals, books, written material, maps and similar publications and also includes the sale and servicing of printing and duplicating equipment.

- 2.257 PRIVATE CLUB** means a building or part of a building used as a meeting place by an association of persons who are bona fide members, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, cultural, recreational, business or athletic purposes, but shall not include Adult Entertainment uses.
- 2.258 PRIVATE ROAD** means private right-of-way over private property which affords access to at least two (2) abutting lots and which is not maintained by a Public Authority.
- 2.259 PROFESSIONAL OFFICE** see **OFFICE**
- 2.260 PROPANE FACILITY** means a premises where tanks having an aggregate storage capacity of less than 45,000 litres that is licensed under the provisions of the Energy Act of Ontario, as amended, and from which the retail sale of propane fuel to the public is or may be effected.
- 2.261 PUBLIC ACCESS POINT** means public land designated by the appropriate authority and developed and maintained by the authority as a public access to a navigable water body.
- 2.262 PUBLIC AUTHORITY** means The Township of North Stormont and any Boards or Commissions thereof, the United Counties of Stormont, Dundas and Glengarry and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.
- 2.263 PUBLIC PARK** means an area of land, whether enclosed or not, maintained by the Municipality or other public authority for the enjoyment, health and well-being of people and open to the public with or without charge and, for the purposes of this definition, includes a municipal, public authority or Provincial Park with tourist campground facilities.
- 2.264 PUBLIC STREET** means a public or common highway affording the principal means of access to abutting properties which has been dedicated to and or assumed by a public authority. This definition shall not include a private lane, private road or private right-of-way.
- 2.265 PUBLIC USE** means a building, structure or lot used for public services by The Township of North Stormont or the United Counties of Stormont, Dundas and Glengarry and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any telephone, telegraph or railway company, any company supplying natural gas, Hydro One Inc., any Conservation Authority, Public Utilities Company or similarly recognized

agencies.

- 2.266 PUBLIC UTILITY** means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a transportation system or a telephone system, scientific research system, and includes any lands, buildings or equipment required for the administration or operation of any such system and which is operated by a public authority or a publicly governed company.
- 2.267 QUARRY** means land or land under water from which consolidated rock or mineral including limestone, sandstone, shale or granite in order to supply material for construction, manufacturing or industrial purposes but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works, and includes accessory uses such as crushing, screening, washing and storage of such materials.
- 2.268 RECREATIONAL COMMERCIAL ESTABLISHMENT** means an establishment, premises, or building where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, athletic clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasia, band shells or open air theatres, and other similar uses but does not include a casino or bingo hall, go-kart, motorcycle, all terrain vehicle riding facilities or similar uses.
- 2.269 RECREATIONAL USE, ACTIVE** see **ACTIVE RECREATIONAL USE**
- 2.270 RECREATIONAL USE, PASSIVE** see **PASSIVE RECREATIONAL USE**
- 2.271 RECREATIONAL VEHICLE** means any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term basis for living, sleeping or eating accommodations of persons. The term recreational vehicle includes the following; motor homes, travel trailers, tent trailers, campers, boats, personal watercrafts, snowmobiles, all terrain vehicles and motorcycles.
- 2.272 RECYCLING DEPOT** means any building, portion of building or area in which solid non-hazardous recyclable material such as glass, paper, cardboard, plastic, metal and other similar products is collected, sorted, treated and/or processed, and which will be transferred to another location for reuse and includes a transfer station. This definition does not include any other type of waste management

facility. (See also: Waste Disposal Zone)

- 2.273** **RECYCLING YARD** means an enclosed area in which solid recyclable material is collected, sorted, and/or processed and can include materials from construction and demolition projects and other sources including wood, drywall, brick, concrete, asphalt shingles, glass and scrap metals.
- 2.274** **RELIGIOUS INSTITUTION** means a Bible institute, a Christian Science reading room, a religious library, a religious school, a monastery, a nunnery, a religious retreat, or similar use, but shall not include a place of worship.
- 2.275** **RENEWABLE ENERGY SYSTEM** shall mean the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.
- 2.276** **RENTAL ESTABLISHMENT** shall mean a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures.
- 2.277** **RESTAURANT** means a premise in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment or on an abutting terrace or patio, and which may include home delivery, catering or food pick-up/ take-out services.
- 2.278** **RESIDENCE SURPLUS TO A FARM OPERATION** means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).
- 2.279** **RETAIL STORE** means a premises in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis.
- 2.280** **RETAIL STORE 1** means a retail store that has a gross floor area of less than 930 m<sup>2</sup>.
- 2.281** **RETAIL STORE 2** means a retail store that has a gross floor area of less than 2750 m<sup>2</sup>.
- 2.282** **RETAIL STORE 3** means a retail store with a minimum gross floor area of 2750 m<sup>2</sup> and up to a maximum gross floor area of 37,160 m<sup>2</sup> where the entire floor area of the use is occupied by a large single user selling one product or a variety of products in a warehouse format and may also include a Warehouse membership club.

- 2.283**        **RETAINING WALL** means a wall constructed of concrete, stone, or stackable concrete or stone or aggregate materials, which is specifically designed to hold back an embankment and having a minimum vertical height of 0.3 metres above grade. For the purpose of this By-law, a retaining wall shall be considered a structure and shall not be deemed to include retaining walls constructed by, or under the auspices of, a public authority.
- 2.284**        **RETIREMENT HOME** means a building which contains multiple rooms or suites for residential occupancy with common areas for such activities as eating, recreation and leisure, etc. and may include commercial uses to serve residents, and which is constructed and operated in accordance with the Care Homes Section of the Residential Tenancies Act. Such uses may include care services for residents, but shall not include a Nursing Home as herein defined.
- 2.285**        **RIDING STABLE** see **EQUESTRIAN ESTABLISHMENT**
- 2.286**        **ROAD, PRIVATE** see **PRIVATE ROAD**
- 2.287**        **ROAD, PUBLIC** see **PUBLIC STREET**
- 2.288**        **ROOMING HOUSE** see **BOARDING, LODGING and ROOMING HOUSE**
- 2.289**        **RURAL HOME OCCUPATION** shall mean an occupation, business, trade or craft which is accessory to a farming operation. This definition may include the servicing or repair of merchandise or equipment, the grading of produce, a retail outlet for farm supplies and machinery, a farm produce outlet or similar activities.
- 2.290**        **SALVAGE YARD** means a lot and/or building or portion thereof where used goods, wares, merchandise, articles, motor vehicles, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junkyard, a scrap metal yard, a Recycling Yard and a Wrecking Yard on the premises.
- 2.291**        **SANITARY SEWAGE AND WATER SERVICES** means:
- (1)**        **FULL MUNICIPAL SANITARY SEWAGE AND WATER SERVICES** means piped sewage and water services that are connected to a centralized water and waste water treatment facility.
- (2)**        **COMMUNAL SERVICES** means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water but which:



- (a) are not connected to full municipal sewage and water services;
- (b) are for the common use of more than five (5) residential units/lots; and
- (c) are owned, operated, and managed by a municipality or, another public body, or a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the Planning Act, R.S.O.1990, c. P.13, providing for municipal/public body assumption of the communal services in the event of default by the owner.

- (3) **INDIVIDUAL ON-SITE SYSTEMS** means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five (5) residential units/lots.
- (4) **PARTIAL SERVICES** means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

- 2.292** **SAWMILL** means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.
- 2.293** **SCREENING** means a continuous fence, wall, compact evergreen hedge or combination thereof supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks
- 2.294** **SCHOOL** means a public educational establishment operated by a School Board.
- 2.295** **SCHOOL, COMMERCIAL** means a commercial establishment which offers instruction in a specialized field including, but not limited to, computer training, music, sports, arts and crafts.
- 2.296** **SCHOOL, PRIVATE** means an educational establishment, other than a School, wherein teaching or instruction is offered for gain in such fields as academics, dancing, music, art, sports, business or trade, and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts
- 2.297** **SEAT** means a place on or in which one sits. Where provided by benches, forms or pews, each 0.6 linear metre (2.0 ft.) of seating space shall be the equivalent of one (1) seat.
- 2.298** **SECONDHAND STORE** means a building or part of a building in which used goods,

wares, merchandise, substances, articles or things are offered or kept for sale at retail and may include such uses as a pawnshop, an antique store, an opportunity shop or similar use but no open storage is permitted other than during regular business hours.

**2.299 SENSITIVE LAND USE** means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby facilities and includes a dwelling, day nursery and an educational or health facility.

**2.300 SERVICE AND REPAIR SHOP** means a building or part there of used primarily for the repair of household articles and shall include radio, television and appliance repair shops, but shall not include industrial or manufacturing or motor vehicle repair shops.

**2.301 SETBACK** means:

- (1) With reference to a road or street, the least horizontal distance between the front lot line and the nearest building line.
- (2) With reference to a water body, the least horizontal distance between the high water mark of the water body and the nearest building line.
- (3) With reference to an interior lot or a through lot, the space between the front lot line and the nearest portion of the main wall of a building.
- (4) With reference to a corner lot, the space between the nearest portion of the main wall of a building and the street line, and the space between the side lot line abutting the flanking street, and the nearest portion of the main wall of a building.
- (5) With reference to a slope, means the minimum distance required between the top of the slope and the nearest part of any building or structure on the lot. In the event that there are two or more slopes on a lot, then the minimum distance shall be measured from the top of that slope which is highest in elevation.

**2.302 SHIPPING CONTAINER** means a container with strength suitable to withstand shipment, storage, and handling. Shipping containers range from large reusable steel boxes used for intermodal shipments to corrugated boxes.

**2.303 SHOPPING CENTRE** means a group of commercial and service uses designed, developed and managed as a unit, having the required loading spaces and off-street parking provided on site and which may include free standing or attached

buildings.

**2.304 SHORELINE** means those lands extending from the average annual water level which have potential and direct significant impact on near shore waters and the shore ecosystem through run-off, and where land use activity is primarily water oriented.

**2.305 SIGHT TRIANGLE** means a triangular space, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law.

**2.306 SIGN** means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

(a) is a structure, or part of a structure, or which is attached thereto or mounted thereon; and

(b) which is used to advertise, inform, announce, claim, give publicity or attract attention.

**2.307 SINGLE DETACHED DWELLING** see **DWELLING, SINGLE DETACHED**

**2.308 SITE ALTERATIONS** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**2.309 SLUDGE** shall mean stabilized organic soil conditioning material produced by a sewage treatment plant.

**2.310 SOD FARM** means a use of land for the purpose of eventual removal of such grasses and the soil that supports them for any retail or wholesale commercial purposes.

**2.311 SOLAR ENERGY SYSTEM** shall mean a renewable electrical generation facility that produces power from the sun using photovoltaic technology to provide all, or a portion of, the electrical power needs for a user or to feed into the transmission or local distribution grid. A solar energy system includes all arrays, supporting infrastructure, and outbuildings

**2.312 STREET** shall mean a public thoroughfare under the jurisdiction of either the Corporation, the United Counties or the Province of Ontario. This definition shall not include a lane or private right-of-way.

(a) Improved Street shall mean a Municipal Road which has been assumed by the Corporation and is maintained on a regular year-round basis, or a Provincial Highway, or a County Road.

- 2.313** **STREET LINE** means the limit of the road or street allowance and is the dividing line between a lot and a Public Street or Private Road.
- 2.314** **STREET LINE, ULTIMATE** means the ultimate widened boundary of the street or road which is designated by the Township Council to have a greater planned width of street or road allowance or as may be required by Statutory Authorities having jurisdiction over certain highways in the Township.
- 2.315** **STOREY** means that portion of a building other than a cellar or basement included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it.
- 2.316** **STRUCTURE** means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground. For the purposes of this By-law a fence not exceeding two metres (2 m) in height shall be deemed not to be a structure.
- 2.317** **SWALE** means a depression in the ground that channels run-off.
- 2.318** **SWIMMING POOL** (or simply a “pool”), shall mean an artificially enclosed body of water, built either above or in the ground, intended for swimming or water-based recreation and shall include inflatable pools with a depth in excess of 0.61 metres.
- 2.319** **TANK FARM** means a facility where storage containers for the transfer of inorganic liquids or gases and from which no retail sale of fuel to the public is or may be conducted.
- 2.320** **TAVERN** means a Tavern as defined by the Liquor License Act, as amended.
- 2.321** **TENT AND TRAILER PARK** shall mean a parcel of land which is used to provide temporary accommodation for the public in tents, trailers or recreational vehicles, including park model trailers but which are not used as a principle place of residence, in which the water supply and sewage collection and disposal services are not designed to function during the winter months and which are closed for the period of November 1 to May 1 of the following year.
- 2.322** **TOP OF BANK** means the point of line which is the beginning of a significant change in the elevation of the land surface, and from which the land surface slopes downward toward an existing (or abandoned) watercourse (or lake).

When two or more slopes are located together, the slope that is highest and furthest away from the watercourse shall be the slope considered for the Top of Bank.

- 2.323** **TOURISM LODGING ESTABLISHMENT** shall mean premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a hotel, motel, cabin, lodge or bed and breakfast, including accessory uses such as dining, meeting and beverage rooms and similar uses.
- 2.324** **TRANSPORTATION TERMINAL** means a premises where goods or wares are stored and where trucks or transports are stored, serviced, repaired, kept for hire, or loaded and unloaded and includes towing and storage associated with the towing business but does not include a waste transfer station or a waste storage facility.
- 2.325** **TRAILER** means a vehicle that is at any one time drawn upon a public street by a motor vehicle, notwithstanding that such trailer is jacked up or that its running gear is removed, but for the purposes of this By-law, does not include a mobile home dwelling.
- 2.326** **TRANSFER STATION** means a building, structure or enclosed or screened area where trucks or transports containing waste are temporarily stored, loaded or unloaded.
- 2.327** **TURBINE HEIGHT** means the height of a renewable energy system shall be measured from the base of the structure to the highest point of the structure. For instance, in the case of a typical horizontal axis wind turbine, the height is measured from the average ground level upon which the base/foundation sites to the tip of the rotor blade at its highest point.
- 2.328** **U-BREW/SMALL BATCH BREWERY** means a building or structure where the public can prepare their own beer and/or wine in a controlled setting.
- 2.329** **USE** means the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained.
- 2.330** **UTILITY** means a public utility as defined in the Public Utilities Corporation Act, R.S.O. 1990, c. P.52.
- 2.331** **VACATION FARM** means a farm or specialized farm which offers to the general public temporary living accommodations within the main building and/or camping facilities for less than six (6) trailers, motor homes, campers or tents and has facilities for serving meals indoors to large groups and which provides limited

cultural and educational facilities oriented to the farm activity.

**2.332 VEHICLE see MOTOR VEHICLE**

**2.333 VETERINARIAN ESTABLISHMENT** means a commercial premise used by a veterinarian for grooming, treating domestic animals, birds or other livestock but shall not include a commercial kennel or research facility and where domestic animals and/or birds may be kept for treatment and/or boarded during the treatment period.

**2.334 VETERINARY CLINIC – SMALL ANIMAL** means building or structure where companion animals are given medical or surgical treatment, within which there may be shelter facilities provided for overnight medical treatment but shall not include a boarding kennel.

**2.335 VETERINARY OR ANIMAL HOSPITAL** means building or structure where companion animals are given medical or surgical treatment, within which there may be shelter facilities provided for overnight or long-term medical treatment and may include accessory boarding facilities, but does not include a boarding kennel.

**2.336 VIDEO RENTALS OUTLET** means a building or part of a building wherein the primary use is the rental of video tapes and may include the rental of video cassette recorders, video cameras and video games.

**2.337 VOLT** shall mean the amount of 'pressure' required to transport electricity and push electrical energy through a wire. A measure of the Potential Difference between two points of an electrical field.

**2.338 WAREHOUSE/DISTRIBUTION CENTRE** means a premises used for the storage and distribution of goods, wares, merchandise, substances, articles or things, within a building and may include a commercial storage facility or facilities for an accessory wholesale or retail outlet, but does not include a transportation terminal.

**2.339 WASTE DISPOSAL SITE** means a site which is licensed or approved by the Ministry of the Environment and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes is disposed of or dumped. This definition shall include waste transfer stations and recycling depots. (See also Compost Facility, Recycling Depot and Transfer Station)

**2.340 WATER BODY** means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

- 2.341 WATERBODY/WATERCOURSE SETBACK** shall mean the straight line horizontal distance from the top of the bank or the high watermark, whichever is greater, to the nearest part of any excavation, building, structure, or open storage use on the lot.
- 2.342 WATER COURSE** means a natural channel where water is flowing continuously or intermittently, possessing a bed and banks and where it usually discharges into other stream or water body.
- 2.343 WATER FRONTAGE** means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.
- 2.344 WATT** shall mean a unit to describe the size of an electrical generation system. One megawatt (1,000 kilowatts or 1,000,000 watts), of electrical energy can supply the power needs of about 500 homes for a year. Watts of energy is the amount of electricity produced.
- 2.345 WAYSIDE PIT OR QUARRY** means a temporary pit or quarry opened and used by a public authority or their agents, for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.
- 2.346 WELDING SHOP** means the use of land, building, or structure where pieces of metal are welded or fabricated.
- 2.347 WETLANDS** means 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 plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.
- (1) Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.
- 2.348 WHOLESALE ESTABLISHMENT** shall mean a building used or intended to be used for the bulk storage and sale of quantities of goods, commodities, wares, merchandise, or materials for resale or business use.
- 2.349 WIND ENERGY SYSTEM** shall mean a renewable electrical generation facility that produces power from wind primarily to provide all or a portion of the electrical power needs for a user or to feed into the transmission or local distribution grid. A wind energy system includes all supporting infrastructure, outbuildings and access roads.

- 2.350 WILDLIFE HABITAT** means areas where plants, animals and other organisms live, and find adequate amounts of food, water shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas which are important to migratory or non-migratory species.
- 2.351 WINERY** shall mean the use of land, buildings or structures for the processing of fruit, fermentation, production, aging and storage of wine and wine related products as a secondary use to the vineyard, where the fruit used in the production of the wine shall be predominately from the vineyard located on the same land as the winery. Accessory uses shall include:
- (a) Licensed retail outlet
  - (b) Winery
  - (c) Office
  - (d) Laboratory
  - (e) Restaurant
  - (f) Banquet Hall
  - (g) Conference facilities
  - (h) Bed and breakfast establishment
  - (i) Dwelling
- 2.352 WORKSHOP** means a building or part of a building where fabrication or manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, an upholsterer's shop, a locksmith's shop, a gunsmith's shop, a machine shop, a tinsmith's shop, a commercial welder's shop, or other similar uses and activities.
- 2.353 WRECKING YARD** see **SALVAGE YARD**
- 2.354 YARD** means a space, appurtenant to a building or structure, that is located on the same lot as the building or structure which is open, uncovered and unoccupied by any building or structure, except as specifically permitted by this By-law. In determining yard measurements the minimum horizontal distance from the respective lot lines shall be used.
- 2.355 YARD, EXTERIOR SIDE** means the side yard adjacent to a public street.
- 2.356 YARD, FRONT** means a yard extending across the full width of the lot between the front lot line and the nearest wall of the principal building or structure on the lot.
- 2.357 YARD, INTERIOR SIDE** means a yard other than an exterior side yard that extends



from the front yard to the rear yard between the interior side lot line and the nearest wall of the principal building or structure on the lot.

- 2.358** **YARD, REAR** means a yard extending across the full width of the lot between the rear lot line and the nearest wall of the principal building or structure on the lot.
- 2.359** **ZONE** means a designated area of land use shown on the Zone Schedules attached hereto and forming part of this By-law.
- 2.360** **ZONE PROVISIONS** means the permissible uses or activities, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, the minimum gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking area requirements, and all other standards and regulations of the respective Zones as are set out within the By-law.
- 2.361** **ZONING ADMINISTRATOR** means the officer or employee of the municipality charged with the duty of enforcing the provisions of this By-law.

## **SECTION 3 – GENERAL PROVISIONS**

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### **3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES**

- (1) Where this Bylaw provides that land may be used or a building or structure may be erected or used for a purpose, that purpose may include any accessory use, building or structure located on the same lot as the primary use to which it is related. Accessory buildings and structures shall be located and erected in accordance with all applicable yard and setback requirements and other provisions hereof, except as otherwise provided in this section.
- (2) All uses, buildings and structures accessory to a permitted principal use or building shall be located on the same lot and in the same zone as the principal use or building. The accessory building or structure shall not be located on a separate lot from the main building or erected prior to the main building.
- (3) The use of any accessory building for human habitation is not permitted except in the case of a garden suite or where specifically listed as a permitted use in any zone.
- (4) No accessory use shall be erected closer to the front lot line or the exterior side lot line than the minimum front yard and exterior side yard setbacks required for the main building. This provision shall be exempted:

  - (a) for a partially enclosed shelter for use by children waiting for a school bus on a rural bus route,
  - (b) for any farm produce outlet having a gross floor area of less than ten square metres (10 m<sup>2</sup> [108 ft<sup>2</sup>]),
  - (c) for a gatehouse in an Industrial Zone having a gross floor area of less than ten square metres (10 m<sup>2</sup> [108 ft<sup>2</sup>]),
  - (d) for water-related structures
- (5) No building or structure which is attached to the main dwelling shall be considered an accessory building or structure.
- (6) The maximum height of accessory buildings in a residential zone shall not exceed four and five-tenths of a metres (5 m [16.40 feet]) or as provided in the individual zone provisions.
- (7) Private swimming pools, both above-ground and in-ground, outdoor and indoor, shall be permitted subject to the Swimming Pool By-law of the Municipality and the following requirements:

  - (a) No part of an outdoor pool including an associated apron or platform

shall be located within a front or external yard nor closer than one and two-tenths metres (1.2 m [3.94 ft.]) to an interior side yard or rear yard lot line. Any building or structure, other than a dwelling, required for changing clothing or pumping, filtering or storage or any similar purposes shall comply with the provisions respecting accessory uses and structures.

(b) Indoor pools which are not an integral part of a dwelling unit or part of a municipal or private recreational facility shall conform with the accessory building requirements contained above.

- (8) An outdoor furnace shall be permitted as an accessory use provided:
- (a) It is located in a Rural Zone or Agricultural Zone.
  - (b) The outdoor furnace shall comply with the zoning standards for the main building from any property line and one hundred meters (100 m [328.1 ft.]) from any dwelling on an adjacent lot or (15.24 m [50 ft.]) from any building on the same property, or other distance by an approved testing agency, as detailed in manufactures instructions
  - (c) Not more than one outdoor furnace shall be permitted on a lot, except where it serves a permitted accessory dwelling or an agricultural building on lands used primarily for agricultural purposes.
  - (d) Any additional requirements as set out in the Municipality's outdoor furnace By-law shall be satisfied.
- (9) The minimum interior and rear yard setback for a residential accessory building or structure shall be one and two-tenths metres (1.2 metres).

### **3.2 ADULT ENTERTAINMENT PARLOURS - General Development Standards**

- (1) No Adult Entertainment Parlour shall be located within 500 metres of any Residential Zone. This distance shall be measured from the property line of a potential Adult Entertainment Parlour to the Residential Zone boundary.
- (2) No Adult Entertainment Parlour shall be located within 500 metres of any school, church, day-care, public library, community centre or public park.
- (3) No Adult Entertainment Parlour shall be permitted to locate on a lot having frontage on a Major Arterial Road.
- (4) An Adult Entertainment Parlour must be located within a freestanding building and shall not be permitted to locate in a multi-tenant building.

### **3.3 AIR CONDITIONERS AND PUMPS**

Air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:

- (1) Within a required front yard or a required flankage yard, provided such equipment shall have a minimum setback of three metres (3 m [9.84 ft.]) from the street line, a minimum setback of six-tenths of one metre (0.6 m [1.97 ft.]) from a side lot line and is screened from the street by an enclosure or landscaping; and,
- (2) Within a required side yard or required rear yard provided such equipment has a minimum setback of six-tenths of one metre (0.6 m [1.97 ft.]) from the side lot line or rear lot line.

**3.4 MOTOR VEHICLE SERVICE STATION, COMMERCIAL GARAGE, MOTOR VEHICLE GAS BAR, MOTOR VEHICLE WASHING ESTABLISHMENTS**

The following provisions shall apply for all zones within which a motor vehicle service station, motor vehicle gas bar, and/or motor vehicle washing establishment, quick lube outlet and related uses are permitted:

- (1) The site may contain any or all of the foregoing uses. In addition, an accessory convenience store outlet not exceeding sixty square metres (60 m<sup>2</sup> [646 ft<sup>2</sup>]) may be permitted. A larger convenience store outlet may be permitted if considered to be a principal permitted use in the subject zone.
- (2) All such uses shall be subject to the Township's Site Plan Control By-law and related agreements
- (3) The minimum distance between the gasoline pump island, pumps and their related overhead canopies and any pump shall be six metres (6 m [19.7 ft.]) from any lot and street line. Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than three metres (3 m [9.84 ft.]) to a sight triangle;
- (4) No person shall hereafter erect or use a tank for the storage of propane for sale at a motor vehicle service station or motor vehicle gas bar or on any other property where vehicle fuel may be dispensed unless a license has been obtained under the Ontario Propane Code and other applicable legislation. Such propane facilities shall not be located in any yard abutting a Residential Zone or Use and shall not be located within thirty metres (30 m [98.4 ft.]) of any property line or street line.
- (5) The width of any entrance or exit, combined entrance or exit measured at the front lot line or exterior side lot line shall not be greater than ten metres (10 m) and there shall not be more than two (2) accesses from any one street which adjoins the lot. The minimum distance of any access from a street intersection shall be fifteen metres (15 m) and the minimum distance between driveways shall be nine metres (9 m). The minimum distance between an interior side lot line and any driveway shall be three metres (3 m).

- (6) Separate on-site stacking lanes shall be provided to serve any automated motor vehicle washing establishment or quick lube facility and the stacking lane shall have a minimum capacity to accommodate ten (10) automobiles provided also that such stacking lanes shall not be located in any yard abutting a Residential or Institutional Zone use.

### **3.5 BACKYARD CHICKENS**

On lots zoned Agricultural or Rural, backyard chickens shall be permitted with respect to the following provisions:

- (1) The keeping of hens shall be restricted to properties that are zoned to permit a single-family dwelling.
- (2) No more than 10 hens shall be permitted.
- (3) Roosters are not permitted.
- (4) An enclosure for keeping one or more hens:
  - a. Shall be located at least 3.0 metres from the side lot line and at least 3 metres from the rear lot line of the lot on which the hen coop is located.
  - b. Shall be located at least 3 metres from abutting dwellings.
  - c. Must be at least 7.5 metres from any church or school.
  - d. Shall contain an enclosed roof structure and shall be no greater than 3.0 metres by 3.0 metres and no greater than 4.5 metres in height.
  - e. Shall only be located in the rear yard.

### **3.6 BED AND BREAKFAST ESTABLISHMENTS**

The following provisions shall apply to bed and breakfast establishments:

- (1) A bed and breakfast establishment shall only be permitted in an owner occupied single detached dwelling and shall be limited to a maximum of three (3) guest rooms per establishment.
- (2) A bed and breakfast establishment shall not be established or operated in an accessory building.
- (3) One (1) parking space shall be provided per guest room in addition to a minimum of one (1) space for the existing dwelling.

- (4) Bed and breakfast establishments shall be permitted only in zones where expressly provided for as a permitted use and shall not be permitted as an accessory use and shall conform to all regulations and requirements of the zone where permitted.
- (5) A bed and breakfast establishment shall not detract from the general character of the neighbourhood nor be a nuisance in terms of noise, traffic, parking and visual character. The Bed and Breakfast Establishment shall not change the residential character of the dwelling and no exterior alterations shall be made to the dwelling which are not customarily found on a dwelling. Expansions of the dwelling shall not exceed twenty percent (20%) of the original dwelling size.
- (6) A bed and breakfast establishment may have a sign(s) in accordance with the Municipal Sign By-law.

**3.7 BUILDING TO BE ERECTED ON A LOT**

No person shall hereafter erect or use any building unless such building is erected on a lot.

**3.8 BUILDINGS TO BE MOVED**

No building or structure shall be moved within the limits of the Municipality nor shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all the requirements of the zone in which it is to be located and then only after a permit has been obtained from the Chief Building Official.

**3.9 BULK & FUEL STORAGE TANKS**

No bulk or fuel storage tank shall be permitted unless it is double walled or is placed in an impervious containment facility which is capable of containing the entire contents of the fuel storage tank in the event of a spill or in accordance with the current provisions of the Technical Standards and Safety Act. This provision shall not apply to domestic fuel oil tanks located inside a dwelling.

**3.10 COMMERCIAL PATIOS**

Notwithstanding any provisions of this By-law, an outdoor commercial patio accessory to a permitted restaurant use may be permitted and shall comply with the following:

- (1) The outdoor patio shall not provide more than fifty percent (50%) of the seating accommodation permitted under the Liquor License Act to the restaurant or seating accommodation or more than fifty (50) persons.
- (2) No outdoor patio shall be permitted on a lot where the lot line abuts a Residential Zone or residential use.

- (3) That portion of a lot on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
- (4) Parking requirements for seating in the outdoor patio area shall be satisfied unless a variance has been obtained from the Committee of Adjustment or alternative arrangements have been made through the Parking or Cash-in-Lieu By-law.
- (5) No part of the outdoor patio shall be located on a public right-of-way or sidewalk unless the permission of the Municipality has been obtained.

**3.11 SIGHT TRIANGLES**

Sight triangles shall hereafter be provided on all corner lots in accordance with the following provisions:

- (1) No building, structure, or use which would obstruct the vision of drivers of motor vehicles on corner lots shall be permitted;
- (2) No fence, wall, tree, hedge, bush or other vegetation, greater than seventy-six one hundredths of one metre (0.76 m [2.5 ft.]) above the centreline of the street or road, other than agricultural crops shall be permitted;
- (3) No portion of a delivery space, loading space, driveway or parking space, berm or other ground surface which exceeds the elevation of the street by more than six tenths of one metre (0.6 m [1.97 ft.]) shall be permitted.
- (4) For the purposes of this By-law, a minimum dimension of ten metres (10 m [32.8 ft.]) along both lot lines shall be provided in all Commercial and Industrial zones; and six metres (6 m [19.7 ft.]) along both lot lines in all other zones.
- (5) Despite these provisions, sight triangle requirements of the Ontario Ministry of Transportation and the Roads Department of the United Counties of Stormont, Dundas and Glengarry shall also be satisfied.

**3.12 DIVERSION OF ILLUMINATION AND GLARE**

Illumination of buildings and grounds shall be permitted provided that:

- (1) Illumination shall not cause direct or indirect glare on a street that may interfere with traffic or pedestrian safety.
- (2) Illumination shall not consist of a colour or be so designed or located that it may be confused with traffic signal.

- (3) Illumination shall not cause direct or indirect glare on land or buildings in a residential zone.

**3.13 DRIVE THROUGH FACILITIES**

Accessory drive through facilities serving a restaurant, motor vehicle service station, motor vehicle gas bar, motor vehicle washing establishment, quick lube facility, bank, pharmacy or similar use may be permitted subject to the following provisions:

- (1) Each drive through lane shall be a minimum of three and one-half metres (3.5 m [11.5 ft.]) in width and have stacking capacity for a minimum of ten (10) automobiles. Stacking capacity may be reduced to a minimum of three (3) automobiles for a Bank, Pharmacy or dry cleaning facility.
- (2) Drive through lanes and queuing lanes shall be clearly designed and signed to be separate from parking aisles and spaces and parking areas and pedestrian facilities. Pedestrians should not have to cross a drive through lane to access the building. Lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers.
- (3) The drive through lane shall not be located in any yard abutting a Residential zone or property containing a residential use except where such zone or use is separated by a street. Order boxes related to a drive through facility shall be located not closer than thirty metres (30 m [98.4 ft.]) from a Residential zone or property containing a residential use.
- (4) The drive through facility shall be shown as part of a site plan submitted to and approved by the Township. As part of this process, the Township may require that the drive through facility be accessed via a separate access driveway which shall be located a minimum of fifteen metres (15 m [49.2 ft.]) from the limits of any street intersection. The access driveway shall be located a minimum of nine metres (9 m [29.5 ft.]) from other access driveways and shall not produce conflicts with traffic using other driveways.
- (5) Illumination sources shall be so designed to divert illumination and glare away from adjacent streets and properties.

**3.14 ESTABLISHED BUILDING LINE IN RESIDENTIAL AND COMMERCIAL ZONES**

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a building or structure is to be erected on a lot within a Residential, Rural Residential, Commercial, or Institutional Zone and where there is an established building line extending on both sides of the lot, the minimum yard for such a permitted building or structure is equal to the average setback of buildings on the same side of the street, provided further that such permitted building or structure is not erected closer to the street line or the centre line of the street,



as the case may be.

### **3.15 EXCEPTIONS TO HEIGHT LIMITATIONS**

Unless indicated otherwise in the specific zone requirements, the maximum height regulations of this By-law shall not apply to prevent the construction or use of an ornamental dome, church spire, a belfry, cupola, steeple, a flag pole, a clock tower, a chimney, storage silos, barn or other farm structure, grain elevator, a water storage tank, an air conditioner duct, an elevator penthouse, a solar collector, or an electric or communication tower, antenna, ventilator, skylight, windmill accessory to a residential or agricultural use or a similar device or structure.

### **3.16 FRONTAGE ON A PUBLIC ROAD**

No person shall hereafter erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has frontage on a public road or street maintained year round. A lot within a registered condominium development may be permitted to be along a private road.

### **3.17 GARDEN SUITES**

- (1) Where permitted by this By-law, a garden suite shall be subject to the following provisions:
- (a) Driveway access to both the main dwelling and the garden suite shall be limited to one access, so that no new entrance from the street shall be created.
  - (b) The siting of a garden suite shall be in accordance with the provisions for accessory uses.
  - (c) The maximum gross floor area shall be ninety two and nine tenths square metres (92.9 m<sup>2</sup> [1000. ft<sup>2</sup>]).
  - (d) The maximum height shall be one storey, and shall not exceed four and one half metres (4.5 m [14.7 ft.]).
  - (e) No garden suite shall be located closer than three metres (3 m [9.84 ft.]) to the main residence on the lot or any building on an abutting property.
  - (f) Only one garden suite may be established per lot.
  - (g) All garden suites shall be provided with adequate water supply and sewage disposal systems.

(h) All garden suites shall be established as a temporary use pursuant to Section 39 of the *Planning Act*.

### **3.18 GRADING AND EXCAVATIONS**

- (1) No person shall hereafter make any excavations or remove any topsoil, earth, peat, sand or gravel from any lot, alone or in conjunction with any construction work, unless in accordance with the requirements of any By-law of the Corporation with respect to the retention of topsoil, grading and finished elevations.
- (2) No person shall use any lot for dumping or otherwise depositing or storing any topsoil, earth, sand, gravel or fill unless written permission has first been obtained from the Zoning Administrator.
- (3) Where site alteration activities are proposed within regulated areas as defined in the Development, Interference with Wetlands and Alterations to Shorelines and Water Courses regulations made under Section 28 of the *Conservation Authority Act*, prior written approval of the appropriate Conservation Authority must be obtained.
- (4) Nothing in this Subsection shall apply to restrict any activity normally associated with a permitted agricultural use, except in the case of construction work for which a building permit is required in accordance with the *Building Code Act*.

### **3.19 GROUP HOMES**

- (1) Notwithstanding any other provisions of this By-law to the contrary, a Group Home Type 1 may be permitted in any single dwelling unit provided there is no Group Home Type 1 or Group Home Type 2 located within one hundred metres (100 m [328 ft.]) from the proposed facility and the dwelling unit has a minimum floor area of eighteen and one-half square metres (18.5 m<sup>2</sup> [199.14 sq. ft.]) per person residing within the unit.
- (2) Group Homes Type 2 and Supervised Residences are permitted only within those zones which specifically permit the use. In order to prevent concentrations of Group Home Type 2 uses within specific areas, and notwithstanding their being listed as a permitted use, a minimum separation between facilities shall be three hundred metres (300 m [984.25 ft.]) measured in any direction.

### **3.20 HOME INDUSTRY**

Notwithstanding the yard and setback provision of this By-law to the contrary, no home industry shall be erected or established, after the day of the passing of

this By-law, within three hundred metres (300 m [984.3 ft.]) of a dwelling located on another lot. Notwithstanding this section, a dwelling may be constructed within three hundred metres (300 m [984.3 ft.]) of an existing home industry if all other provisions of this By-law are complied with.

- (1) A maximum of two (2) non-resident employees may be permitted for the operation of the home industry.
- (2) Not more than twenty-five percent (25%) of the gross floor area of the dwelling unit may be used for the Home Industry. In addition, an accessory building or attached garage may be used for the Home Industry, in accordance with the provisions for accessory buildings and uses, provided the maximum gross floor area of such accessory buildings does not exceed hundred square meters (100 m<sup>2</sup> [1076.4 ft<sup>2</sup>]).
- (3) Open storage of equipment, vehicles or supplies related to the Home Industry may be used provided such storage is not visible from any street or adjacent property.
- (4) The Home Industry shall not change the residential character of the dwelling and no exterior alterations shall be made to the dwelling which are not customarily found on a dwelling.
- (5) A non-illuminated and non-animated sign of not more than six square metres (6 m<sup>2</sup> [65 ft<sup>2</sup>]) in area shall be permitted in accordance to any provisions of this By-law or other By-law of the Municipality relating to Signs.

### **3.21 HOME OCCUPATIONS**

A home occupation clearly accessory and secondary to a residential dwelling may be established in the dwelling in a Residential Zone or Rural Residential Zone provided home occupations are listed as a permitted use and comply with the following provisions:

- (1) A maximum of one home occupation shall be permitted except where a minor variance has been granted by the Committee of Adjustment provided all the provisions of this section are satisfied, including maximum floor area restrictions.
- (2) The home occupation shall be clearly secondary to the use of the dwelling as a residence. The home occupation shall be the type and scale of activities compatible with a residential neighbourhood by virtue of minimal external evidence of significant noise, traffic generation, parking, odour, vibration, fumes, dust, illumination and glare, radiation, magnetic fields or electronic or communications interference, fumes and smoke and particulate matter, gaseous emissions, dust and heat, production of refuse and waste materials, hazardous storage, regular use of trucks or service and delivery vehicles, operation of

mechanical or heavy equipment and machinery, fire hazards, use of multiple signage and similar external effects beyond that which normally results from a dwelling and such effects shall be in accordance with By-laws established by the Corporation and applicable Provincial and Federal legislation or policy. The home occupation shall be of a scale so as to not require additional water, sewer, or drainage or public utilities capacity beyond the normal capacity provided to a dwelling.

- (3)** A maximum of one (1) non-resident employee may be permitted for the operation of the home occupation.
- (4)** Not more than twenty-five percent (25%) of the gross floor area of the dwelling unit may be used for the purpose of the home occupation.
- (5)** The home occupation shall be conducted wholly within the main dwelling and shall not use any part of an accessory building for its operation and there shall not be any open storage or outdoor display of equipment, goods, vehicles or supplies associated with the home occupation
- (6)** The home occupation shall not change the residential character of the dwelling and no exterior alterations shall be made to the dwelling which are not customarily found on a dwelling.
- (7)** Where the home occupation is used for a private day nursery, day care nursery school or instruction, not more than five (5) pupils may be in attendance at any one time. A private home daycare may provide services for a maximum of five (5) non-resident children.
- (8)** A non-illuminated and non-animated sign of not more than one-half of one square metre ( $0.5 \text{ m}^2$  [ $5.33 \text{ ft}^2$ ]) in area shall be permitted in accordance to any provisions of this By-law or other By-law of the Municipality relating to Signs.
- (9)** Off street parking shall be located on the same lot and shall conform to the minimum standards required for the uses in the zone. An additional parking space shall be provided for a non-resident employee.
- (10)** There shall be no goods, wares, or merchandise, other than arts, crafts, antiques, household or personal items such as cosmetics or kitchen wares and the limited production of baked goods and homemade preserves produced on the premises, for sale or rent on the premises. The limited sale of items related to a personal service establishment and the sale of antique items whether or not originating on the property may be permitted. Temporary storage of products produced by a caterer for delivery to a client may also be permitted. Nothing shall prevent a mail order business from operating as a home occupation as long as goods and merchandise are not stored on the property.

- (11) The office of a doctor, dentist or another health care practitioner may be permitted provided there is not more than one such practitioner and subject to compliance with all the provisions of this Section.
- (12) No home occupation shall involve the keeping, boarding, treatment, training, breeding and selling, or medical or personal care of any animals or birds as a commercial enterprise.
- (13) No home occupation shall involve the keeping or parking of a commercial vehicle on the property beyond that permitted in a Residential zone.
- (14) Home occupations shall not include, a machine or auto repair shop, a retail or wholesale store or vending outlet, a restaurant, a tourist establishment, a convalescent home, a mortuary, a funeral parlour, a storage yard or a contractor's yard.

### **3.22 RURAL HOME BUSINESS**

A Rural Home Business may be permitted as an accessory and secondary use to a dwelling located in a Rural Zone or Agricultural Zone provided the following provisions are satisfied:

- (1) A maximum of two (2) non-resident employee may be permitted for the operation of the Rural Home Business.
- (2) Not more than twenty-five percent (25%) of the gross floor area of the dwelling unit may be used for the Rural Home Business. In addition, an accessory building or attached garage may be used for the home occupation, in accordance with the provisions for accessory buildings and uses.
- (3) Open storage of equipment, vehicles or supplies related to the Rural Home Business may be used provided such storage is not visible from any street or adjacent property.
- (4) The Rural Home Business shall not change the residential character of the dwelling and no exterior alterations shall be made to the dwelling which are not customarily found on a dwelling.
- (5) Where the Rural Home Business is used for a day care nursery school or instruction, not more than five (5) pupils may be in attendance at any one time. A private home daycare may provide services for a maximum of five (5) non-resident children.

- (6) The office of a doctor, dentist or another health care practitioner may be permitted provided there is not more than one such practitioner and subject to compliance with all the provisions of this Section.
- (7) A Rural Home Occupation may include an antique shop, artists studio and art gallery as defined within Section 2 of this By-law.
- (8) The home business shall be the type and scale of activities compatible with the area by virtue of minimal external evidence of significant noise, traffic generation, parking, odour, vibration, fumes, dust, illumination and glare, radiation, magnetic fields or electronic or communications interference, fumes and smoke and particulate matter, gaseous emissions, dust and heat, production of refuse and waste materials, hazardous storage, regular use of trucks or service and delivery vehicles, operation of mechanical or heavy equipment and machinery, fire hazards, use of multiple signage and similar external effects beyond that which normally results from a dwelling and such effects shall be in accordance with By-laws established by the Corporation and applicable Provincial and Federal legislation or policy. The home occupation shall be of a scale so as to not require additional water, sewer, or drainage or public utilities capacity beyond the normal capacity provided to a dwelling.
- (9) A non-illuminated and non-animated sign of not more than six square metres (6 m<sup>2</sup> [65 ft<sup>2</sup>]) in area shall be permitted in accordance to any provisions of this By-law or other By-law of the Municipality relating to Signs.

**3.23 HOUSEHOLD SALES/GARAGE SALES**

Household sales/garage sales are permitted in any zone, except that there shall not be more than two (2) such sales per annum at one (1) location and no such sale shall exceed three (3) consecutive days in duration.

**3.24 HUMAN HABITATION NOT PERMITTED IN CERTAIN STRUCTURES**

No truck, bus, coach, street car body, railway car, major recreational equipment or other motor vehicle shall be used for human habitation whether or not the same is mounted on wheels or other forms of mounting or foundations, except for a mobile home where specifically permitted in this By-law.

**3.25 INTENSIVE LIVESTOCK OPERATIONS**

**(1) General**

Notwithstanding any provisions of this By-law to the contrary, the establishment of a new Intensive Livestock Operation or the expansion of an existing Intensive Livestock Operation in an Agricultural (AG) Zone may be permitted subject to the following:

- (a) that the operation, including the manure storage and livestock facilities, shall conform with the Minimum Distance Separation II (MDS II); and
- (b) that the said facilities are constructed in accordance with an approved Nutrient Management Plan.

**(2) Nutrient Management Plan**

No livestock operation or manure storage facility shall be established or enlarged until a Nutrient Management Plan is completed to the satisfaction of the Municipality.

**3.26 KEEPING OF LIVESTOCK**

The keeping of Livestock shall only be permitted in the Rural (RU) Zone or Agricultural (AG) Zone subject to Minimum Distance Separation Requirements and other applicable provisions of this By-law.

**3.27 KENNELS**

Notwithstanding the yard and setback provision of this By-law to the contrary, no kennel shall be erected or established, after the day of the passing of this By-law, within two hundred metres (~~300 m [984.3 ft.]~~) (200m [656.17ft]) of a dwelling located on another lot. Notwithstanding this section, a dwelling may be constructed within two hundred metres (~~300 m [984.3 ft.]~~) (200m [656.17ft]) of an existing kennel if all other provisions of this By-law are complied with.

[amended by By-law Z-05-2014]

**3.28 LANDSCAPING, SCREENING AND FENCING REQUIREMENTS**

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following general provisions:

- (1) Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural use or permitted outdoor storage areas shall be maintained as landscaped open space.
- (2) Except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space. Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways.
- (3) No part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot.

- (4)
- (a) Where a lot is within a Commercial or Industrial zone or a Residential Multiple Dwelling zone and the interior side and/or rear lot line, or portion thereof abuts a Residential or Institutional Zone or use, a landscaped buffer area shall be provided on the commercial or industrial lot. The landscaped buffer area shall have a minimum width of three metres (3 m [9.84 ft.]), and an opaque privacy fence or decorative wall of not less than two metres (2 m [6.56 ft.]) shall be constructed along the mutual lot line. The requirement for height of a privacy fence or decorative wall may be reduced where approved through site plan control.
  - (b) The landscaped buffer area shall be kept free of all parking, buildings or structures except for a legal boundary partition and used only for the placement of trees, shrubs, similar vegetation, fencing and landscaping features and shall be landscaped and maintained by the owner of land on which such buffer area is required. Details of the landscaping and privacy fence or wall shall be provided in a site plan submitted to and approved by the Township.
- (5) Lots within Commercial, Industrial, Institutional and Residential Multiple zones shall be landscaped in accordance with a site plan submitted to and approved by the Township.
- (6) The whole of any yard for a single detached, semi detached or duplex dwelling within a Residential Zone in any Urban Settlement Area shall hereafter be landscaped except for areas of the site required for the main dwelling, accessory buildings, structures and uses and driveways. Not greater than fifty percent (50%) of the front yard or exterior side yard of such lots shall be used for driveways and parking.

### **3.29 MINIMUM DISTANCE SEPARATION (MDS) REQUIREMENTS**

- (1) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no residential, institutional, commercial, industrial, or recreational 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).
- (2) Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with the Minimum Distance Separation (MDS II).



- (3) The Minimum Distance Separation (MDS I and MDS II) shall not be required between a livestock facility and a dwelling or accessory building on the same lot or a public utility.
- (4) Subsection (1) shall not apply to existing lots of record where the development cannot be accommodated on another portion of the lot that meets the MDS calculation. New development is encouraged where possible, to meet the requirements of MDS 1 calculations on existing lots of record.
- (5) Where a building or structure is destroyed by fire or other Act of God, the requirements of MDS I and MDS II shall not prevent the restoration or reconstruction of such building or structure.

**3.30 MOBILE HOMES**

Except as otherwise permitted, a mobile home shall only be permitted in a Mobile Home Park (RMHP) Zone.

**3.31 MODEL HOMES IN DRAFT PLANS OF SUBDIVISION**

Notwithstanding any other provisions of this By-law, where a subdivision agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling, street townhouse dwelling or multiple dwelling or a townhouse block may be constructed on a lot prior to registration of the plan of subdivision subject to the following restrictions:

- (1) The use shall be permitted in the zone in which the dwelling is to be located and each dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- (2) The maximum number of model homes shall not exceed ten percent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration;
- (3) The model home shall comply with all other provisions of this By-law, as though the dwellings and/or units were constructed on the lot within the future registered plan of subdivision; and,
- (3) The model home shall comply with all applicable terms and conditions of the said subdivision agreement.

**3.32 MUNICIPAL SERVICES**

No person shall hereafter erect and use in whole or in part any main building for any purpose in any zone, where municipal services exists (water, sewer) unless it

is connected to the municipal water supply and sanitary sewer systems.

**3.33 NOISE CONTROL MEASURES**

Nothing in this By-law shall prevent the construction of a noise control barrier.

**3.34 NON-CONFORMING USES, NON-COMPLYING LOTS AND BUILDINGS**

- (1) Nothing in this By-law shall prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of passing of the By-law, so long as it continues to be used for such purpose and has not been discontinued for a period of two (2) years.
- (2) If a non-conforming building or structure should be damaged by fire, flood, wind or earthquake, or other natural or unnatural occurrence, nothing in this By-law shall prevent such a building from being restored and strengthened to a safe condition, provided the height, size or volume are not increased and provided that reconstruction or restoration is commenced within twelve (12) months and completed within twenty-four (24) months of the date on which the damage took place. If a non-conforming building located in a flood plain area is damaged or destroyed by flooding, it may be reconstructed in accordance with the floodproofing or other requirements of the South Nation Conservation, Raisin Region Conservation Authority or the Ministry of Natural Resources.
- (3) Where a building or structure which was lawfully used on the day of the passing of this By-law is used for a purpose not permitted in the zone in which it is situated, such building or structure may be repaired or renovated provided that the repair or renovation does not include any change of use, or any expansion of the building or structure; and the building or structure continues to be used for the same purpose for which it was lawfully used on the day of passing of this By-law.
- (4) Despite anything else contained in this By-law, where a vacant lot lawfully created having a lesser frontage and/or area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles, or Registry Office, on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the said lot is located, provided it can be adequately serviced and that all other applicable provisions in this By-law are met.
- (4) Where a building has been erected prior to the date of passing of this By-law on a lot having less than the minimum frontage or area, or having less than the minimum required front yard depth or side yard depth or rear yard depth or water setback required in this By-law, said building may be enlarged,

reconstructed, repaired or renovated provided that:

- (a) such enlargement, reconstruction, repair or renovation does not further aggravate non-compliance with any provisions of this By-law; and
  - (b) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Township or ~~Eastern Ontario Health Unit~~ South Nation Conservation Authority **[amended by Zoning By-law Z-05-2014]**
  - (c) all other applicable provisions of this By-law are satisfied.
- (5) Despite anything else contained in this By-law, where a lot used for agricultural purposes that is zoned Rural or Agriculture, lawfully used on the date of the passing of this By-law on a lot having less than the minimum frontage or area, or having less than the minimum required front yard depth, side yard depth or rear yard depth required in this By-law may add any use that is permitted within the Rural or Agriculture zone, may enlarge, reconstruct, repair or renovate any existing buildings provided that:
- (a) such enlargement, reconstruction, repair, renovation or newly added permitted use does not further aggravate non-compliance with any provisions of this By-law; and
  - (b) where the development is on private services, the lot is of an adequate size for water supply and sewage disposal systems approved by the Township or ~~Eastern Ontario Health Unit~~ South Nation Conservation Authority **[amended by Zoning By-law Z-05-2014]**
  - (c) such enlargement, reconstruction, repair, renovation or newly added permitted use complies with the Nutrient Management Act, 2002 and the Minimum Distance Separation (MDS) Formulae, Publication 707.
- (7) The non-conforming use of any land, building or structure shall not be changed except to a use which is in conformity with the provisions of the zone in which the land, building or structure is located, without permission from the Committee of Adjustment pursuant to the *Planning Act, R.S.O. 1990, c. P.13*. The Committee may permit a use if it is deemed to have similar or greater compatibility to surrounding uses than did the prior non-conforming use.
- (8) Nothing in this By-law shall prevent the erection of a building accessory to an existing non-conforming use provided such accessory building complies with all relevant provisions for Accessory Buildings within this By-law.

**3.35 NOT MORE THAN ONE MAIN DWELLING PER LOT**

Unless otherwise provided for in this By-law, in any zone where a single detached dwelling, semi-detached dwelling or duplex dwelling is permitted, not more than one (1) such dwelling shall be erected on a lot.

**3.36 OCCUPANCY RESTRICTIONS**

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

- (1) any private garage or other building which is accessory to a residential use;
- (2) any truck, bus, recreational vehicle, coach or streetcar body whether or not the same is mounted on wheels;
- (3) any building or structure before the main walls and roof have been erected and the kitchen, heating and sanitary conveniences have been installed, provided all other minor works shall be completed within one (1) year of the date of occupancy inspection;
- (4) any trailer.

**3.37 OPEN STORAGE AND OUTDOOR DISPLAY**

**(1) OPEN STORAGE**

Except as otherwise provided in Subsection (2) of this Section, or specifically listed as a permitted use in a zone, no open storage shall be permitted on any lot in any zone, except in accordance with the following provisions:

- (a) The open storage shall be clearly accessory and directly related to the principal use permitted and conducted on the property.
- (b) No open storage area shall be permitted in any required yard or, except in the case of an agricultural use or the outside display and sale of goods and materials as per subsection (2) in conjunction with a permitted commercial use, in any part of a front yard or exterior side yard.
- (c) No open storage area shall be located closer than the required setback for a main building in the subject zone. The open storage area shall not cover more than forty percent (40%) of the lot area.
- (d) No open storage area shall be visible from any street or from any adjacent lot, where such adjacent lot is located in a zone other than an Agricultural, a Rural Zone, a Commercial Zone or an Industrial Zone. Any such open storage area shall be screened, wherever necessary in order to comply with this provision, by a three metre (3 m [9.84 ft.]) landscaped planting strip containing an opaque fence, wall or other opaque barrier not less than two metres (2 m [6.56 ft.]) in height. This provision shall not apply to any storage area accessory to an agricultural use or to the outside display and sale of goods and materials in conjunction with a

permitted commercial use.

- (e) No open storage shall be permitted in any required minimum front yard or required exterior side yard, except in the case of an agricultural use, nor within any required minimum side or rear yard where the side or rear lot lines abut any Residential or Institutional zones and uses.
- (f) Any open storage area shall be maintained as landscaped open space or provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with the requirements of the Corporation, except that this provision shall not apply to any storage area located on a lot whereon the main use is an agricultural use.
- (g) Notwithstanding Paragraph (iv) of this Clause, no open storage area shall be considered part of any landscaped open space required hereby.
- (h) No parking spaces or loading spaces required by this By-law shall be used for open storage purposes.
- (i) The open storage area shall not contain open garbage, fill, scrap or other such materials.

**(2)** Nothing in Subsection (1) of this Section shall apply to prevent or otherwise restrict the use as an open storage area of any part of the front yard on a lot containing an agricultural use, for a temporary roadside retail farm sales outlet for produce grown on the said lot.

**(3) OUTDOOR DISPLAY**

Except as otherwise specifically provided in this By-law, outdoor sales and display of goods shall only be permitted in accordance with the following provisions:

- (a) An outdoor display or sales area shall be permitted accessory and directly related to a commercial, industrial or public service use, provided that the display or sales area does not occupy any required parking or loading area, does not constitute a traffic safety hazard by obstructing a driveway or aisle and is set back a minimum of three metres (3 m [9.84 ft]) from any lot line, street, or access driveway. The outdoor display area shall not be located in any yard on a lot abutting a Residential or Institutional Zone. The outdoor display area shall not occupy more than forty percent (40%) of the lot area except where a vehicle sales lot is a listed permitted use in the zone
- (b) Despite the above, seasonal sales of Christmas trees or a temporary truck load sale (ie. Weekend) or yard sale shall be permitted to occupy a

designated parking area.

(c) The outdoor display of goods and merchandise will be permitted for garden centres, recreational vehicle sales establishment and automobile sales establishment, farm implementation dealer and building supply establishment.

(d) The outdoor display area shall be identified on a site plan approved by the Township.

**3.38 OUTDOOR COMMERCIAL PATIOS**

Notwithstanding any provisions of this By-law, an outdoor commercial patio accessory to a permitted restaurant use may be permitted and shall comply with the following:

- (1) The outdoor patio shall not provide more than fifty percent (50%) of the seating accommodation permitted under the *Liquor License Act* to the restaurant or seating accommodation or more than fifty (50) persons.
- (2) No outdoor patio shall be permitted on a lot where the lot line abuts a Residential Zone or residential use.
- (3) That portion of a lot on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
- (4) Parking requirements for seating in the outdoor patio area shall be satisfied unless a variance has been obtained from the Committee of Adjustment or alternative arrangements have been made through the Parking or Cash-in-lieu By-law.
- (5) No part of the outdoor patio shall be located on a public right-of-way or sidewalk unless the permission of the Municipality has been obtained.

**3.39 PARK**

A public park is permitted in all zones.

**3.40 PUBLIC USES PERMITTED IN ALL ZONES**

Notwithstanding anything else in this By-law, a utility company, a communication company, the Township or any of its local boards as defined in The *Municipal Act*, any communications or transportation system owned or operated by or for the Township and any agency of the Federal or Provincial Government, including Hydro One, may, for the purposes of the public service, use any land or erect or use any building in any zone subject to the use or

building being in compliance with the most restrictive regulations contained in such zone for any use and the parking requirements of this By-law, for such use and subject to there being no outdoor storage of goods, materials or equipment in any yard within or abutting a Residential Zone and any buildings erected or used in a Residential Zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area. The Township may require that such public use buildings shall be subject to the site plan control By-law and related agreements. Despite the above provision, a public utility company Bulk Fuel Depot or Tank Farm shall only be permitted in the "Rural Industrial" zone (MR).

**3.41 RAILWAY CROSSING AND SIGHT DISTANCE**

Where any road or street crosses a railway at the same grade, no building or structure shall hereafter be erected closer to the point of intersection of the centre line of both the railway and the road or street than 30 m where automatic signal protection is provided and 45 m where no automatic signals are provided.

**3.42 REGULATION FOR CONSOLIDATED LOT DEVELOPMENT**

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with.

**3.43 RESIDENCE SURPLUS TO A FARM OPERATION**

Notwithstanding any other provision or standard contained in this By-law to the contrary, a residential lot (*Flag Lot*) created as a result of a consent application to dispose of a *Surplus Residences to a Farm Operation* may have a minimum frontage of 7.5 m (24.6 feet). Furthermore, the agricultural land may have a minimum frontage of 20.1 m (66 feet).

**3.44 RESTORATION TO A SAFE CONDITION**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of all or part of any building or structure provided that such alteration or repair will not increase the height, size or volume or change the use of such building or structure.

**3.45 SEPARATION DISTANCES**

Notwithstanding any provision of this By-law to the contrary, new dwellings will be prohibited in the following locations:

- (1) within 150 m of any land zoned Wrecking Yard or for wrecking yard purposes
- (2) within 500 m of any land zoned Waste Management

Notwithstanding any provision of this By-Law to the contrary, new non-agricultural uses shall be prohibited within a minimum distance separation as determined by the current Minimum Distance Separation One (MOS I) formula.

**3.46 SETBACKS**

**(1) Streets**

The following setbacks shall be the minimum required:

Street	Setback
Township streets	10 m from the centreline of road allowance, plus the minimum Front Yard for the appropriate zone
Other public streets	In accordance with Ministry of Transportation Regulations or County By-laws

**(2) From water**

Where any lot is adjacent to a waterbody where no Flood Plain exists, any building or structure to be erected thereon, including a sewage disposal system, shall be set back a minimum of 15 m from the normal high water mark.

This provision shall not apply to marine facilities, to transmission facilities for gas, telephone, cable or hydro or to flood control structures.

Note: The Conservation Authority may have setback and other Regulations which are directly administered by that agency and may apply in addition to the requirements of this By-law.

**(3) From slopes**

Where any lot is adjacent to or traversed by an Unstable Slope as established by the Province and shown on a Schedule to the Stormont, Dundas and Glengarry Official Plan, the provisions of that Plan shall apply.

**(6)** A semi-detached of a row house which in its entirety complies with the requirements and provisions of this By-law shall not be deemed to be erected or used in contravention of or in breach of this By-law merely because its dwelling units are held in separate ownership. With respect to the Side Yard of the lot, which in part forms the common wall(s), no Side Yard is required.



**(7) From rail lines**

No dwelling shall be erected closer than 30 metres from the property boundary of an existing or proposed rail line.

**3.47 SHIPPING CONTAINERS**

Except as otherwise provided, shipping containers shall not be permitted in any zone, save and except Industrial and Commercial zones.

**3.48 SIGNS**

The provisions of this By-law shall not apply to prevent the erection, alteration, or use of any legal sign provided that such sign complies with the provisions of this By-law regarding sight triangles and home occupations.

**3.49 SPECIAL PROVISIONS FOR AUTOMOBILE SERVICE STATIONS, COMMERCIAL GARAGES AND GASOLINE RETAILS FACILITIES**

Where automobile service stations, commercial garages and gasoline retail facilities are permitted in this By-law, and notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:

- (1)** the minimum distance of any pump or advertising sign from any street line shall be 7.5 m and 4.5 m from any other lot line;
- (2)** the width of any entrance or exit or combined entrance or exit measured at the Front Lot line or Exterior Side Lot line shall not be greater than 9 m and there shall not be more than two accesses from any street which adjoins the lot;
- (3)** the minimum distance of any access from a street intersection shall be 12 m and the minimum distance between accesses shall be 9 m;
- (4)** where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 m to a sight triangle;
- (5)** the interior angle, formed by the street line and the centreline of any driveway, shall be not less than 60 degrees.

**3.50 SPECIAL SETBACKS**

**(1) PROVINCIAL, COUNTY AND MUNICIPAL ROADS**

(a) The setback for all lots abutting a provincial Highway shall be in accordance with standards set by the Ontario Ministry of Transportation (MTO).

(b) The setback for all lots abutting a County road shall be thirty metres (30

m [100 ft.]) from the centerline of the road.

- (c) Where the proposed building is to be built within 45 metres of only one existing building, the setback line may be adjusted. The adjusted setback shall be no less than the setback of the existing building, plus an additional distance equal to one third the clear distance between the existing building and the proposed building location. In no case shall the setback line be less than 3 metres from the nearest limit of the County Road.
- (d) The setback for all lots abutting a municipal road shall be ten metres (10 m [32.8 ft.]) from the centerline of the road in addition to the applicable front yard setback.

**(2) RAIL LINE**

No dwelling shall be erected closer than thirty metres (30 m [98.4 ft.]) from the property boundary of an existing or proposed rail line.

**(3) WASTE DISPOSAL SITE AND SEPTAGE DISPOSAL SITE**

- (a) All lands within five hundred metres (500 m [1640.4 ft.]) of an active or closed *Waste Disposal Site* in the “Waste Disposal (WD) Zone” are within a holding zone to allow existing uses and to prohibit all new uses of land, buildings, and structures. The holding zone may be lifted by the Township when an assessment of the potential impacts of methane gas migration, noise, odour, dust or other nuisance factors, potential traffic impact, ground and surface water and soil contamination by leachate and impact of proposed development/site alteration on leachate migration, has been prepared by the owner to the satisfaction of the Township and the County.
- (b) No buildings or structures shall be permitted within a distance of two hundred metres (200 m [656.2 ft.]) of the (licensed) fill area of an active *Waste Disposal Site* other than uses permitted in the Waste Disposal Zone.
- (c) No *Waste Disposal Site* shall be permitted within a distance of 150 metres (ft.) from any water body or watercourse and no waste management facility shall be permitted on land covered with water or in any area within the 1:100 year flood hazard, “Natural Hazard” (HZ), as established by the conservation authority with jurisdiction over the subject area.
- (d) No main building containing a sensitive land use or associated well shall be constructed within two hundred metres (200 m [656.2 ft.]) of the property boundary or boundary of any land zoned or proposed for a

septage disposal site, transfer station, waste stabilization pond or wastewater treatment plant or vice versa.

- (e) No septage disposal site, transfer station or waste stabilization pond shall be constructed closer than two hundred metres (200 m [656.2 ft.]) of a water body of a watercourse or thirty metres (30 m [98.4 ft.]) of any road allowance.

**(4) PITS AND QUARRIES**

- (a) The minimum setback distances for pits and quarries from property lines shall be as set out in the Aggregate Resources Act.
- (b) The minimum setback distances as measured from the Extractive Resource Designation of the County Official Plan shall be three hundred metres (300 m [984.3 ft.]) from a Licensed Quarry Boundary or one hundred fifty metres (150 m [492.1 ft.]) from a Licensed Pit Boundary to a dwelling.
- (c) A pit or quarry or wayside pit or wayside quarry shall be set back a minimum of thirty metres (30 m [98.4 ft.]) from the high water mark of a water body or a distance prescribed or required by regulation or condition(s) of the license under the Aggregate Resources Act.

**(5) INDUSTRIAL USES**

- (a) The minimum separation distance from a *sensitive land use* to a *Class I Industry* shall be twenty metres (20 m [65.6 ft.]) measured from a *Class I Industry* to a *sensitive land use*.
- (b) The minimum separation distance from a *sensitive land use* to a *Class II Industry* shall be seventy metres (70 m [230 ft.]) measured from a *Class II Industry* to a *sensitive land use*.
- (c) The minimum separation distance from a *sensitive land use* to a *Class III Industry* shall be three hundred metres (300 m [984.3 ft.]) measured from a *Class III Industry* to a *sensitive land use*.

**(6) WATERCOURSES**

- (a) All water bodies (e.g. lakes, rivers, streams, Municipal Drains and wetlands) are considered as areas of direct or indirect fish habitat. It is a policy to protect areas of fish habitat for their values in compliance with the federal *Fisheries Act*.
- (b) Development and site alteration shall not be permitted in fish habitat except in accordance with Provincial and Federal requirements.

- (c) Development and site alteration shall not be permitted within 30 metres of an area identified as fish habitat unless the ecological function of the area has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions, to the satisfaction of the Municipality and the applicable Conservation Authority.
- (d) In addition to clause c), development less the 30 metres from the top of bank of all watercourses, excluding Municipal Drains, may require a geotechnical investigation prepared by a qualified professional, to ensure the erosion hazard can be safely overcome.
- (e) No new development or site alteration shall be permitted within 15 metres of fish habitat.
- (f) Despite subsection e) development less than 15 metres will be subject to a minor variance and shall include comments from the applicable Conservation Authority
- (g) Compliance with this By-law shall not exempt the requirement of consent from the applicable Conservation Authority.
- (h) The Township may enter into a site plan agreement with respect to development on lots with water frontage which may include measures to protect shoreland vegetation, areas subject to erosion, marshy areas and fish spawning areas or wildlife habitat or for other similar planning matters.
- (i) Notwithstanding any other provision of this By-law to the contrary, a boat house, boat port, float plane hangar, dock or wharf may be located in the front yard, side yard, or rear yard, where such yard abuts a navigable waterway, provided that the approval of any governmental authority having jurisdiction has been obtained and provided that the boat house, boat port, float plane hangar, dock or wharf is located not closer than four metres (4 m [13 ft.]) to the nearest adjacent lot line and does not encroach on the adjacent frontage when the lot boundaries are extended into the water, and must be measured at the shoreline and that the waterside façade of the boathouse not extend further than the highwater mark. The projection of lot boundaries onto water shall be made perpendicular to the shoreline at the point of intersection. The boathouse, or part thereof shall not exceed a maximum height of three metres (3m [9.84 ft]) and a maximum length of 7.5 (25ft) metres. Any dock or wharf must not extend more than five metres (5m) beyond the highwater mark, and the maximum width must not exceed one and one

half metres (1.5 m) Environmentally friendly designs for shoreline structures which enhance or contribute to the natural shoreline and fish habitat would be encouraged (i.e. cantilever designs, boat houses on posts, floating or removable structures.

(j) An accessory private boat launching ramp, boat dock, or boat slip, or boat house or similar structure may be located on a lot that is separate from the lot where the related primary use is located, provided that there is no primary detached dwelling on the separate lot and the owner has entered into a site plan agreement with the Township.

(k) Enlargement of the waterfront lot through the dumping of fill shall only be permitted subject to the requirements of the Conservation Authority, Ontario Ministry of Natural Resources, Federal Department of Fisheries and Oceans or other public authority having jurisdiction in the area.

**(8) HYDRO ELECTRIC POWER TRANSMISSION CORRIDORS**

No main building containing a sensitive land use shall be constructed within thirty metres (30m [98.4 ft.]) of the right-of-way limit of a power transmission corridor carrying a two hundred fifty kilovolt (250 KV) line or greater.

**(9) OIL OR NATURAL GAS PIPELINES**

A minimum ten metre (10 m [32.8 ft.]) setback shall be provided for all permanent structures and excavations from the limits of an oil or natural gas pipeline right-of-way.

**(10) ORGANIC SOILS**

Despite any other provision of this By-law, no building or structure shall be constructed, erected, altered or used on land which is located or may be located on organic soils, which are identified on Schedule B 3 of the Official Plan and in the *Soil Survey of Stormont County (1954)* by Matthews and Richards, the *Soil Survey of Dundas County (1952)* by Matthews and Richards or the *Soil Survey of Glengarry County (1957)* by Richards and Wicklund, unless the proponent or applicant for development can demonstrate conclusively using scientific approaches that the physical constraint can be mitigated or overcome and that the requirements of the Ontario Building Code Act, R.S.O. 1992, c.23 with respect to construction and the requirements of the Ontario Water Resources Act, R.S.O. 1990, c. O. 40 and the Environmental Protection Act, R.S.O. 1990, c. E.14 with respect to the installation of an individual on-site sewage and water treatment can be met.

**(11) WETLANDS**

(a) Development or site alteration within 120 metres of a PSW Zone may be permitted, if it can be demonstrated that there will be no negative impacts on the wetland's natural features, ecological and hydrologic functions, to the satisfaction of the Municipality and the Conservation Authority.

(b) Development or site alteration within 30 metres of a parcel or area of land zoned as LSW Zone may be permitted, if it can be demonstrated that there will be no negative impacts on the wetland's natural features or ecological functions to the satisfaction of the Municipality and the Conservation Authority.

**(12) UNSTABLE SLOPES**

Where any lot is adjacent to or traversed by an Unstable Slope as established by the *Slope Stability Study of the South Nation River and Portions of the Ottawa River (1983)* by Poschmann, Klassen, Klugman and Gooding; and identified in Schedule B 3 of the Official Plan, development and site alterations shall not be permitted unless supported by a detailed geotechnical study completed by a registered professional engineer qualified to work in Ontario, to the satisfaction of the Municipality.

**3.51 STORAGE OF SPECIAL VEHICLES**

**(1) Vehicles Permitted**

The owner or occupant of any lot, building or structure in any Residential Zone may store or park not more than one (1) boat with or without a boat trailer, one recreational vehicle, and two snowmobiles upon such lot subject to the following regulations:

(a) where lands are used for an apartment dwelling or a converted dwelling, the boat or recreational vehicle must be located within a building and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required under Section 3.25; or

(b) where lands are used for any other Residential purpose, the boat or recreational vehicle must be stored:

- a. within a private garage or carport;
- b. in the Interior Side Yard to the rear of a point midway between the front and rear walls of the main building not closer than 1.0 m from the nearest Side lot line;
- c. in the Rear Yard not closer than 1.0 m from any lot line; or

- d. outside of any minimum Front Yard or minimum Exterior Side Yard.

**(2) Temporary storage or parking**

In any Residential Zone, the parking or storage of a boat, recreational vehicle or snowmobile may be permitted for a period of not more than 72 hours in anyone calendar month in a minimum Front Yard or minimum Exterior Side Yard, provided that the said vehicles are not parked or stored within a sight triangle.

**3.52 Surplus Farm Dwelling Severance Properties**

Notwithstanding the provisions as set out in this by-law, where the Committee of Adjustment has approved the severance of a surplus farm dwelling lot, the following provisions shall apply

Notwithstanding the Permitted Uses in the 'Agricultural (AG)' zone, a single detached residential dwelling (one family dwelling) and a home based business shall not be permitted on the remaining agricultural parcel resulting from the surplus farm dwelling severance;

No existing or proposed buildings or structures on either the severed or retained parcels shall be used for the purpose of a feedlot, housing of livestock or manure storage unless they comply with the Minimum Distance Separation (MDS) formula and Nutrient Management Act, as amended from time to time; Any existing accessory buildings on the residential parcel shall be granted relief of building height, floor area and accessory structure lot coverage up to the dimensions existing at the time of the severance;

Any existing residential dwellings on the residential parcel shall be granted relief of front yard setbacks, or exterior yard setback zone provisions in the event of an existing non-conformity with the by-law, for the dwelling existing at the time of severance;

Any new zoning deficiencies created by a surplus farm dwelling severance require zoning relief through the approval of a Minor Variance application, pursuant to Section 45 of the Planning Act, R.S.O. 1990, C.P. 13 as amended;

For any lands becoming subject to this Section, a special provision of 3.52(a) shall be added to the appropriate Zoning By-law map schedule to reference this General provision and its applicability. These amendments may be permitted from time to time without further public notice being required.

### **SECTION 3.52(a) – Special Provisions:**

That on the lands delineated as having reference to this section, the following shall apply:

In addition to the applicable regulations and provisions contained in this by-law, Section 3.52 Surplus Farm Dwelling Severance Properties shall also apply to the lands having reference to this section and shall supercede any section of this by-law with which there is a conflict.

### **3.53 SWIMMING POOLS**

#### **(1) General**

Notwithstanding any other provisions of this By-law to the contrary, in association with a permanent residential use, a swimming pool and structures in conjunction with such a swimming pool may be erected and used in the Interior Side or Rear Yard provided that:

- (a)** No part of such swimming pool shall be located closer than one (1) m to any Rear or Side lot line.
- (b)** No water circulation or treatment equipment such as pumps or filters shall be located closer than five (5) m to any Rear or Side Lot line.
- (c)** When located within ten (10) metres of a neighbouring habitable dwelling, water circulation machinery shall be suitably enclosed to reduce or divert noise away from such habitable dwelling.
- (d)** Any building or structure, other than the main building, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, shall be in accordance with the provisions applicable to accessory buildings on such lot.
- (e)** An applicant for a permit to construct a swimming pool shall prepare a plan of the proposed swimming pool, complete with specifications showing the dimensions of the pool, its location on the lot and a plan depicting the fencing and gate(s) that will surround the pool, as well as the written consent of the property owner, to be submitted to the building inspector for approval.

#### **(2) Fencing**

- (a)** Every enclosure for an outdoor swimming pool shall be at least 1.2 m (4 ft.) in height, and of a close-boarded, chain link or other approved



design, to reasonably deter children from climbing through, over or under to gain access to the enclosed area.

- (b) Gates that make up part of the enclosure shall provide protection equivalent to that of the fence, and be equipped with a self-closing and latching device and lock, at the top and inside the gate.
- (c) Doors located in the wall of a building that form part of the enclosure of an outdoor swimming pool shall be equipped with self-closing and latching devices and locking mechanism.
- (d) All gates and doors that form part of an outdoor swimming pool enclosure shall be kept locked except when the enclosed area is actually under competent supervision.
- (e) Barbed wire or fencing energized by electrical current shall not be used or form part of an enclosure for an outdoor swimming pool.

**(3) Maintenance**

Every part of an outdoor swimming pool enclosure shall be maintained in a structurally sound and upright condition to reasonably deter children from climbing through, over or under to gain access to the enclosed area.

**3.54 TEMPORARY GARAGE STRUCTURES**

Notwithstanding anything else in this By-law, a Temporary garage structure, commonly known as a tempo garage, or similar structure shall be permitted between November 1<sup>st</sup> and April 30 in any year, without a building permit. Should the owner/tenant establish a temporary garage structure year round, they will be required to obtain a building permit. Such temporary garage structures shall be in compliance with setbacks for accessory structures.

**3.55 TEMPORARY USES**

Nothing in this By-law shall prevent the use of any land or erection or use of any building for:

- (1) A construction camp, construction trailer, work camp, tool shed, scaffold or other temporary building incidental to and accessory for construction work on the premises, but only for so long as may be reasonably necessary to complete such construction;
- (2) A temporary sales office in a residential subdivision incidental to the sale of houses shall comply with all regulations for any dwelling type required by the zone in which it is located provided a site plan has been submitted and approved

by the Township; and,

- (3) The retailing of flowers over a maximum period of two (2) consecutive days, seasonal garden centres, a carnival and retailing of Christmas trees in a Commercial Zone subject to the applicable retail regulations of the zone in which it is located.

**3.56 THROUGH LOTS**

Where a lot which is not a corner lot has frontage on more than one street such lot shall have a front yard on each street in accordance with the provisions of the Zone or Zones in which each front yard is located.

**3.57 TRAILERS AND MOBILE HOMES**

Notwithstanding any other provision of this By-law to the contrary, trailers and mobile home units shall not be used as accessory dwellings, save and except a mobile home for use as a garden suite permitted by this By-law.

**3.58 WAYSIDE PITS AND QUARRIES**

Wayside pits and quarries may be established in the Rural, Agricultural and the Mineral Aggregate Zone provided that:

- (a) the wayside pit or quarry is opened and operated by the Ministry of Transportation or the County or their agents, for the purposes of a specific public road project;
- (b) any portable crusher or asphalt plant is approved and governed by any applicable regulations of the Ministry of Environment and Energy, the Ministry of Natural Resources and a certificate of approval for a portable hot mix asphalt plant has been obtained; and
- (c) an agreement is signed with the County that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

**3.59 YARD ENCROACHMENTS**

No part of any required yard shall be obstructed with any structure except as follows:

- (a) The usual projections of window sills, bay windows, chimney breasts, belt courses, cornices, eaves, parapets, pilasters, gutters, troughs and other similar ornamental or architectural features may be permitted to project not more than six-tenths of one metre (0.6 m [1.97 ft.]) into any required yard.
- (b) An exterior staircase may encroach into a required side or rear yard to a maximum of one metre (1 m [3.28 ft.]).

- (c) An unenclosed porch, and accessibility ramp and covered or uncovered steps. Decks including the stairs that access the deck from finished grade are permitted on any lot where residential uses are permitted, provided:
- (i) The maximum height of the deck from finished grade is one and two-tenths metres (1.2 m [3.94 ft.]);
  - (ii) The deck is located no closer than three metres (3 m [9.84 ft.]) from the rear lot line;
  - (iii) The deck is located no closer than six-tenths of one metre (0.6 m [1.97 ft.]) from the interior side lot line;
  - (iv) In addition to the above, decks are also permitted in any Zone where non-residential uses are permitted, provided no part of the deck is located in a required yard, parking space, aisle or area or sight triangle.
- (4) Canopies and awnings may project into any required to a maximum of one-and-two-tenths metre (1.2 m [3.94 ft.]) but must retain a setback of not less than six-tenths of one metre (0.6 m [1.97 ft.]) from any lot line.
- (5) Entry, Paths and Landings may project into any front, rear or exterior side yard but not into a site triangle
- (6) Balconies may project into any required yard but not more than one metre (1 m [3.28 ft]).
- (7) Awnings, flagpoles, lighting fixtures and lampposts, garden trellises, fences are permitted as constructed and located in accordance with the Fence By-law requirements. Fountains, statues, monuments, recreational equipment that is accessory to the main use and similar accessories shall be permitted in any required yard, subject to meeting all other applicable provisions of this By-law.
- (8) A gate house or guard house shall be permitted in a front yard or exterior side yard in an Industrial or Commercial Zone, or if required in an apartment dwelling complex or gated Community.
- (9) If a residence is located on a rural bus route; a partially enclosed shelter for use by children waiting for a school bus shall be permitted in a required front yard.
- (10) Retaining walls shall be permitted in any required yard provided a setback of one metre (1 m [3.28 ft.]) from all lot lines is maintained.

- (11)** Trees, shrubs, planters, and walkways and similar landscaping features shall be permitted in any required yard.
- (12)** A farm produce outlet having a gross floor area of less than ten square metres (10 m<sup>2</sup> [108 ft<sup>2</sup>]) may be permitted in a required front yard or a side yard abutting a public road.
- (13)** A gazebo shall not be permitted in a required front yard or side yard, but shall be permitted in a required rear yard.
- (14)** Satellite dishes shall be permitted to project one-half of one metre (0.5 m [1.64 ft.]) into any required rear or side yard.

## **SECTION 4 – PARKING AND LOADING PROVISIONS**

- 4.1** In any zone, the owner of any lot, building or structure erected, altered, enlarged or changed in use after the passing of this By-law, shall provide off-street parking accessory to a principal use in accordance with the following provisions:

<b>USE</b>	<b>MINIMUM NUMBER OF REQUIRED PARKING SPACES</b>
<b>Residential:</b>	
Single detached, Semi-detached or duplex, Converted dwelling, Street townhouse (freehold)	2 spaces per dwelling unit which may include. 1 space in a garage or carport and 1 space in front of a garage or carport
Triplex, fourplex, Apartment dwellings Townhouse condominium project	1.5 spaces per dwelling unit, 15% of which will be clearly marked and reserved for visitor parking
Garden Suite, in-law suite or accessory apartment	1 space per unit
Group home	1 for each non-resident staff plus 3
<b>Other uses:</b>	
Motor vehicle body shop, motor vehicle repair shop, motor vehicle service station, motor vehicle gas bar	2 spaces per service bay plus 1 space per employee; minimum 3 spaces
Arena, assembly hall, private clubs, auditorium, halls, stadium, theatre, place of worship, and other similar places of assembly	1 space for every 4 seats, fixed or otherwise; or where there are no fixed seats, 1 space for every 10 m <sup>2</sup> (107.6 ft <sup>2</sup> ) of assembly space
Automotive sales establishment, Recreational vehicle sales and repair, Farm Implement sales and repair	1 space for every 32 m <sup>2</sup> (344.4 ft <sup>2</sup> ) of gross sales and display floor area The provision of parking for the storage of new and used vehicles, boats, trailers and farm equipment for sale, lease or service shall not be included as satisfying the provisions of this clause
Automobile washing establishment	3 spaces minimum plus 2 stacking spaces per bay for manual wash or 10 stacking spaces for an automated motor vehicle wash
Bed and Breakfast establishments	1 space for each guest unit in addition to the required residential parking spaces
Boarding or Rooming house	1 space for each guest unit in addition to the required residential parking spaces
Building supply store, Lumber Yard,	1 space for each 20 m <sup>2</sup> (215.2 ft <sup>2</sup> ) of gross

Garden centre, Nursery farm, Produce outlet, commercial greenhouse	floor area and 1 space for each 35 m <sup>2</sup> (376.2 ft <sup>2</sup> ) of open storage
Clinic, Medical, Dental or veterinary clinic	6 spaces for first practitioner and 5 spaces for each additional practitioner
Bowling alley, Curling rink	2 spaces per bowling lane or curling sheet, plus 1 parking space per 6 seats design capacity
Day nursery (licensed)	1 space per employee plus 1 space per 5 children
Farmer's Market, Flea Market	2 spaces per individual vendor table or booth
Furniture, Appliance, Carpet stores and similar commercial uses requiring large display areas, Wholesale Outlet	2 spaces per 100 m <sup>2</sup> (1076.4 ft <sup>2</sup> ) of gross floor area or fraction thereof, with a minimum of 8 spaces
General business, retail store, convenience store, grocery store, commercial and personal service establishments, bank, office, public building, meeting rooms, profession office, funeral parlour, building supply or home improvement outlets	1 space per 20 m <sup>2</sup> (215.2 ft <sup>2</sup> ) of gross floor area with a minimum of 3 spaces
Golf course	4 spaces per hole with a minimum of 50
Home Occupation or Rural Home Business	1 space for each nonresident employee, plus the required number of spaces for a residential dwelling
Home for the Aged	0.75 spaces for each person accommodated
Hotel, Motel	1 space per guest room plus 1 space for each 10m <sup>2</sup> (107.6 ft <sup>2</sup> ) of floor area used for assembly, restaurants, or dispensing of food or drink
Hospitals, Nursing homes, long term care facilities	1 space for each 5 patient beds plus 1 space for each 3 employees
Industrial uses, Warehouse, Bulk storage, Bakery, Dairy, Dry cleaning plant	1 space for each 95 m <sup>2</sup> (1022.6 ft <sup>2</sup> ) of gross floor area plus 1 space for each 3 employees per shift.
Physician, dentist or other professional person, who has established an office for consultation or emergency treatment in their private residence	3 spaces in addition to the parking spaces required for a dwelling unit
Restaurant, tavern, beverage room	The greater of 1 space for each 10 m <sup>2</sup> (107.6 ft <sup>2</sup> ) of gross

	floor area or 1 space for each 4 persons of design capacity of eating area or beverage room
<b>Schools:</b>	
Elementary	1.5 spaces per teaching classroom plus 1 space per each 4 m <sup>2</sup> (43.1 ft <sup>2</sup> ) of floor area in the gymnasium, auditorium or assembly area.
Secondary, vocational, Technical, Training, or College	4 spaces per teaching class plus 3 spaces for each 4 m <sup>2</sup> (43.1 ft <sup>2</sup> ) of floor area in the gymnasium, auditorium of assembly area
Shopping Centre	5.5 spaces per 100 m <sup>2</sup> (1076.4 ft <sup>2</sup> ) of gross leasable floor space
All other uses not listed above	1 space for each 25m <sup>2</sup> (269.1 ft <sup>2</sup> )gross floor area

**4.2** The parking ratios provided in Subsection (1) shall not be varied except where a minor variance has been granted by the Committee of Adjustment or through a cash-in-lieu of parking agreement prepared and executed pursuant to Section 40 of the Planning Act, RSO 1990, c. P.13 as amended.

**4.3** Designated parking spaces for disabled persons shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act. Parking for disabled persons shall be provided in accordance with the following provisions:

**(1)** The minimum parking requirements for disabled persons shall be provided as follows:

<b>No. of Required Parking spaces</b>	<b>No. of Designated Spaces</b>
1 to 9	No minimum, but minimum of 1 space for institutional, public authority uses medical clinics or medical offices
10 to 19	Minimum of 1 space
20-49	Minimum of 2 spaces
50-99	Minimum of 3 spaces
100-199	Minimum of 4 spaces
200-399	Minimum of 5 spaces
400+	Minimum of 6 spaces

**(2)** Medical Office and institutional uses shall provide a minimum of one disabled parking Space or greater as required by Clause (a) but, where outpatient services are provided, disabled parking shall be at the minimum rate of ten percent (10%) of overall required parking.

- (3) The total number of parking spaces for the disabled shall be included within the parking requirements of the permitted use, as part of overall parking requirement total.
  - (4) Each off-street parking space for the disabled shall be a minimum of six metres (6 m [19.7 ft.]) long, three and seven-tenths metres (3.7 m [1.21 ft]) wide and have a vertical clearance of three metres (3 m [9.84 ft.]).
  - (5) Parking spaces for disabled persons shall be located in proximity to the primary entrance(s) to a building together with a pedestrian access or sidewalk along the façade of the building sufficiently wide so that a minimum one and one-half metres (1.5 m [4.92 ft.]) is maintained between the building face and the adjacent vehicles. In addition such parking spaces shall be hard surfaced, level, placed so as to be accessible to physically disabled persons whether via ramps, depressed curbs, or other appropriate means, and so placed as to permit easy access by such persons to or from a motor vehicle parked therein, and identified by authorized signs as per municipal By-laws and Provincial legislation.
- 4.4** Required parking in a Residential Zone shall be provided on the same lot as the dwelling unit. Parking may be permitted off the site only if specified in the individual zoning district. Further, where required parking is not provided on the same lot, the lot or part of the lot where the parking is located shall be in the same ownership or be leased by a renewable ten (10) year agreement and the parking spaces shall be retained for the duration of the use.
- 4.5** Unless otherwise permitted elsewhere in this By-law, where two or more uses are permitted in any one building or on any one lot, then the off-street parking requirements for each use shall be calculated as if each use is a separate use, and the total number of off street parking spaces as calculated shall be provided. In the case of a multi-use building or multi-use building complex where parking is provided in common parking areas, an application may be made to the Committee of Adjustment for reduction of the total parking requirement, where it can be demonstrated through suitable analysis that the parking area will be used at different times and no conflicting parking demand would result.
- 4.6** The parking space requirements shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area as it existed at such date is not increased. If an addition is made to the building or structure which increases the gross floor area, then parking space for the additions shall be provided for on the same lot.



**4.7** The Minimum Parking Requirements for Non-Residential uses required herein may be reduced or waived provided the owner enters into an Agreement with the Township under Section 40 of the *Planning Act, R.S.O. 1990* and provided it can be demonstrated that it is not feasible to provide all the parking on the site.

**4.8** Each parking space shall maintain a minimum size and area as indicated herein:

<b>Parking Space Type</b>	<b>Minimum Width</b>	<b>Minimum Length</b>
Standard 90°	2.75 metres	5.5 metres
Angled	2.75 metres	5.75 metres
Parallel	2.75 metres	6.7 metres
Barrier-free	3.7 metres	6.0 metres

**4.9** Where barrier-free access to a building is required under the Building Code, one barrier-free parking space shall be provided for every fifty (50) standard parking spaces or part thereof and shall be included in the total number of parking spaces required under the table of Minimum Parking Requirements and shall be located towards the edge of the parking area closest to the Building or entry to the Building.

**4.10 PARKING SPACES FOR SINGLE DETACHED, SEMI-DETACHED, AND DUPLEX DWELLINGS IN RESIDENTIAL ZONES; SUPPLEMENTARY REGULATIONS**

- (1)** The driveway and parking space shall be constructed of crushed stone or gravel, asphalt paving, concrete, pavers stones or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar potentially undesirable effects on adjoining properties.
- (2)** No more than fifty percent (50%) of the area of any required front yard shall be used or constructed as a driveway or parking space and the remainder of the area shall be landscaped.
- (3)** No more than fifty percent (50%) of the lot frontage as defined by this By-law shall be used or constructed as a driveway or parking space.

**4.11 PARKING AREA FOR MORE THAN FOUR VEHICLES; SUPPLEMENTARY REGULATIONS**

- (1)** The parking area shall be constructed of crushed stone, asphalt paving, concrete, pavers stones, or similar materials and shall be maintained and treated so as to reduce dust, scattering of stones and similar undesirable effects on adjoining properties and shall incorporate drainage facilities that comply with the requirements of the Township.
- (2)** Notwithstanding Subsection (1), if a parking area is located within an Urban

Settlement area as defined in the County Official Plan, the parking area shall be paved with concrete, asphalt or pavers stones or other hard surfaces.

- (3) Ingress and egress directly to and from every parking space shall be by means of a driveway, lane or maneuvering aisle having the following width requirements:

Angle of Parking	Minimum Aisle Width
0° to 55°	4 metres
56° to 75°	5.8 metres
90°	6 metres

- (4) A driveway or lane which does not provide ingress and egress directly to a parking space shall have a minimum width of three metres (3 m [9.84 ft.]) where designed for one-way vehicular traffic and six metres (6 m [19.7 ft.]) where designed for two-way vehicular circulation.
- (5) No part of any parking space shall be closer than 1.5 metres (5 ft.) along the lot line abutting the street in commercial and industrial zones.
- (6) A structure, not more than two and one-half metres (2.5 m [8.2 ft.]) in height and not more than five square metres (5.0 m<sup>2</sup> [53.8 ft<sup>2</sup>]) in area may be erected in the parking area for the use of attendants in the area.
- (7) The Parking Area shall be included on any Site Plans submitted with an Application.
- (8) No more than fifty percent (50%) of the lot frontage as defined by this By-law shall be used or constructed as a driveway or parking space.

**4.12 BUFFERING**

- (1) Where, in a yard in any zone, a required parking area providing more than four (4) parking spaces in a commercial, industrial or institutional zone abuts a Residential use, lot or Zone, then a continuous strip of landscaped open space a minimum width of three metres (3.0 m [9.84 ft.]) shall be provided along the abutting lot line.
- (2) Where, in any yard in any zone, a required parking area providing more than four (4) parking spaces abuts a street, then a strip of landscaped open space a minimum width of three metres (3.0 m [9.84 ft.]) with, including a privacy fence, shall be provided along the lot line abutting the street and the landscaped strip shall be continuous except for aisles, driveways and pedestrian areas required for access to the parking area.
- (3) Where a parking area providing more than four (4) parking spaces is located

within or abuts a Residential Zone or use, a fence of at least two metres (2.0 m [6.56 ft.]) in height shall be erected and maintained on the mutual lot line.

#### **4.13 ADDITIONAL REQUIREMENTS FOR INGRESS AND EGRESS**

- (1) The maximum width of any joint ingress and egress driveway ramp, measured along the street line, shall be nine metres (9 m [29.5 ft.]), excluding curb ramps.
- (2) The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such a driveway, shall be seven metres (7 m [23 ft.]), except for motor vehicle service stations, motor vehicle gas bars and retail propane/compressed natural gas transfer facilities where the minimum shall be four and one half metres (4.5 m [14.8 ft.]).

#### **4.14 COMMERCIAL VEHICLE PARKING**

No commercial vehicle having a five thousand kilogram (5,000 kg) registered gross vehicle weight shall be parked in an Urban Residential Zone unless such a vehicle is solely used in the conduct of delivery, pick-up, or service call activities. No person shall park more than one commercial licensed motor vehicle on any lot in any residential Zone.

- 4.15** Notwithstanding any provisions of this By-law to the contrary, a minimum of eight (8) queuing spaces shall be provided for any drive-through facility, with the exception of those queuing requirements required for Automotive Land Uses.

#### **4.16 LOADING**

- (1) No person shall, in any Zone, erect or use any permitted building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, mortuary, or other permitted uses similarly involving the frequent shipping, loading or unloading of persons, animals or goods (except agricultural uses), unless there is maintained on the same site with every such structure or use, off-street space for standing, loading and unloading.
- (2) The off-street loading space shall be entirely contained on the site it serves and no part of any adjacent street or lane shall be used for off-street loading and unloading purposes.

#### **4.17 DIMENSIONS OF LOADING SPACES**

Every required loading space shall have minimum rectangular dimensions of three and one-half metres (3.5 m [11.5 ft.]) by nine metres (9 m [29.5 ft.]) with a minimum height clearance of four metres (4 m [13.1 ft.]). A required loading space in any Industrial Zone shall have a minimum length of fifteen metres (15 m

[49.2 ft.]) in addition to the standard width and height requirements.

**4.18 MINIMUM NUMBER OF LOADING SPACES**

The requirement for number of loading spaces shall be in accordance with the following table:

Land Use	Gross Floor Area	Loading Spaces Required.
Commercial and Institutional	0 – 200 m <sup>2</sup>	0
	200 – 500 m <sup>2</sup>	1
	Above 500 m <sup>2</sup>	1, plus 1 for each additional 1000 m <sup>2</sup> of gross floor area or part thereof.
Industrial	0 – 400 m <sup>2</sup>	2
	400 – 2000 m <sup>2</sup>	3
	Above 2000 m <sup>2</sup>	4

**4.19 LOCATION**

The loading area shall not be visible from a street unless it is a local industrial street. The loading space required shall be located in the interior side yard or rear yard and shall not be in a front yard. Screening and buffering shall be used in areas with surrounding residential zones or uses. A site plan shall be completed showing the location of such screening and the location of loading spaces.

**4.20 LOADING BAY**

The required loading spaces shall be a part of a loading bay.

**4.21 SURFACING**

- (1) The loading space and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel. Driveways and aisles shall be surfaced with asphalt or concrete.
- (2) Notwithstanding Subsection (1), where a loading area is located within an Urban Settlement area as defined in the County Official Plan, the loading area shall be paved with concrete, asphalt or pavers stones or other hard surfaces.

**4.22** No loading spaces required by this By-law shall be used for open storage purposes.

**4.23** The Applicant on a Site Plan Application shall show that all loading spaces are accessible and that trucks or commercial vehicles can meet Standard Turning radii on the site

## **SECTION 5 - ZONES**

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### **5.1 Zone Classifications**

For the purpose of this By-law, all lands within the Township of North Stormont are divided into the following zones which are identified on the attached Schedules by the accompanying symbols:

<b>Residential</b>	- First Density	<b>R1</b>
	- Second Density	<b>R2</b>
	- Third Density	<b>R3</b>
	- Fourth Density	<b>R4</b>
	- Rural Residential	<b>RR</b>
	- Mobile Home Subdivision	<b>RMHS</b>
	- Mobile Home Park	<b>RMHP</b>
<b>Commercial</b>	- General Commercial	<b>CG</b>
	- Local Commercial	<b>CL</b>
	- Highway Commercial	<b>CH</b>
<b>Institutional</b>		<b>In</b>
<b>Industrial</b>	- Restricted Industrial	<b>M</b>
	- Rural Industrial	<b>MR</b>
<b>Open Space</b>		<b>OS</b>
<b>Agricultural</b>		<b>Ag</b>
<b>Rural</b>		<b>RU</b>
<b>Wrecking Yard</b>		<b>WY</b>
<b>Waste Disposal</b>		<b>WD</b>
<b>Mineral Aggregate</b>	- Pit	<b>MP</b>
	- Quarry	<b>MQ</b>
	- Reserve Area	<b>MA</b>
<b>Flood Plain</b>		<b>FP</b>
<b>Hazard Lands</b>		<b>H</b>
<b>Wetlands</b>		<b>WL</b>
<b>Provincially Significant Wetlands</b>		<b>PSW</b>
<b>ANSI</b>		<b>ANSI</b>

## **SECTION 5 - ZONES**

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### **5.2 Schedules**

The attached Schedules 1 – 12 form part of this By-law.

### **5.3 Streets and Rights-of-Ways**

A street, lane, railway right-of-way or other right-of-way shown on the attached Schedules shall be included, unless otherwise indicated, with the zone adjoining property on either side thereof.

### **5.4 Holding Zones**

- a) Any parcel or area of land in any zone may be further classified as a holding zone with the addition of the suffix "-h". The intent is to signify Council's approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until such time as the demand for the development of the land is sufficient to warrant immediate development.
- b) Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law. Any change from the holding status shall require an amendment to this By-law, which shall only be passed by Council when any applicable services, financial arrangements and conditions for the development of the lands affected by the amendment have been determined to the satisfaction of Council.

### **5.5 Special Exception Zones**

Where a zone classification is followed by a dash and a number (eg. R1-1), this denotes a special exception zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the classification except as otherwise provided by the special exception provisions of the zone. These special exception provisions are listed separately under the appropriate zone in the text of the By-law.

### **5.6 Temporary Use Zone**

Temporary uses may be authorized from time to time by Zoning By-law amendment pursuant to Section 38 of the Planning Act. These are listed separately at the end of the appropriate zone category and as shown on the Zoning Schedule and are identified with the symbol "-T" because of their temporary nature.

## **SECTION 5 - ZONES**

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### **5.7 Unstable Slopes**

Where a zone classification is followed by the suffix 'ss', the lands in question have been determined to have development constraints relating to unstable slopes. Any building or structure to be erected on any lands affected by the suffix 'ss' (including a septic tank, tile bed, swimming pool or underground structure) shall be set back from the top of the slope and shall not be located on the flank of the slope. The setback distances are shown on the applicable Schedules to this By-law.

## **SECTION 6 - RESIDENTIAL ZONES**

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No persons shall hereafter use any land, nor erect, alter, enlarge or use any building or structure in a Residential Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **6.1 Residential First Density (R1)**

#### **1) Permitted uses:**

Single detached dwelling  
Group home type 1  
Day nursery private  
Home occupation  
Home day care up to 5 children  
Garden suite  
Accessory apartment  
Places of worship not including cemeteries  
Bed and Breakfast  
Public & accessory uses as per general provisions

#### **2) Zone Requirements:**

- a) Lot Area (minimum):
- |   |                      |
|---|----------------------|
| Lot serviced by private well and private sewage system:       | 4,000 m <sup>2</sup> |
| Lot serviced by municipal water and private sewage system:    | 1,800 m <sup>2</sup> |
| Lot serviced by private well and municipal sanitary sewer:    | 930 m <sup>2</sup>   |
| Lot serviced by municipal water and municipal sanitary sewer: | 450 m <sup>2</sup>   |
- b) Lot Frontage (minimum):
- |   |      |
|---|------|
| Lot serviced by private well and private sewage system:       | 40 m |
| Lot serviced by municipal water and private sewage system:    | 30 m |
| Lot serviced by private well and municipal sanitary sewer:    | 22 m |
| Lot serviced by municipal water and municipal sanitary sewer: | 15 m |
- c) Front Yard Depth (minimum): 6.0 m
- d) Exterior Side Yard Width (minimum): 6.0 m
- e) Interior Side Yard Width (minimum):
- |                                    |       |
|------------------------------------|-------|
| Lot with both municipal services:  | 1.2 m |
| Lot with only 1 municipal service: | 2.0 m |
| Lot with no municipal services:    | 3.0 m |



## **SECTION 6 - RESIDENTIAL ZONES**

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- |           |  |                     |
|-----------|--|---------------------|
| f)        | Rear Yard Depth (minimum):                             | 6.0 m               |
|           | with no services:                                      | 8.0 m               |
| g)        | Dwelling Unit Floor Area (minimum):                    | 75.0 m <sup>2</sup> |
| h)        | Building Height (maximum):                             | 11 m                |
| i)        | Lot Coverage (max.)                                    |                     |
|           | Lot with both municipal services:                      | 35%                 |
|           | Lot with only 1 municipal service:                     | 45%                 |
|           | Lot with no municipal services:                        | 20%                 |
| j)        | Dwellings Per Lot (max.)                               | 1                   |
| k)        | General Provisions:                                    |                     |
|           | In accordance with the provisions of Section 3 hereof. |                     |
| <b>3)</b> | <b>Special Exception Zones:</b>                        |                     |
|           | See Schedule 12  |                     |
| <b>4)</b> | <b>Holding Zones</b>                                   |                     |
|           | See Schedule 12  |                     |
| <b>5)</b> | <b>Temporary Zones</b>                                 |                     |

## **SECTION 6 - RESIDENTIAL ZONES**

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### **6.2 Residential Second Density (R2) Zone**

#### **1) Permitted Uses:**

R1 uses in accordance with the provisions thereof Duplex dwelling

Semi-detached dwelling

Link dwelling

Converted dwelling up to 2 units

Boarding or rooming house as accessory use (up to 5 units)

#### **2) Zone Requirements:**

- a) (i) Lot Area (minimum): Single Detached Dwelling:
- |  |                     |
|--|---------------------|
| Lot serviced by private well and private sewage system:    | 4000 m <sup>2</sup> |
| Lot serviced by municipal water & private sewage system:   | 1860 m <sup>2</sup> |
| Lot serviced by private well & municipal sewage system:    | 930 m <sup>2</sup>  |
| Lot serviced by municipal water & municipal sewage system: | 450 m <sup>2</sup>  |
- (ii) Lot Area (minimum): Semi-detached or Link dwelling:
- |  |                         |
|--|-------------------------|
| Lot serviced by private well and private sewage system:    | 4000 m <sup>2</sup> /DU |
| Lot serviced by municipal water & private sewage system:   | 1860 m <sup>2</sup> /DU |
| Lot serviced by private well & municipal sewage system:    | 930 m <sup>2</sup> /DU  |
| Lot serviced by municipal water & municipal sewage system: | 270 m <sup>2</sup> /DU  |
- (iii) Lot Area (minimum): Duplex Dwelling & Boarding & Rooming House:
- |  |                     |
|--|---------------------|
| Lot serviced by private well & private sewage system:      | 4000 m <sup>2</sup> |
| Lot serviced by municipal water & private sewage system:   | 1860 m <sup>2</sup> |
| Lot serviced by private well & municipal sewage system:    | 930 m <sup>2</sup>  |
| Lot serviced by municipal water & municipal sewage system: | 540 m <sup>2</sup>  |
- b) (i) Lot Frontage (minimum): Single Detached Dwelling:
- |  |  |
|--|--|
| Lot serviced by private well and private sewage system:        | 40 m                                     |
| Lot serviced by municipal water and private sewage system:     | 30 m                                     |
| Lot serviced by private well and municipal sanitary sewer:     | 22 m                                     |
| Lot serviced by municipal water and municipal sanitary sewers: | 18 m (corner lot)<br>15 m (interior lot) |

## **SECTION 6 - RESIDENTIAL ZONES**

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(ii)	Lot Frontage (minimum): Semi-detached or Link Dwelling:	
	Lot serviced by private well & private sewage system:	40 m/DU
	Lot serviced by municipal water & private sewage system:	30 m/DU
	Lot serviced by private well & municipal sewage System:	20 m/DU
	Lot serviced by municipal water & municipal sewage system:	15 m/DU (corner lot) 9 m/DU (interior lot)
(iii)	Lot Frontage (minimum): Duplex Dwelling, Boarding or Rooming House as Accessory Use:	
	Lot serviced by private well & private sewage system:	40 m
	Lot serviced by municipal water & private sewage system:	30 m
	Lot serviced by private well and municipal sewage system:	22 m
	Lot serviced by municipal water & municipal sewage system:	15 m
c)	Front Yard Depth (minimum):	6 m
d)	Exterior Side Yard Width (minimum):	6 m
e)	Interior Side Yard Width (minimum):	2 m
f)	Rear Yard Depth (minimum)	6 m
g)	Dwelling Unit Area (minimum): single detached, semi-detached and duplex	75.0 m <sup>2</sup> /unit
h)	Building Height (maximum):	11 m
i)	Lot Coverage (maximum): Private services	35%; 20%
j)	Dwellings Per Lot (max.)	2

**Note:** 'DU', denotes 'Dwelling unit'.

**Note:** If a semi-detached dwelling is severed, the zone requirements continue to apply to the original lot except that the interior side yard requirement does not apply along the common lot line where there is a common wall separating the two dwellings.

**3) Special Exception Zones:**  
See Schedule 12

## **SECTION 6 - RESIDENTIAL ZONES**

---

- 4) **Holding Zones**  
See Schedule 12
  
- 5) **Temporary Zones**

## **SECTION 6 - RESIDENTIAL ZONES**

---

### **6.3 RESIDENTIAL THIRD DENSITY (R3) ZONE:**

#### **1) Permitted Uses:**

R1 and R2 uses in accordance with the provisions thereof

Triplex

Fourplex

Converted dwelling in accordance with the provisions of R1 for a single detached dwelling

Converted dwellings up to 4 dwelling units

Row house dwelling provided that the lot is serviced by municipal water and sanitary sewer systems

**Note:** Private Day Nursery is not permitted

#### **2) Zone Requirements, Row House Dwelling:**

- |    |                                     |  |
|----|-------------------------------------|--|
| a) | Lot Area (minimum):                 | 180.0 m <sup>2</sup> per unit                              |
| b) | Lot Frontage (minimum):             | 6.0 m per unit plus side yard requirement where applicable |
| c) | Front Yard Depth (minimum):         | 6m   |
| d) | Exterior Side Yard Width (minimum): | 6 m  |
| e) | Interior Side Yard Width (minimum): | 3.0 m  |
| f) | Rear Yard Depth (minimum):          | 7.5 m  |
| g) | Group Setback:                      |  |

Notwithstanding any other provisions of this By-law, not more than four consecutive units within a row house dwelling shall be constructed with their exterior outside walls in a straight line. Additional permitted units in a row shall be set back or forward a distance of not less than 1.0 m from the alignment of the others in a row.

- |    |  |      |
|----|--|------|
| h) | Development Form: Not more than eight (8) dwelling units shall be in anyone row house dwelling |      |
| i) | Building Height (maximum):   | 11 m |

## **SECTION 6 - RESIDENTIAL ZONES**

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- |           |  |                   |
|-----------|--|-------------------|
| j)        | Lot Coverage (maximum):                            | 35%               |
| k)        | Dwelling Unit Area (minimum):                      | 65 m <sup>2</sup> |
| l)        | Landscaped Open Space (min.)                       | 35%               |
| m)        | Main Building Spacing (min)                        | 3.0 m             |
| <b>3)</b> | <b>Special Exception Zones:</b><br>See Schedule 12 |                   |
| <b>4)</b> | <b>Holding Zones</b>                               |                   |
| <b>5)</b> | <b>Temporary Zones</b>                             |                   |

## **SECTION 6 - RESIDENTIAL ZONES**

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### **6.4 Residential Fourth Density (R4) Zone**

#### **1) Permitted Uses:**

R1, R2 and R3 uses in accordance with the provisions thereof  
Provided the lot is serviced by municipal water and sanitary sewer systems:

- Apartment dwelling
- Home for the aged
- Senior Citizens' apartment dwelling
- Nursing home
- Retirement home

#### **2) Zone Requirements, Apartment Dwelling House:**

- a) Lot Area (minimum): 230.0 m<sup>2</sup> per unit for the first four (4) units, plus 45 m<sup>2</sup> for each additional unit in excess of four (4).
- b) Lot Frontage (minimum): 30 m
- c) Front Yard Depth (minimum): 9.0 m
- d) Exterior Side Yard Width: (minimum): 7.5 m
- e) Interior Side Yard Width (minimum): 3 m
- f) Rear Yard Depth (minimum): 7.5 m
- g) Building Height (maximum): 15.0 m
- h) Lot Coverage (maximum): 35%
- i) Dwelling Unit Area (minimum):
  - Bachelor Unit 45 m<sup>2</sup>
  - One Bedroom Unit 55 m<sup>2</sup>
  - Two Bedroom Unit 60 m<sup>2</sup>
  - Over Two Bedrooms 65 m<sup>2</sup>
  - Landscaped Open Space (minimum): 35%

## **SECTION 6 - RESIDENTIAL ZONES**

---

- 3) **Special Exception Zones:**  
See schedule 12
- 4) **Holding Zones**
- 5) **Temporary Zones**



## **SECTION 6 - RESIDENTIAL ZONES**

---

### **6.5 Residential Rural (RR) Zone**

#### **1) Permitted Uses:**

Single detached dwelling

#### **2) Zone Requirements:**

- |    |                                     |                     |
|----|-------------------------------------|---------------------|
| a) | Lot area (minimum):                 | 4000 m <sup>2</sup> |
| b) | Lot Frontage (minimum):             | 45 m                |
| c) | Front Yard Depth (minimum):         | 7.5 m               |
| d) | Exterior Side Yard Width (minimum): | 7.5 m               |
| e) | Interior Side Yard Width (minimum): | 3 m                 |
| f) | Rear Yard Depth (minimum):          | 7.5 m               |
| g) | Building Height (maximum):          | 11 m                |
| h) | Lot Coverage (maximum):             | 15%                 |
| i) | Dwelling Unit Area (minimum):       | 75 m <sup>2</sup>   |
| j) | Dwellings per Lot (maximum):        | 1                   |

#### **3) Special Exception Zones:**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Holding Zones**

## **SECTION 6 - RESIDENTIAL ZONES**

---

### **6.6 Mobile Home Subdivision (RMHS)**

**1) Permitted Uses:**

Mobile home

**2) Zone Requirements:**

- |    |                                     |                     |
|----|-------------------------------------|---------------------|
| a) | Lot area (minimum):                 | 4000 m <sup>2</sup> |
| b) | Lot Frontage (minimum):             | 45 m                |
| c) | Front Yard Depth (minimum):         | 7.5 m               |
| d) | Exterior Side Yard Width (minimum): | 7.5 m               |
| e) | Interior Side Yard Width (minimum): | 3 m                 |
| f) | Rear Yard Depth (minimum):          | 7.5 m               |
| g) | Building Height (maximum):          | 6 m                 |
| h) | Lot Coverage (maximum):             | 30%                 |
| i) | Floor Area (minimum):               | 37 m <sup>2</sup>   |
| j) | Dwellings per Lot (maximum):        | 1                   |

**3) Special Exception Zones**

See Schedule 12

**4) Holding Zones**

**5) Temporary Holding Zones**

## **SECTION 6 - RESIDENTIAL ZONES**

---

### **6.7 Mobile Home Park (RMHP)**

#### **1) Permitted Uses:**

Mobile home  
Park management office  
Park

#### **2) Zone Requirements:**

##### **a) Mobile Home Park:**

Lot Area (minimum):	1 ha
Lot Frontage (minimum):	60 m
Building Height (maximum):	9 m
Landscaped Open Space (minimum):	10 %
Density (maximum):	
piped water and sewer services:	15 sites per ha
individual well and piped sewer:	9 sites per ha
individual well and septic system:	4 sites per ha

##### **b) Mobile Home Site:**

Site Area (minimum)	
piped water and sewer services:	452 m <sup>2</sup>
individual well and piped sewer:	810 m <sup>2</sup>
individual well and septic system:	2000 m <sup>2</sup>
Site Frontage (minimum)	
piped water and sewer services:	15 m
individual well and piped sewer:	22.5 m
individual well and septic system:	30 m

## **SECTION 6 - RESIDENTIAL ZONES**

---

### c) Yard Requirements (minimum)

Front	7.5 m
Rear	4.5 m
Exterior Side	7.5 m
Interior Side	3 m
Building Height	6m
Site Coverage (maximum)	35%
Floor Area (minimum)	37 m <sup>2</sup>
Mobile homes per Site (maximum)	1

## **SECTION 6 - RESIDENTIAL ZONES**

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### **6.8 Additional Provisions for Residential Zones**

#### **1) Converted Dwelling**

A converted dwelling shall be permitted within the R2 Zone only in conformity with the following provisions:

- a) the dwelling frontage on an improved street;
- b) the building is 20 years or more in age at the date of passing of this By-law;
- c) the floor area in the original dwelling before conversion is 130 m<sup>2</sup> or more and is located on more than one storey;
- d) the building contains no more than four dwelling units after conversion;
- e) each dwelling unit after conversion has a minimum floor area of 37 m<sup>2</sup>
- f) where a dwelling to be converted does not meet all of the standards of the R2 Zone, such a conversion shall only be permitted as long as the non-conforming standards are not further reduced by conversion.

#### **2) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

#### **3) Special Exception Zone**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Zones**

## **SECTION 7 - COMMERCIAL ZONES**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Commercial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **7.1 General Commercial (CG) Zone**

#### **1) Permitted Uses:**

- antique shop
- assembly hall
- auction barn
- automobile dealership
- automobile service station
- automotive store
- bake shop
- bank
- boutique
- business
- catering establishment
- clinic
- commercial patio
- communications facility
- dressmaker
- dry cleaning -outlet
- dry cleaning -plant
- farmers' market
- financial service
- funeral home/chapel
- garden centre
- gift shop
- home improvement centre
- hotel
- laundromat
- motel
- office
- parking area or parking garage
- personal service establishment/shop
- pet shop
- place of entertainment
- printing shop
- private club
- rental establishment

## **SECTION 7 - COMMERCIAL ZONES**

---

restaurant  
 retail store  
 service outlet  
 shopping centre  
 studio (photo, artistic)  
 tailor shop  
 tavern  
 theatre  
 tourist lodging establishment  
 transportation depot  
 vehicle sales or rental establishment  
 veterinary establishment  
 dwelling units located above and/or attached to a permitted commercial use, in the same building as the commercial use existing residential uses.

### **2) Zone Requirements:**

	With full municipal services	Without full municipal services
Lot Area (minimum)	450 m <sup>2</sup>	2000 m <sup>2</sup>
Lot Frontage (minimum)	15 m	30 m
Front Yard Depth (minimum)	7.5 m	7.5 m
Exterior Side Yard Width (minimum)	7.5 m	7.5 m
Interior Side Yard Width (minimum)	3 m	3 m provided that when the Interior Side Lot line abuts another lot in a Commercial Zone, no Interior Side Yard will be required.
Rear Yard Depth (minimum)	<del>6.0</del> 7.5 m	<del>6.0</del> 7.5 m [Zoning By-law Z-05-2014]
Building Height (maximum)	12.0 m	12.0 m
Lot Coverage (maximum)	40 %	30 %

### **3) Special Exceptions:**

See Schedule 12

### **4) Holding Zones**

### **5) Temporary Zones**

## **SECTION 7 - COMMERCIAL ZONES**

---

### **7.2 Local Commercial (CL) Zone**

**1) Permitted Uses:**

- antique shop
- bake shop
- convenience store
- financial services
- laundromat
- office
- personal service shop
- retail
- snack bar or coffee shop
- one dwelling unit situated within the same building as the commercial use.

**2) Zone Requirements:**

	With full municipal services	Without full municipal services
Lot Area (minimum)	450 m <sup>2</sup>	2000 m <sup>2</sup>
Lot Frontage (minimum)	15.2 m	45 m
Front Yard Depth (minimum)	7.5 m	7.5 m
Exterior Side Yard Width (minimum)	7.5 m	7.5 m
Interior Side Yard Width (minimum)	3 m	3 m provided that when the Interior Side Lot line abuts another lot in a Commercial Zone, no Interior Side Yard will be required.
Rear Yard Depth (minimum)	7.5 m	7.5 m
Building Height (maximum)	9 m	9 m
Lot Coverage (maximum)	35 %	30 %

**3) Special Exception Zones:**

See Schedule 12

**4) Holding Zones**

**5) Temporary Zones**



## **SECTION 7 - COMMERCIAL ZONES**

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### **7.3 Highway Commercial (CH) Zone**

**1) Permitted Uses:**

automobile dealership  
automobile service station  
bake shop  
car washing establishment  
catering establishment  
commercial garage  
commercial patio  
communications facility  
farm equipment dealer  
farm service business  
financial services  
flea market  
garden centre  
home improvement centre  
parking area or parking garage  
place of entertainment  
private club  
rental establishment  
restaurant  
service outlet  
tavern  
tourist lodging establishment  
transportation depot  
vehicle sales or rental establishment  
veterinary establishment  
accessory dwelling

**2) Zone Requirements:**

	With full municipal services	Without full municipal services
Lot Area (minimum)	N/A	4000 m <sup>2</sup>
Lot Frontage (minimum)	15 m	45 m

## **SECTION 7 - COMMERCIAL ZONES**

---

Front Yard Depth (minimum)	7.5 m	9 m
Exterior Side Yard Width (minimum)	7.5 m	9 m
Interior Side Yard Width (minimum)	3 m	6 m provided that when the Interior Side Lot line abuts another lot in a Commercial Zone, no Interior Side Yard will be required.
Rear Yard Depth (minimum)	7.5 m	9 m
Building Height (maximum)	12 m	12 m
Lot Coverage (maximum)	40 %	30 %

**3) Special Exception Zones:**

See Schedule 12

**4) Holding Zones**

**5) Temporary Zones**

## **SECTION 7 - COMMERCIAL ZONES**

---

### **7.4 Additional Provisions for Commercial Zones**

#### **1) Accessory Dwellings**

Accessory dwellings shall conform to the requirements of the R1 zone where piped services are available and the RR zone where services are private.

#### **2) Dwelling Units**

Where dwelling units are permitted on the same lot as CG or CL uses, the following provisions shall apply:

- a) pedestrian access to each dwelling unit shall be from an adjacent street and for the sole use of the dwelling unit or units.
- b) dwelling unit floor area shall conform to the following minimum standards:

Bachelor Unit	45 m <sup>2</sup>
One Bedroom Unit	55 m <sup>2</sup>
Two Bedroom Unit	60 m <sup>2</sup>
More than Two Bedrooms	65 m <sup>2</sup>

#### **3) Automobile Service Stations and Commercial Garages**

Automobile service stations and commercial garages shall also conform to the provisions set out in Section 3.3 of this By-law.

#### **4) Increased Yard Requirements**

Notwithstanding any other provisions of this By-law to the contrary:

- a) Where a General Commercial (CG) Zone abuts a Residential Zone, the Side Yard requirement shall be increased to 4.5 m of which 3 m shall be Landscaped Open Space and the Rear Yard requirement shall be increased to 9 m of which 3 m shall be Landscaped Open Space.
- b) Where a Highway Commercial (CH) Zone abuts a Residential Zone, the minimum Side Yard shall be increased to 4.5 m of which 3 m shall be Landscaped Open Space, and the minimum Rear Yard shall be increased to 12 m of which 3 m shall be Landscaped Open Space.

## **SECTION 7 - COMMERCIAL ZONES**

---

**5) Open Storage**

Open storage shall be permitted in accordance with the provisions of Section 3.31 of this By-law.

**6) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 8 - INSTITUTIONAL ZONES**

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No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Institutional (I) Zone except in accordance with the provisions of this Section or of any other relevant Sections of this By-law.

### **8.1 Institutional (In) Zone**

#### **1) Permitted Uses:**

- administrative office of a Public Authority
- cemetery
- church
- clinic
- community centre
- day nursery
- electrical supply facility
- nursing home, including rest homes, retirement homes and homes for the aged
- park parking area
- private club
- public use
- school
- accessory dwelling house
- accessory dwelling unit

#### **2) Zone Requirements:**

	With full municipal services	Without full municipal services
Lot Area (minimum)	450 m <sup>2</sup>	2000 m <sup>2</sup>
Lot Frontage (minimum)	15 m	30 m
Front Yard Depth (minimum)	7.5 m	7.5 m
Exterior Side Yard Width (minimum)	7.5 m	7.5 m
Interior Side Yard Width (minimum)	3 m	3 m provided that when the Interior Side Lot line abuts another lot in a Commercial Zone, no Interior Side Yard will be required.
Rear Yard Depth (minimum)	7.5 m	7.5 m
Building Height (maximum)	12 m	12 m
Lot Coverage (maximum)	40 %	30 %
Landscaped Open Space (minimum)	30%	50%
Dwelling Houses or Dwelling Units per lot (maximum)		1

## **SECTION 8 - INSTITUTIONAL ZONES**

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- 3) **Special Exception Zones:**  
See Schedule 12
- 4) **Holding Zones**
- 5) **Temporary Zones**

## **SECTION 8 - INSTITUTIONAL ZONES**

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### **8.2 Additional Provisions for Institutional Zones**

#### **1) Accessory Dwelling Units**

The following provisions shall apply to accessory dwelling units:

- a) A minimum of 20 m<sup>2</sup> of Open Space shall be provided for the exclusive use of each dwelling unit. Such Open Space shall not be used for the parking of vehicles or as a required pedestrian access.
- b) Pedestrian access to each dwelling unit shall be from an adjacent street and for the sole use of the dwelling unit.

#### **2) Accessory Dwellings**

Accessory dwellings shall conform to the requirements of the R1 Zone where piped services are available and the RR Zone where services are private.

#### **3) Cemeteries**

Cemeteries shall not be governed by the foregoing standards but shall conform to the Cemeteries Act.

#### **4) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 9 - INDUSTRIAL ZONES**

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No person shall hereafter use any land, nor erect, alter, enlarge or use any building or structure in an Industrial Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **9.1 RESTRICTED INDUSTRIAL (M)**

#### **1) Permitted Uses:**

- Automobile service station
- Building supply centre
- Commercial garage
- Contractor's shop
- Custom workshop
- Machine shop
- Municipal garage
- Restaurant
- Warehouse
- Vehicle rental, sales, service and storage
- Accessory dwelling unit

#### **2) Zone Requirements:**

Lot Area (minimum):	4000 m <sup>2</sup>
Lot Frontage (minimum):	45 m
Yard Requirements (minimum):	
Front	15 m
Rear	12 m
Exterior Side	15 m
Interior Side	7.5 m
Building Height (maximum):	15 m
Lot Coverage (maximum):	50%

#### **3) Special Exception Zones:**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Zones**



## **SECTION 9 - INDUSTRIAL ZONES**

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### **9.2 Rural Industrial (MR) Zone**

#### **1) Permitted Uses:**

Abattoir  
 Auction barn  
 Brick making plant  
 Butcher shop  
 Cedar oil production/extraction  
 Commercial greenhouse  
 Concrete batching and mixing plant  
 Custom workshop farm equipment dealer  
 Feed and seed dealer  
 Fertilizer plant  
 Fuel storage tank/supply yard  
 Greenhouse  
 Livestock sales establishment  
 Lumber yard  
 Manufacturing industry  
 Meat packing establishment  
 Recycling depot  
 Sawmill  
 Tile drainage operation  
 Transportation depot  
 Well-drilling establishment  
 Woodworking establishment

#### **2) Zone Requirements:**

	<b>Moose Creek</b>			<b>Balance of Township</b>
	<b>Sewer &amp; Water</b>	<b>Sewer or Water</b>	<b>Private Services</b>	
<b>Lot Area (Min)</b>	1000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>
<b>Lot Frontage</b>	25 m	25 m	25 m	45 m
<b>Yard Requirements (Min)</b>				
Front	6 m	6 m	6 m	15 m
Rear	7.5 m	7.5 m	7.5 m	12 m
Exterior Side	7.5 m	7.5 m	7.5 m	15 m
Interior Side	7.5 m	7.5 m	7.5 m	7.5 m
<b>Building Height (Max)</b>	15 m	15 m	15 m	15 m
<b>Lot Coverage (Max)</b>	60%	60%	60%	50%

**[deleted and replaced as per Zoning By-law Z-05-2014]**

## **SECTION 9 - INDUSTRIAL ZONES**

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- 3) **Special Exception Zones:**  
See Schedule 12
- 4) **Holding**
- 5) **Temporary**

## **SECTION 9 - INDUSTRIAL ZONES**

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### **9.3 Additional Provisions for Industrial Zones**

(a) Accessory Dwellings

In an M or MR zone, accessory dwellings shall conform to the requirements of the R1 zone.

(b) Commercial Garages

Commercial garages shall also conform to the regulations set forth in Sections 3.4 & 3.49 of this by-law.

(c) Increased Yard Requirements

As per Guideline D-6 "COMPATIBILITY BETWEEN INDUSTRIAL FACILITIES AND SENSITIVE LAND USES"

(d) Special Provisions Adjacent to Railways

As per Section 3.40

(e) Other General Provisions

Other general provisions shall be in accordance with Section 3 of this By-law

[amended by Zoning By-law Z-05-2014]

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

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No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Open Space (OS) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **10.1 Open Space (OS) Zone**

#### **1) Permitted Uses:**

- Campground
- Cemetery
- Conservation use
- Fairground
- Golf course
- Open space
- Outdoor recreational facility
- Park private club
- Public park, including public washroom and/or changeroom

#### **2) Zone Requirements:**

- a) No building or structure shall be located or erected closer than 6 m to any Lot Line and the maximum Lot Coverage shall not exceed 25%.
- b) No minimum Area, Frontage or Yards shall be required for any lot provided that no buildings or active recreational facilities are located thereon.
- c) Notwithstanding the above, no person shall hereafter erect a dwelling below the 75.5 m contour G.S.C. elevation.

#### **3) Special Exception Zones:**

See Schedule 12

#### **4) Holding**

#### **5) Temporary**

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

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### **10.2 Additional Provisions for Open Space Zones**

**1) Other General Provisions:**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 11 - AGRICULTURAL ZONES**

---

### **11.1 Agricultural (AG) Zone**

#### **1) Permitted Uses:**

Abattoir  
Accessory Apartment  
Agricultural use  
Agricultural use (small)  
Bed and Breakfast  
Cemetery  
Communications facility  
Conservation use  
Equestrian Use  
Farm equipment dealer  
Farm produce outlet  
Farm produce storage  
Feed mill  
Forestry use  
Grain drying facility  
Home Occupation  
Intensive livestock operation  
Kennel  
Livestock sales barn and/or assembly points  
Market Garden  
Maple sugar operation  
Nursery  
Sawmill  
Tile drainage operation  
Veterinary establishment  
Wayside pit or wayside quarry  
Dwelling accessory to an existing agricultural use  
Dwelling accessory to a kennel or veterinary establishment  
Mobile home only as a secondary dwelling to an agricultural use  
Existing dwelling  
Single detached dwelling  
Accessory uses to the foregoing

#### **2) Zone Requirements:**

Lot Area (minimum):

Agricultural use 300,000 m<sup>2</sup>

## **SECTION 11 - AGRICULTURAL ZONES**

---

Conservation use, forestry use	100,000 m <sup>2</sup>
Other non-residential uses	10,000 m <sup>2</sup>
Single detached dwelling	4000 m <sup>2</sup>
Lot Frontage (minimum):	
Agricultural use	200 m
Conservation use, forestry use	150 m
Other non-residential uses	60 m
Single detached dwelling	30 m
Front Yard Depth (minimum):	
Agricultural use	15 m
Conservation use, forestry use	15 m
Other non-residential uses	12 m
Single detached dwelling	7.5 m
Exterior Side Yard Width (minimum):	
Agricultural use	15 m
Conservation use, forestry use	15 m
Other non-residential uses	12 m
Single detached dwelling	7.5 m
Interior Side Yard Width (minimum):	
Agricultural use	15 m
Conservation use, forestry use	9 m
Other non-residential uses	12 m
Single detached dwelling	3 m
Rear Yard Depth (minimum):	
Agricultural use	15 m
Conservation use, forestry use	15 m
Other non-residential uses	12 m
Single detached dwelling	7.5m
Lot Coverage (maximum):	
Single detached dwelling	15 %
Other uses	30 %

## **SECTION 11 - AGRICULTURAL ZONES**

---

Building Height (maximum):

Single detached dwelling	11 m
Other uses	15 m

Dwelling Unit Floor Area (min) 75 m<sup>2</sup> [By-law Z-05-2014]

\*\* Notwithstanding the foregoing, on a lot having an accessory dwelling, accessory mobile home or kennel, the minimum lot area shall be 1 ha and the minimum lot frontage shall be 45 m.

\*\* A kennel shall be prohibited within 200 m of a dwelling on another lot.

**3) Special Exception Zones:**

See Schedule 12

**4) Holding**

**5) Temporary**



## **SECTION 11 - AGRICULTURAL ZONES**

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### **11.2 Additional Provisions for Agricultural Zones**

- 1) Dwellings or mobile homes per lot (maximum):** 1 only  
Provided that where an existing farm has more than one owner, in which case each owner may have an accessory dwelling house on the lot, plus one accessory dwelling or accessory mobile home for a person engaged full-time in the agriculture operation.
- 2) Intensive Livestock Operations:**  
New and for expansions to existing intensive livestock operations shall be in accordance with the provision of Section 3.21 of this By-law.
- 3) Farm Building and Manure Storage Location:**  
No building or structure which is used to house animals or fowl, no feed lot area and no manure storage area shall be permitted within a Minimum Distance Separation as determined by the MDS II formula but in no case, shall be closer than 15 m to any lot line.
- 4) Cemeteries:**  
Cemeteries shall conform to the requirements of the Cemeteries Act.
- 5) Wayside Pit or Wayside Quarry:**  
The requirements of the Aggregates Resources Act shall apply to any Wayside Pit or Wayside Quarry.
- 6) Existing Lots of Record**  
For existing lots of record, an agricultural use (small) shall be permitted on lots with a minimum lot area of 2 acres.
- 7) Market Gardens**  
Market gardens shall be permitted on lots with a minimum lot area of 2 acres within the Agricultural zone.
- 8) Other General Provisions:**  
Other General Provisions shall be in accordance with the provisions of Section 3 hereof.

## **SECTION 12 - RURAL ZONES (RU)**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Rural (RU) Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law

### **12.1 Rural (RU) Zone**

#### **1) Permitted Uses:**

Agricultural use  
Agricultural use (small)  
Bed and Breakfast  
Cemetery  
Church  
Conservation use  
Equestrian Use  
Home Occupation  
Farm produce outlet  
Forestry use  
Intensive livestock operation  
Kennel  
Market Garden  
Mobile home only as a secondary dwelling related to the agricultural use  
Single detached dwelling  
Veterinary establishment  
Wayside pit or wayside quarry  
Dwelling accessory to an agricultural use, kennel, or veterinary establishment

#### **2) Zone Requirements:**

a) Agricultural use, Conservation use, Forestry use, ~~Hobby Farm use~~ and Kennel use, in accordance with the provisions of the Agricultural Zone. **[By-law Z-05-2014]**

b) Other Non-Residential Uses:

Lot Area (minimum): 10,000 m<sup>2</sup>

Lot Frontage (minimum): 60 m

Yard Requirements (minimum):

Front 15 m

Rear 15 m

## **SECTION 12 - RURAL ZONES (RU)**

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	Exterior Side	15 m	
	Interior Side	15 m	
	Building Height (maximum)	9 m	
	Lot Coverage (maximum)	10%	
c)	Single detached dwelling:		
	Lot Area (minimum):	4000 m <sup>2</sup>	
	Lot Frontage (minimum):	30 m	
	Yard Requirements (minimum):		
	Front	7.5 m	
	Rear	7.5 m	
	Exterior Side	7.5 m	
	Interior Side	3 m	
	Building Height (maximum)	9 m	
	Lot Coverage (maximum)	10 %	
	Dwellings Per Lot (maximum)	1	
	Dwelling Unit Floor Area (Min)	75 m <sup>2</sup>	[By-law Z-05-2014]
d)	<b>Agricultural Use (small), Market Garden</b>		
	Minimum Lot Size:	0.8 ha	
	Minimum Frontage:	30 m	
	Minimum Front Yard Setback:	15 m	
	Minimum Rear Yard Setback:	15 m	
	Minimum Interior Yard Setback:	15 m	
	Minimum Exterior Yard Setback:	15 m	

## **SECTION 12 - RURAL ZONES (RU)**

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e) **Equestrian Use**

Minimum Lot Size: 10 acres

Minimum Frontage: 60 m

Minimum Front Yard Setback: 15 m

Minimum Rear Yard Setback: 15 m

Minimum Interior Yard Setback: 15 m

Minimum Exterior Yard Setback: 15 m

3) **Special Exception Zones**

See Schedule 12

4) **Holding Zones**

5) **Temporary Zones**

## **SECTION 12 - RURAL ZONES (RU)**

---

### **12.2 Additional Provisions for Rural Zones**

**1) Accessory Dwellings**

Accessory Dwellings Accessory dwellings shall conform to the requirements of the RR Zone.

**2) Wayside Pit or Wayside Quarry**

The requirements of the Aggregate Resources Act shall apply to any Wayside Pit or Wayside Quarry.

**3) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 13 WRECKING YARD (WY)**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Wrecking Yard (WY) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **13.1 Wrecking Yard (WY) Zone**

#### **1) Permitted Uses:**

- Automobile shop
- Commercial garage
- Salvage yard
- Wrecking yard
- Accessory dwelling

#### **2) Zone Requirements:**

Yard Requirements (minimum):

All Yards ~~50-m~~ 12 m

[By-law Z-05-2014]

Notwithstanding the above Yard requirements, no Wrecking Yard Zone will be established within 100 m of a dwelling on another lot or within 150 m of a water body or a watercourse.

#### **3) Special Exception Zones**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Zones**

## **SECTION 13 WRECKING YARD (WY)**

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### **13.2 Additional Provisions for Wrecking Yard Zones**

**1) Accessory Dwellings**

Accessory dwellings shall conform to the requirements of the ~~RR~~ R1 Zone.

[By-law Z-05-2014]

**2) Buffering**

A fence or wall, a minimum of 2.5 m in height and composed of opaque material shall be provided around the area used or to be used for the storage of scrap, junk, automobile or other vehicles or machinery. In addition coniferous trees shall be planted along the exterior of the fence or wall to effectively screen the Wrecking Yard.

**3) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 14 - WASTE DISPOSAL ZONE (WM)**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Waste Management (WM) Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **14.1 Waste Disposal (WM) Zone**

#### **1) Permitted Uses:**

Waste management site

#### **2) Zone Requirements**

Lot Area (Min)                      40,000 m<sup>2</sup>

Yard Requirements (Min)

All Yards                              15 m

Notwithstanding the above yard requirements, no Waste Disposal Zone will be established within 300 m of a residential dwelling in any other zone. All other general provisions shall be in accordance with Section 3 of By-law 08-2014.

[By-law Z-05-2014]

#### **3) Special Exception Zones**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Zones**



## **SECTION 14 - WASTE DISPOSAL ZONE (WM)**

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### **14.2 Additional Provisions for Waste Disposal Zones**

#### **1) Other General Provisions:**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 15 - MINERAL AGGREGATES ZONES**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Mineral Aggregate Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **15.1 Mineral Aggregate -Pit (MP) Zone**

[By-law Z-05-2014]

#### **1) Permitted Uses:**

Agricultural use excluding buildings  
Conservation use  
Forestry Use  
Pit  
Crushing, screening, washing and storage

#### **2) Zone Requirements:**

(a) Agricultural use, conservation or forestry use:

In accordance with the requirements of the RU Zone

(b) Pit, crushing, screening, washing and storage:

Yard Requirements (Minimum):

All Yards            15 m

Notwithstanding the above Yard requirements, no Mineral Aggregate -Pit Zone will be established within 120 m of a residential dwelling on another lot.

#### **3) Special Exception Zones**

See Schedule 12

#### **4) Holding Zones**

#### **5) Temporary Zones**

## **SECTION 15 - MINERAL AGGREGATES ZONES**

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### **15.2 Mineral Aggregate – Quarry (MQ) Zone**

[By-law Z-05-2014]

**1) Permitted Uses:**

Agricultural use excluding buildings  
Conservation Use  
Forestry Use  
Pit  
Quarry  
Crushing, Screening, Washing and Storage  
Asphalt plant  
Concrete plant

**2) Zone Requirements:**

Agriculture Use, Conservation or Forestry Use:

In accordance with the requirements of the Rural Zone.

Pit:

In accordance with the requirements of the MP zone.

Quarry, Crushing, Screening, Washing and Storage, Asphalt Plant, Concrete Plant:

Yard Requirements (minimum)

All Yards	30 m
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Notwithstanding the above Yard requirements, no Mineral Aggregate -Quarry (MQ) Zone shall be located within 300 m of a residential dwelling on another lot.

**3) Special Exception Zones**

See Schedule 12

**4) Holding Zones**

See Schedule 12

**5) Temporary Zones**

## **SECTION 15 - MINERAL AGGREGATES ZONES**

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### **15.3 Mineral Aggregate-Reserve (MA) Zone**

**1) Permitted Uses:**

[By-law Z-05-2014]

- Agricultural use excluding buildings and structures
- Environmental preserve and educational area
- Forestry use
- Park excluding buildings
- Outdoor recreation use excluding buildings

### **15.4 Additional Provisions for Mineral Aggregate Zones**

**1) Wayside Pit or Wayside Quarry:**

The requirements of the Aggregate Resources Act shall apply to any Wayside Pit or Wayside Quarry.

**2) Other General Provisions:**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 16 - FLOOD PLAIN ZONE (FP)**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Flood Plain (FP) Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **16.1 Flood Plain (FP) Zone**

#### **1) Permitted Uses:**

Agricultural

Conservation and forestry uses excluding buildings

Golf course, excluding buildings

Marine facility

Outdoor recreation

Parking area excluding buildings

Public park

Structure or use accessory to a residential use such as a patio, barbecue or similar use,  
but excluding a building.

### **16.2 Additional Provisions for Flood Plain Zones**

1) No buildings or structures whether or not associated with any of the above provided uses shall be erected in the Flood Plain (FP) Zone, except where needed for flood control measure.

#### **2) Other General Provisions:**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 17 - HAZARD LAND ZONE**

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No person shall hereafter use any land, nor erect, alter, enlarge or use any building or structure in a Hazard Land Zone except in accordance with the provisions of this Section and of any other relevant Sections of this By-law.

### **17.1 Hazard Land Zone (H)**

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

Agricultural uses excluding buildings  
Conservation uses excluding buildings  
Forestry uses excluding buildings  
Golf course excluding buildings  
Marine facility  
Park excluding buildings  
Parking area excluding buildings

### **17.2 ADDITIONAL PROVISIONS FOR THE HAZARD LAND ZONE**

#### **a) Other general Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

#### **b) Non-Conforming Uses**

Notwithstanding the provisions of Section 16.1 and Section 3.29 hereof to the contrary, reconstruction, alterations, additions and/or extensions to legal non-conforming uses may occur in this zone, subject to written consent from the South Nation Conservation Authority, in order to insure safe and proper flood proofing of buildings or structures. Other permits and approvals from agencies and/or Ministries shall also apply.

### **17.3 SPECIAL EXCEPTION ZONES**

a) See Schedule 12

## **SECTION 18 - WETLANDS ZONE (WL)**

---

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Wetlands (WL) Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **18.1 Wetlands (WL) Zone**

#### **1) Permitted Uses:**

Agricultural use excluding buildings  
Conservation use  
Flood control structure forestry use  
Open space outdoor recreational facility excluding a golf course  
Public park  
Water storage use

#### **2) Zone Requirements:**

- a) No building or structure shall be located closer than 15 m to any lot line.
- b) The placing of fill or drainage improvements within the Wetlands (WL) Zone are prohibited unless written approval is received from the Corporation and the Ministry of Natural Resources.

#### **3) Special Exceptions**

(Reserved)

### **18.2 Additional Provisions for Wetlands Zones**

#### **1) Other General Provisions:**

Other general provisions shall be in accordance with Section 3 of this By-law.

## **SECTION 19 - PROVINCIALY SIGNIFICANT WETLAND ZONES**

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No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in a Provincially Significant Wetland Zone except in accordance with the provisions of this Section and any relevant Sections of this By-law.

### **19.1 Provincially Significant Wetland (PSW) Zone**

- 1) Permitted Uses:**  
Conservation use, excluding building  
Passive outdoor recreational use

**19.2 Zone Requirements:** none

### **19.3 Additional Provisions for Provincially Significant Wetland Zones**

- 1) Other general provisions:**  
Other general provisions shall be in accordance with Section 3 of this By-law



## **SECTION 20 - AREA OF NATURAL OR SCIENTIFIC INTEREST (ANSI) ZONE**

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an ANSI Zone except in accordance with the provisions of this Section and any other relevant Sections of this By-law.

### **20.1 Area of Natural or Scientific Interest (ANSI) Zone**

#### **1) Permitted Uses:**

Conservation use  
Flood control structure  
Forestry use  
Open space outdoor recreational facility excluding a golf course  
Public park  
Water storage use

#### **2) Zone Requirements:**

- a) No new dwelling shall be permitted unless written approval is received from the Conservation Authority.
- b) From the date of the passing of this By-law, existing dwellings are permitted to erect accessory structures.
- c) The placing or removal of fill within the ANSI Zone is prohibited unless written approval is received from the Conservation Authority or, where no Conservation Authority has jurisdiction, the Ministry of Natural Resources.

#### **3) Special Exceptions (Reserved)**

### **20.2 Additional Provisions for ANSI Zones**

#### **1) Other General Provisions**

Other general provisions shall be in accordance with Section 3 of this By-law.

**SECTION 21 APPENDICES**

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**THE CORPORATION OF THE  
TOWNSHIP OF NORTH STORMONT**

**BY-LAW NO. 08-2014**

**A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT** regulating the use of all land; and the density, size, location and the use of all buildings within its territory.

**WHEREAS** an Official Plan was adopted for the United Counties of Stormont, Dundas and Glengarry, on July 18, 2005

**AND WHEREAS** Section 27 of the Planning Act requires that the Zoning By-law of the Township of North Stormont be amended to conform to the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

**AND WHEREAS** Section 24 of the Planning Act provides that no Zoning By-law may be passed that does not conform with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

**AND WHEREAS** it is now deemed necessary and expedient to enact a new Zoning By-law for the Township of North Stormont which will be in conformity with the Official Plan;

**NOW THEREFORE** the Council of the Corporation of the Township of North Stormont, pursuant to Section 34 of the Planning Act, R.S.O. 1990, chapter P.13 enacts as follows:

**Read a first and second time this 28th, Day of January 2014.**



*Deputy*

**Mayor**



**Clerk**

**Read a third time, and passed in open Council this 28<sup>th</sup>, Day of January 2014.**



*Deputy*

**Mayor**



**Clerk**



## Schedule "12" - Zone Exceptions

This schedule sets out the list of special exceptions to the zoning by-law, their locations and the special provisions for permitted uses, zone requirements or any other requirements covered by the zoning by-law. This schedule shall be read in conjunction with the Zoning By-law text and Schedules 1 thru 10 of this by-law, which will show the location of these special exceptions within the township boundaries. The **Exception No.** column shows the number of exceptions in each zone. The **Special Zone Symbol** column shows the symbol as it appears on Schedule A. The **Roll Number** column gives the roll numbers of every property affected by the special exceptions. The **Special Zone Provision** column outlines the permitted uses, zone requirements or other requirements for each exception.

Exception No.	Special Zone Symbol	Roll Number	Special Zone Provision
R1			
1	R1-1	041101600984007 041101600984006 041101600984004 By-law 5-86	An existing second dwelling unit shall be permitted within the existing dwelling
2	R1-2	041101601082000 By-law 5-86	Minimum lot frontage = 3.5 m
3	R1-3h	041101600984016 041101600984018 041101600985100 By-law 5-86	<p>A single detached dwelling, group home, and accessory apartment shall be permitted uses.</p> <p>Zone requirements            Minimum lot area = 450 m<sup>2</sup> (with water &amp; sewer)            2000 m<sup>2</sup> (sewer or water)</p> <p>Minimum lot frontage = 15m (water &amp; sewer), 30m (water or sewer).            Minimum yard requirements            - exterior side = 6m</p> <p>An accessory apartment shall mean a self-contained dwelling unit created through the conversion of part of or the addition on a permitted dwelling, where the accessory apartment does not occupy the whole of a storey, for this exception only.</p> <p>The holding zone shall restrict development of the land until the requirements of the Official Plan related to holding zones have been met.</p>

4	R1-4h	041101600984016 041101600984018 By-law 5-86	A single detached dwelling, group home, and accessory apartment shall be permitted uses.  Zone requirements Minimum lot area = same as R1-3h Min. lot frontage = same as R1-3h Minimum yard requirements - exterior side = 6m  An accessory apartment shall mean a self-contained dwelling unit created through the conversion of part of or the addition on a permitted dwelling, where the accessory apartment does not occupy the whole of a storey, for this exception only.  The holding zone shall restrict development of the land until the requirements of the Official Plan related to holding zones have been met.
5	R1-5	041101601116005 By-law 5-86	Structures permitted (max) = 1 Dwellings per Structure (max) = 2
6	R1-6	041100901041000 By-law 17-1986(R1-1)	Dwellings per lot within the same structure (max) 2
7	R1-7	041101600972080 By-law 29-04	A workshop for the manufacturing of kitchen cupboards and a related office and retail showroom
8	R1-8	041101600509010 By-law 76-2008	On the lands zoned R1-8, Part Lot 30, Concession 3, former Roxborough Township, known municipally as 3299 Main St. Avonmore, the following provisions shall apply: Zone requirements Minimum Lot Area = 1920.3 m <sup>2</sup> (20,670 ft <sup>2</sup> ) Minimum Frontage = 23.77 m (78 ft)
9	R1-9	041100900711340 to 041100900711357 Inclusive By-law 50-2009	Interior side yard (min) 1.2 m. Building height (max) 11 m.
10	R1-10	041100900711349 041100900711350 By-law 07-2011	Interior (north) side yard 1.2 m. min. Exterior (south) side yard 6 m. min. Building height 11 m. max. Further; no permanent or temporary development including buildings, structures, decks, patios, sheds, garages or

			any construction whether accessory to or unrelated to the primary use of the land shall be permitted within the exterior (south) side yard setback, without authorization of the Township of North Stormont, South Nation Conservation Authority and any other agency with jurisdiction concerning the adjacent watercourse.
11	R1-11	041100900711330 By-law 13-2012	<p>Permitted uses: Pet grooming shall be permitted in addition to the other uses of the Residential First Density (R1) zone.</p> <p>Pet Grooming shall mean cleaning, styling or otherwise maintaining the appearance of household pets and shall exclude veterinary care, animal boarding, pet training or other services provided by a kennel.</p> <p>Yard setback requirements: Interior side yard (min) 1.2 m. Building Height (max) 11 m.</p>
12	R1-12	041100900704800	A power tool shop shall also be permitted
13	R1-13	041101600986000	<p>On the land zoned R1-13, the following shall be the permitted uses:</p> <ul style="list-style-type: none"> <li>- Single detached dwelling</li> <li>- Contractor's Shop</li> <li>- Workshop</li> </ul>
14	R1-14(h)	041100901095240 By-law 100-2011	<p>With Municipal Water Supply &amp; Sewer Yard Requirements (min.) Interior Side 1.2 m. Building Height (max.) 11 m.</p> <p>Holding Zones</p> <p>No lands shall be used and no buildings or structures shall be erected for any purpose other than uses existing for such land, building or structure on the date of passing of this by-law. Any change from the holding status shall require an amendment to this By-law, under Section 36 of the Planning Act and the Municipality may require that the applicant enter into an agreement for the development of the lands prior to the development being adopted.</p>

15	R1-15	041100901095240 By-law Z-08-2012	Removal of holding designation, By-law 100-2011
R2			
1	R2-1	041100900824600 By-law 17-1986	Structure may be converted into a 14 unit apartment building subject to approval of private water and sewer services. 1 parking space per dwelling unit shall be required and the required parking may be provided on another lot.
2	R2-2	041100900803000 By-law 17-1986	On the lands zoned R2-2, the following zone provisions shall apply: Minimum lot area = 607m <sup>2</sup> Minimum frontage = 30m Minimum yard requirements - rear = 4m
3	R2-2h	041101600984016 041101600984018 041101600985100	<p>Single family dwelling, semi-detached dwelling, duplex, group home and an accessory apartment shall be permitted.</p> <p>Zone requirements</p> <p>Minimum lot area</p> <ul style="list-style-type: none"> <li>- single family dwelling = 560m<sup>2</sup></li> <li>- semi-detached dwelling = 300m<sup>2</sup>/dwelling unit</li> <li>- duplex and group home = 600m<sup>2</sup></li> </ul> <p>Minimum lot frontage</p> <ul style="list-style-type: none"> <li>- single family dwelling = 18m</li> <li>- semi-detached dwelling = 10.5m/dwelling unit</li> <li>- duplex and group home = 20m</li> </ul> <p>Yard requirements</p> <ul style="list-style-type: none"> <li>- front = 6.0m</li> <li>- rear = 6.0m</li> <li>- exterior side = 6m</li> <li>- interior side = 1.2m</li> </ul> <p>An accessory apartment shall mean a self-contained dwelling unit created through the conversion of part of or the addition on a permitted dwelling, where the accessory apartment does not occupy the whole of a storey, for this exception only.</p> <p>The holding zone shall restrict development of the land until the requirements of the Official Plan related to holding zones have been met.</p>



4	R2-3	041100900830000 By-law 17-1986	On the lands zoned R2-3, the following zone provisions shall apply: Minimum lot area = 607 m <sup>2</sup> Minimum frontage = 20 m Minimum yard requirements - interior side – 2.4 m
5	R2-4	041100900779600 By-law 17-1986	On the lands zoned R2-4, the following zone provisions shall apply: Minimum lot area = 607 m <sup>2</sup> Minimum frontage = 20 m Minimum yard requirements - interior side = 2.4 m
6	R2-5	041101600984016 041101600984018 By-law 5-86 (R2-1) By-law 5-86	A single detached dwelling, semi-detached dwelling, duplex, converted dwelling, group home, row dwelling, apartment, triplex and an accessory apartment shall be permitted. Zone requirements: Moose Creek & other Hamlets; Single detached dwelling & group homes Minimum lot area: <ul style="list-style-type: none"> <li>- Sewer &amp; water 450 sq. m.(M.C.)</li> <li>- Sewer or water 2000 sq. m.(M.C.)</li> <li>- Other Hamlets 2000 sq. m.(other)</li> </ul> Lot Frontage <ul style="list-style-type: none"> <li>- Sewer &amp; water (min) 15 m. (M.C.)</li> <li>- Sewer or water (min) 30 m. (M.C.)</li> <li>- Other Hamlets (min) 30 m. (other)</li> </ul> Yard Requirements (min) <ul style="list-style-type: none"> <li>- Front (M.C.) water &amp; sewer 6 m.</li> <li>- Front (M.C.) water or sewer 6 m.</li> <li>- Front (other hamlets) 7.5 m.</li> <li>- Rear (M.C.) &amp; (other hamlets) 7.5 m</li> <li>- Exterior side (M.C.) 6 m.</li> <li>- Exterior side (other hamlets) 7.5 m.</li> <li>- Interior side (M.C. water &amp; sewer) 1.2 m.</li> <li>- Interior side (M.C. water or sewer) 2 m</li> <li>- Interior side (other hamlets) 3 m.</li> </ul> Building Height (max) <ul style="list-style-type: none"> <li>- Sewer &amp; water (M.C.) 11 m.</li> <li>- Sewer or water (M.C.) 11 m.</li> <li>- Other Hamlets 9 m.</li> </ul> Lot Coverage (max)

			<ul style="list-style-type: none"> <li>- Sewer &amp; water (M.C.) 35%</li> <li>- Sewer or water (M.C.) 15%</li> <li>- Other Hamlets 35%</li> </ul> <p>Floor Area (min)</p> <ul style="list-style-type: none"> <li>- 75 sq. m.</li> </ul> <p>Dwellings per Lot (max) 1</p> <p>Zone Requirements:  semi- detached, duplex or converted, row,  apartment, triplex, group home</p> <p>Lot Area (min)</p> <ul style="list-style-type: none"> <li>- Semi's – sewer &amp; water (M.C.) 600 sq. m.</li> <li>- Semi's – sewer or water (M.C.) 2000 sq. m.</li> <li>- Semi's – other hamlets 4000 sq. m.</li> <li>- Duplex or converted – sewer &amp; water (M.C.) 515 sq. m.</li> <li>- Duplex or converted sewer or water (M. C.) 2000 sq. m.</li> <li>- Duplex or converted other hamlets 4000 sq. m.</li> <li>- Row water &amp; sewer (M.C.) 800 sq. m. plus 200 sq. m. per unit over 4 units</li> <li>- Row water or sewer (M.C.) 4000 sq. m. plus 1000 sq. m. per unit over 4 units</li> <li>- Row other hamlets 4000 sq. m.</li> <li>- Apartment water &amp; sewer (M.C.) 700 sq. m. plus 105 sq. m. per unit over 6 units</li> <li>- Apartment sewer or water (M.C.) 4000 sq. m. plus 1000 sq. m. per unit over 6 units</li> <li>- Apartment other hamlets 4000 sq. m.</li> <li>- Triplex sewer &amp; water (M.C.) 800 sq. m.</li> <li>- Triplex sewer or water (M.C.) 4000 sq. m.</li> <li>- Triplex other hamlets 4000 sq. m.</li> <li>- Group Home; as above</li> </ul> <p>Lot Frontage (min)</p> <ul style="list-style-type: none"> <li>- Semi's sewer &amp; water (M.C.) 21 m.</li> </ul>
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			<ul style="list-style-type: none"> <li>- Semi's sewer or water (M.C.) 30 m.</li> <li>- Semi's other hamlets 45 m.</li> <li>- Duplex or converted sewer &amp; water (M.C.) 20 m.</li> <li>- Duplex or converted sewer or water (M.C.) 30 m.</li> <li>- Duplex other hamlets 45 m.</li> <li>- Row water &amp; sewer (M.C.) 6 m. per unit</li> <li>- Row water or sewer (M.C.) 30 m.</li> <li>- Row other hamlets 45 m.</li> <li>- Apartment sewer &amp; water (M.C.) 30 m.</li> <li>- Apartment sewer or water (M.C.) 35 m.</li> <li>- Apartment other hamlets 45 m.</li> <li>- Triplex sewer &amp; water (M.C.) 20 m.</li> <li>- Triplex sewer or water (M.C.) 30 m.</li> <li>- Triplex other hamlets 45 m.</li> <li>- Group Home as above</li> </ul> <p>Lot coverage max):</p> <ul style="list-style-type: none"> <li>- Semi's sewer &amp; water (M.C.) 35%</li> <li>- Semi's sewer or water (M.C.) 20%</li> <li>- Semi's other hamlets 35%</li> <li>- Duplex or converted sewer &amp; water (M.C.) 35%</li> <li>- Duplex or converted sewer or water (M.C.) 20%</li> <li>- Duplex other hamlets 35%</li> <li>- Row sewer &amp; water (M.C.) 40%</li> <li>- Row sewer or water (M.C.) 15%</li> <li>- Row other hamlets 35%</li> <li>- Apartment sewer &amp; water (M.C.) 40%</li> <li>- Apartment sewer or water (M.C.) 15%</li> <li>- Apartment other hamlets 35%</li> <li>- Triplex sewer &amp; water (M.C.) 40%</li> <li>- Triplex sewer or water (M.C.) 15%</li> <li>- Triplex other hamlets 35%</li> <li>- Group Homes as above</li> </ul> <p>Front Yard (min): All uses except Group</p> <ul style="list-style-type: none"> <li>- Sewer &amp; water 6 m.</li> <li>- Sewer or water 6 m.</li> </ul>
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			<ul style="list-style-type: none"> <li>- Other hamlets 9 m.</li> <li>- Group Homes as above</li> </ul> <p>Interior Side Yard (min):</p> <ul style="list-style-type: none"> <li>- Semi's sewer &amp; water (M.C.) 1.2 m.</li> <li>- Semi's sewer or water (M.C.) 1.2 m.</li> <li>- Semi's other hamlets 3 m.</li> <li>- All other uses except Group Homes sewer &amp; water (M.C.) 2 m.</li> <li>- All other use except Group Homes sewer or water (M.C.) 2 m.</li> <li>- All other uses except Group Homes other hamlets 3 m.</li> <li>- Group Homes as above</li> </ul> <p>Exterior Side Yards (min): All uses except Group Homes;</p> <ul style="list-style-type: none"> <li>- Sewer &amp; water (M.C.) 6 m.</li> <li>- Sewer or water (M.C.) 6 m.</li> <li>- Other hamlets 9 m.</li> <li>- Group Home as above</li> </ul> <p>Rear Yard (min): All uses except Group</p> <ul style="list-style-type: none"> <li>- Sewer &amp; water (M.C.) 7.5 m.</li> <li>- Sewer or water (M.C.) 7.5 m.</li> <li>- Other hamlets 9 m.</li> <li>- Group Homes as above</li> </ul> <p>Building Height (max)</p> <ul style="list-style-type: none"> <li>- Apartment sewer &amp; water (M.C.) 15 m.</li> <li>- Apartment sewer or water (M.C.) 15 m.</li> <li>- Apartment other hamlets 12 m.</li> <li>- All other uses except Group Homes sewer &amp; water (M.C.) 11 m., sewer or water (M.C.) 11 m., other hamlets 12 m.</li> <li>- Group Homes as above</li> </ul> <p>Floor Area per Dwelling Unit (min)</p> <ul style="list-style-type: none"> <li>- Semi's, duplex &amp; row, sewer &amp; water (M.C.) 60 sq. m.</li> <li>- Semi's, duplex &amp; row, sewer or water (M.C.) 60 sq. m.</li> <li>- Semi's, duplex &amp; row other hamlets 60 sq. m.</li> <li>- Converted, triplex and apartment, sewer &amp; water (M.C.) 37 sq. m.</li> </ul>
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			<ul style="list-style-type: none"> <li>- Converted, triplex and apartment sewer or water (M.C.) 37 sq. m.</li> <li>- Converted, triplex and apartment other hamlets 37 sq. m.</li> <li>- Group Homes as above</li> </ul> <p>Special Provisions:</p> <p>(a) For the purpose of the R2-5 zone, an accessory apartment shall mean a self-contained dwelling unit created through the conversion of part of or the addition onto a permitted dwelling (i.e., single detached dwelling only), where the accessory apartment does not occupy the whole of a storey.</p> <p>(b) Holding Zones  Any parcel or area of land within the R2-5 zone may be further classified as a holding zone with the addition of the suffix “h” (i.e., R2-5h). The intent is to signify Council’s approval in principle to future development of the land for the purposes indicated by the symbol. The holding classification added to a given zone shall restrict development of the land until the requirements of the Official Plan related to holding zones have been met.  Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected for any purpose other than those uses existing for such lands, buildings or structures on the date of the passing of this By-law. Any changes from the holding status shall require an amendment to this By-law under Section 34 of the Planning Act and the municipality may require that the applicant enter into a agreement for the development of his/her lands prior to the</p>
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			amendment being adopted.
7	R2-6	041101600984018 041101600984016 By-law 5-86(R2-2)	Single family dwelling, semi-detached dwelling, duplex, group home and an accessory apartment shall be permitted. Zone requirements Same as R2-5  Special Provisions: Same as R2-5
8	R2-7	041101601009300 041101601009290 By-law 5-86(R2-3)	Maximum number of dwelling units permitted shall be 8 and the minimum number of dwelling units permitted shall be 2.
9	R2-8	041100900790100 By-law 027-02	The lands zoned R2-8, located in Lot 7, Block D, Plan 12, in the Hamlet of Crysler, shall be used in accordance with the following provisions: Zone Requirements Minimum lot area = 600 m <sup>2</sup> Minimum frontage = 20 m Interior side yard = 2.4 m
10	R2-9	041100900996000 By-law 30-02	On the land zoned R2-9, an 8 unit senior citizens' apartment shall be permitted in accordance with the following zone requirements: Zone requirements Minimum lot area = 1600 m <sup>2</sup> Minimum frontage = 40 m Rear yard = 6m
11	R2-10	041101601034000 By-law 015-04	A single detached dwelling shall be permitted in addition to the existing dwelling, notwithstanding that some of the setbacks may not comply with the zone requirements, provided that the said setbacks are not lessened.
12	R2-12	041100901002005	On the lands zoned R2-12, a 3-unit row dwelling shall be permitted in accordance

			<p>with the following:</p> <p>Zone requirements  Minimum lot area = 679 m<sup>2</sup>  Minimum frontage = 30 m  Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 6 m</li> <li>- rear = 4.5 m</li> <li>- exterior side = 6 m</li> </ul> <p>Maximum lot coverage = 37%  Parking (minimum) = 1 space per dwelling unit which may be partially located in a road allowance.</p>
13	R2-12 and R2-13	041100901002005 041100901002003 By-law 082-07	<p>On the lands zoned R2-12 (38 Queen St., Crysler) the permitted use shall be a 3 unit row dwelling in accordance with the following zone requirements:  Lot Area (min.) 679 sq. m.  Lot Frontage (min.) (Queen St.) 30 m.  Yard Requirements (min.)</p> <p>Front 6 m.  Rear 4.5 m.  Exterior Side 6 m.  Lot Coverage (max.) 37 %  Parking 1 per dwelling unit which may be partially located in a road allowance.</p> <p>On the lands zoned R2-13 (40 Queen Sat., Crysler) the permitted use shall be a 6 unit multiple residential dwelling in accordance with the following zone requirements:  Lot Area (min.) 1413 sq. m.  Lot Frontage (min.) (Queen St.) 48 m.  Yard Requirements (min.)</p> <p>Front 1.8 m.  Rear 3.2 m.  Interior Side 1.8 m.  Lot Coverage (max.) 38%  Parking (min.) 1 per dwelling unit which may be partially located in a road allowance.</p>
85	R2-13	041100901002003	<p>On the lands zoned R2-13, a 6 unit multiple residential dwelling shall be permitted in accordance with the following:</p> <p>Zone requirements  Minimum lot area = 1413 m<sup>2</sup></p>

			<p>Minimum frontage = 48 m</p> <p>Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 1.8 m</li> <li>- rear = 3.2 m</li> <li>- interior side = 1.8 m</li> </ul> <p>Maximum lot coverage = 38%</p> <p>Parking (minimum) = 1 space per dwelling unit which may be partially located in a road allowance.</p>
86	R2-14	041100900834010 By-law 90-07	<p>On the lands zoned R2-14, a semi-detached residential dwelling shall be permitted in accordance with the following:</p> <p>Zone requirements</p> <p>Minimum lot area = 720 m<sup>2</sup></p> <p>Minimum lot frontage = 22 m</p> <p>Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 6 m</li> <li>- rear = 1.2 m</li> </ul> <p>Maximum lot coverage = 35%</p>
14	R2-15	041101600984012 Severed By-law 21-2009	<p>On the lands zoned R2-154, being the severed portion of SD&amp;G Severance Application no. B-155/08, the provisions of the R2-1 special exception zone shall apply.</p>
15	R2-16	041100901095231 041100901095234 By-law 22-2009	<p>On the lands zoned R2-16 the permitted use shall be a semi-detached residential dwelling in accordance with the following zone requirements:</p> <p>Lot Area (minimum): 720m<sup>2</sup></p> <p>Lot Frontage (minimum): 22m</p> <p>Yard Requirements (minimum):</p> <ul style="list-style-type: none"> <li>- Front 6m</li> <li>- Exterior Side 6m</li> <li>- Interior Side 1.2m</li> </ul> <p>Lot Coverage (maximum): 35%</p>
16	R2-17	041100900826000 By-law 35-2009	<p>On the lands zoned R2-17 the permitted use shall be a semi-detached residential dwelling and the existing conditions, on the date of passing of By-law 35-2009, shall be considered to meet the zone requirements.</p>
17	R2-18	041101600577000 By-law 85-2009	<p>On the lands zoned R2-18, the following provisions shall apply:</p> <p>Lot Frontage (minimum): 40m (132 feet)</p>
18	R2-19	041100900813000	<p>On the lands zoned R2-19, the following</p>



		By-law 2302010	provisions shall apply: Interior Side Yard (minimum) 1.2m Building Height (maximum) 11m
19	R2-20	041101600986015 By-law 04-2011	Notwithstanding any other provisions of this By-law hereof to the contrary, on the lands zoned R2-20, located on the East ½ Lot 19, Con. 7, former Roxborough Twp., municipally known as 2108 Valley St., Moose Creek, the permitted use shall be one 3 unit row dwelling in accordance with the following zone requirements: Lot Area (minimum) 4000sq. m. (43,056 sq. ft.) Lot Frontage (minimum) 12.2 m. (40 ft.) Yard Requirements (minimum) - Interior Side Yard 2 m - Exterior Side Yard 6 m. - Front 6 m. - Rear 7.5 m. Floor Area per Dwelling unit 60 sq. m. Lot Coverage (max.) 15% Building Height (max.) 11 m.
20	R2-21	041100900834000 By-LawZ-02-2012	Notwithstanding the permitted uses and zone requirements on lands zoned R2-21 (Part of Lots 11 & 12, Con. 10, Pts. 1,2,7 & 8 RP 52R-5932, former Twp. Of Finch, village of Crysler) a 12 unit Condominium residence shall be permitted in accordance with the following: Lot Frontage (min.) 40 m. (131.23 ft.) Lot Area (min.) 2428 sq. m. (26,136 sq. ft.) West side yard (min.) 3 m. (10 ft.) Lot coverage (max) 38%
21	R2-22 & R2-23	041100900813000 By-law Z-06-2012  Note: the holding designation on this zone was removed by council on August 20 <sup>th</sup> , 2013 by zoning by-law amendment Z-07-2013.	Notwithstanding the provisions of this by-law, the following provisions shall apply: a) With Municipal Water Supply & Sewer Single Detached Dwelling Lot Area (min.) 450 sq. m. Lot Frontage (min.) 15 m. Lot Coverage (max.) 45% Front Yard (min.) 6 m. Interior Side Yard (min.) 1.2 m.

			<p>Exterior Side Yard (min.) 6 m.  Rear Yard (min.) 7.5 m.  Building Height (max.) 11 m.  Floor Area per Dwelling Unit (max.) 75 sq. m.</p> <p>Semi Detached Dwelling  Lot Area (min.) 540 sq. m.  Lot Frontage (min.) 18 m.  Lot Coverage (max.) 40 m.  Front Yard (min.) 6 m.  Interior Side Yard (min) 1.2 m.  Exterior Side Yard (min.) 6 m.  Rear Yard (min.) 7.5 m.  Building Height (max.) 11 m.</p> <p>b) With Municipal Water Supply &amp; Sewer</p> <p>Row House Dwelling : Zone Requirements  Lot Area (min.) 180 sq. m.  Lot Frontage (min.) 6.0 m. per unit plus side yard requirements where applicable  Front Yard Depth (min.) 6 m.  Exterior Side Yard Width (min.) 6 m.  Interior Side yard Width (min.)  Rear Yard Depth (min.) 7.5 m.  Not more than eight (8) units shall be in any one row house dwelling  Building Height (max.) 11 m.  Lot Coverage (max.) 35%  Dwelling Unit Area (min.) 65 sq. m.  Landscaped open space (min.) 35%  Main Building Spacing (min.) 3.0 m.</p> <p>Apartment Dwelling House: Zone Requirements  Lot Area (min.) 230.0 sq. m. per unit for the first four (4) units, plus 45 sq. m. for each additional unit in excess of four (4)  Lot Frontage (min.) 30 m.  Front Yard Depth (min.) 9.0 m.  Exterior Side Yard Width (min.) 7.5 m.  Interior Side Yard Width (min.) 3 m.  Rear Yard Depth (min.) 7.5 m.</p>
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			<p>Building Height (max.) 11.0 m.  Lot Coverage (max.) 35%  Dwelling Unit Area (min.):  Bachelor Unit 45 sq. m.  One Bedroom Unit 45 sq. m.  Two bedroom Unit 55 sq. m.  Over Two Bedrooms 65 sq. m.  Landscaped Open Space (min.) 35%</p> <p>c) Holding Zones  No lands shall be used and no buildings or structures shall be erected for any purpose other than those uses existing for such land, building or structure on the date of the passing of this by-law. Any change from the holding status shall require an amendment to this by-law, under Section 36 of the Planning Act and the municipality may require that the applicant enter into an agreement for the development of the lands prior to the amendment being adopted.</p>
R3			
1.	R3-1	041101100025700 By-law 01-2019	In addition to the zoning provisions of the Residential Third Density (R3) zone, on properties zoned R3-1, up to three residential units shall be permitted in the existing building that do not share a common access point.
RR			
R4			
1.	R4-1	041100900813031 By-law 14-2016	<p>Notwithstanding the provisions of Section 6.4, the following uses and setbacks shall apply:</p> <p>1. In addition to the residential uses permitted within the R4 zone, the following commercial uses shall be permitted:</p> <p style="text-align: center;">Beauty Salon  Convenience Store  Office  Pharmacy  Retail Store</p>

			<p>2. The setbacks for the Residential Second Density – Exception Twenty-Two (R2-22) shall continue to apply to the subject lands for residential development.</p> <p>3. Mixed use developmes with commercial uses shall comply with the setbacks of the General Commercial (CG) zone.</p>
<b>RMHS</b>			
1	RMHS-1	041101600770000 By-law 9/1995	<p>Single family dwelling, double wide mobile home, and modular dwelling shall be permitted.</p> <p>Minimum lot area = 700m<sup>2</sup> Minimum lot frontage = 21m</p> <p>Yard Requirements</p> <ul style="list-style-type: none"> <li>- Front = 7.5m</li> <li>- Rear = 5m</li> <li>- Exterior Side = 7.5m</li> <li>- Interior Side = 7.5m</li> </ul> <p>Maximum building height= 10.5m Maximum lot coverage = 25% Minimum floor area = 75m<sup>2</sup> Maximum dwellings per lot = 1</p> <p>A double wide mobile home shall mean any mobile home, as herein defined, which is constructed in accordance with the requirements of CSA Z240 and which is constructed in at least two sections and transported to and assembled on the lot so that the ratio of width to length is 1:2.5 or greater</p> <p>A modular dwelling shall mean any factory-built houses constructed in accordance with the requirements of CSA A-277.</p>
<b>RMHP</b>			
1	RMHP-1	041101600770000 REG'D PLAN No360 By-law 9/1995	<p>Single wide mobile home, double wide mobile home, site built transportable dwelling shall be permitted uses.</p> <p>Zone Requirements for single and double wide mobile home sites</p> <p>Minimum lot area</p> <ul style="list-style-type: none"> <li>- Piped water and sewer = 450m<sup>2</sup></li> <li>- Individual well and piped sewer = 810 m<sup>2</sup></li> <li>- Individual well and septic system =</li> </ul>

			<p>2000m<sup>2</sup></p> <p>Minimum site frontage</p> <ul style="list-style-type: none"> <li>- piped water and sewer = 15m</li> <li>- individual well and piped sewer = 22.5m</li> <li>- individual well and septic system = 30m</li> </ul> <p>Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 7.5m</li> <li>- rear = 4.5m</li> <li>- exterior side = 7.5m</li> <li>- interior side = 3m</li> </ul> <p>Maximum building height = 6m</p> <p>Maximum site coverage = 35%</p> <p>Minimum floor area = 37m<sup>2</sup></p> <p>Maximum units per site = 1</p> <p>Single wide and double wide mobile homes shall mean any mobile home, as herein defined, which is constructed in accordance with the requirements of CSA Z240</p> <p>Zone Requirements for site built transportable dwellings</p> <p>Minimum site area = 810 m<sup>2</sup></p> <p>Minimum frontage = 22.5m</p> <p>Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 7.5m</li> <li>- rear = 12m</li> <li>- exterior side = 7.5m</li> <li>- interior side = 4.5m</li> </ul> <p>Maximum building height = 6m</p> <p>Maximum site coverage = 35%</p> <p>Minimum floor area = 75m<sup>2</sup></p> <p style="text-align: right;">[By-law Z-05-2014]</p> <p>Maximum dwellings per site = 1</p>
RT			
1	Rt-1 NOW R1	041101100075000	<p>Notwithstanding anything else in this By-law, on the lands zoned "Residential temporary use" (Rt), known as 87 Front St., former Village of Finch, and legally described as West Part Lot 15, Concession 2, a second single-family detached dwelling may be erected in the rear yard of the property, provided:</p> <p>a) The subject dwelling shall be used</p>

			<p>only as a “garden suite” for a period not exceeding ten (10) years to July 13, 2014, or until such earlier time as the “garden suite” is no longer required for the purpose for which it is to be used, at which time the temporary use shall cease and this provision shall be deemed to be repealed; and</p> <p>b) all the applicable requirements and provision of Zoning By-law No. 183-1980 are met.</p>
CG			
1	CG-1	041101600600000 041101600599000 By-law 5-86	The number of required parking spaces may be reduced by 50%
2	CG-2	041101600371000 By-law 5-86	<p>A bank, clinic, funeral parlour, retail store, service outlet, dwelling unit within the existing structure shall be permitted</p> <p>Zone requirements</p> <p>Minimum lot area = 1999m<sup>2</sup></p> <p>Number of parking spaces = 30</p>
3	CG-3	041101601135000 By-law 5-86	Multiple unit dwellings, being a building containing two or more dwelling units shall be permitted. The General Provisions of the Zoning By-law relating to residential use of property shall apply to land zoned C-2.
4	CG-4	041100901002006	<p>The lands zoned C-4, located in part of the west half of Lot 13, Concession 9, in the former Township of Finch may be used in accordance with the following provisions:</p> <p><u>Permitted Uses:</u></p> <p>Service Outlet</p> <p>Accessory Dwelling</p> <p><u>Zone requirements:</u></p> <p>Minimum lot area = 2000 m<sup>2</sup></p> <p>Minimum lot frontage = 40 m</p> <p>Minimum yard requirements</p> <ul style="list-style-type: none"> <li>- front = 6m</li> <li>- rear = 3.3 m</li> <li>- exterior side = 7.6 m</li> <li>- interior side = 6 m</li> </ul>
5	CG-4	041100900711001	On the lands zoned C-4, the following zone

		By-law 17-1986	provisions shall apply: Minimum lot area = 845 m <sup>2</sup> Minimum yard requirements - rear 3 m - interior side 3 m Parking spaces required = 6 Setback from street (minimum front yard) = 10m
6	CG-5	041100900711310 By-law 17-1986	Notwithstanding the provisions of the General Commercial Zone the lands zoned C-5, located in part of Lot 13, Con. IX, in the hamlet of Chrysler, shall be used in accordance with the following provision: Lot Area (min.) 1830 sq. m.
7	CG-6	041101100227000	On the lands zoned C-6, apartment dwellings in the upper floor above a commercial use shall be permitted.  Zone Requirements: Minimum frontage = 24 m Minimum Yard Requirements - front = 1.8 m - interior side = 1.2 m Parking spaces = 27  Driveway width and location: A driveway may be located on the east side of the existing building, as the building existed on the date of passing of this By-law, which may be a maximum of 12m in width and which may be located no closer than 6 m from the intersection of John and Main Streets, provided that the provisions of Section 11.14 (i) shall apply should the said existing building be demolished or destroyed.
8	CG-7	041100900459400 By-law 34-04	On the lands zoned C-7, constituting Lot 13 and Part Lot 14, Plan 2, hamlet of Berwick, may contain one (1) dwelling unit within the existing building.
9	CG-9	041101100053000 By-law 183-1980	On the land zoned C-9, in addition to the uses permitted in the "Commercial" (C) Zone, the following shall be permitted: - Restaurant

			<ul style="list-style-type: none"> <li>- Laundromat</li> <li>- Apartment (3)</li> </ul>
10	CG-10	041100900916000 By-law 56-2011	On the lands zoned C-10, a commercial garage shall be permitted in addition to the other permitted uses in the zone.
11	CG-11	041100900477000 By-law 56-2018	In addition to the permitted uses of the General Commercial (CG) zone, the following uses shall also be permitted:  Motor Vehicle Repair Garage
12	CG-12	041101600481200 By-law 62-2018	In addition to the permitted uses of the General Commercial (CG) zone, the following uses shall also be permitted:  Single Family Dwelling
CH			
1	CH-1	041101601175500	An automobile service station, commercial garage, fuel storage, nursery, retail store, vehicle sales and storage, veterinary establishment, and an accessory dwelling shall be the only permitted uses.
2	CH-2	041101601167600	Minimum front yard = 0.6m
3	CH-3	041101600962000	A motel, private club, restaurant, retail store, business office, and accessory dwelling shall be the only permitted uses.
4	CH-4	041100900141500 By-law 17-1986	On the lands zoned CH-4 located in part lot 21 Concession 2, in the former Township of Finch, shall only be used for vehicle storage purposes.
5	CH-5	041100901157000 By-law 17-1986	On the land zoned CH-5, being part of Lot 3, Concession 11, in the former Township of Finch, in addition to the uses permitted in the "Agricultural" (AG) Zone, the following uses shall be permitted: <ul style="list-style-type: none"> <li>- Motor Vehicle Repair Garage</li> <li>- Motor Vehicle Inspection Station</li> <li>- Heavy Equipment Inspection Station</li> </ul>
6	CH-6	041101600617000 By-law 61-2009	On the lands zoned CH-6, the following shall be the permitted uses. <ul style="list-style-type: none"> <li>- commercial garage</li> <li>- flea market</li> <li>- greenhouse</li> <li>- motel</li> </ul>



			<ul style="list-style-type: none"> <li>- nursery</li> <li>- private club</li> <li>- restaurant</li> <li>- retail store</li> <li>- vehicle sales, service and storage</li> <li>- veterinary establishment</li> <li>- accessory dwelling unit</li> <li>- accessory uses to the foregoing</li> </ul> <p>Section 3.14 OPEN STORAGE, shall not apply to these lands, except for vehicles stored as part of the vehicle sales, service and storage use.</p>
7	CH-7	041101601365150 041101601365286 By-law 25/1992	Notwithstanding the permitted uses stated in Section 6.2 (a) of by-law 5-86 and notwithstanding the definition of Automobile Service Station stated in Section 2.5 of by-law 5-86 as amended, on the lands zoned CH-7 a card lock facility shall not be permitted.
CL			
M			
1	M-1	041100900225000 By-law 17-1986	Notwithstanding the provisions of Section 7.1 (a) of the by-law hereof to the contrary, on the land zoned M-1 the following uses may also be permitted: farm services business, farm vehicle sales, service and storage, feedmill, fertilizer plant.
2	M-2	041100900435000 By-law 17-1986	Where an M-2 zone is separated from a Residential or Institutional zone by only a street the minimum yard requirements for any yard so abutting or facing shall be 6 m (which recognizes the location of the existing structure).
3	M-3	041101100016200 By-law 183-1980	An assembly plant, manufacturing plant, processing plant and a custom workshop shall be permitted.
4	M-4	041100900712000 By-law 17-1986	Notwithstanding the permitted uses, the following use is also permitted: Tire Shop
MR			
1	MR-1	041101600390000 041101600389000 041101600366500 By-law 28-04	Section 7.2 (c)(i) of by-law 5-86 which states on the lands zoned MR-1, affedmill shall be the only permitted use, is hereby amended by adding the following new text

			at the end of the end of the existing text; “In addition, the minimum interior side yard next to the south side of the storage structure in the MR-1 zone shall be 4.5 m.”
2	MR-2	041101601364000 By-law 66-05 (Agri-Eco Industrial Cluster)	Notwithstanding any provisions of this By-law to the contrary, on the lands zoned MR-2 , the following uses are permitted in addition to those contained in Section 7.2: Accessory Warehouse, Agricultural uses, including greenhouses and nurseries, Electricity production, Industrial Use, Manufacturing Industry
3	MR-3	041101601364000	On the lands zoned MR-3, the following uses are permitted in addition to those permitted in the zone: <ul style="list-style-type: none"> <li>- Accessory warehouse,</li> <li>- agricultural uses including greenhouses and nurseries,</li> <li>- electrical production,</li> <li>- industrial use,</li> <li>- service industrial use,</li> <li>- manufacturing industrial use,</li> <li>- wholesale establishment and,</li> <li>- accessory uses to any permitted use</li> </ul>
IN			
1	IN-1	041101601009050 By 5-86	A clinic, and accessory uses to the foregoing shall be permitted
2	IN-2	041101601134000	Lodging house permitted. Minimum side yard = 2.5m and 3m on the other side.
3	IN-3	041100900711310	A community health centre shall be permitted. Minimum lot area = 1830 m <sup>2</sup>
4	IN-4	041101100146200 By-law 077-07	On the lands zoned, I-4, a conversion to offices to house staff of South Nation Conservation shall be permitted in addition to other permitted uses in the zone.
5	IN-5	041101600509000 Severed By-law 76-2008	On the lands zoned I-5, Part Lot 30, Concession 2, former Roxborough Township, known municipally as 3295 Main St. Avonmore, the following provisions shall apply: Zone requirements

			Minimum yard requirements interior side = 1.56 m (5.1 ft)
O			
TP			
RU			
1	RU-1 Now AG-61	041100900003200 By-law 17-1986	The lands zoned RU-1 may be used for an airfield
2	RU-2 Now AG-60	041100901162095 By-law 17-1986	A mobile home to be the principal dwelling shall be permitted.
3	RU-3 Now AG-56	041100900642600 By-law 17-1986	A mobile home to be the principal dwelling shall be permitted
4	RU-4	041100901178000 By-law 17-1986	A mobile home as a second dwelling on the property provided that it shall be located with direct access to a public road shall be permitted. Minimum floor area = 55m <sup>2</sup>
5	RU-5	041101600491400 By-law 5-86	May be used as an airfield
6	RU-6	041101601145000 By-law 5-86	An abattoir shall be permitted
7	RU-7	041101600829000 By-law 5-86	Retention ponds are permitted as an accessory use to the quarry in the abutting MQ zone, in addition to all other uses which are permitted in the RU zone, provided that all such uses comply with the Zone Requirements of this By-law including the minimum distance separation requirement for a quarry
8	RU-8	041101601158600 By-law 052-04	A commercial garage is permitted. The existing buildings may be used for the permitted commercial garage. Any new buildings used for a commercial garage shall conform to the yard requirements of Section 11.1(b) where the yard requirements are to be measured from the zone boundaries as though they are lot lines.
9	RU-9 Now AG-59	041101600970010 By-law 34-05	A mobile food wagon shall be permitted in accordance with the Township's mobile food wagon by-law, in addition to the

			permitted uses listed in the Rural Zone
10	RU-10 Now AG-58	041101601324200 041101601323200 By-law 081-07	On the lands zoned RU-10, an outdoor recreational facility, as herein defined, shall also be permitted. OUTDOOR RECREATION FACILITY shall mean any building or structure or specific area planning for, use for or related to intensive recreational activities; and shall include camping areas, picnic areas, outdoor shelters, playground areas and equipment, a golf driving range, miniature golf, tennis courts, hiking trails, sports fields and similar uses.
11	RU-11	0411-016-002-30000 By-law 60-2008	On the lands zoned RU-11, a recreational paintball facility to be operated as a commercial club, as defined in the Zoning By-law, shall be permitted in addition to the other permitted uses in the zone.
12	RU-12	041101600762000 Severed By-law 51-2009	On the lands zoned RU-12, being the retained portion of SD&G Severance Application No. B31/09, the permitted uses shall be agricultural uses, including buildings and structures accessory to the principle agricultural use which may not be used for human habitation.
13	RU-13	041101600762040 Severed By-law 51-2009	On the lands zoned RU-13, being the severed portion of SD&G Severance Application No. B31/09, the minimum lot size shall be: Lot Size (minimum): 2350 feet x 530 feet, The size of the severed parcel as indicated on the Consent Application, dated February 18, 2009, to preclude any future severances.
14	RU-14	041101600690050 By-law 17-2011	In addition to all other uses in an RU Zone, a semi-detached dwelling shall be permitted in accordance with the following; Lot frontage (min.) 30 m. (100 ft.) and floor area/dwelling unit (min.) 58 sq. m. (626 sq. ft.)
15	RU-16	041101600050800 By-law 5-86	To permit an antique shop
16	RU-17	041101600209500	A welding and fabrication shop and an

	Was A-2 By-law 5-86	By-law 5-86	accessory dwelling shall be permitted. Zone requirements for an accessory dwelling: Minimum floor area = 63m <sup>2</sup>
17	RU-18	041101600205010 By-law 5-86	To also permit a Contractor's Yard
18	RU-19	041101600770500 By-law 5-86	On the land zoned RU-19, the following shall be the permitted use: Greenhouse or Garden Nursery including Sales
19	RU-20	041101600826000 By-law 5-86	To permit a Drug and Alcohol Rehab. Centre
20	RU-21	041101600302100 By-law 5-86	To permit an Ariel & Lift Truck Operation and a single detached dwelling
21	RU-22	041100900765010 By-law Z-02-2014 Amending By-law 17-1986	Notwithstanding the permitted us provisions of Section 11.1(a) and zone requirements of Section 11.1(b), on the lands zoned RU-22, being Pt Lot 11, Con 10, RP52R4416, Part 1 former Finch Township and known municipally as 14912 Concession 10-11 Road, Crysler, Ontario, in addition to all other uses permitted on the zone, a semi-detached dwelling shall be permitted.
22	RU-22(A)	041100900765400 By-law 61-2014	A Bed and Breakfast shall be a permitted use on properties zone RU-22(A).
23	RU-24	041101600687000 By-law 66-2016	Notwithstanding the Provisions of Section 12.1, on the contrary no future development will be permitted on lands zoned RU-24.
24	RU-25	041101600896000 By-law 67-2017	In addition to the permitted uses of the Rural (RU) zone, the following uses shall also be permitted: Ice Skating Trail Passive Recreation Uses Chip Wagon Washroom Facilities Changing Room Facilities Rental Cabins
25	RU-T1	041101600206100 By-law 09-2019  (By-law expires	In addition to the permitted uses of the Rural (RU) zone, the following uses shall be permitted:

		February 12 <sup>th</sup> , 2022)	An accessory structure shall be permitted prior to the construction of the principle use.
A			
1	AG-1	041100900649500 By-law 17-1986	An accessory building to accommodate an electrical motor service outlet primarily to repair farm equipment shall be permitted
2	AG-2	041100900034000 By-law 17-1986	Minimum lot area = 0.534 ha Minimum frontage = 63.39 m Minimum yard requirements - front = 12.19 m - rear = 3 m - side = 0.90 m
3	AG-3	041100900042900 By-law 17-1986	A mobile home as the principal dwelling provided that it shall be located with direct access to a public road shall be permitted Minimum floor area = 55m <sup>2</sup>
4	AG-4	041100900081000	An ultra-light aircraft landing strip, club house, training school and sales and service of ultra-light aircraft shall be permitted. Minimum yard requirements - front and rear = 15m - side = 12m - building height = 12m
5	AG-5	041100900741400 By-law 17-1986	The land so zoned, described as Part 1 on a field survey prepared November 22, 1994 and located in Part of the West Half of Lot 1, Concession X, shall be used in accordance with the following provisions: Minimum lot area = 1790 m <sup>2</sup> Minimum floor area = 61 m <sup>2</sup> Minimum yard requirements - interior side = 0 m due to the severance of a lot with a semi-detached dwelling (See Exception below)
6	AG-6	041100900741410 By-law17-1986	The land so zoned, described as Part 2 on a field survey prepared November 22, 1994 and located in Part of the West Half of Lot 1, Concession X, shall be used in accordance with the following provisions: Minimum yard requirements - rear = 1.27 m - interior side = 0 m due to the

			severance of a lot with a semi-detached dwelling (See Exception above)
7	AG-7	041100900195000 By-law 17-1986	Used furniture and appliance sales, a single dwelling unit and accessory uses shall be permitted. Open storage, as defined in this By-law, shall be permitted only within the minimum rear yard of the lot.
8	AG-8	041100900766800 By-law 17-1986	On the lands zoned AG-8, an agricultural machinery repair, contractor's yard and shop, landscaper's yard, garden centre, equipment and tool rental/sales and service outlet, commercial garage and a machine shop shall also be permitted.
9	AG-9	041100900163000	On the lands zoned AG-9 being part of Lot 1, Concession 3, in the former Township of Finch, in addition to the uses permitted in the "Agricultural" (AG) Zone, the following uses shall be permitted: - machine shop - workshop - an accessory dwelling In addition the following Zone Requirements shall apply: Minimum yard requirements - front = 0.6 m
10	AG-11	041101601360500 By-law 5-86	A mobile home may be permitted as the principle dwelling in addition to the permitted uses of the zone. Minimum lot area = 0.35 ha Minimum frontage = 60m
11	AG-12	041101600217000 By-law 02-06	On the lands zoned AG-12, a 2 unit dwelling is permitted in addition to the other permitted uses in the "Agricultural" Zone
12	AG-13	041100900611000 By-law 54-06	On the lands zoned AG-13 a) Any dwelling or well constructed on the new lots created by Consent Applications B-97/05 and B-98/05 shall require a minimum front yard setback of 45 m and any non-residential accessory building constructed on these two lots shall have a minimum front yard setback of 30m

			<p>b) The lot created by Consent Application B-97/05 shall have a minimum frontage of 250 feet and a minimum depth of 450 feet. The lot created by Consent Application B-98/05 shall have a minimum lot frontage of 150 feet and a minimum depth of 450 feet.</p> <p>c) Only agricultural uses shall be permitted within the radius lands, i.e. those parts of lot 1, Concession 8 that comprise the retained lands in Consent Applications B-97/05 and B-98/05 which lie within 500 metres of the existing property line of the licensed Morewood Quarry, and further no residential use shall be permitted.</p>
13	AG-14	041100900720900 By-law 002-07	<p>On the lands zoned, AG-14, a two unit dwelling shall be permitted in addition to the other permitted uses in the zone. (Middleton)</p>
14	AG-15	041100900723600 By-law 65-07	<p>On the lands zoned AG-15 , the existing garage on the lot, having a maximum floor area of 186 m<sup>2</sup>, may be used exclusively for the repair of farm-related vehicles and equipment, subject to the following provisions:</p> <ol style="list-style-type: none"> <li>1. No new commercial buildings or structures shall be permitted.</li> <li>2. All lighting on the subject property shall be angled or directed away from abutting properties.</li> <li>3. There shall be no storage of farm vehicles or farm equipment in the front yard parking area.</li> <li>4. After 6:00 p.m. on any day (including weekends), all work, where reasonably possible, is to be done inside the garage with the doors closed.</li> </ol>
15	AG-16	041100900748560 By-law 04-08	<p>On the lands zoned AG-16, being West Part Lot 4, Concession 10, former Township of Finch and known municipally as 1536 Smirle Road, the manufacture of kitchen cupboards shall be permitted in the existing workshop of 3200 sq. ft. and an expansion of the workshop for addition work area and</p>



			related office and showroom shall be permitted. The total area of the shop shall not exceed 5940 sq ft.
16	AG-17	041101600716010 By-law 39-2008	On the lands zoned AG-17, the maximum number of homes per lot for agricultural uses shall be two (2)
17	Was AG-18 now AG-28	041100901208000 By-law 16-2011	On the lands zoned AG-28, an existing commercial garage and weigh scales and scale house and Mobile Ready Mix Plant shall be permitted.
18	AG-19	0411-016-002-60000 By-law 41-2008	On the retained portions of SD&G Severance Application B-122/07, a residential dwelling is prohibited, as required by the PPS. In addition, the existing barn located on the property shall not be used to house any form of livestock, and the manure storage (lagoon) transfer system shall be decommissioned and nutrient storage shall not be permitted therein.
19	AG-20	041100900392000 By-law 67-06	On the retained portions of SD&G Severance Application B-78/06, a residential dwelling is prohibited, as required by the PPS
20	AG-20	041100900078100 By-law 133-06	On the retained portions of SD&G Severance Application B-133/06, a residential dwelling is prohibited as required by the PPS
21	AG-20	041100900512000 By-law 013-07	On the retained portions of SD&G Severance Application B-161/06, a residential dwelling is prohibited, as required by the PPS
22	AG-20	041100900154200 By-law 017-07	On the retained portions of SD&G Severance Application B-7/07, a residential dwelling is prohibited, as required by the PPS
23	AG-20	041100900640000 By-law 030-07	On the retained portions of SD&G Severance Application B-170/06, a residential dwelling is prohibited, as required by the PPS
24	AG-20	041101601298000 By-law 042-07	On the retained portions of SD&G Severance Application B-45/07, a residential dwelling is prohibited, as

			required by the PPS
25	AG-20	041100901121000 By-law 18-2008	On the retained portions of SD&G Severance Application B-96/07, a residential dwelling is prohibited, as required by the PPS
26	AG-20	041100900237000 By-law 34-2008	On the retained portions of SD&G Severance Application B-112/07, a residential dwelling is prohibited, as required by the PPS
27	AG-20	041101600878000 severed By-law 67-2008	On the retained portions of SD&G Severance Application B-62/08, a residential dwelling is prohibited, as required by the PPS.
28	AG-20	041100900416000 By-law 75-2008	On the retained portions of SD&G Severance Application B-67/08, a residential dwelling is prohibited, as required by the PPS.
29	AG-20	041101600740050 By-law 79-2008	On the lands zoned AG-20, being the retained portion of SD&G Severance Application No. B-32/08, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement.
30	AG-20	041101600714000 Severed By-law 06-2009	On the retained portion of SD&G Severance Application No. B-108/08, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
31	AG-20	Severed property subject to MPAC assignment of roll # 041101600273000 By-law 39-2009	On the retained portion of SD&G Severance Application No. B-17/09, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
32	AG-20	041100900593000 Severed By-law 52-2009	On the retained portion of SD&G Severance Application No. B-154/08, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
33	AG-20	Severed property subject to MPAC assignment of roll # 041100900720000 B-law 67-2009	On the retained portion of SD&G Severance Application No. B-60/09, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
34	AG-20	041100900228000 By-law 13-2011	Notwithstanding the permitted use provisions of the AG Zone on the lands zoned AG-20, being the retained portion of

			SD&G Severance Application No. 138/10, any residential dwelling unit is prohibited, as required by the PPS
35	AG-20	041101600260000 By-law 41-2008	On the retained portion of SD&G Severance Application No. B-122/07, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
36	AG-20	041100900227000 By-law 44-2010	On the retained portion of SD&G Severance Application B-21/10, a residential dwelling is prohibited, as required by the Provincial Policy Statement
37	AG-20	041100900696700 By-law 86-2009	On the retained portion of SD&G Severance Application B-79/09, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
38	AG-20	041100900223000 By-law 58-2010	On the retained portion of SD&G Severance Application B-68/10, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
39	AG-20	041100900590000 By-law 61-2010	On the retained portion of SD&G Severance Application B-97/10, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
40	AG-20	041101600049000 By-law 62-2011	On the retained portion of SD&G Severance Application B-39/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
41	AG-20	041101600043000 By-law 64-2011	On the retained portion of SD&G Severance Application B-40/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
42	AG-20	041101601268500 By-law Z-01-2012	On the retained portion of SD&G Severance Application B-2/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
43	AG-20	041101601268500 By-law Z-01-2012	On the retained portion of SD&G Severance Application B-3/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
44	AG-20	041100900682000 By-law Z-10-2013	On the retained portion of SD&G Severance Application B-13/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement

45	AG-20	041101601298000 By-law 42-07	On the retained portion of SD&G Severance Application B-45/07, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
46	AG-20	041100900150000 Z-09-2013	On the retained portion of SD&G Severance Application B-133/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
47	AG-20	041101600470000 By-law Z-07-2013	On the retained portion of SD&G Severance Application B-42/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
48	AG-20	041100900713000 By-law Z-08-2013	On the retained portion of SD&G Severance Application B-45/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
49	AG-20	041101600723000 By-law Z-07-2012	On the retained portion of SD&G Severance Application B-73/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
50	AG-20	041100900051000 By-law Z-06-2013	On the retained portion of SD&G Severance Application B-85/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
51	AG-20	041101600217000 By-law Z-02-2013	On the retained portion of SD&G Severance Application B-110/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
52	AG-20	041101600718000 By-law Z-04-2013	On the retained portion of SD&G Severance Application B-121/12, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
53	AG-20	041101600726000 By-law 77-2011	On the retained portion of SD&G Severance Application B-46/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
54	AG-20	041100901154000 By-law 90-2011	On the retained portion of SD&G Severance Application B-54/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
55	AG-20	041100900235000 By-law 65-2011	On the retained portion of SD&G Severance Application B-74/11, a residential dwelling unit is prohibited, as required by the

			Provincial Policy Statement
56	AG-20	041100900270000 By-law 89-2011	On the retained portion of SD&G Severance Application B-83/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
57	AG-20	041101601268500 041101601269000 041101601270000 041101601271000 041101601272000 041101601273000 041101601274000 By-law 71-2011	On the retained portion of SD&G Severance Application B-85/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
58	AG-20	041101600686005 By-law 10-2012	On the retained portion of SD&G Severance Application B-153/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
59	AG-20	041101601275000 By-law 04-2012	On the retained portion of SD&G Severance Application B-155/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
60	AG-20	041101601354000 By-law 03-2012	On the retained portion of SD&G Severance Application B-157/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
61	AG-20	041100900164000 By-law Z-03-2012	On the retained portion of SD&G Severance Application B-166/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
62	AG-20	041100900652000 By-law 09-2012	On the retained portion of SD&G Severance Application B-158/11, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement
63	AG-21??? Now AG-18	041101600878020 By-law 67-2008 severed	On the severed portion of SD&G Severance Application B-62/08, a reduced lot frontage of 29 feet fronting on Tolmies Corners Road shall be permitted. Minimum frontage = 8.84m(29 ft)
63.1	AG-22	041101600742000 By-law 79-2008	On the lands zoned AG-22, being the severed portion of application B-32/08 any main dwelling unit shall have a maximum setback of 250 feet (76.2 metres) from Elm Road.

63.2	AG-23	041101600740050 By-law 79-2008	On the lands zoned AG-23, being the retained portion of application B-32/08, a residential dwelling unit is prohibited, as required by the PPS.
64	AG-24	Severed property subject to MPAC assignment of roll # 041100900696700 By-law 86-2009	On the lands zoned A-24, being the retained portion of SD&G Severance Application No. B-79/09, a residential dwelling unit is prohibited, as required by the Provincial Policy Statement. Furthermore, the following provisions shall apply: Lot Frontage (minimum): 12m (40 feet)
65	AG-27	041100900228005 By-law 13-2011	Notwithstanding the zone requirements of the "AG Zone" on the lands zoned AG-27, being the severed portion of SD&G Severance Application No. B-138/10, the following provisions shall apply; Lot Frontage (min.) 6.5 m. (21.5 ft.)
66	AG-28	041100901208000 By-law 16-2011	Notwithstanding the provisions of the AG Zone, the following uses shall be permitted: Existing Commercial Garage, Weigh Scales and Scale House and Mobile Ready Mix Plant
67	AG-29	041100900599500 By-law 45-2011	(subject to a bell easement) Notwithstanding the permitted uses of the AG Zone, the following use shall also be permitted; One (1) additional single family dwelling for a maximum of two dwelling units on the property.
68	AG-30	041100900518000 By-law 49-2011	Notwithstanding the permitted use provisions of the AG Zone, the following use shall also be permitted in addition to other uses permitted by the Agricultural Zone; One (1) additional single family dwelling for a maximum of two dwelling units on the property
69	AG-31	041101601254000 By-law 03-2012	(SEVERED) The retained portion shall not permit any residential development (B-157/11), also (B-157/11) the following provisions shall apply for buildings existing on the date of passing of this By-law;

			Yard Requirements; Interior Side Yard (min.) 3 m.
70	AG-32	041101601275000 By-law 04-2012	The retained portion, SD&G B-155/11, any residential dwelling unit is prohibited as per PPS, and the following provisions shall apply for buildings existing on the date of passing this By-law; Yard Requirements; Interior Side Yard (min.) 13 m.
71	AG-33	041101600858500 041101600857000 By-law 22-2012	Notwithstanding the provision of an AG Zone, a third single detached dwelling shall be permitted in addition to the permitted uses of the zone
72	AG-34	041100900164000 By-law Z-03-2012	Severed portion of B-166/11, any residential dwelling unit is prohibited as per the PPS and the retained portion of B-166/11 the following provisions shall apply; Lot frontage (min.) 8.22 m. (26.97 ft.)
73	AG-35	041100900032000 By-law 17-1986	Also to permit a Contractors yard
74	AG-36	041101600252000 By-law 17-1986	To permit a Contractors yard
75	AG-37	041100900633000	On the land zoned AG-37, in addition to the uses permitted in the "Agricultural" (AG) Zone, the following shall be permitted: - Farm Equipment Sales and Service
76	AG-38	041101600155100 By-law 5-86	To permit an Art Studio
77	AG-39	041101600144000 By-law 5-86	To permit a contractors Yard
78	AG-40	041100901193500 By-law 17-1986	Steel Roof Trust Dist.
79	AG-41	041101600860500 By-law 5-86	To permit a Nursery Garden
80	AG-42	041101600860500 By-law 5-86	To permit a Milk Transportation Terminal
81	AG-43	041101601240000 By-law 5-86	To permit a Pet Cemetery
82	AG-44	041100900748500 041100900748400 By-law 17-1986	To permit a Tractor Supply Centre and accessory dwelling
83	AG-45	041100900556000 By-law 17-1986	To permit an Excavation Contractor

84	AG-46	041100900612000 By-law 17-1986	To permit two (2) dwellings
85	AG-47	041100900691800 By-law 17-1986	On the land zoned AG-47, the following shall be the permitted uses: - Farm Equipment Sales and Service - Accessory Dwelling
86	AG-48	041100900693050 By-law 17-1986	On the land zoned AG-48, the following shall be the permitted uses: - Sign shop, commercial uses - Accessory Dwelling
87	AG-49	041100900696800 By-law 17-1986	To permit a gift shop
88	AG-50	041100900582000 By-law 17-1986	To permit a vehicle garage and repair shop
89	AG-51	041100900598100 By-law 17-1986	To permit a Welding Fabrication Shop
90	AG-52	041100900598250 By-law 17-1986	To permit a Sand, Gravel & Septic Contractors yard
91	AG-53	041101600970400 Previously RU-15	To permit a commercial garage for vehicle repair and inspection station
92	AG-54	041101600871000	On the lands zoned AG-54, an 8 suite retirement home of not more than 8 rooms or suites as defined by the following, shall be permitted in addition to the other permitted uses in the zone. RETIREMENT HOME shall mean a building which contains multiple rooms or suites for residential occupancy with common areas for such activities as eating, recreation, and leisure, etc. and may include commercial uses to serve residents, and which is constructed and operated in accordance with the Care Homes section of the Residential Tenancies Act. Such uses may include care services for residents, but shall not include a Nursing Home as defined. CARE SERVICES shall mean subject to the regulations, health care services, rehabilitative or therapeutic services or services that provide assistance with the activities of daily living as defined in the Residential Tenancies Act.
93	AG-55	041101600195400	On the land zoned AG-55, in addition to the



			uses permitted in the "Agricultural" (AG) Zone, the following shall be permitted: - Abattoir
94	AG-56 Formerly RU-3	041100900642600 By-law 17-1986	A mobile home to be the principal dwelling shall be permitted
95	AG-57	041101600464000 By-law 5-86	To permit sandblasting & painting
96	AG-58 Formerly RU-10	041101601324200 041101601323200 By-law 081-07	On the lands zoned AG-58 (formerly RU-10), an outdoor recreational facility, as herein defined shall also be permitted. <b>OUTDOOR RECREATIONAL FACILITY</b> Shall mean any building or structure or specific area planning for, use for or related to intensive recreational activities; and shall include camping areas, picnic areas, outdoor shelters, playground areas and equipment, a golf driving range, miniature golf, tennis courts, hiking trails, sports fields and similar uses.
97	AG-59 Formerly RU-9	041101600970010 By-law 34-05	A mobile food wagon shall be permitted in accordance with the Township's mobile food wagon by-law, in addition to the permitted uses listed in the Ag. Zone (formerly Rural zone)
98	AG-60 Formerly RU-2	041100901162095 By-law 17-1986	A mobile home to be the principal dwelling shall be permitted
99	AG-61 Formerly RU-1	041100900003200 By-law 17-1986	The lands zoned AG-61 (formerly RU-1) may be used for an airfield.
100	AG-20	041101600685000 By-law Z-16-2013 Amending By-law 5-86	A residential dwelling unit is prohibited.
101	AG-62	041101600685000 By-law Z-16-2014 Amending By-law 5-86	Reduced lot frontage from the required 30 m to 10.1 m on the retained portion of Severance B-117/13
102	AG-64	041101601157000 By-law Z-03-2014  By-law 43-2015 increased the maximum square	That Schedule 3 of By-law 08-2014 is hereby amended by rezoning the affected lands from the Agricultural (AG) zone to the Agricultural Special Exception Sixty-Four (AG-64) zone. Schedule 12 of Zoning By-law 08-2014 is hereby amended by adding a

		footage of buildings from 9,015 sq ft to 13,000 sq ft	new Special Exception Zone bearing the Exception Zone Symbol “AG-64” and with the following Special Exception Provisions “(102)” AG-64 (Pt Lot 24, Con 7 former Roxborough Twp.) Notwithstanding the provisions of Sections 11.1(1) & (2) to the contrary, on the lands zoned AG-64 as described in Section 1 of this By-law; the following provisions shall prevail; Permitted uses shall be restricted to administrative offices together with washroom facilities, parking and garage facilities for the maintenance (repair and exterior washing) of vehicles associated with the operations of a Milk Transporting Business and would include repairs to all farm vehicles and farm related machinery, of the owner. A milk transporting business shall be defined as follows: A milk transporting business means a business engaged in the pickup of raw milk from farms and delivered to the processing facilities within the geographical area as prescribed by the Dairy Farmers of Ontario. The maximum aggregate floor area of all buildings shall be limited to <del>9,015</del> 13,000 sq ft ( <del>837.521</del> 1,207 sq m) outdoor parking of milk transporting vehicles shall be restricted to the rear of the building and limited to not more than 9.
103	AG-65	041101600889000	Notwithstanding the provisions of Section 11(1) and 11(2), to the contrary, on lands zoned AG-65, the following provisions shall apply:  A 50 metre strip of land which is parallel to the 6 <sup>th</sup> Quarry, A.L. Blair, which extends from Dewar Road, east to the proposed Quarry on Lot 23, Concession 6 and will permit an access road, proposed scale house, signage as well as a steel lockable gate.
104	AG-65(A)	041101600491700 By-law 52-2015	Notwithstanding the provisions of Section 11.1, on the contrary no future development will be permitted on lands

			zoned AG-65(A).
105	AG-66	041100900151000 By-law 05-2016	Notwithstanding the provisions of Section 11.1, on the contrary a secondary dwelling unit in the form of an in-law suite attached to the primary dwelling is permitted.
106	AG-20	041100900150000 By-law Z-09-2013 Amending By-law 17-1986	Notwithstanding the permitted use provisions of Section 12.1(a), on the lands zoned AG-20, being the retained portion of S.D.&G. Severance Application B-133/12, any residential dwelling unit is prohibited, as required by the P.P.S.
107	AG-20	041100900682000 By-law Z-10-2013 Amending By-law 17-1986	Notwithstanding the permitted uses provisions of Section 12.1(a), on the lands zoned AG-20 being the retained portion of S.D.&G. Severance Application No. B 13/12, any residential dwelling unit is prohibited as required by the P.P.S.
108	AG-20	041101600849000 By-law Z-11-2013 Amending By-law 5-86	Notwithstanding the permitted use provisions of Section 12.1(a), on the lands zoned AG-20, being the retained portion of S.D.&G. Severance Application B 63/13, any residential dwelling is prohibited as required by the P.P.S.
109	AG-20	041101600216000 By-law Z-12-2013 Amending By-law 5-86	Notwithstanding the permitted use provisions of Section 12.1(a) on the lands zoned AG-20, being the retained portion of S.D.&G. Severance Application B-7/13, any residential dwelling unit is prohibited, as required by the P.P.S.
110	AG-20	041101600742000 By-law 14-2013 Amending By-law 79-2008	Notwithstanding the permitted use provisions of Section 12.1(a), on the lands zoned AG-20, being the retained portion of S.D.&G. Severance Application B-13/13, any residential dwelling is prohibited, as required by the P.P.S.
111	AG-20	041101600728000 By-law Z-15-2013 Amending By-law 5-86	Notwithstanding the permitted use provisions of Section 12.1(a), on the lands zoned AG-20, being the retained portion of S.D.&G. Severance Application B-29/13, any residential dwelling is prohibited, as required by the P.P.S.
112	AG-20	041100900050000 By-law Z-01-2014	Notwithstanding the permitted use provisions of Section 12.1(a), on the lands

		Amending By-law 17-1986	zoned AG-20, being the retained portion of S.D.&G. Severance Application B-157/13, any residential dwelling unit is prohibited, as required by the P.P.S.
113	AG-63	041100900050000 By-law Z-01-2014 Amending By-law 17-1986	Permission to have an existing second dwelling unit which is a mobile home located on the severed portion of Severance Application No. B-157/13
114	AG-T1	041100900352000 By-law 63-2018	In addition to the permitted uses of the Agricultural (AG) zone, the following uses shall also be permitted:  An additional single family dwelling shall be permitted for a period of 3 years.
WY			
WD			
1	WD-1	041101601338000	The recycling of tires and aluminum, including tire shredding and aluminum compacting, provided all mechanical operation associated with the tire shredding and aluminum compacting are conducted within an enclosed building; composting; top soil and peat processing; operations accessory to the foregoing including shipping and receiving, storage, packaging, offices, maintenance and similar operations; shall be permitted.
2	WD-2	041101601370000 By-law 40-2015	Notwithstanding the provisions of Section 3.45, new dwellings will be prohibited within the following locations: within 200 metres of the fill area of the subject property without the benefit of an impact study.  Notwithstanding the provisions of Section 3.50(3)(a) and (c), on the contrary, the following shall apply to the subject land:  1. "All lands within two hundred (200) metres of an active or closed Waste Disposal Site in the "Waste Disposal (WD)" zone are within a holding zone to allow

			<p>existing uses and to prohibit all new uses of land, buildings and structures. The holding zone may be lifted by the Township when an assessment of the potential impacts of methane gas, migration, noise, odour, dust or other nuisance factors, potential traffic impact, ground and surface water and soil contamination by leachate and impact of proposed development/site alteration on leachate migration, has been prepared by the Owner to the satisfaction of the Township and the County.</p> <p>2. No Waste Disposal Site shall be permitted within 150 metres from any water body or watercourse without the proper approvals of the Ministry of the Environment.</p>
MQ			
1	MQ-1h	041101600829000	Holding zone shall be lifted only after the developer has entered into a site plan agreement with the Township for the establishment and operation of a quarry on the land.
MX			
1	MXR	041101600762000 041101600762040 as per County OP map	The affected lands, as indicated by Schedule A3 of the United Counties Official Plan, and by Schedule A of By-law 51-2009, are now zoned "Mineral Extractive Reserve" (MXR)
MP			
MA			
H			
1	H-1	041100901015000	On the lands zoned H-1, an abattoir shall be the permitted use. Furthermore, a building or structure addition to shall be permitted with the written permission of South Nation Conservation stating that all concerns from a flooding perspective have been addressed.
2	H-2	041100901016000	On the lands zoned H-2, the permitted uses

			shall include all of the uses included in the General Commercial (C) and Residential Second Density (R2) Zones provided that there is no addition or extension to the existing building.
3	H-3	041100901024000 By-law Z-10-2012 With SNC conditions	<p>Permitted use to be a two unit duplex dwelling in accordance with the following requirements:</p> <p>Lot Area (min) 809 sq. m.  Lot Frontage (min) 12.2 m.  Yard Requirements (min)  Front 6 m.  Rear 7.5 m.  Interior Side 2 m.  Exterior Side 6 m.  Floor Area per Dwelling Unit (max) 130 sq. m.  Lot Coverage (max) 16.3 %  Building Height (max) 11 m.</p> <p>AND:</p> <p>Subject to receipt of written consent from South Nation Conservation Authority stating that all concerns from a flooding perspective have been adequately addressed.</p>
4	H-4	041100901018000 By-law 21-2019	<p>On lands zoned H-4 the following uses shall be permitted on the subject property:</p> <p>Bake Shop  Boutique  Business  Catering Establishment  Dress Maker  Financial Service  Gift Shop  Office  Personal Service Establishment/Shop  Restaurant  Retail Store  Studio (photo, artistic)  Tailor Shop  Tavern.</p> <p>The following uses shall be prohibited:  Residential Dwelling Unit(s)</p>