



Township of North Stormont

Agenda

Regular Meeting

Tuesday, September 7, 2021 6:30 PM
Council Chambers

Page

1. CALL TO ORDER (OPENING REMARKS)

- 1.1 You are invited to a Zoom webinar.

When: Sep 7, 2021 06:30 PM Eastern Time (US and Canada)

Topic: Regular Council Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/87698915877?pwd=U3poWEFBYkUxbjd6RTNtOXlXZ1gxQT09>

Passcode: 459022

Or One tap mobile :

Canada: +16473744685,,87698915877#,,,,*459022# or

+16475580588,,87698915877#,,,,*459022#

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Webinar ID: 876 9891 5877

Passcode: 459022

International numbers available: <https://us06web.zoom.us/j/87698915877?pwd=U3poWEFBYkUxbjd6RTNtOXlXZ1gxQT09>

- 1.2. Open

Be it resolved that this meeting open for business at 6:30 p.m.

2. ADOPTION OF AGENDA (AMENDMENTS ADDITION OR DELETIONS)

- 2.1. Adopt

Be it resolved that the agenda be approved as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND NATURE THEREOF

- 3.1. [Pecuniary Interest Form](#)

7 - 8

4. DELEGATIONS

5. ADOPTION OF MINUTES OF PREVIOUS MEETING

- 5.1. Be it resolved that the following minutes be approved as presented: 9 - 16
Zoning Public Meeting - August 10, 2021
Regular Council Meeting - August 10, 2021
[Zoning Public Meeting - August 10 2021](#)
[Regular Council Meeting - August 10, 2021](#)

6. ADOPTION OF MINUTES OF COMMITTEES AND LOCAL BOARDS

7. RECEIVING OF MONTHLY STAFF REPORTS AND RECOMMENDATIONS

- 7.1. Be it resolved that Council receives the following reports: 17 - 27
Arena Monthly Report - August 2021
Building Department Monthly Report - August 2021
CAO Monthly Report - August 2021
Finance Monthly Report - August 2021
Fire Department Monthly Report - August 2021
Municipal Law Enforcement Department Monthly Report - August 2021
Public Works Monthly Report - August 2021
[Arena Monthly Report - August 2021](#)
[Building Department Monthly Report - August 2021](#)
[CAO Monthly Report - August 2021](#)
[Finance Department Monthly Report - August 2021](#)
[Fire Department Monthly Report - August 2021](#)
[Municipal Law Enforcement Department Monthly Report - August 2021](#)
[Public Works Monthly Report - August 2021](#)
- 7.2. Be it resolved that the Council of the Corporation of the Township of 28 - 30
North Stormont receives this report from the CAO and approves the
recommendation to permanently close of the Moose Creek Recreation
Facility.
[CAO Report - Building Closure](#)
- 7.3. Be it resolved that Council receive this Planning Department report and 31 - 34
approve the recommendation to exempt the subject lands from the part
lot control provisions of the Planning Act, to facilitate the realignment of
the Calco Crescent right of way within registered plan of subdivision
Plan 52M-28. Furthermore, that Council provides first, second, and third
reading to Part Lot Control By-law No. 78-2021, and once adopted,
direct administration to forward said by-law to the United Counties of
Stormont, Dundas and Glengarry for final approval.
[Planning Department Report - Part Lot Control \(Jen Sub\)](#)
- 7.4. Be it resolved that Council receives this Planning Department Report 35 - 36
and approves the recommendation to authorize the reduction of
securities for a Site Plan Control Agreement with G & E Reno
Construction Inc. to the amount of \$0.00 from \$61,950.00.

[Planning Department Report - Reduction of Securities](#)

- 7.5. Be it resolved that Council receive this Planning Department Report and approve the recommendations to move forward with the Housekeeping Update By-Laws 79 to 87-2021 that is meant to update the Township of North Stormont's Zoning-By-Law No. 08-2014 37 - 44

[Planning Department Report - Housekeeping Update to Zoning By-Law No. 08-2014](#)

- 7.6. Be it resolved that Council receive this report from the Public Works Department and approve the recommendation to reject the quote of \$185,100.00 from D-Squared construction and re-tender the RFQ first thing in the spring for the reasons outlined above. 45 - 46

[Public Works Department Report - Sidewalk Reconstruction](#)

- RFQ-PW-009-2021 Sidewalk Reconstruction 47 - 48
That council approves or rejects the single submission quote from RFQ-PW-009-2021 Sidewalk Reconstruction

[PWRFQ-PW-009-2021 Sidewalk Reconstruction - Pdf](#)

8. MUNICIPAL BY-LAWS

- 8.1. Be it resolved that By-Law No. 78-2021, being a By-Law to exempt certain lands from Part Lot Control, in Registered Plan 52M28, on a Street legally named Calco Crescent, in the Township of North Stormont and in the County of Stormont be read a third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 49

[By-Law No. 78-2021 Exempt Certain Lands from Part Lot Control \(Calco Crescent\)](#)

- 8.2. Be it resolved that By-Law No. 79-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 50 - 53

[By-Law No. 79-2021 - Amend Comprehensive Zoning By-Law No. 08-2014 \(780797 - Logtens\) 5 Lot 2\)](#)

- 8.3. Be it resolved that By-Law No. 80-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 54 - 57

[By-Law No. 80-2021 - Amend Comprehensive Zoning By-Law No. 08-2014 \(HK 2021 - AL Blair\)](#)

- 8.4. Be it resolved that By-Law No. 81-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 58 - 61

[By-Law No. 81-2021 Amend Comprehensive Zoning By-law No. 08-2014 \(HK 2021 - General Schedule Changes\)](#)

- 8.5. Be it resolved that By-Law No. 82-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 62
[By-Law No. 82-2021 Amend Comprehensive Zoning By-law No. 08-2014 \(HK 2021 - Ledoux\)](#)
- 8.6. Be it resolved that By-Law No. 83-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 63 - 66
[By-Law No. 83-2021 Amend Comprehensive Zoning By-law No. 08-2014 \(HK 2021 - Quesnel\)](#)
- 8.7. Be it resolved that By-Law No. 84-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 67
[By-Law No. 84-2021 Amend Comprehensive Zoning By-law No. 08-2014 \(HK 2021 - Roy\)](#)
- 8.8. Be it resolved that By-Law No. 85-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 68 - 71
[By-Law No. 85-2021 Amend Comprehensive Zoning By-Law No. 08-2014 \(HK 2021 - SACA Phase 1\)](#)
- 8.9. Be it resolved that By-Law No. 86-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 72
[By-Law No. 86-2021 Amend Comprehensive Zoning By-Law No. 08-2014 \(HK 2021 - Sanders\)](#)
- 8.10. Be it resolved that By-Law No. 87-2021, being a By-Law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont be read a first, second, and third time, passed, signed, and sealed in Open Council, this 7th day of September 2021. 73 - 229
[By-Law No. 87-2021 Amend Comprehensive Zoning By-Law No. 08-2014 \(HK 2021 - Textual Amendments\)](#)
[TWP NS Schedule A to By-law No. 87-2021 - Section 1](#)
[TWP NS Schedule B to By-Law No. 87-2021 - Section 2](#)
[TWP NS Schedule C to By-Law No. 87-2021 - Section 3](#)

[TWP NS Schedule D to By-Law No. 87-2021 - Section 4](#)
[TWP NS Schedule E to By-Law No. 87-2021 - Section 5](#)
[TWP NS Schedule F to By-Law No. 87-2021 - Sections 6](#)

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. MOTIONS AND NOTICES OF MOTIONS

- 11.1. Be it resolved that Council supports/does not support the resolution from the City of Hamilton in requesting the Government of Ontario to expedite the expiry of O.Reg 131/20, the COVID exemption for after-hours noise from construction sites. 230 - 231

[City of Hamilton - Noise Concerns and Request for Expiry of Extended Construction Hours](#)

12. CORRESPONDENCE

- 12.1. [Counties Admin Building reopens to the Public](#) 232

- 12.2. [Chatham-Kent - Supporting Affordable Internet](#) 233 - 236

- 12.3. [GWO Response to ERO 019-2785](#) 237 - 250

- 12.4. [Maxville Manor Letter](#) 251

- 12.5. [Raisin South Nation Source Protection Committee Annual Update](#) 252 - 271

- 12.6. [Perth County - Relationship with MPAC](#) 272 - 273

- 12.7. Be it resolved that Council receives the correspondence listed as items 12.1 to 12.7 on the agenda. 274

[United Counties of SDG Resolution - MPAC](#)

13. SCHEDULING OF MEETINGS

- 13.1. September 21 - regular meeting - 6:30 p.m.
October 5 - regular meeting - 6:30 p.m.

14. COMING EVENTS

15. CLOSED SESSION

16. RATIFICATION/CONFIRMING BY-LAW

- 16.1. Be it resolved that By-Law No. 88-2021, being a By-Law to ratify and confirm the proceedings of Council at its regular meeting of September 275

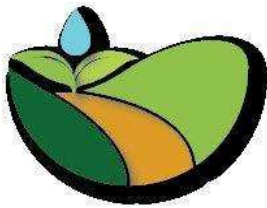
7, 2021, be read a first, second, and third time, passed, signed, and sealed in Open Council this 7th day of September 2021.

[By-Law No. 88-2021 - Confirm September 7 meeting](#)

17. ADJOURNMENT

17.1. Close

Be it resolved that this regular meeting adjourns at p.m.



CANTON DE STORMONT NORD
TOWNSHIP OF NORTH STORMONT

DÉCLARATION D'INTÉRÊT – Loi sur les conflits d'intérêt municipaux
DECLARATION OF INTEREST –Municipal Conflict of Interest Act

Date _____

Nº de l'article et sujet / *Item No and Title:* _____

Je / I, _____ membre du conseil du Canton de Stormont
Nord/Township of North Stormont Council Member:

déclare avoir un intérêt pécuniaire potentiel (réputé ☐ / direct ☐ / indirect ☐
concernant le sujet ci-haut mentionné de l'ordre du jour du Conseil / Comité pour les
raisons suivantes : _____

*declare a potential (deemed ☐ / direct ☐ / indirect ☐) pecuniary interest on Council /
Committee Agenda for the following reason: _____

_____*

Signature

- Pour un « intérêt pécuniaire indirect » voir l'article 2 de la Loi sur les conflits d'intérêt municipaux.
- For an "indirect pecuniary interest" see Section 2 of the Municipal Conflict of Interest Act.
- Pour un « intérêt pécuniaire réputé » direct ou indirect voir l'article 3 de la Loi sur les conflits d'intérêt municipaux.
- For a "deemed" direct or indirect pecuniary interest see Section 3 of the Municipal Conflict of Interest Act.

Intérêt pécuniaire indirect

2 Pour l'application de la présente loi, le membre a un intérêt pécuniaire indirect dans une affaire du ressort du conseil ou du conseil local, dans les cas suivants :

- a) le membre, directement ou par personne interposée :
- (i) est actionnaire, administrateur ou dirigeant d'une personne morale dont les valeurs mobilières ne sont pas offertes au public,
 - (ii) détient des intérêts majoritaires dans une personne morale dont les valeurs mobilières sont offertes au public, ou en est administrateur ou dirigeant,
 - (iii) est membre d'un organisme, qui a un intérêt pécuniaire dans l'affaire;
- b) il est l'associé d'une personne ou l'employé d'une personne ou d'un organisme qui a un intérêt pécuniaire dans l'affaire. L.R.O. 1990, chap. M.50, art. 2.

Intérêt de certaines personnes réputé celui du membre

3 Pour l'application de la présente loi, l'intérêt pécuniaire, direct ou indirect, du père ou de la mère, du conjoint ou d'un enfant d'un membre, est réputé, si le membre en est au courant, un intérêt pécuniaire de celui-ci L.R.O. 1990, chap. M.50, art. 3; 1999, chap. 6, par. 41 (2); 2005, chap. 5, par. 45 (3).

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
- (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body, that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).



**Township of North Stormont
MINUTES
Zoning Amendment Public Meeting
Tuesday, August 10, 2021
Council Chambers
6:45 PM**

COUNCIL PRESENT: Jim Wert, Mayor
François Landry, Deputy Mayor
Steve Densham, Councillor
Roxane Villeneuve, Councillor

COUNCIL ABSENT: Randy Douglas, Councillor

STAFF PRESENT: Craig Calder, CAO/Clerk
Mary McCuaig, Clerk's Department
Moe Hammoud, Junior Planner
Paul Hicks, Planning Consultant
Jessie McPhail, Planning Consultant

1. CALL TO ORDER

RES-223-2021 *Moved by Councillor Villeneuve, Seconded by Deputy Mayor Landry
Be it resolved that this public zoning meeting open for business at 6:45 PM*
CARRIED

2. ADOPTION OF AGENDA (amendments addition or deletions)

Adopt

RES-224-2021 *Moved by Councillor Densham, Seconded by Councillor Villeneuve
Be it resolved that the agenda be approved as presented.*
CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST

4. PRESENTATIONS

RES-225-2021 *Moved by Councillor Villeneuve, Seconded by Deputy Mayor Landry*

Be it resolved that Council receives the Planner's report for file No. Z-2021-05 (GFL Environmental Inc.) and hereby approves the recommendations contained therein.

CARRIED

RES-226-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that Council receives the Planner's report for file No. Z-2021-06 (Mr. Dar) and hereby approves the recommendations contained therein.*

CARRIED

RES-227-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that Council accepts the Key Information Report and attached schedules as part of the supplemental information provided for the August 10, 2021, Public Meeting held in respect of the Draft 2021 Housekeeping Update to Zoning By-law No. 08-2014.*

CARRIED

5. PUBLIC QUESTIONS/COMMENTS

6. ADJOURNMENT

Close

RES-228-2021 *Moved by Councillor Villeneuve, Seconded by Deputy Mayor Landry
Be it resolved that this public zoning meeting adjourn at 8:00 p.m.*

CARRIED

CAO

Mayor



**Township of North Stormont
MINUTES
Regular Meeting
Tuesday, August 10, 2021
Council Chambers
8:01 PM**

COUNCIL PRESENT: Jim Wert, Mayor
François Landry, Deputy Mayor
Steve Densham, Councillor
Roxane Villeneuve, Councillor

COUNCIL ABSENT: Randy Douglas, Councillor

STAFF PRESENT: Craig Calder, CAO/Clerk
Blake Henderson, Public Works Superintendent
Nancy-Ann Gauthier, MLEO
Moe Hammoud, Junior Planner
Mary McCuaig, Acting CAO/Clerk

1. CALL TO ORDER (Opening Remarks)

Open

RES-229-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that this meeting open for business at 8:01 p.m.
CARRIED.*

2. ADOPTION OF AGENDA (amendments addition or deletions)

Adopt

RES-230-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that the agenda be approved as presented.
CARRIED.*

Deputy Mayor Landry	For
Councillor Densham	For
Mayor Wert	For
Councillor Villeneuve	Against

3. DISCLOSURE OF PECUNIARY INTEREST AND NATURE THEREOF

4. DELEGATIONS

OPP Jim Blanchette- To present the January to June 2021 Police Services Board Report.

Tony Fleming - Integrity Commissioner

RES-231-2021 Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that Council receives the report from the Integrity Commissioner regarding the complaint against Councillor Roxanne Villeneuve for information.
CARRIED

Deputy Mayor Landry	For
Councillor Densham	For
Mayor Wert	For
Councillor Villeneuve	Against

RES-232-2021 Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that the Integrity Commissioner report dated July 8, 2021, be made public by posting on the Township website.
Be it further resolved that the following sanctions be imposed:
1) That a communications blackout be imposed against Councillor Villeneuve by prohibiting any email and telephone correspondence to the CAO for a period of nine months.
2) All communications to the CAO from Councillor Villeneuve shall be ONLY through the Mayor.
3) At Council meetings, any verbal communications to the CAO and staff shall be polite and respectful.
4) That Councillor Villeneuve's remuneration be suspended for a period of 45 days.
CARRIED AS AMENDED

Mayor Wert	For
Deputy Mayor Landry	For
Councillor Densham	For

RES-233-2021 Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that the following changes be made to the sanctions recommended by the Integrity Commissioner:
1) That the communications blackout be to the end of the term of this Council.
2) That all communications to the CAO and Staff from Councillor Villeneuve be ONLY through the Mayor.
CARRIED

Mayor Wert	For
Deputy Mayor Landry	For
Councillor Densham	For

5. ADOPTION OF MINUTES OF PREVIOUS MEETING

RES-234-2021 Moved by Councillor Densham, Seconded by Councillor Villeneuve
Be it resolved that the following minutes be approved as presented:
Zoning Public Meeting - July 13, 2021
Regular Council Meeting - July 13, 2021
CARRIED

6. ADOPTION OF MINUTES OF COMMITTEES AND LOCAL BOARDS

7. RECEIVING OF MONTHLY STAFF REPORTS AND RECOMMENDATIONS

RES-235-2021 Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that Council receives the following reports:
Arena Monthly Report - July 2021
Building Department Monthly Report - July 2021
CAO Monthly Report - July 2021
Finance Monthly Report - July 2021
Fire Department Monthly Report - July 2021
Municipal Law Enforcement Department Monthly Report - July 2021
Public Works Monthly Report - July 2021
CARRIED

RES-236-2021 Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that Council receives and approves the request from the Carefor
Eastern Counties team to allow a 50/50 raffle from September 1 - November
29, 2021, with the draw taking place on November 30, 2021, and tickets being
sold through the North-Stor Support Centre.
CARRIED

8. MUNICIPAL BY-LAWS

RES-237-2021 Moved by Councillor Villeneuve, Seconded by Deputy Mayor Landry
Be it resolved that By-Law No. 71-2021, being a By-Law to amend the
Comprehensive Zoning By-law 08-2014 of the Township of North Stormont

(GFL) be read a third time, passed, signed and sealed in Open Council, this 10th day of August 2021.

CARRIED

RES-238-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that By-Law No. 74-2021, being a By-Law to Deem Certain
Lands not to be a Registered Plan of Subdivision for Purposes of Subsection
50 (3) of the Planning Act, RSO 1990, C.P.13 be read a first, second, and third
time, passed, signed and sealed in Open Council, this 10th day of August
2021.*

CARRIED

RES-239-2021 *Moved by Councillor Villeneuve, Seconded by Councillor Densham
Be it resolved that By-Law No. 75-2021, being a By-Law to amend the
Comprehensive Zoning By-law 08-2014 of the Township of North Stormont
(Dar) be read a first, second, and third time, passed, signed and sealed in
Open Council, this 10th day of August 2021.*

CARRIED

RES-240-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that By-Law No. 76-2021, being a By-Law to enter into a
subdivision agreement with 2035482 Ontario Inc. (SACA Land Developments
Inc.) for Phase 2 of a Registered Plan of Subdivision known as Part of Lot 12,
Concession 9, creating 2 Blocks, 27 Lots and 1 Street be read a first, second,
and third time, passed, signed and sealed in Open Council, this 10th day of
August, 2021.*

CARRIED

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. MOTIONS AND NOTICES OF MOTIONS

RES-241-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that Council does not support the resolution from the City of
Vaughan in requesting the Ontario government consider raising the current
minimum driving age for licensed G1 operators of motor vehicles in Ontario
from 16 to 18 years old.*

CARRIED

12. CORRESPONDENCE

RES-242-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that Council receives the correspondence listed as items 12.1 to 12.8 on the agenda.*

CARRIED

13. SCHEDULING OF MEETINGS

September 7 - regular meeting - 6:30 p.m.

September 21 - regular meeting - 6:30 p.m.

14. COMING EVENTS

15. CLOSED SESSION

Closed session required under Section 239 (2) of the Municipal Act for litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

RES-243-2021 *Moved by Councillor Densham, Seconded by Deputy Mayor Landry
Be it resolved that this meeting adjourn to a closed session for the following reason:*

1) As per Section 239 (2) of the Municipal Act for litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

Re-open closed meeting to public

RES-244-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that this public session reopens at 9:50 p.m.*

CARRIED

16. RATIFICATION/CONFIRMING BY-LAW

RES-245-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that By-Law No. 77-2021, being a By-Law to ratify and confirm the proceedings of Council at its regular meeting of August 10, 2021, be read a first, second, and third time, passed, signed, and sealed in Open Council this 10th day of August 2021.*

CARRIED

17. ADJOURNMENT

Close

RES-246-2021 *Moved by Deputy Mayor Landry, Seconded by Councillor Densham
Be it resolved that this regular meeting adjourns at 9:51 p.m.
CARRIED*

CAO

Mayor

NORTH STORMONT ARENA AUGUST REPORT 2021

- **FIRE ALARM SYSTEM COMPLETED AND CERTIFIED**
- **STARTED ICE PLANT ON AUGUST 30**
- **QEL WAS IN AND CERTIFIED CO2 AND AMMONNIA ALARM**
- **BELL PHONE LINE WAS INSTALLED**
- **SCHEDULED ICE RENTALS**
- **PAINT NEW CONDUIT FOR FIRE ALARM AND REPAIRED AND PAINTED HOLES THAT WERE MADE DURING THE INSTALLATION OF THE FIRE ALARM**
- **RENEWED CANTEEN CONTRACT WITH CONNIE FROM CONERSTONE**



BUILDING PERMIT REPORT FOR THE MONTH OF AUGUST 2021

TYPE OF BUILDING	TOTAL PERMITS	CONSTRUCTION VALUE	PERMIT VALUE	TOTAL PERMIT 2021	TOTAL CONSTRUCTION YEAR TO DATE	TOTAL PERMIT VALUE YEAR TO DATE
<i>Number of Residential Units</i>	0	\$0.00	\$0.00	21	\$ 9,140,000.00	\$ 53,474.01
<i>Additions to Dwellings</i>	0	\$0.00	\$0.00	9	\$ 440,500.00	\$ 4,240.16
<i>Accessory Storage Building</i>	2	\$83,000.00	\$921.92	14	\$ 638,500.00	\$ 6,476.32
<i>Alteration/Renovations</i>	1	\$15,000.00	\$150.00	15	\$ 858,000.00	\$ 5,988.01
<i>Farm Building</i>	3	\$570,000.00	\$8,397.56	10	\$ 1,460,000.00	\$ 27,478.40
<i>Demolition Permit</i>	0	\$0.00	\$0.00	8	\$ -	\$ 1,200.00
<i>Swimming Pool & Deck</i>	4	\$42,000.00	\$600.00	20	\$ 365,500.00	\$ 3,100.00
<i>Township Owned</i>	0	-	\$0.00	1	\$ 61,429.00	\$ -
<i>Temporary Permit</i>	0	-	\$0.00	2	\$ -	\$ 300.00
TOTALS	10	\$710,000.00	\$10,069.48	100	\$ 12,963,929.00	\$ 102,256.90

46 Inspections were conducted by the CBO
 Andre Brisson
 Chief Building Official



MONTHLY ACTIVITY SUMMARY

CAO – AUGUST 2021

WORK COMPLETED

- ✓ Participated in MOH/EOHU regular conference calls/updates for Eastern Ontario
- ✓ Provincial Webinar – Community Building Fund
- ✓ County Economic Development Meeting Participation
- ✓ Participated in Regional Waste Management Meeting Update
- ✓ Webinar – Pandemic Impact on Property Sectors Ontario (MPAC)
- ✓ SDG economic development working group – initial tourism video footage featuring locations throughout the Townships has been completed and includes two (2) North Stormont locations (Fields of Gold and Avonmore Berry Farm)

NATION RISE WIND FARM - UPDATE

Reclamation activities continue and are focused on restoration activities on Concession 10-11 Road and Concession 11-12 Road as well as County Road 13 and Concession 6-7. Gate installation at turbine 25. Installation of turbine signage and collection line markers. EDP indicates various small activities may be occurring across the project. Road Use Post Construction Survey and draft report completed by Tulloch and final report targeted for delivery to township and county by end August. Community Benefit Fund payment was received. Home Improvement Fund has an established, fully executed agreement.

Reclamation activities for the week of August 29 to September 2 included fence installation at turbine 25 access road, culvert repair at Concession 6-7 Road, laydown yard on Forgues Road is being demobilized, turbine signs and collection markers being installed at various locations. Final road assessment report was expected from Tulloch last week however it was delayed and will be provided this week. The home improvement fund payment has been processed and mailed this week.

GRANT OPPORTUNITIES

- Staff and Grant Match reviewing two (2) Trillium grant opportunities. The Community Building Fund assists in financial support for renovations of existing sport/recreational facilities. There is a yet to be open capital project fund that may apply to the Moose Creek Recreation new construction – opening date yet to be announced.
- Provincial program focused on municipal sewage works. OCWA is leading the application process and will focus on the following items of most urgent need related to our infrastructure:
- EAF (Enabling Accessibility Fund) initial application was unsuccessful. The EAF may, however, revisit these “old” applications and may offer future approvals. Township staff will resubmit if the opportunity presents itself. Township staff are hopeful that grant funds for the Council upgrades to enhance/improve accessibility to public participation may still be realized via the ICG grant, announcements pending.



TOWNSHIP OF
**NORTH
STORMONT** 
A good place to grow

MONTHLY ACTIVITY SUMMARY
FINANCE DEPARTMENT
AUGUST 2021

WORK COMPLETED

- 2020 FIR
- Property tax arrears: final reminder notices
- Trial Balance re-organization and setup additional cost centers for public works: road network
- Bi-weekly Asset Management Meetings with SDG
- Meetings with Paymentus, online payment service provider for Township website
- Payroll and Payroll Remittances (WSIB, EHT, OMERS, RRSP)
- May HST monthly reconciliation and remittance
- Review of all deposit postings for cash control and accuracy
- Update ownership change process for billing
- Respond to resident questions on tax and utility accounts

WORK IN PROGRESS

- 2020 Municipal Drain Maintenance billing
- Review options to vest/re-advertise for Tax Sale #18-08 (no tenders received)
- CRA RT number registration for all Recreation Associations: Crysler Recreation pending
- Seek additional grant opportunities for upcoming projects: GICB and CCRF
- Tax bills for right of way and railways
- Supplemental and Omitted tax bills
- School Boards & County payment reconciliations



Monthly Activity Summary

Fire Department

August 2021

WORK COMPLETED - Fire Chief

- Continuous review for 2021, budget, training, staffing.
- Continued communication with Deputy Chiefs.
- Communicate with Training Coordinator re NFPA 1001
- Attend calls.
- Ensure Filing for documentation for Office of the Fire Marshall.
- Review calls up to August 31st, 2021.
- Attend SD&G Fire Chiefs Meeting.
- Review OFM prepared documents.
- Maintain plan of action for water restriction in Moose Creek.
- Review open air by-law and prepare Fireworks by-law.
- Preparing second class of NFPA 1001 for 2021/2022.
- Attend August 14th, 2021 completion of NFPA 1001 for student.
- Started communication installation for department.
- Prepare and submit report to OFM for Grant of \$6,200.00
- Data collection for Community Risk Assessment due July 1, 2024 as per legislation O. Reg. 378/18. Draft of Data collected submitted by Student.
- Continue maintenance of Stations and develop HVAC maintenance program.
- Review of Memorandum of agreements with various agency.

In Progress for September 2021 - Fire Chief

- Continue assessment of Department needs for training and budget for 2021, ongoing monthly, starting to prepare for Budget 2022.
- DZ in house program review. Prepare program.
- Attend calls.
- Continue installation of communication system due to start August 9, 2021.
- Submit Documents for OFM, after review.
- Complete and submit documents for Open Air Permit online. On Hold
- Complete Job description for Fire Department training officer.
- Continue working with summer student with data collection for Community Risk Assessment due July 1, 2024 as per legislation O. Reg. 378/18. Draft of Data collected submitted by Student.
- Start Web Page project for Fire Department.

Nancy-Ann Gauthier,
Fire Chief

Monthly Activity Report
August 2021



Monthly Activity Summary

Fire Department

INCIDENTS 2021	Total Calls	Total Dollars Loss if applicable
Ambulance Assist		
Ditch Fire		
False Alarm	10	
Fireworks		
Medical Calls	2	
Mutual Aid		
Non-Structure Fire	4	\$1,500
Open Air	4	
Open Air Control	1	
Other	5	
Smoke & CO alarm activation	6	
Structure Fires	6	\$617,000
Vehicle Fire	8	\$517,000
Vehicular Accident	11	
Gas Leak	4	
TOTAL CALLS & LOSS	56	\$1,135,500

As of August 31, 2021, NSFS total calls 61.
 July saw an increase of 5 calls and \$450,000 in dollar loss.

Nancy-Ann Gauthier,
 Fire Chief

Monthly Activity Report
 August 2021



Monthly Activity Summary

Fire Department

WORK COMPLETED – Fire Prevention

- Ongoing compliance of Care Occupancy, Group Home.
- Completion of fire Safety Plan approval of Care Occupancies, schools and day care.
- Review of Prevention budget, ongoing.
- Various e-mails and telephone inquiries.
- Inspection for fire code compliance.
- Work in conjunction CBO Brisson with various projects,
- Prepare inspection report(s) or order(s) for compliance of Fire Code.
- Liaise with OFM advisor on various cases and other government agencies.
- Increased social media for prevention with safety messages since more people at home during this pandemic. On Going by Public Education team.
- Writing of investigations reports.
- Attend Webinars and various meetings.
- Meeting with videographer and Public Education officer for programs for Fire Prevention Week, Christmas and several projects.

WORK IN PROGRESS:

- Ongoing compliance of Care Occupancies, Group home - corresponding via e-mail only.
- Work with Zoning and Building on Fire Code Compliance fire code issues.
- Inspection of Municipal Building compliance with Fire Code (On going).
- Reviewing monthly with Public Education Officer our events with current situation.
- Review Fire Safety Plan.
- Preparing for Public Education Week with Team for 2021. Virtual programs being discussed. Ongoing
- Inspections have resumed on a case-by-case basis and priority.
- Update Fire Department – Fire Prevention website page.

Nancy-Ann Gauthier,
Fire Chief

Monthly Activity Report
August 2021



Monthly Activity Summary

Municipal Law Enforcement Department

August 2021

Work completed:

- Following up on existing complaints and their resolution.
- Respond to multiple inquiries regarding various by-laws and writing response to complainer.
- Attended Webinars various Zoom Meetings.
- Attendance at Council Meetings.
- Maintain and update website.
- Met with summer student to ensure all is good.
- Close summer students as their contract ends.
- Preparation of Various reports for Management and council.
- Open Air permits issued 89 to date. Burn Ban is on.
- Inspection of Kennel (hold). Issuance of their license.
- Dog Tags on going.
- Inspection of Avonmore structure for Opening.
- Review of new by-law and revised by-laws

WORK IN PROGRESS:

- Following up on existing complaints and their resolution.
- Write notices for new complaints with follow up visits.
- Attendance at Council meeting, and special council meeting as required.
- Attendance of Senior Management weekly meeting.
- Review on MLEO budget – Monthly and ongoing.
- Issuance of Open-Air Permits, ongoing.
- Inspection of kennels. hold
- Dog license (door to door). hold
- Maintain and update website.
- Attend Various Webinars.
- Continued summer student program review.

Nancy-Ann Gauthier,
Municipal Law Enforcement Officer

Monthly Activity Summary
August 2021

***Monthly Activity Summary
Public Works Operations
August 2021***

Completed Work:

- RFQ-PW-008-2021 Foundation for Salt Shed awarded to Storage Systems Construction for \$245,000.00
- RFQ-PW-009-2021 Sidewalk reconstruction not awarded (over budget and report to follow)
- RFQ-PW-010-2021 Heating System Upgrade awarded to AtelAir for \$19,932.00
- Eighth Road widened and gravel resurfaced
- Eighth Road soil and seed roadside
- Avonmore Pool Support
- Moose Creek Pool Support
- Finch Fire Hall Parking Lot
- Fairview Drive School Zone Study
- Concession 21 driveway tie-ins


- **Work in Progress**

- Road Patrol in accordance with MMS
- Shop Maintenance
- Hard top Patching
- Roadside Mowing
- Eighth Road Paving
- McMillans Corners Road Surface Treatment

September at a glance

- Salt shed preparation – excavation + layout
- Complete Eighth Road
- Complete McMillans Corners Road
- Heating System Upgrade East Patrol
- Crysler Sidewalk Study



 <div style="text-align: center;"> The Corporation of the Township of NORTH STORMONT </div>		Report No. CAO-
		File No.
Agenda Date:	September 07, 2021	
Subject:	Building Closure	
Attachments:		

1.0 RECOMMENDATION

THAT Council of the Corporation of the Township of North Stormont approves the permanent closing of the Moose Creek Recreation Facility.

2.0 LEGAL DESCRIPTION

North Stormont Township, 4 St-Polycarp - PLAN 66 LOT 154 LOT 156

3.0 BACKGROUND

We are looking for approval to permanently close the building at the above address, known as Moose Creek Recreation Center.

4.0 POLICY CONSIDERATION

The Municipal Act, S.O. 2001, c.25, as amended and the Health and Safety Act O. Reg. 278/05.

5.0 ANALYSIS

On August 18, 2021 the Moose Creek Recreational Association and the New Moose Creek Hall Committee represented by Lorena Sollows, Ryan Villeneuve and Nicholas Forgues as well as the Recreation Coordinators Pierre Thibeault and Ellen MacNaughton discussed the health and fire safety hazards of the building. It was discussed that regardless of the DSR - Designated Substance Report not being received it was confirmed that black mold existed in the building. This in itself would/could have health impacts on the vulnerable patrons such as seniors and children utilizing the facility. The cost to confirm the type of mold was discussed and we felt as a group it was not required. We then discussed the issues of fire safety, building issues and maintenance of

various items. All parties were given an opportunity to voice their questions and concerns.

Pierre and Ellen have discussed the potential use of other halls in North Stormont, such as Finch and Chrysler for Moose Creek Recreation's use at not cost for any fundraising events they may have. As well, Deputy Chief Forgues and I offered Station 4 (Moose Creek) for the Halloween haunted house if this event is moving forward this year. On a personal note, I would like to state that the support the recreations groups show and grant each other is to be commended.

It is with a heavy heart that we ask council to support the unanimous decision taken by the group to close the building effective September 20th, 2021. Township staff will support the closure by suspending various services on their behalf.

Update August 30th, 2021

The report of the inspection done for the DSR was received by CAO Calder and a synopsis is being provided for council.

Asbestos testing came back (mostly negative) . Beige floor tile on main floor came back positive and the roof materials need to be assessed.

Lead – Various paint samples in basement contain lead that exceeds allowable levels.

Silica – common and demo crew would take regular measures to reduce exposure when demo occurs.

Mercury – may be found in the fluorescent lights – not high enough content to pose a hazard to the demo crew (remove as per regs).

6.0 ENVIRONMENTAL CONSIDERATIONS

N/A

7.0 RECOMMENDED CONDITIONS

Staff recommends the closure be approved. The health and safety of the residents of Moose Creek and of North Stormont is and remains our priority.

8.0 ALTERNATIVES

1. That council approves the closure of 4 St-polycarp, Moose Creek
2. Other

FINANCIAL/STAFFING IMPLICATIONS

This item has been approved in the current budget:

Yes ☐ No ☐ N/A ☒

This item is within the approved budgeted amount:

Yes ☐ No ☐ N/A ☒

This item is mandated by the Provincial/Federal Government:

Yes ☐ No ☐ N/A ☒


Prepared By:

**Reviewed and
submitted by:**

**Submitted for Council
consideration by:**



Craig Calder
Clerk

		The Corporation of the Township of NORTH STORMONT	Report No. PD-005-2021
			File No. D- Development and Planning - D12 Subdivision Plans – Jen Sub
Agenda Date:	September 7, 2021		
Subject:	Part Lot Control (Jen Sub Developments Inc.) - Planning Report		
Attachments:	Schedule A – Proposed Parcel Layout (52R-8351)		

1.0 **RECOMMENDATION**

THAT Council exempt the subject lands from the part lot control provisions of the Planning Act, to facilitate the realignment of the Calco Crescent right of way within registered plan of subdivision Plan 52M-28. Furthermore, that Council provides first, second, and third reading to Part Lot Control By-law No. 78-2021, and once adopted, direct administration to forward said by-law to the United Counties of Stormont, Dundas and Glengarry for final approval.

2.0 **LEGAL DESCRIPTION**

This By-law applies to the following lands:

- Lot 14, Plan 52M-28 (PIN: 60118-0513), 26 Calco Crescent;
- Lot 15, Plan 52M-28 (PIN: 60118-0514), 28 Calco Crescent; and,
- Lot 16, Plan 52M-28 (PIN: 60118-0515), 30 Calco Crescent;

all in the geographic Township of Roxborough, Township of North Stormont.

The realignment will also involve the addition of part of Lot 11, Plan 52M-28 (PIN: 60118-0510), 31 Calco Crescent, geographic Township of Roxborough, Township of North Stormont to the existing right of way.

3.0 **BACKGROUND**

Section 50(5) of the Planning Act prevents part of a lot on a registered plan of subdivision from being conveyed without consent approval (i.e. severance approval). This is referred to as “part lot control” and prevents any division of land in a registered plan without further approvals being obtained, unless one of the other

exceptions set out in Subsection 50(5) of the Act is met. Subsection 50(7) of the Planning Act enables a local municipality to pass a bylaw to remove “part lot control” from all or part of a registered plan of subdivision in certain circumstances (i.e. the re-subdivision of land in an approved plan of subdivision or the creation of lots for semi-detached dwellings or townhouse development, etc.). Such a by-law has the effect of allowing the conveyance of any portion of a lot without requiring the approval of the consent authority. The United Counties of Stormont, Dundas, and Glengarry is the approval authority for part lot control exemptions.

The applicant has applied to the Township for the proposed part lot control exemption to allow for the Calco Crescent right of way to be realigned. The minor realignment of the right of way would affect the lotting fabric of Lots 14, 15, and 16, and the part lot control exemption will allow for these lots to be adjusted to suit the new road boundary and location.

4.0 POLICY CONSIDERATION

Section 8.12.13.4 of the Official Plan of the United Counties of Stormont, Dundas, and Glengarry permits the granting of a part lot control exemption for existing plans of subdivision where it is necessary to re-align lot boundaries to clarify or grant title, require specific servicing requirements as a condition of approval such as road widening, or to further control internal development on a lot. The proposed exemption complies with the policies of the Official Plan.

5.0 ANALYSIS

Council is provided with reviewed documentation from the developer’s lawyer, including Reference Plan 52R-8351 showing the proposed lot layout (dated July 9, 2020) as well as the draft Part Lot Control By-law. Staff have reviewed the proposed redivision of the lands prepared by the applicant’s surveyor and draft by-law prepared by the applicant’s solicitor, and do not have concerns with the proposed exemption. The proposed parcel layout described in the draft By-law is shown as Parcels “A”, “B”, “C”, and “D” on the attached keymap (Schedule “A”).

The proposal involves a minor adjustment of the lotting fabric within the existing plan of subdivision in order to accommodate a realignment of Calco Crescent. The subject lands are located within an existing plan of subdivision (File No. 01-NS-S/2011) and are zoned “Residential First Density (R1) Zone”. The R1 Zone is intended to accommodate single detached dwellings, and the proposal would not alter the nature of the development intended for the subdivision.

6.0 ENVIRONMENTAL CONSIDERATIONS

N/A

7.0 RECOMMENDED CONDITIONS

That the developer/owner shall convey a sightline triangle measuring approximately 6m x 6m from the corner property line on Lot 16, Plan 52M-28 (PIN: 60118-0515), at 30 Calco Crescent.

8.0 ALTERNATIVES

1. Council can exempt the subject lands from Part Lot Control.
2. Council can not exempt the subject lands from Part Lot Control.

FINANCIAL/STAFFING IMPLICATIONS

This item has been approved in the current budget:	Yes	No <input type="checkbox"/>	N/A x
This item is within the approved budgeted amount:	Yes	No <input type="checkbox"/>	N/A x
This item is mandated by the Provincial/Federal Government:	Yes	No <input type="checkbox"/>	N/A x

Prepared By:

**Reviewed and
submitted by:**

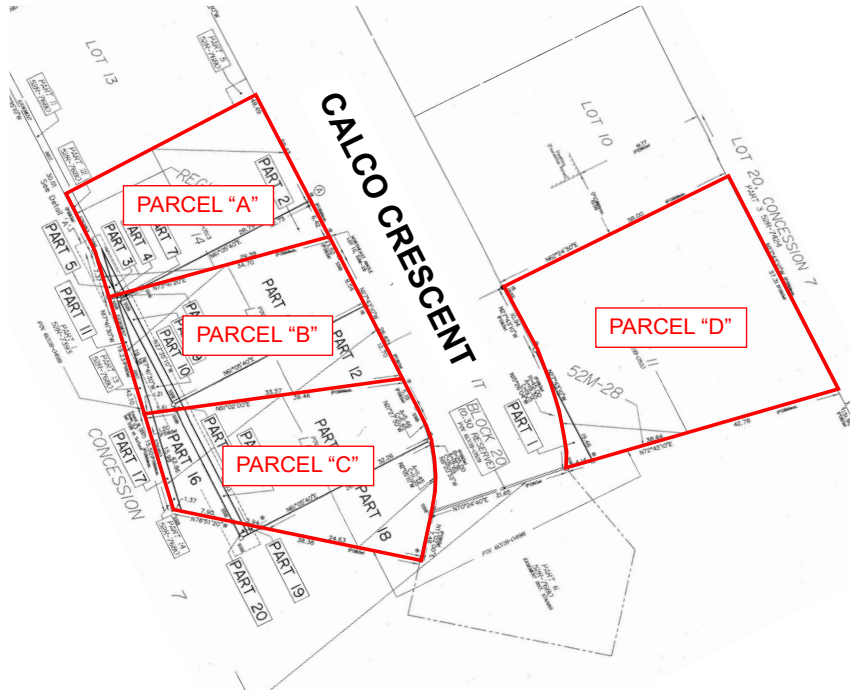
**Submitted for Council
consideration by:**


Moe Hammoud

Craig Calder

Moe Hammoud

SCHEDULE "A" – PROPOSED PARCEL LAYOUT (52R-8351)
(26, 28, 30, 31 Calco Crescent, Moose Creek)



 <div style="text-align: center;"> The Corporation of the Township of NORTH STORMONT </div>		Report No. PD-004-2021
		File No. D- Development and Planning - D11 Site Plan Control- G & E Reno- George St.
Agenda Date:	September 7, 2021	
Subject:	Reduction of Securities -G & E Reno Construction Inc	
Attachments:		

1.0 **RECOMMENDATION**

THAT Council authorizes the reduction of securities for a Site Plan Control Agreement with G & E Reno Construction Inc. to the amount of \$0.00 from \$61,950.00.

2.0 **LEGAL DESCRIPTION**

Lot 13 Block A Plan 12; Part of Lot 14 Block A Plan 12, Part 2 on Plan 52R-8043; Township of North Stormont

3.0 **BACKGROUND**

The Developer is seeking a reduction of the irrevocable letter of guarantee currently held by the Township for works completed relating to the site plan control agreement entered in with G & E Reno Construction Inc. This site plan control agreement pertains to a three building, 13-unit Townhouse project in Crysler, Ontario. To date, all servicing requirements have been completed within the site plan control area.

The Township normally holds securities for subdivision and site plan control agreements associated with infrastructure that the municipality will assume once all engineering works have been completed to the satisfaction of the Township. This includes water and sewer infrastructure, roadways, storm water, site lighting, etc. However, in this project the road which services the Townhomes is an established municipal road (George Street) with existing municipal water, sewer and storm water infrastructure.

4.0 **POLICY CONSIDERATION**

The Planning Act establishes the processes pertaining to site plan control areas. An agreement was entered into concerning the works to be completed by the developer on April 10th, 2018.

5.0 ANALYSIS

The Township has reviewed the request for the return of security based on the works completed to date. A site visit by Township staff conducted on December 17th, 2020, May 18th, 2021, and August 17th, 2021 confirmed that the project has been completed and that the municipal road and infrastructure were reinstated to their original condition to the satisfaction of the Township. The as-built servicing, grading, and drainage plans that have been submitted confirm that the project site was adequately constructed to maintain the integrity of the original design intent.

The Township staff support the return of the certified guarantee as there are no remaining works to be completed as outlined in the site plan control agreement and said works have been completed to the satisfaction of the Township.

6.0 ENVIRONMENTAL CONSIDERATIONS

N/A

7.0 RECOMMENDED CONDITIONS

N/A

8.0 ALTERNATIVES

1. Council can approve the return of security.
2. Council can not approve the reduction of security.

FINANCIAL/STAFFING IMPLICATIONS

This item has been approved in the current budget:	Yes	No <input type="checkbox"/>	N/A x
This item is within the approved budgeted amount:	Yes	No <input type="checkbox"/>	N/A x
This item is mandated by the Provincial/Federal Government:	Yes	No <input type="checkbox"/>	N/A x

Prepared By:

Moe Hammoud

**Reviewed and
submitted by:**

Craig Calder

**Submitted for Council
consideration by:**

Moe Hammoud



To: Mayor Wert and Members of Council, Township of North Stormont

From: Jesse McPhail, BA, Township Consultant Planner

Date: September 7, 2021

Re: Housekeeping Update to Zoning By-law 08-2014

1.0 RECOMMENDATIONS

The following recommendations are all related to the Housekeeping Update to the Township of North Stormont Zoning By-law:

- 1.1 THAT Council approve By-law No. 87-2021 (Textual Amendments) to adopt the proposed textual amendments to By-law 08-2014 as part of the housekeeping update to the Township of North Stormont Zoning By-law.
- 1.2 THAT Council approve By-law No. 81-2021 (General Schedules) to change the zoning of certain lands in the Township of North Stormont as part of the housekeeping update to the Township of North Stormont Zoning By-law.
- 1.3 THAT Council approve By-law No. 85-2021 (SACA) to change the zoning of Lots 1 to 31 and Blocks 32 & 33 on Plan 52M-25 from "Residential First Density – Special Exception 15 (R1-15) Zone" to "Residential First Density (R1) Zone".
- 1.4 THAT Council approve By-law No. 80-2021 (AL Blair) to change the zoning of certain areas of CON 10 PT LOT 11; and, CON 10 PT LOT 10 WITH R.O.W.; RP52R3092 PART 1; from "Rural (RU) Zone" to "Mineral Aggregate Quarry (MQ) Zone" and "Rural – Special Exception 28 (RU-28) Zone".
- 1.5 THAT Council approve By-law No. 86-2021 (Sanders) to change the zoning of FINCH CON 1 PT LOTS 13 AND ; 14; from "Agricultural (AG) Zone" to "Agricultural – Special Exception 20 (AG-20) Zone".
- 1.6 THAT Council approve By-law No. 84-2021 (Roy) to change the zoning of ROXBOROUGH CON 1 PT LOT 27; from "Agricultural

(AG) Zone” to “Agricultural – Special Exception 20 (AG-20) Zone”.

- 1.7 THAT Council approve By-law No. 82-2021 (Ledoux) to change the zoning of ROXBOROUGH CON 1 PT LOT 28; from “Agricultural (AG) Zone” to “Agricultural – Special Exception 20 (AG-20) Zone”
- 1.8 THAT Council approve By-law No. 83-2021 (Quesnel) to change the zoning of ROXBOROUGH CON 7 PT LOT 25; from “Agricultural (AG) Zone” to “Agricultural – Special Exception 20 (AG-20) Zone”.
- 1.9 THAT Council approve By-law No. 79-2021 (780797 - Logtens) to change the zoning of FINCH CON 5 PT LOT 2 AND RP ; 52R8035 PARTS 9 TO 11 15 AND ; 16; from “Agricultural (AG) Zone” to “Agricultural – Special Exception 20 (AG-20) Zone”

2.0 LEGAL DESCRIPTION / LOCATION

The Zoning By-law affects all lands in the Township of North Stormont. Those individual properties that are subject to a proposed site-specific zoning amendment have been identified within the draft by-laws prepared as part of this request.

3.0 BACKGROUND

As a best practice throughout Ontario, it is common for municipalities to review their zoning by-laws on an annual basis to ensure these documents are kept up to date with policy/regulation changes and maintained as an effective tool for facilitating land use and development. These reviews typically involve identifying and correcting technical errors, improving the clarity of specific sections, updating zone mapping, revising existing sections to simplify regulations, as well as introducing all-new provisions to regulate certain types of development which may not be currently addressed. The Township of North Stormont has not undertaken a full housekeeping update to Zoning By-law No. 08-2014 since Fall 2017. The by-laws brought forth to Council under this action request comprise the 2021 Housekeeping Update.

A public meeting was held on August 10, 2021, to present the draft changes to Council and the public. Notice of the public meeting was provided to all prescribed persons and agencies as outlined under the *Planning Act*. The Key Information Report prepared for the public meeting provides a summary of the changes proposed under the

housekeeping update. Several written and oral submissions were received by staff prior to, during, and after the public meeting. A brief overview of submissions received by staff is provided in Section 5.0 of this report. Upon further review of submissions made by Council, agencies, and members of the public, revisions to the draft changes were undertaken to address comments/concerns, as outlined below:

- Minor revisions were made to correct typos, errors, spelling, and grammatical errors identified in the proposed changes.
- Revisions were made to "Section 3.28 – Open Storage and Outdoor Display" to restrict open storage to highway commercial, industrial, salvage yard, waste disposal, and aggregate zones as an accessory use. Provisions of the section were also revised to outline more specific details for required screening and setbacks (including increased requirements when abutting residential zones), and exceptions for agricultural operations. These changes are intended to work in conjunction with the property standards by-law and allow for better regulation of open storage.
- The "Flood Plain (FP) Zone" & "Hazard Land (H) Zone" are no longer proposed to be combined and will remain in their current state as-is. Only minor technical changes to the wording of permitted uses and requirements within these zones are proposed to align with updates to the definitions section. A future review with South Nation Conservation was deemed necessary to ensure all potential implications are more closely considered and evaluated prior to any amendments to these zones. However, minor revisions to the wording of the permitted uses of these zones were made in accordance with recommendations provided by SNC.
- The "Wetland (WL) Zone", "Provincially Significant Wetland (PSW) Zone", and "Area of Natural or Scientific Interest (ANSI) Zone" are no longer proposed to be combined into one "Environmental Protection (EP) Zone" and will remain in their current state as-is. Only minor changes to the wording of permitted uses and language within these zones are proposed to align with updates to the definitions section. A future review with South Nation Conservation was deemed necessary to ensure all potential implications are more closely considered and evaluated prior to any amendments to these zones. However, minor revisions to the wording of the permitted uses of these zones were made in accordance with recommendations provided by SNC.

- In accordance with the above, Schedules 1-10 will no longer be revised to reflect the deletion of the "Flood Plain (FP) Zone", "Wetland (WL) Zone", "Provincially Significant Wetland (PSW) Zone", and "Area of Natural or Scientific Interest (ANSI) Zone", and the addition of the "Environmental Protection (EP) Zone".
- No additional major changes/revisions have been made to the amendments as proposed.

4.0 POLICY CONSIDERATIONS

It is in staff's opinion that all changes proposed under the housekeeping update by-laws are consistent with the Provincial Policy Statement (PPS) and conform to the United Counties of SDG Official Plan (OP). Section 8.12.6 of the OP specifically establishes the authority for the Township to undertake this housekeeping update, and further requires that the zoning by-law be maintained in conformity with the OP. The textual updates will improve clarity and user-friendliness for both staff and the public, as well as reduce the burden of regulation/costs on the community by modernizing provisions and eliminating overly prescriptive standards. The zoning map changes are largely intended to implement the PPS requirements for rezoning remnant farm parcels following severance of a surplus farm dwelling (in accordance with Policy 2.3.4 of the PPS), achieve conformity with the OP land use schedules, and/or more appropriately reflect the current observed use of the subject lands to which they apply.

5.0 ANALYSIS

The proposed amendments under the housekeeping update are intended to improve the Zoning By-law by achieving greater consistency with the PPS and conformity with the OP in how it regulates land use and development. The proposed amendments to the zoning schedules are also intended to achieve this goal.

A public meeting was held on August 10, 2021, to present the draft changes to Council and the public. Several written and oral submissions were received by staff prior to, during, and after the public meeting. A summary of written submissions received by the Township are provided below, organized by topic.

Rezoning of Remnant Farm Parcels

Most written and oral submissions received by the Township were associated with the proposed rezoning of remanent farm parcels left over from surplus dwelling severances. All submissions on this matter

were made by owners of the respective properties, citing opposition to the proposed rezoning. The main reason for the opposition provided was the lack of notification or forewarning about the pending requirement to have the property rezoned to prohibit dwellings at the time of purchase (as they would've been zoned AG). Most submissions cited that this knowledge would have affected their decision to purchase if they knew about the pending restrictions on dwellings.

Per the requirements of Section 2.3.4 of the PPS and Section 8.12.13.3 of the OP, a surplus dwelling severance (separating an existing dwelling from farmland) within a prime agricultural area is only permitted under specific circumstances and subject to two main conditions; one of which being that the Township ensures that any new residential development is prohibited on the remnant farm parcel or "retained lands". As a best practice, this is typically accomplished through rezoning. To fulfill this condition, the Township currently requires severance applicants to sign an acknowledgement form (as a condition of approval) that the remnant farm parcel will be rezoned by the Township as part of a housekeeping at a later date. The group of parcels being brought forward for a rezoning to "Agricultural – Special Exception 20 (AG-20) Zone" will satisfy this requirement, as it prohibits new residential uses on remnant parcels of farmland.

Notwithstanding the above, it is important for Council to note that the Township has not undertaken a housekeeping update for several years, and as such many of these rezonings have not yet been implemented. Furthermore, some of the remnant farm parcels subject to opposition were created as far back as 2014, and in some cases have since been sold one or more times to new owners. Many of the submissions noted that, as subsequent owners of the property, they were not made aware of the pending restrictions at the time of purchase, as a typical due-diligence exercise (i.e., zoning compliance letter) would only indicate the current zoning, not a future zoning change based on an "acknowledgement" signed by the original severance applicant.

Staff can confirm the validity of most concerns raised by the current owners, considering the circumstances; however, the recommendation of the Planning Department must be consistent with the policies of the PPS and OP. Ultimately, Council holds the authority for decisions on rezoning of lands within the Township. **Please note that recommendations 1.5 to 1.9 in Section 1 of this report comprise the by-laws dealing with remnant farm parcels.**

Merging of Hazard and Natural Heritage Zones

South Nation Conservation made a submission related to the initial proposal to merge the "Flood Plain (FP) Zone" & "Hazard Land (H) Zone" into a single zone, and merge the "Wetland (WL) Zone", "Provincially Significant Wetland (PSW) Zone", and "Area of Natural or Scientific Interest (ANSI) Zone" into one "Environmental Protection (EP) Zone". In their submission to the Public Meeting, SNC advised they did not object to the proposed amendments but noted that they may inadvertently introduce greater restrictions on landowners/development over and above what is currently required in the PPS and County OP policies. The original intent with the changes was to simplify the regulation of these areas/features without increasing restrictions. As such, Township staff followed up with SNC staff in a meeting to discuss the proposed amendments further.

At this meeting, it was recognized that there are changes that should be made to the zoning by-law to improve consistency and clarity in how it regulates flood plains, hazard lands, and natural heritage features. However, it was concluded that these larger changes should be pursued as part of a standalone process and/or as part of a comprehensive zoning by-law review/update in the future, to ensure the intent of simplification and consistency is achieved, without unduly increasing restrictions. Accordingly, the proposed amendments dealing with the merging of these zones have been removed from consideration as part of the housekeeping update; however, minor revisions to the text within these zones were made in accordance with subsequent recommendations provided by SNC.

Other / General

One landowner made oral submissions at the public meeting with respect to a proposed zoning change of their property (14630 County Road 43) from "Highway Commercial (CH) Zone" to an "Agricultural – Special Exception (AG-#) Zone". They opposed the amendment, citing concerns that it would remove their ability to continue operating a commercial business on the lands, and questioned why their property was identified when other similar ones in the vicinity had not. Staff would note that the proposed change to an Agricultural Special Exception Zone would not affect the ability for the current owner to continue operating their commercial business on the lands. However, in considering the submission and further reviewing other similar cases in the immediate area and elsewhere in the Township (which were not part of the housekeeping), staff believe that

commercial and industrial-zoned properties in the agricultural area should be reviewed as part of a standalone process and/or as part of a comprehensive zoning by-law review/update in the future, once the County Official Plan Land Use Schedules have been adopted (they are currently still under appeal). Accordingly, the proposed zoning amendment for 14630 County Road 43 has been removed from consideration as part of the housekeeping update. Staff did communicate to the owner that this matter would be addressed in the future as part of a separate process.

One oral submission was made via telephone requesting that the Township remove the maximum floor area limits for detached secondary dwelling units (proposed to be limited to the maximum size of the main dwelling), citing concerns that some older "main dwellings" will limit their secondary unit size. Staff believe that it is important to uphold the "secondary" nature of these dwelling units through maximum size limitations, as they are not intended to be second dwellings but subordinate units. Therefore, no change is recommended.

One written submission was received in general support of the new secondary dwelling unit provisions.

Most of the other comments received were related to questions of clarification on the proposed amendments to the zoning by-law. No other major concerns or items have been submitted other than those noted

6.0 ENVIRONMENTAL CONSIDERATIONS

None.

7.0 RECOMMENDED CONDITIONS

None.


8.0 ALTERNATIVES

Should Council not be satisfied that an approval is appropriate at this time of one or more of the recommendations outlined in Section 1.0 of this report, Council may:

1. Defer one or more of the by-laws to request additional information from staff or to further consider issues raised by members of the public or circulated agencies; or
2. Refuse one or more of the by-laws.

9.0 FINANCIAL/STAFFING IMPLICATIONS

None.

 <div> The Corporation of the Township of NORTH STORMONT </div>		Report No. PW-
		File No.
Agenda Date:	September 07, 2021	
Subject:	RFQ-PW-009-2021 Sidewalk Reconstruction	
Attachments:		

1.0 RECOMMENDATION

That council approves or rejects the single submission quote from RFQ-PW-009-2021 Sidewalk Reconstruction

2.0 LEGAL DESCRIPTION

3.0 BACKGROUND

RFQ-PW-009-2021 sidewalk reconstruction was posted to Biddingo, Facebook and North Stormont website. There was only one submission that was received, which came in at \$185,100.00 (\$85,100.00 over the projected budget.)

The sidewalk reconstruction was being funded through a grant program which North Stormont was approved for \$100,000.00. This grant program was originally closing December 2021, but is now extended to December 2022.

4.0 POLICY CONSIDERATION

5.0 ANALYSIS

With the grant program being extended into 2022, this project can be carried over to the spring with the possibility of receiving more than one submission. Furthermore with the Covid-19 pandemic driving material prices higher than normal this year, this will open the window to re quote in the spring when prices may decrease back to normal (or close to it).

Public Works did not issue the RFQ until August as it wasn't confirmed we would be approved for the grant. Once approved Public works issued the RFQ but it is not the prime time to be issuing construction tenders, as most companies are booked for the year.

6.0 ENVIRONMENTAL CONSIDERATIONS

7.0 RECOMMENDED CONDITIONS

That Council rejects the quote of \$185,100.00 from D-Squared construction and re-tender the RFQ first thing in the spring for the reasons outlined above.

8.0 ALTERNATIVES

Council may refuse the quotation entirely and retender in the spring of 2021 (recommended).

Council may accept 2 of the 3 proposed sidewalks, leaving 1 out due to budget restrictions. (Augustus St.)

Council may accept the quotation for the price of \$185,100.00 however it is not recommended

FINANCIAL/STAFFING IMPLICATIONS

This item has been approved in the current budget:

Yes **X** No ☐ N/A ☐

This item is within the approved budgeted amount:

Yes ☐ No **X** N/A ☐

This item is mandated by the Provincial/Federal Government:

Yes ☐ No ☐ N/A **X**


Prepared By:

**Reviewed and
submitted by:**

**Submitted for Council
consideration by:**

Gavin Keenan

Gavin Keenan

 <div> The Corporation of the Township of NORTH STORMONT </div>		Report No. PW-
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Council may accept the quotation for the price of \$185,100.00 however it is not recommended

FINANCIAL/STAFFING IMPLICATIONS

This item has been approved in the current budget:

Yes **X** No ☐ N/A ☐

This item is within the approved budgeted amount:

Yes ☐ No **X** N/A ☐

This item is mandated by the Provincial/Federal Government:

Yes ☐ No ☐ N/A **X**

Prepared By:

**Reviewed and
submitted by:**

**Submitted for Council
consideration by:**

Gavin Keenan

Gavin Keenan

CORPORATION OF THE TOWNSHIP OF NORTH STORMONT
BY-LAW NO.78-2021

Being a By-law to exempt certain lands from Part Lot Control, in Registered Plan 52M28, on a Street legally named Calco Crescent, in the Township of North Stormont and in the County of Stormont.

WHEREAS the Municipal Act, 2001, c. 25 s. 5(1) provides that the powers of a municipal corporation are to be exercised by its Council.

AND WHEREAS the Municipal Act, 2001, c. 25 s. 5(1) provides that the powers of every council shall be exercised by-law.

AND WHEREAS the Planning Act, R.S.O. 1990, c.P.13, as amended, (the "Planning Act") subsection 50(5) provides that all lands within a plan of subdivision are subject to part lot control.

AND WHEREAS JEN-SUB DEVELOPMENTS INC. has applied to the Township for an exemption from Section 50(5) of the Planning Act for certain lands in the Township of North Stormont.

AND WHEREAS authority is vested in Council of municipalities by the Planning Act, subsection 50(7) to enact by-laws which provide that subsection 50(5) does not apply to lands that are within a registered plan of subdivision as are designated in the by-law.

AND WHEREAS the Planning Act, subsection 50(7.1) does not come into effect until approved by the United Counties of Stormont, Dundas and Glengarry.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT ENACTS AS FOLLOWS:

1. a) THAT LOT 14, Registered Plan 52M28, PIN 60118-0513, being Parts 2, 3, 4, AND 5 on Plan 52R8351, in the Township of North Stormont, County of Stormont, designated for the purpose of this By-Law as Parcel "A", is/are hereby exempted from Part lot Control pursuant to subsection 50(5) of the Planning Act.
- b) THAT LOT 15, Registered Plan 52M28, PIN 60118-0514, being Parts 6, 7, 8, 9, 10, 11, 12 AND 13 on Plan 52R8351, in the Township of North Stormont, County of Stormont, designated for the purpose of this By-Law as Parcel "B", is/are hereby exempted from Part lot Control pursuant to subsection 50(5) of the Planning Act.
- c) THAT LOT16, Registered Plan 52M28, PIN 60118-0515, being Parts 14, 15, 16, 17 and 18 on Plan 52R8351, in the Township of North Stormont, County of Stormont, designated for the purpose of this By-Law as Parcel "C", is/are hereby exempted from Part lot Control pursuant to subsection 50(5) of the Planning Act.
2. THAT this By-law comes into force and effect when it is approved by the United Counties of Stormont Dundas and Glengarry.
3. Registration of this by-law in the proper land registry office is authorized and this by-law shall thereupon become effective.
4. This By-Law shall expire on October 27, 2025.
5. That By-Law No. 83-2020 be rescinded.

READ A FIRST, SECOND AND THIRD TIME PASSED, SIGNED AND SEALED in open Council on this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 79-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as FINCH CON 5 PT LOT 2 AND RP ; 52R8035 PARTS 9 TO 11 15 AND ; 16; situated in the Geographic Township of Finch, Township of North Stormont, and indicated in Schedule "A", attached hereto, which forms part of this By-law.
- 2.0 That Schedule 2 of By-law 08-2014 is hereby amended as follows:
 - a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Agricultural (AG) Zone";
 - b) That the subject lands, as indicated on Schedule "A" attached hereto, shall henceforth be zoned "Agricultural – Special Exception 20 (AG-20) Zone";
- 3.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 4.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

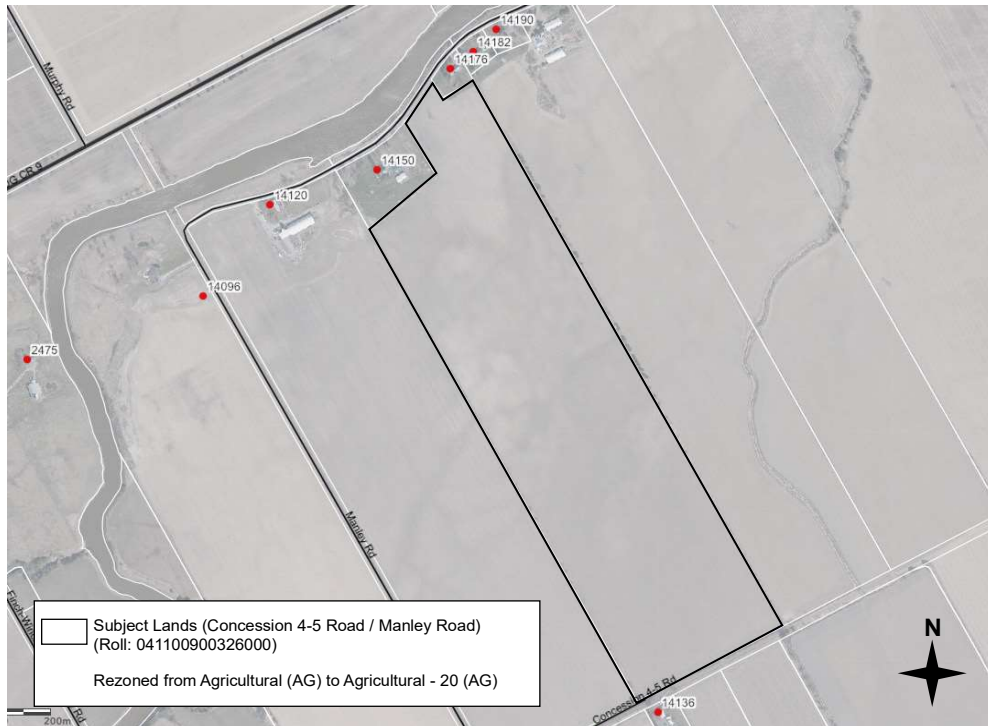
Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

Schedule "A" To By-Law No. 79-2021



FINCH CON 5 PT LOT 2 AND RP ; 52R8035 PARTS 9 TO 11 15 AND ;
16; former Township of Finch; Township of North Stormont
(Concession 4-5 Road, Manley Road)

Explanatory Note to By-Law No. 79-2021

The proposed amendment is to prohibit residential uses on the remnant parcel of farmland created by the severance of a surplus farm dwelling under consent application B-13-17. The proposed amendment was requested as a condition of approval for the consent, and is intended to uphold the requirements of the Provincial Policy Statement and United Counties of SDG Official Plan for lot creation in prime agricultural areas.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 80-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

1.0 The areas affected by this By-law are defined as:

1.1 CON 10 PT LOT 11 (41101601362000); and,

1.2 CON 10 PT LOT 10 WITH R.O.W.; RP52R3092 PART 1 (ROLL 41101601361600)

both situated in the Geographic Township of Roxborough, Township of North Stormont, as indicated in Schedule "A", attached hereto, which forms part of this By-law.

2.0 That Schedule 3 of By-law 08-2014 is hereby amended as follows:

a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Rural (RU) Zone";

b) That those areas of the subject lands indicated "1" on Schedule "A" attached hereto, shall henceforth be zoned "Mineral Aggregate – Quarry (MQ) Zone";

c) That those area of the subject lands indicated "2" on Schedule "A" attached hereto, shall henceforth be zoned "Rural – Special Exception 28 (RU-28) Zone)".

3.0 That the following amendments be made to the table within Schedule 11 of By-law 08-2014:

- a) Within the "RU" zone section of the table, insert a new row immediately following row 27, which shall contain the following text additions:
- i. within the "Exception No." column, insert "28";
 - ii. within the "Special Zone Symbol" column, insert "RU-28";
 - iii. within the "Roll Number" column, insert "41101601362000 and 41101601361600";
 - iv. within the "Special Zone Provision" column, insert the following text:

"In addition to those uses permitted in the RU Zone, accessory uses to those permitted in the MQ Zone shall be permitted in relation to the adjacent mineral aggregate operation on the lands and subject to the requirements of the MQ Zone."

4.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.

5.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

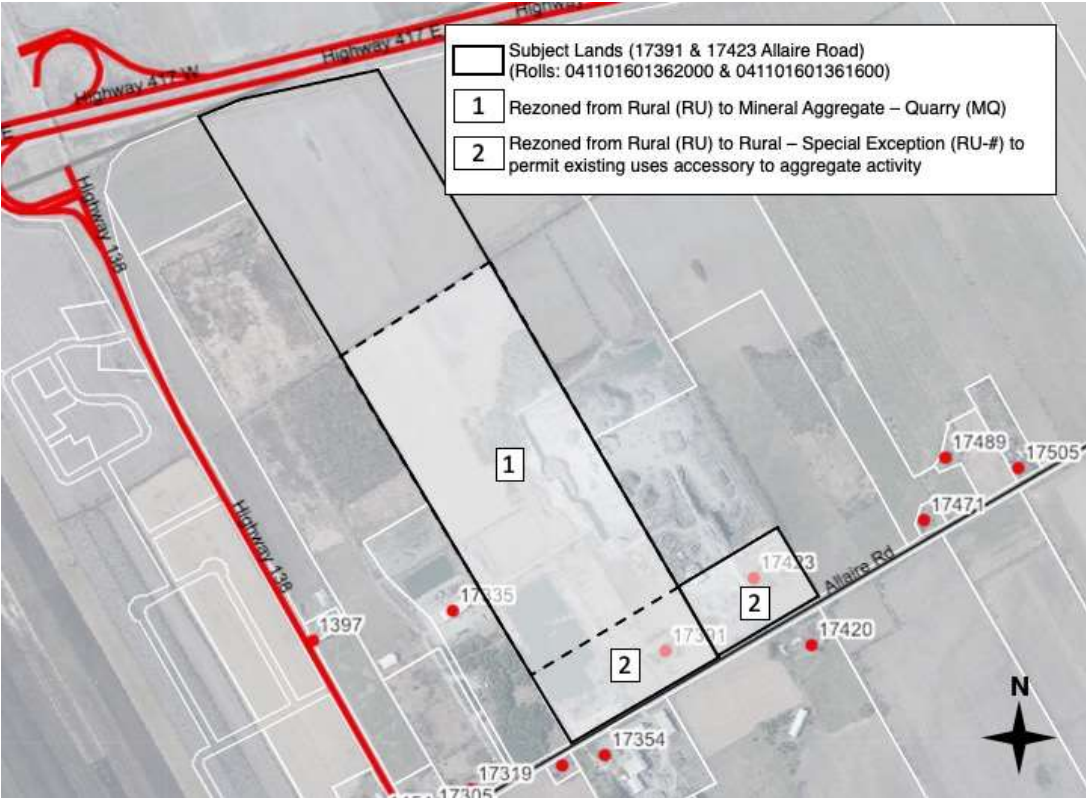
Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

Schedule "A" to By-Law No. 80-2021



CON 10 PT LOT 11; former Township of Roxborough; Township of North Stormont (17391 Allaire Road, Moose Creek)

AND

CON 10 PT LOT 10 WITH R.O.W. ; RP52R3092 PART 1; former Township of Roxborough; Township of North Stormont (17423 Allaire Road, Moose Creek)

Explanatory Note to By-Law No. 80-2021

The intention of the amendments are, where "1" is indicated on the attached keymap, to align the zoning of the lands to be consistent with the current "Extractive Resource Lands – Licensed Pit or Quarry" designation under the United Counties of SDG Official Plan, and extent of the existing Ministry of Natural Resources and Forestry Aggregate License. Where "2" is indicated on the attached keymap, the proposed amendments will recognize affiliation of these properties with the associated aggregate uses and will permit accessory uses to the existing aggregate operations, in addition to the permitted uses in the RU Zone.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 81-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as:
 - 1.1 FINCH CON 2 PT LOT 8 (ROLL 41100900099000)
 - 1.2 ROXBOROUGH CON 8 PT LOTS 20; AND 21 RP 52R7511 PART 3 (ROLL 41101601269006)
 - 1.3 FINCH CON 5 PT LOT 13 (ROLL 41100900353000)
 - 1.4 ROXBOROUGH CON 8 PT LOT 34 (ROLL 41101601297000)
 - 1.5 FINCH CON 1 PT LOT 22 AND RP; 52R780 PART 1 (ROLL 41100900062200)
 - 1.6 ROXBOROUGH CON 8 PT LOT 35; RP 52R7861 PART 1 (ROLL 41101601298100)
 - 1.7 ROXBOROUGH CON 6 PT LOT A (ROLL 41101600836000)
 - 1.8 FINCH CON 7 PT LOT 19 RP; 52R635 PT PARTS 1 AND 2 (ROLL 41100900599500)
 - 1.9 CON 3 PT LOT 3 (ROLL 41100900170000)
 - 1.10 FINCH CON 6 PT LOT 18 RP; 52R8208 PART 3 (ROLL 41100900522004)
 - 1.11 FINCH CON 3 PT LOT 1 RP; 52R7517 PARTS 1 AND 2 (ROLL 41100900164000)
 - 1.12 ROXBOROUGH CON 8 W PT LOT 19; RP 52R7511 PART 1 (ROLL 41101601268502)

- 1.13 ROXBOROUGH CON 7 N PT LOT 13; RP 52R7684 PART 1
RP 52R7982 ; PART 1 (ROLL 41101600962010)
- 1.14 ROXBOROUGH CON 9 PT LOT 10 (ROLL
41101601336000)
- 1.15 ROXBOROUGH CON 9 PT LOTS 9; AND 10 (ROLL
41101601334000)
- 1.16 FINCH CON 9 PT LOT 17 RP; 52R7207 PART 1 (ROLL
41100900720010)
- 1.17 FINCH CON 10 PT LOTS 16 17 (ROLL 41100901118000)
- 1.18 FINCH CON 2 PT LOT 10 RP; 52R5479 PT PART 1 (ROLL
41100900103400)
- 1.19 ROXBOROUGH CON 7 PT LOT 3 (ROLL 41101600936000)
- 1.20 ROXBOROUGH CON 2 PT LOT 25; RP 52R7595 PART 1
(ROLL 41101600217000)
- 1.21 ROXBOROUGH CON 2 PT LOT 14 (ROLL
41101600192000)
- 1.22 FINCH CON 8 S PT LOT 17 RP; 52R6809 PART 1 (ROLL
41100900646005)
- 1.23 CON 12 W PT LOT 3 (ROLL 41100901195000)
- 1.24 CON 2 W PT LOT B S/S FORCED; RD (ROLL
41101600149000)
- 1.25 ROXBOROUGH CON 2 PT LOT B (ROLL 41101600148400)
- 1.26 FINCH CON 3 PT LOT 4 RP; 52R7900 PART 1 (ROLL
41100900172002)
- 1.27 ROXBOROUGH CON 8 PT LOT 35; RP 52R6936 PART 1 RP
52R7861; PART 2 (ROLL 41101601298200)
- 1.28 ROXBOROUGH CON 4 PT LOT 30; RP 52R7605 PART 1
(ROLL 41101600718002)
- 1.29 FINCH CON 11 PT LOTS 10 11 (ROLL 41100901174000)
- 1.30 FINCH CON 9 PT LOT 14 RP; 52R7608 PART 3 (ROLL
41100900713006)
- 1.31 ROXBOROUGH CON 7 PT LOT 13; RP 52R6584 PT PART
(ROLL 41101600961002)
- 1.32 FINCH CON 6 PT LOT 16 AND RP; 52R8232 PART 4 (ROLL
41100900516000)
- 1.33 FINCH CON 7 N PT LOT 17 RP; 52R7158 PART 1 (ROLL
41100900593100)
- 1.34 ROXBOROUGH CON 2 E PT LOT 39; RP 52R7174 PART 2
(ROLL 41101600273001)
- 1.35 FINCH CON 6 PT LOT 6 (ROLL 41100900406000)

all situated in the Township of North Stormont and outlined in
Schedule "A", attached hereto, which forms part of this By-law.

- 2.0 That Schedules 1 through 10 of By-law 08-2014 (i.e., the zoning maps), as applicable, are hereby amended in accordance with Schedule "A", which forms part of this By-law.
- 3.0 That Schedules 1 through 10 of By-law 08-2014 (i.e., the zoning maps), are hereby amended by removing all references to a "Local Commercial (CL) Zone".
- 4.0 That the following amendments be made to the table within Schedule 11 (i.e., zoning exceptions) of By-law 08-2014:
- a) Within the "AG" zone section of the table, delete row 67 in its entirety.
- 5.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 6.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

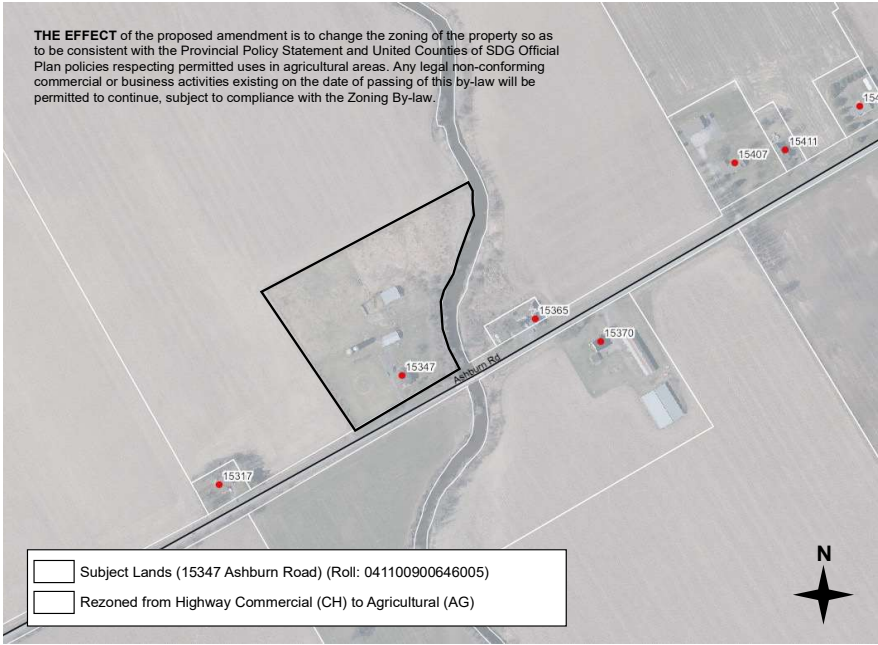
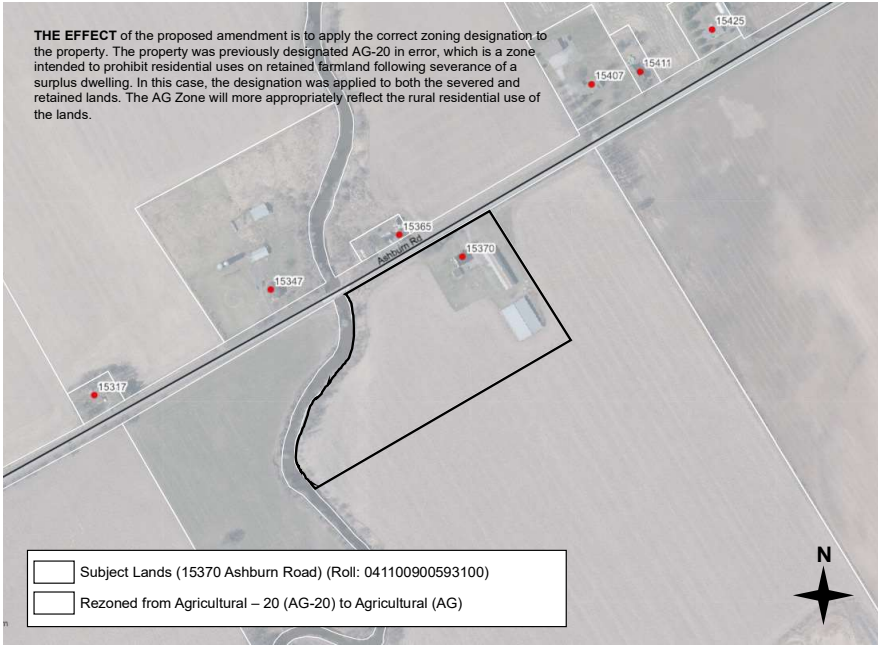
Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

Schedule "A" to By-Law No. 81-2021



THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 82-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as ROXBOROUGH CON 1 PT LOT 28; situated in the Geographic Township of Roxborough, Township of North Stormont, and indicated in Schedule "A", attached hereto, which forms part of this By-law.
- 2.0 That Schedule 4 of By-law 08-2014 is hereby amended as follows:
 - a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Agricultural (AG) Zone";
 - b) That the subject lands, as indicated on Schedule "A" attached hereto, shall henceforth be zoned "Agricultural – Special Exception 20 (AG-20) Zone";
- 3.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 4.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 83-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as ROXBOROUGH CON 7 PT LOT 25; situated in the Geographic Township of Roxborough, Township of North Stormont, and indicated in Schedule "A", attached hereto, which forms part of this By-law.
- 2.0 That Schedule 3 of By-law 08-2014 is hereby amended as follows:
 - a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Agricultural (AG) Zone";
 - b) That the subject lands, as indicated on Schedule "A" attached hereto, shall henceforth be zoned "Agricultural – Special Exception 20 (AG-20) Zone";
- 3.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 4.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

Schedule "A" to By-Law No. 83-2021



ROXBOROUGH CON 7 PT LOT 25; situated in the Geographic Township of Roxborough, Township of North Stormont (County Road 15, Dewar Road, Eighth Road)

Explanatory Note to By-Law No. 83-2021

The proposed amendment is to prohibit residential uses on the remnant parcel of farmland created by the severance of a surplus farm dwelling under consent application B-109-15. The proposed amendment was requested as a condition of approval for the consent, and is intended to uphold the requirements of the Provincial Policy Statement and United Counties of SDG Official Plan for lot creation in prime agricultural areas.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 84-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as ROXBOROUGH CON 1 PT LOT 27; former Township of Roxborough; Township of North Stormont, and indicated in Schedule "A", attached hereto, which forms part of this By-law.
- 2.0 That Schedule 4 of By-law 08-2014 is hereby amended as follows:
 - a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Agricultural (AG) Zone";
 - b) That the subject lands, as indicated on Schedule "A" attached hereto, shall henceforth be zoned "Agricultural – Special Exception 20 (AG-20) Zone";
- 3.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 4.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 85-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, cP 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. XX-2021, as per Section 34(17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 The areas affected by this By-law are defined as Lots 1 to 31 and Blocks 32 & 33 on Plan 52M-25; all situated in the Geographic Township of Finch, Township of North Stormont, and indicated in Schedule "A", attached hereto, which forms part of this By-law.
- 2.0 That Schedule 5 of By-law 08-2014 is hereby amended as follows:
 - a) That the subject lands, as indicated on Schedule "A" attached hereto, shall cease to be zoned "Residential First Density – Special Exception 15 (R1-15) Zone";
 - b) That the subject lands, as indicated on Schedule "A" attached hereto, shall henceforth be zoned "Residential First Density (R1) Zone";
- 3.0 That the following amendments be made to the table within Schedule 11 of By-law 08-2014 (i.e., zoning exceptions):
 - a) Within the "R1" zone section of the table, delete row 15 in its entirety.
- 4.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.
- 5.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of

North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

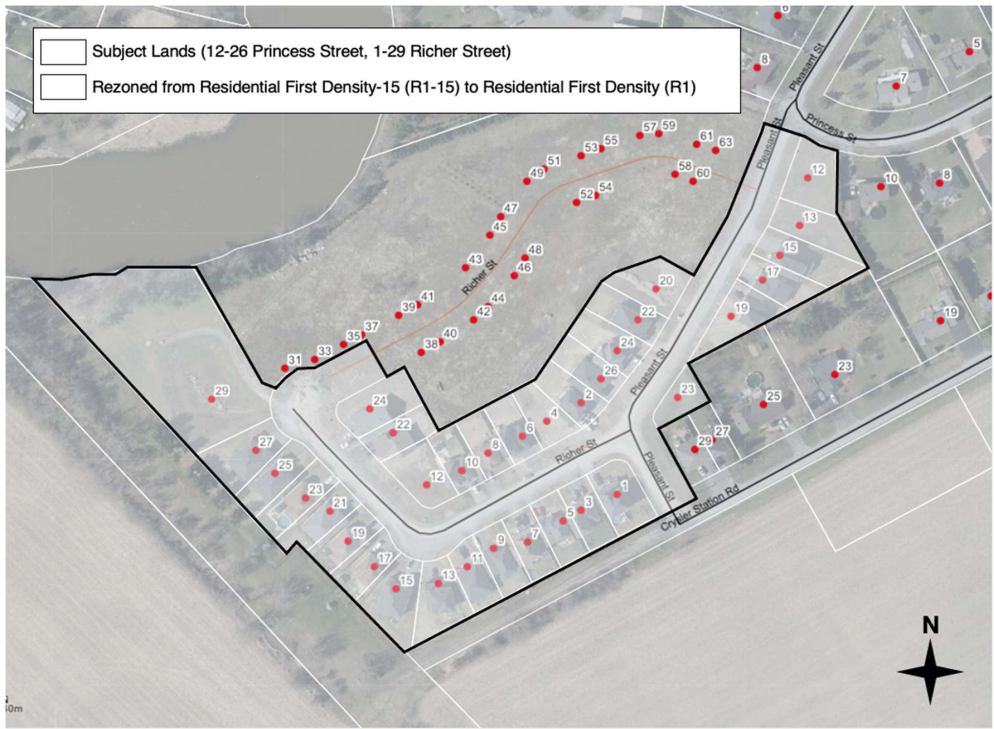
Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

Schedule "A" to By-Law No. 85-2021



Lots 1-31 and Blocks 32 & 33 on Plan 52M-25; former Township of Finch; Township of North Stormont (12-26 Princess Street, 1-29 Richer Street, Chrysler)

Explanatory Note to By-Law No. 85-2021

The proposed amendment is intended to clarify that there are no special provisions or exceptions applicable to the subject lands. The current R1-15 zoning was applied to indicate the removal of a former holding (-h) symbol on the lands, applied prior to the development of a residential subdivision. Since this holding was removed, the special exception is no longer necessary. This is a technical mapping change which will not affect the regulations or permitted uses on the subject lands involved.

Explanatory Note to By-Law No. 86-2021

The proposed amendment is to prohibit residential uses on the remnant parcel of farmland created by the severance of a surplus farm dwelling under consent application B-54-14. The proposed amendment was requested as a condition of approval for the consent, and is intended to uphold the requirements of the Provincial Policy Statement and United Counties of SDG Official Plan for lot creation in prime agricultural areas.

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 87-2021

Being a By-law to amend Comprehensive Zoning By-law 08-2014 of the Township of North Stormont.

WHEREAS pursuant to the provisions of the Planning Act, RSO, 1990, c.P 13, Section 34 as amended, the council of a municipality may enact by-laws regulating the use of lands and the erection of buildings thereon;

AND WHEREAS By-law 08-2014 as amended regulates the use of land and the use and erection of buildings and structures within the Township of North Stormont;

AND WHEREAS the matters set out in this By-law are deemed to be consistent with the Provincial Policy Statement and in conformity with the Official Plan of the United Counties of Stormont, Dundas and Glengarry;

AND WHEREAS Council has determined that no further notice need be given regarding the changes to By-law No. 87-2021, as per Section 34 (17) of the Planning Act, R.S.O. 1990;

AND WHEREAS the Council of the Corporation of the Township of North Stormont deems it advisable to amend By-law 08-2014 as herein set forth;

NOW THEREFORE the Council of the Corporation of the Township of North Stormont enacts as follows:

- 1.0 That the text of "Section 1 – Application, Interpretation, and Enforcement" of By-law No. 08-2014 be amended in accordance with Schedule "A" attached hereto, which forms part of this By-law.
- 2.0 That the text of "Section 2 – Definitions" of By-law No. 08-2014 be amended in accordance with Schedule "B" attached hereto, which forms part of this By-law.
- 3.0 That the text of "Section 3 – General Provisions" of By-law No. 08-2014 be amended in accordance with Schedule "C" attached hereto, which forms part of this By-law.
- 4.0 That the text of "Section 4 – Parking & Loading Requirements" of By-law No. 08-2014 be amended in accordance with Schedule "D" attached hereto, which forms part of this By-law.
- 5.0 That the text of "Section 5 – Zones" of By-law No. 08-2014 be amended in accordance with Schedule "E" attached hereto, which forms part of this By-law.
- 6.0 That the text of Sections 6 to 20, outlining the permitted uses and provisions applicable to each defined zone, of By-law No. 08-2014 be amended in accordance with Schedule "F" attached hereto, which forms part of this By-law.
- 7.0 All other applicable provisions of By-law 08-2014, as amended, shall continue to apply.

8.0 Subject to the giving of Notice of Passing of this By-law, in accordance with Section 34(18) of the Planning Act, RSO 1990, c.P 13, as amended, shall come into force on the date of passing by the Council of the Corporation of the Township of North Stormont where no notice of appeal or objection is received, pursuant to Section 34(21) of the Planning Act, as amended.

Read a first, second, and third time in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL

EXPLANATORY NOTE BY-LAW NO. 87-2021

As a best practice throughout Ontario, it is common for municipalities to review their zoning by-laws on an annual basis to ensure these documents are kept up to date with policy/regulation changes and maintained as an effective tool for facilitating land use and development. These reviews typically involve identifying and correcting technical errors, improving the clarity of specific sections, updating zone mapping, revising existing sections to simplify regulations, addressing instances where provisions do not align with provincial legislation or the County Official Plan, as well as introducing all-new provisions to regulate certain types of development which may not be currently addressed. This By-law, deemed "Housekeeping Update 2021", seeks to implement a number of revisions and updates intending to address the above matters, described further below.

General

- The title page and table of contents will be updated in accordance with the changes proposed to Sections 1 through 20, as approved by Council.
- Schedule 11 (currently entitled "Schedule 12"), which outlines zone exceptions for certain properties, will not be updated as part of the proposed housekeeping.

Section 1.0 – Application, Interpretation, and Enforcement

- Minor technical revisions were made to various parts of this section to improve clarity with respect to by-law interpretation

Section 2.0 – Definitions

- Deleted standalone definitions considered redundant or unnecessary for reasons of being captured under another definition or irrelevant to zoning regulation.
- Added definitions to address all-new types of uses, and/or to replace multiple redundant definitions/uses (existing) under a single definition.
- Revised the text of some existing definitions to provide greater clarity and/or eliminate embedded regulations which are more appropriately suited for Section 3.0 of the by-law (or which contradicted other sections of the by-law).
- Some of the more notable changes proposed in Section 2.0 include:
 - o Three new agricultural-related use definitions to expand on the range of agricultural-industrial and agricultural-commercial uses that may be proposed.
 - o Addition of a "Bunk House" definition, to address seasonal/temporary farm worker housing (not currently defined, and therefore requiring a zoning amendment).

- o New definitions for “Cannabis” and “Cannabis Production and Processing” (Note: At this time, “Cannabis Production and Processing” is not permitted in any zone as-of-right, necessitating a zoning amendment prior to being established).
- o Simplification of the definitions outlining the different types of dwellings (including a reduction in the number of dwelling-related definitions).
- o New definitions for “Dwelling – Secondary Unit (attached)” and “Dwelling – Secondary Unit (detached)”, which are also known as granny-flats, basement suites, etc. The Township is required to make provision for these uses under the Planning Act, Provincial Policy Statement, and Official Plan, and the current by-law did not meet minimum requirements.
- o Merging of “Home Industry”, “Home Occupation”, and “Rural Home Occupation” into a single definition: “Home-Based Business” to simplify how these uses are regulated. Section 3.0 of the by-law was also revised to address the differences between urban and rural home-based businesses.

Section 3.0 – General Provisions

- Technical revisions to text, including grammar and typo-related matters.
- Where certain information or regulations contradicted specific zone-provisions, the corresponding text and/or section was removed.
- The titles of any use-specific sections were revised to be consistent with the changes to definitions in Section 2.0.
- Some of the more notable changes proposed in Section 3.0 include:
 - o Section 3.1 - Revisions to the accessory building section to provide further clarity and direction on accessory building size, height, and siting requirements. This includes a provision to allow for a taller accessory building without the need for special approval in certain zones (up to 6.1 metres, up from 5.0 metres), as well as a maximum lot coverage of 10%.
 - o Section 3.7 - Added new provisions to regulate Bunk Houses (temporary farm worker housing).
 - o Section 3.10 - Revisions to the Site Triangles section to provide visual reference and implementation clarity.
 - o Section 3.15 - Added new provisions to address and regulate Secondary Units and Garden Suites,

including matters such as servicing, parking, size, and siting of such uses.

- o Section 3.17 - Creation of a new comprehensive Home-Based Business Section, combining the previous 3 sections (home business, rural home occupation, and home industry) to simplify requirements and provide more opportunities for these uses. This section also distinguishes between rural and urban home businesses to ensure potential negative impacts are mitigated. Matters addressed include those such as, but not limited to business size, location, storage, parking, and client visits.

Section 4.0 – Parking & Loading Requirements

- Most of the changes in this Section were associated with reorganizing the format of the parking tables and merging of similar sections to reduce the number of subsections.
- Uses within the parking tables were updated to reflect changes to the definitions section of the by-law. No changes made to parking rates.
- Where the same information was provided twice with respect to a parking standard or regulation, the corresponding text was deleted or merged.
- Revised wording of this section to require compliance with parking rates following an increase in the gross floor area of an existing building, and/or a change of use.
- Design requirements such as aisle width, entrances, parking area materials, etc. were revised to provide more clarity and ease of reference for staff and applicants in regulating development.
- Loading space provisions were simplified for clarity.

Section 5.0 – Zones

- Presentation was changed to improve clarity (use of a colour-shaded table)
- Revised table to reflect deletion of “Local Commercial (CL) Zone”.

Sections 6.0 – 20.0 – Individual Zones & Provisions

- Revised presentation of zoning provisions in each zone (new permitted use table, provisions tables) to improve readability and clarity when referring to requirements.
- Minor technical changes were made to address errors with specific zone provisions such as minimum frontage and/or lot coverage requirements.
- Revised the permitted use lists in all zones to be consistent with Section 2 changes to definitions. In some cases, this necessitated the deletion or addition of a use in the permitted use list.

- The "Local Commercial (CL) Zone" was deleted and combined with "General Commercial (CG) Zone". There are currently no CL Zones in the Township, and staff are of the opinion that the CG zone is sufficient to appropriately accommodate the uses intended for the CL Zone.
- The additional provisions for the "Agricultural (AG) Zone" were revised to be consistent with the number of dwellings permitted on a lot in Prime Agricultural Areas under the Provincial Policy Statement and County Official Plan. The addition of bunk houses and secondary units is intended to replace the existing accessory dwelling provisions in this zone. New provisions to allow for "flag lots" to be created with a reduced frontage in the agricultural area (lot with a long pan-handle driveway).

SCHEDULE A TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 1 OF ZONING BY-LAW
NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SCHEDULE B TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 2 OF ZONING BY-LAW
NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SCHEDULE C TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 3 OF ZONING BY-LAW
NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SCHEDULE D TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 4 OF ZONING BY-LAW
NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SCHEDULE E TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 5 OF ZONING BY-LAW
NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SCHEDULE F TO BY-LAW NO. 87-2021
PROPOSED AMENDMENTS TO SECTION 6-20 OF ZONING BY-
LAW NO. 08-2014

TRACKED CHANGES KEY:

"Black Text" denotes no change

"Green Underline" denotes new or revised text

"Red Strikethrough" denotes a deletion

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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 limits 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~~completed 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.

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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~~Section 24 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 singular~~ gender include ~~the feminine and neuter~~all genders.

(3) “SHALL” IS MANDATORY

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

(4) “USE” AND “OCCUPY”

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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 ~~11~~2” 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. Schedules ~~1 thru 10~~ “1”, “2”, “3”, etc. Thru to “11” may be referred to as the Zoning Maps. Schedule “~~11~~2” 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

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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, to the satisfaction of the Township:

- (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, if applicable;
- (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, Building, -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.

SECTION 1 – APPLICATION, INTERPRETATION, AND ENFORCEMENT

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

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.~~
- 2.3 ADULT ENTERTAINMENT USE ESTABLISHMENT** means a building or structure designed, used or intended for use in the pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, a principal feature or characteristic of which is the nudity or partial nudity of any person, without restricting the generality of the foregoing, includes any performance, exhibition, or activity involving striptease dancers, go-go dancers, exotic dancers, wet clothing contests or best body parts contests and additionally includes a body-rub parlour but not a massage therapy establishment.
- ~~**2.4**~~
- ~~**2.52.4**~~ **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.
- ~~**2.62.5**~~ **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.
- ~~**2.72.6**~~ **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.
- ~~**2.82.7**~~ **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

SECTION 2 – DEFINITIONS

crops or animal products such as cheese factories, grain mills or retail seed sales, and does not include Cannabis Production and Processing.

2.92.8 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.~~

2.9 AGRICULTURAL INDUSTRIAL ESTABLISHMENT means the use of land, buildings or structures for the manufacturing and wholesale and / or retail sale of goods that are necessary to support agricultural uses. These include such goods as farm machinery and equipment, products used for the housing and husbandry of livestock, the storage, handling and processing of agricultural products, and the manufacture of sub-surface drainage materials and equipment.

2.10 AGRICULTURAL PROCESSING ESTABLISHMENT means the use of land, buildings or structures for the processing of products derived from agricultural uses, as defined by this By-law. These shall include such products as seed, grain, feed and forage processing, storage and transport, fruit and vegetable storage and treatment, livestock and poultry assembly, sales and transport, a cheese factory, an egg grading station, a sawmill, but does not include an abattoir.

2.11 AGRICULTURAL SERVICE ESTABLISHMENT means the use of land, buildings or structures for the purposes of buying or selling commodities and services that are necessary to support agricultural uses as defined by this By-law. These shall include such sales and services as welding and machinery repairs, farm drainage and excavation, agricultural related trucking, well drilling, contracting and trades related to farm buildings and structures, and custom spraying, tillage, planting and harvesting services and agriculturally related trucking.

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

~~**2.11 AISLE (see PARKING AISLE)**~~

~~**2.122.13 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

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- (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.
 - (b) “Altered” and “Alteration” shall have corresponding meanings.

~~2.13~~2.14 **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~~2.15 **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-Based~~ Business.

2.17 ARENA / HALL, shall mean a building or structure designed, used or intended for athletic, civic, educational, recreational, political, religious, or social events and, without limiting the generality of the foregoing, may include an assembly hall, auditorium, banquet hall, curling rink, gymnasium, ice rink, recreational centre or stadium.

~~2.17~~2.18 **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-Based~~ Business.

SECTION 2 – DEFINITIONS

~~2.18~~2.19 **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-Based Business.

~~2.19~~ **ASPHALT/CONCRETE 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

~~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, but does not include a Livestock Auction and Sales Outlet.

~~**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.~~

2.24 AUTOMOTIVE 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. This definition does not include the sale of new or used vehicles or salvage yard as defined herein.

2.25 AUTOMOBILE ~~DEALERSHIP~~ SALES OR RENTAL ESTABLISHMENT shall mean an establishment wherein the main use is the sale or rental of vehicles which may be stored on or offsite. ~~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~~sale or rent or auction, and for those being serviced by the dealership; office space; and restricted eating establishment.

SECTION 2 – DEFINITIONS

- 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~~ **2.27 BAKERY SHOP** means a place where baked foods are made for retail sale on or off the premises but does not include a catering establishment.
- ~~2.29~~ **2.28 BALCONY** means an open platform projecting from the face of a wall, ~~cantilevered~~ cantilevered, or supported by columns or brackets and usually surrounded by a balustrade or railing.
- ~~2.30~~ **2.29 BANK /or FINANCIAL OFFICE INSTITUTION** means a chartered bank, finance company office, co-op, trust company office, loan company or similar establishment.
- ~~2.31~~ **2.30 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~~ **2.31 BED AND BREAKFAST ESTABLISHMENT** means a private dwelling designed to be used in part for the accommodation of the travelling or vacationing public with sleeping accommodations up to a maximum of four (4) rooms which do not contain individual cooking facilities, and other related services and facilities within the occupant's dwelling.
- ~~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 – having a height not exceeding three storeys and area not exceeding 600 m² – in which lodging is provided for more than four (4) persons in return for remuneration or for the provision of services or for both.

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and in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants. For the purposes of this by-law, this definition does not include a Bed and Breakfast, a Hotel, Hospital, Children's Home, or other accommodation-focused establishment otherwise classified or defined in this by-law. ~~means a building;~~

~~2.37 — that has a building height not exceeding three stories and the gross floor area of the ground floor shall not exceed 600 m²;~~

~~2.38 — in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and;~~

~~2.39 — 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.~~

2.402.32

~~2.41 — **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.~~

~~2.422.33~~ **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.

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

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

2.36 **BUILDING HEIGHT** means the vertical distance between the average finished grade at the base of the building and:

- (a) in the case of a flat roof, or a building where the roof and walls form a continuous feature (i.e. quonsets), the highest point of the roof;
- (b) in the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof.

SECTION 2 – DEFINITIONS

- ~~shall mean when used in reference to a building, the vertical distance measured between finished grade and:
the highest point of the roof surface of a flat roof; or
the average (mean) level between eaves and ridge of any other type of roof.~~
- 2.43 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.
- 2.442.37 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.
- 2.452.38 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. This definition shall not include a Home Improvement Centre.
- 2.46 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.
- 2.39 BULK FUEL DEPOT** 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.
- ~~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).~~
- 2.472.40 BUNK HOUSE** shall mean a building or part of a building accessory to a main dwelling, used for the temporary accommodation of one or more seasonal farm workers provided such accommodation does not serve as the principal place of residence of an occupant and the bunk house is located accessory to an operating farm.
- 2.48 BUSINESS OFFICE (see OFFICE)**
- 2.492.41 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. means a use,

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consisting of at least 5 camping sites, and comprising land used for seasonal recreational activity as grounds for the camping or parking of tents, park model trailers, travel trailers, truck campers, but not mobile homes

~~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.~~

2.42 CANNABIS means a genus of flowering plants in the family Cannabaceae. Synonyms include, but are not limited to, marijuana and marihuana. This definition does not include the industrial or agricultural production of hemp.

2.43 CANNABIS PRODUCTION AND PROCESSING means lands, buildings, or structures used for producing, processing, testing, destroying, packaging, and/or shipping cannabis authorized by a federally issued licence or registration.

~~2.50—~~

~~2.512.44~~ **CANOPY** means a roof free of enclosing walls over an entrance to a building, structure or gasoline pump island.

~~2.52—CANTEEN shall mean a snack bar or small cafeteria providing food and drink and could also include the sale of personal supplies.~~

~~2.532.45~~ **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.

~~2.54—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.~~

~~2.552.46~~ **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.

~~2.562.47~~ **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.

~~2.572.48~~ **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.

~~2.582.49~~ **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

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of the dead in sealed crypts or compartments, but shall not include crematoriums or pet cemeteries.

2.592.50 CEMETERY, PET means a property used for the disposal of material consisting entirely of the remains of dead domestic pets

2.602.51 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.

2.61 CLINIC means a building used solely for the purpose of consultations, diagnosis, and/or treatment of patients, by one (1) or more regulated health or personal-care professionals including but not limited to, legally qualified physicians, nurse practitioners, dentists, dental hygienists, optometrists, chiropodists, chiropractors, registered massage therapists, physiotherapists, and/or ~~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 or procedures.~~

2.52

~~**2.62 COMMERCIAL GARAGE** see **MOTOR VEHICLE AUTOMOTIVE REPAIR GARAGE**~~

~~**2.63 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 and does not include Cannabis Production and Processing.~~

~~**2.64 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.~~

~~**2.65 COMMERCIAL SCHOOL, SKILL** see **SCHOOL COMMERCIAL**~~

~~**2.66 COMMERCIAL SCHOOL, TRADE PROFESSION** see **SCHOOL COMMERCIAL**~~

2.67 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.

2.53

~~**2.68 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.~~

2.692.54 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.

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2.702.55 CONSERVATION AUTHORITY shall mean a Conservation Authority as defined by the Conservation Authorities Act.

~~**2.71 CONTRACTOR'S SHOP OR YARD** means a place of business for persons employed in building trades such as painting, plumbing, electrical work, masonry, metal working and carpentry, sandblasting or for the operation of a yard for equipment including a truck, bulldozer, loader and/or backhoe. 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, and may also include a retail business, sales counter, or a wholesale business as an accessory use.~~

~~**2.56 CONTRACTOR'S SHOP** see **BUILDING CONTRACTOR'S SHOP**~~

~~**2.72**~~

~~**CONCRETE BATCHING PLANT** see **ASHPHALT BATCHING PLANT**~~

2.732.57 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~~ protection and their natural features and may include non-commercial recreational uses only if conservation of the resource is not jeopardized. The erection and use of trail shelters and other similar uses ancillary to the foregoing may be permitted.

2.742.58 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.

2.752.59 CORPORATION means The Corporation of The Township of North Stormont.

2.762.60 COUNCIL means the Council of The Corporation of The Township of North Stormont.

2.772.61 COUNTY shall mean the Corporation of the United Counties of Stormont, Dundas and Glengarry.

2.782.62 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.

~~**2.79 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.~~

~~**2.80 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~~

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~~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.~~

2.812.63 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.

2.822.64 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.

2.832.65 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.

2.66 DETACHED – When used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

2.842.67 DEVELOPMENT shall mean the creation of a new lot, a change in land use, or the construction of buildings and structures; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.

~~**2.85 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.~~

~~**2.86 DOCK, PERMANENT** 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.~~

2.872.68 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.

~~**2.88 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.~~

~~**2.89 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.~~

2.902.69 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.

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2.912.70 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. shall mean a building, occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, but excludes hotels, boarding / rooming houses, bed and breakfast establishments, hotels, group homes, institutions; or living quarters for a caretaker, watchman, or other person or persons using living quarters which are accessory to a non-residential building or structure.

2.922.71 DWELLING – ACCESSORY means a dwelling which is incidental, subordinate and exclusively devoted to a main use and is located on the same lot therewith.

2.93 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 means a dwelling consisting of more than 6 dwelling units which may have a common entrance from the street level and the occupants of which have the right to use, in common, halls and/or elevators and yards.

2.72

2.94 DWELLING – ACCESSORY APARTMENT means a self-contained dwelling unit created through the conversion of part of or the addition onto an existing single, semi-detached or duplex dwelling that does not exceed 95 m² 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.

2.95 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 m².

2.96 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.

2.97 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.

2.982.73 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.~~ two dwelling units designed and erected with a common footing or foundation wall and having a fire resistance rating of at least one hour dividing the individual basement or cellar units, notwithstanding the physical separation of the individual dwelling units above grade. No dwelling unit or units can be altered, modified or converted into a linked dwelling.

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~~2.99~~**2.74 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".~~ mean a pre-fabricated dwelling unit, constructed to C.S.A. Z240 standards or its successor standard, occupied or designed for occupancy by one or more persons on a permanent basis, designed to be towed on a trailer on its own chassis, as a whole or in separate sections to be joined together to form one dwelling unit and placed on a permanent foundation, but shall not include a park model trailer or a trailer otherwise designed or a modular home or single detached dwelling constructed on-site.

2.75 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.~~ means a pre-fabricated dwelling unit, constructed to C.S.A. A277 standards or its successor standard, occupied or designed for occupancy by one or more persons on a permanent basis, designed to be transported in separate sections and joined together as integral units to form one dwelling unit and placed on a permanent foundation, but shall not include a mobile home, a park model trailer, or a single detached dwelling constructed on-site.

2.76 DWELLING, MULTI-UNIT means a dwelling designed, intended or used for occupancy by 2 or more households living independently of each other in individual dwelling units but excludes any other dwelling as may be defined herein.

2.77 DWELLING, SEASONAL FARM WORKER, means a dwelling that is used for not more than 9-months within a 12-month period in any given year for the housing of seasonal farm labour, and their families, who are employees of the owner or operator of a farm and may include a mobile home, bunkhouse or similar 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.~~

2.78 DWELLING – SECONDARY UNIT (ATTACHED) means a self-contained dwelling unit located within a principal dwelling, in accordance with the provisions of Section 3.15. For the purposes of this by-law, a Dwelling-Secondary Unit (Attached) shall not be considered a Dwelling Unit – Accessory, or accessory building, structure, or use.

~~2.101~~**2.79 DWELLING – SECONDARY UNIT (DETACHED)** means a self-contained dwelling unit located within a structure ancillary to the principal dwelling on the same lot, in accordance with the provisions of Section 3.15. For the purposes of this By-Law, a Dwelling, Secondary Unit

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(Detached) shall not be considered a Dwelling-Accessory, accessory building, structure or use, or Garden Suite.

~~2.102~~**2.80** **DWELLING – SEMI-DETACHED** means a building on a single foundation divided vertically into two (2) separate dwelling units by a common wall.

~~2.103~~**2.81** **DWELLING – SINGLE DETACHED** means a detached building containing one (1) dwelling unit, and shall include a modular home.

2.82 **DWELLING – STREET TOWNHOUSE** means a building divided vertically into three (3) or more dwelling units but not more than six (6) units, having frontage on a public street. Each unit is attached by common walls extending from the base of the foundation to the roof line, with each unit having a separate entrance at grade.

~~2.104~~**2.83** **DWELLING – TOWNHOUSE** means a building divided ~~vertically~~ horizontally into three (3) or more dwelling units but not more than six (6) units, having frontage and primary access on a private street, internal driveway, and or parking area. Each unit is attached by common walls extending from the base of the foundation to the roof line, ~~each dwelling with each~~ unit having a separate entrance at grade.

~~2.105~~ **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.

~~2.106~~**2.84** **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 shall mean one or more habitable rooms occupied or capable of being occupied by a person or household as an independent place of residence in which kitchen and sanitary facilities are provided for the use of such person or household, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located.

~~2.107~~ **DWELLING UNIT – ACCESSORY** shall mean a dwelling unit which is structurally part of and accessory to a permitted non-residential building unless prohibited by the Ontario Building Code. Such dwelling unit shall be occupied either by the owner of such non-residential use or by an employee on the lot where such dwelling is located. 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.

~~2.108~~**2.85** **EASEMENT** means the legal right acquired by contract to pass over, along, upon or under the lands of another.

~~2.109~~**2.86** **ENERGY FROM WASTE FACILITY** 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.

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~~2.110 — EQUESTRIAN ESTABLISHMENT means an establishment engaged in the operation of a horse riding academy or horse riding stables.~~

~~2.111~~2.87 **EQUESTRIAN USE** means an area of land, with or without associated buildings, where horses are boarded and taken out to be ridden by their owners or rented to others and where riding lessons may be given. This definition shall also include an establishment engaged in the operation of a horse-riding academy and/or stables, wherein horses may be boarded and provided care.

2.88 **EQUIPMENT SALES/RENTAL – DOMESTIC** means a building or part of a building wherein the primary use is the sale and/or 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~~2.89 **EQUIPMENT SALES/RENTAL – COMMERCIAL/INDUSTRIAL** shall mean an establishment primarily engaged in the sales and/or rental of machinery, equipment, furniture, fixtures, and other goods, of a size and type which would be used for business, industrial, and/or major construction undertakings, or which may involve bulk shipping of such goods, large catering undertakings, or similar non-household oriented rental functions.

~~2.113~~2.90 **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.

~~2.114 — 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.~~

~~2.115~~2.91 **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.

~~2.116~~2.92 **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.

~~2.117~~2.93 **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.

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~~2.118~~2.94 **EXISTING** means legally existing as of the date of the passing of this By-law.

~~2.119~~2.95 **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.

~~2.120~~2.96 **FARM** see **AGRICULTURAL USE**

~~2.121~~2.97 **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.

~~2.122~~ **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.

~~2.123~~2.98 **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.

~~2.124~~2.99 **FARM SUPPLY ESTABLISHMENT** ~~—INDOOR—~~ means a building or premises 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.~~

~~2.125~~2.100 **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.

~~2.126~~2.101 **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.

~~2.127~~2.102 **FINISHED GRADE** see **ESTABLISHED GRADE**

~~2.128~~ **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.

2.103

~~2.129~~ **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.

~~2.130~~ **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.

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~~2.131~~2.104 **FLEA MARKET** means the use of land, buildings or structures open to the general public and operated for gain or profit, for the sale of general merchandise, food, goods, crafts, antiques and wares, and may include outdoor displays and shows, including the display of antique or custom motor vehicles, and may include the sale of prepared food out of a building or portion thereof for consumption on the premises, but shall not include a retail store or any other use more specifically defined in the By-law. ~~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.~~

2.105 **FLOOD CONTROL STRUCTURE** means a structure, improvements, and/or a combination thereof that are generally designed to provide defense against floods, storm surges, and other hazardous events by altering or controlling the flow and/or volume of water. Without limiting the generality of the foregoing, these may include, dikes, spurs, levees, seawalls, weirs, flow splitters, and/or dams.

~~2.132~~2.106 **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.

~~2.133~~2.107 **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).

~~2.134~~2.108 **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.

~~2.135~~2.109 **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.

~~2.136~~2.110 **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:

- (a) any private garage, porch, veranda, and unfinished basement, cellar or attic;
- (b) any part of the building or structure below grade which is used for building services, storage or laundry facilities;
- ~~(c)~~ any part of the building or structure used for the storage or parking of motor vehicles.

~~2.137~~ **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.~~

(c)

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~~2.138~~2.111 **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.

~~2.139~~ **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.

~~2.140~~ **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.

~~2.141~~2.112 **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 and may include a Chapel, but does not include a crematorium.

~~2.142~~ **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.

~~2.143~~2.113 **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.

~~2.144~~ **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. This definition does not include Cannabis Production and Processing.

~~2.145~~2.114 **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. This definition does not include a Dwelling – Secondary Unit.

~~2.146~~ **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.

~~2.147~~ **GOLF COURSE** means the use of land for the purpose of playing golf and without limiting the generality of the foregoing may include a golf driving range, a miniature golf course or combination thereof. a public or private area operated for the purpose of playing golf and includes a par 3 golf course, a driving range and may include as accessory, a pro shop and/or an eating establishment but does not include a miniature course and similar use operated for

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~~commercial purposes shall mean a public or private area operated for the purpose of playing golf and shall include:~~

~~2.148 GOLF – MINIATURE means 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. Par 3 golf course~~

~~2.149 Clubhouse~~

~~2.150 Proshop~~

~~2.151 Putting green~~

~~2.152 Driving range~~

~~2.153 Miniature golf course~~

~~2.154 Office~~

~~2.155 Storage Buildings~~

~~2.156 Storage yard~~

~~2.157 Repair shop limited to repair of equipment~~

~~2.158 Banquet hall~~

~~2.159 Conference facilities~~

~~2.160 Accessory dwelling~~

~~2.161 Canteen~~

~~2.162 Accessory use~~

~~2.163~~ 2.115

~~2.164~~ 2.116 **GRADE** means the average level of proposed or finished ground adjoining a building at all exterior walls.

~~2.165 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.~~

~~2.166 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.~~

2.117 GREENHOUSE, AGRICULTURAL means a building used for the growing of crops, plants, shrubs, trees and or vegetation for agricultural purposes. This definition shall not include any premises used for growing of mushrooms and does not include Cannabis Production and Processing.

2.118 GREENHOUSE, COMMERCIAL shall mean a building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for on-site wholesale or retail sale. This definition shall not include any premises used for growing of mushrooms and does not include Cannabis Production and Processing.

~~2.167~~ 2.119 **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,

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physical or social condition or legal status, require group living arrangement for their well being, but excluding a Group Home Type 2.

2.1682.120 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.

2.1692.121 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.

~~2.170 HAULED SEWAGE shall mean material removal from a holding tank (class 5 system) or from a septic tank (class 4 system).~~

~~2.171 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.~~

2.1722.122 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.

2.123 HIGHWAY shall mean a public thoroughfare intended for vehicular use by the general public.

~~2.173 means a business operated by a resident as a secondary and subordinate use to a residence.~~

~~2.174 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.~~
~~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.~~

2.124 HOME-BASED BUSINESS means a business operated by a resident of the property as a secondary and subordinate use to a residence, farm, or other agricultural operation.

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2.175 ~~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.

2.176 ~~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.~~

2.177 ~~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.

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

2.1792.125 **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.

2.1802.126 **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.

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~~2.181~~ ~~HUMAN HABITATION~~ ~~see HABITABLE ROOM~~

~~2.182~~ 2.127 **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.

~~2.183~~ 2.128 **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.

2.129 ~~KENNELS~~ means lands, building, structure or area where dogs, cats, birds or other domestic animals ~~which is used to are kept, bred, boarded, groomed or trained, given medical treatment or housed for similar purposes for which compensation may be paid and shall include a Humane Society shelter or pound. This definition shall also include any premise whereby five (5) or more dogs are kept as domestic pets.~~ maintain, board, breed or train

~~2.184~~ ~~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 humane society, shelter or pound.~~

~~2.185~~ 2.130 **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

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

2.1862.131 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.

2.1872.132 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.

2.1882.133 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.

2.1892.134 LIBRARY means a public building or structure where books, printed materials, electronic and other audio-visual resources may be read, consulted or borrowed.

2.135 LIVESTOCK includes beef cattle, birds, dairy cattle, deer and elk, fur-bearing animals, game animals, goats, horses, poultry, ratites, sheep, swine and other animals as identified in Table 1 of Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) Publication 853 – The Minimum Distance Separation (MDS) Document. ~~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.~~

2.136 LIVESTOCK AUCTION AND SALES OUTLET means a building or structure where livestock are auctioned, bought, and sold.

2.137 LIVESTOCK BARNS means one or more permanent buildings located on a lot which are intended for housing livestock, and are structurally sound and reasonably capable of housing livestock.

2.1902.138 LIVESTOCK FACILITIES all Livestock Barns and Manure Storages on a lot, as well as all unoccupied Livestock Barns and unused Manure Storages on a lot.

2.1912.139 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.

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~~2.192~~2.140 **LONG-TERM CARE HOME FACILITY** means a building or structure designed, used or intended for use where accommodation is provided for the sick, elderly or infirm and which provides long term health, social and similar care for such persons and may include a retirement home, home for the aged, nursing home, rest home and all such facilities operated under the Long Term Care Act, the Charitable Institutions Act, and the Homes for the Aged and Rest Homes Act. ~~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.~~

~~2.193~~2.141 **LOT** shall mean a parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act. ~~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.~~

~~2.194~~2.142 **LOT AREA** means the total horizontal area within the lot lines of a lot.

~~2.195~~2.143 **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.

~~2.196~~2.144 **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, and swimming pools, ~~and all accessory buildings, excluding detached garages,~~ are not to be included within the lot coverage calculation.

~~2.197~~2.145 **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.

~~2.198~~2.146 **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.

~~2.199~~2.147 **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.

~~2.200~~2.148 **LOT, INTERIOR** means a lot other than a corner lot or a through lot which has frontage on a public street.

~~2.201~~2.149 **LOT, LINE** means any boundary of a Lot or its vertical projection.

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~~2.202~~2.150 **LOT LINE, EXTERIOR SIDE** means a side lot line that abuts a street.

~~2.203~~2.151 **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 or through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line ~~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.~~

~~2.204~~2.152 **LOT LINE, SIDE** means a lot line, other than a front or rear lot line.

2.153 **LOT LINE, REAR** means the lot line or intersection of the side lot lines, opposite to, and most distant from, the front lot line.

~~2.205~~2.154 **LOT OF RECORD** means a legally created parcel of land, including those which exist on the date of passing of this By-law, that can be conveyed and are deemed to include lots in a registered plan of subdivision, parcels created by consent in accordance with the Planning Act and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office.

2.155 **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.

~~2.206~~2.156 **LOT WIDTH** means the average horizontal dimension between the side lot lines.

~~2.207~~2.157 **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.

~~2.208~~2.158 **MAIN WALL** means any exterior wall of a building and all structural members essential to the support of a fully enclosed space or roof.

~~2.209~~
~~2.210~~ **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.

~~2.209~~
~~2.210~~ **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.

~~2.211~~2.159 **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

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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.

~~2.212~~2.160 **MARKET GARDEN** means the small-scale production of fruits, vegetables and flowers as cash crop, frequently sold directly to customers or ~~restaurants~~restaurants.

~~2.213~~ **MAUSOLEUM** means a building or other structure used as a place for the internment of the dead in sealed crypts or compartments.

~~2.214~~ **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.

~~2.215~~2.161 **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 m2. This definition shall also include a Craft Brewery.

~~2.216~~ **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.

2.162 **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.

~~2.217~~2.163 **MINIMUM DISTANCE SEPARATION FORMULAE** means the formulae and guidelines developed by the province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

~~2.218~~ **MOBILE HOME** see **MOBILE HOME DWELLING**

~~2.219~~2.164 **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 75m² (807 sq ft)), for non-transient use.

~~2.220~~ **MOBILE HOME SPACE** means a parcel of land within mobile home park intended for the exclusive use of a mobile home.

~~2.221~~ **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.

2.165

~~2.222~~ **MONUMENT SALES AND MANUFACTURING** means a place where cemetery monuments and related articles are manufactured and/or displayed for sale or sold.

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~~2.223~~ **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.

~~2.224~~ 2.166 **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.

~~2.225~~ **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.

~~2.226~~ **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.

~~2.227~~ **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.

~~2.228~~ **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.

2.167

~~2.229~~ **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.

~~2.230~~ **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.

~~2.231~~ **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.

~~2.232~~ **MOTOR VEHICLE WASHING ESTABLISHMENT** means a building or portion thereof used for washing or cleaning of motor vehicles for gain.

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~~2.233~~2.168 **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.

~~2.234~~2.169 **MUNICIPALITY** means The Corporation of the Township of North Stormont.

~~2.235~~2.170 **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.

~~2.236~~ **NAMEPLATE GENERATING CAPACITY** means the manufacturer's posted maximum generating capacity of a renewable energy system under optimal conditions.

~~2.237~~2.171 **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.

~~2.238~~2.172 **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.

~~2.239~~2.173 **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.

~~2.240~~2.174 **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.

~~2.241~~2.175 **NOISE CONTROL BARRIER** means a physical structure placed between a noise source and a noise sensitive area where reduced noise levels are required.

~~2.242~~ **NURSING HOME** see **LONG TERM CARE HOME**

~~2.243~~2.176 **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.

~~2.244~~2.177 **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.

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~~2.245~~2.178 **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. A flood produced by a 100-year event is considered to be the minimum standard for delineation of the flood plain for planning purposes in Ontario

~~2.246~~2.179 **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.

~~2.247~~2.180 **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.

~~2.248~~2.181 **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.

~~2.249~~2.182 **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.

~~2.250~~2.183 **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.

~~2.251~~2.184 **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.

~~2.252~~2.185 **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.

~~2.253~~2.186 **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 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 campground facilities;
- (b) Private Park shall mean a park other than a public park.

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~~2.254~~2.187 **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.

~~2.255~~2.188 **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.

~~2.256~~2.189 **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.

~~2.257~~2.190 **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.

~~2.258~~2.191 **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.

~~2.259~~ **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.

~~2.260~~2.192 **PERMITTED** means permitted by this By-law.

~~2.261~~2.193 **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.

~~2.262~~2.194 **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.

~~2.263~~2.195 **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.

~~2.264~~ **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.

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~~2.265~~**2.196** **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.

~~2.266~~ **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.

~~2.267~~**2.197** **PLACE OF ENTERTAINMENT** means an establishment operated for commercial gain or profit wherein amusement facilities are provided such as a motion picture or other theatre, 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.

~~2.268~~**2.198** **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.

~~2.269~~ **PLAYGROUND** (see **PARK**)

~~2.269~~ **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.

~~2.270~~**2.199** **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.

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~~2.274~~2.200 **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.

~~2.272~~2.201 **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.

~~2.273~~ **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.

~~2.274~~2.202 **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.

2.203 **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.

~~2.275~~2.204 **PRODUCE STAND** means a covered or uncovered seasonal establishment or premises wherein produce, meat, flowers, fruit, and/or other food items are sold.

~~2.276~~ **PROFESSIONAL OFFICE** see **OFFICE**

2.205 **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.

~~2.277~~

~~2.278~~2.206 **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.

~~2.279~~2.207 **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.

~~2.280~~ **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

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~~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. (see PARK)~~

~~2.281~~2.208 **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.

~~2.282~~2.209 **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.

~~2.283~~2.210 **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.

~~2.284~~2.211 **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. This definition~~ includes accessory uses such as crushing, screening, washing and storage of such materials.

~~2.285~~2.212 **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, gymnasias, band shells or open air theatres, and other similar uses but does not include a casino or bingo hall, go-kart, motorcycle, ~~all terrain~~all-terrain vehicle riding facilities or similar uses.

~~2.286 — RECREATIONAL USE, ACTIVE see ACTIVE RECREATIONAL USE~~

~~2.287 — RECREATIONAL USE, PASSIVE see PASSIVE RECREATIONAL USE~~

~~2.288 — 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.~~

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~~2.289~~2.213 **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)

2.214 **RECYCLING YARD** means an enclosed area in which solid recyclable material is collected, sorted, and/or processed and can includes materials from construction and demolition projects and other sources including wood, drywall, brick, concrete, asphalt shingles, glass and scrap metals.

~~2.290~~ **REDEVELOPMENT** (~~see DEVELOPMENT~~)

~~2.291~~ **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.

~~2.292~~2.215 **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.

~~2.293~~ **RENTAL ESTABLISHMENT** shall mean a building or part of a building wherein the primary use is the rental of machinery, equipment, furniture and fixtures.

~~2.294~~2.216 **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.

~~2.295~~2.217 **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).

~~2.296~~2.218 **RETAIL STORE** ~~means a premises where consumer in which goods, wares, merchandise, substances, food, articles, or related items things or services are offered or kept for sale at retail or on a rental basis, are displayed for sale or rent, or sold directly to the public for the purchaser's own use or consumption.~~ shall mean a building or structure, designed, used, or intended for the selling or buying of goods, wares, merchandise, articles, or things at retail or the providing of a service, primarily to or from the public, and uses accessory thereto and includes all retail stores not defined elsewhere in this By-law.

~~2.297~~ **RETAIL STORE 1** means a retail store that has a gross floor area of less than 930 m².

~~2.298~~ **RETAIL STORE 2** means a retail store that has a gross floor area of less than 2750 m².

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~~2.299 — RETAIL STORE 3~~ means a retail store with a minimum gross floor area of 2750 m² and up to a maximum gross floor area of 37,160 m² 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.

~~2.300~~2.219 **RETAINING WALL** means a wall constructed of concrete, stone, or stackable concrete or stone or aggregate materials, which is specifically designed to hold back and 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.

~~2.301 — 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.

~~2.302 — RIDING STABLE~~ see **EQUESTRIAN ESTABLISHMENT**

~~2.303 ROAD, PRIVATE~~ see **PRIVATE ROAD**

~~2.304 ROAD, PUBLIC~~ see **PUBLIC STREET**

~~2.305 ROOMING HOUSE~~ see **BOARDING, LODGING and ROOMING HOUSE**

~~2.306 — 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.

~~2.307 — 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. (see WRECKING YARD)

~~2.308~~2.220 **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

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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.

~~2.309~~ ~~**SAWMILL** means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.~~

~~2.310~~ 2.221 **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

~~2.311~~ 2.222 **SCHOOL** means a public educational establishment operated by a School Board.

~~2.312~~ 2.223 **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.

~~2.313~~ 2.224 **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

~~2.314~~ 2.225 **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.

~~2.315~~ ~~**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.~~

~~2.316~~ 2.226 **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.

~~2.317~~ ~~**SERVICE AND REPAIR SHOP** means a building or part thereof 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.~~

~~2.318~~ 2.227 **SETBACK** means:

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- (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.

~~2.319~~**2.228** **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.

~~2.320~~**2.229** **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.

~~2.321~~**2.230** **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.

~~2.322~~**2.231** **SIGHT TRIANGLE** shall mean the triangular space formed by the street lines of a corner lot and a line drawn from a point on one street line to a point on the other street line, each such point being measured from the point of intersection of the street lines (measured along the street lines) in accordance with Section 3.11(1). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.~~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.~~

~~2.323~~**2.232** **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

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

~~2.324~~ ~~SINGLE DETACHED DWELLING~~ ~~see DWELLING, SINGLE DETACHED~~

~~2.325~~ **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.

~~2.233~~

~~2.326~~ ~~SLUDGE~~ ~~shall mean stabilized organic soil conditioning material produced by a sewage treatment plant.~~

~~2.327~~ ~~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.~~

~~2.328~~ 2.234 **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

~~2.329~~ 2.235 **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.

~~2.330~~ 2.236 **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.

~~2.331~~ 2.237 **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.

~~2.332~~ 2.238 **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.

~~2.333~~ 2.239 **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.

~~2.334~~ 2.240 **SWALE** means a depression in the ground that channels run-off.

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~~2.335~~2.241 **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.

~~2.336~~ **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.

~~2.337~~2.242 **TAVERN** means a Tavern as defined by the Liquor License Act, as amended.

2.243 **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.

~~2.338~~

~~2.339~~2.244 **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.

~~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.

~~2.340~~2.245 **TRANSPORTATION DEPOT** shall mean an establishment where commercial vehicles are stored, repaired, washed, or maintained, including all administrative functions relating thereto, and may also mean an establishment for the distribution of goods or people in transit.

~~2.341~~2.246 **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.

~~2.342~~2.247 **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.

~~2.343~~2.248 **TRANSFER STATION** means a building, structure or enclosed or screened area where trucks or transports containing waste are temporarily stored, loaded or unloaded.

~~2.344~~2.249 **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.

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~~2.345~~2.250 **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.

~~2.346~~2.251 **USE** means the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained.

~~2.347~~ **UTILITY** means a public utility as defined in the Public Utilities Corporation Act, R.S.O. 1990, c. P.52.

~~2.348~~ **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.

~~2.349~~ **VEHICLE** see **MOTOR VEHICLE**

~~2.350~~2.252 **VETERINARIAN ESTABLISHMENT** mean a building or portion thereof used for a veterinary practice where domestic animals, or other livestock are kept for treatment, including surgery and where veterinary drugs and other related products including pet food and supplies may be dispensed or sold and where all functions take place within the building but shall not include a kennel or research facility. ~~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.~~

~~2.351~~ **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.

~~2.352~~ **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.

~~2.353~~ **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.

~~2.354~~ **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.

~~2.355~~2.253 **WAREHOUSE/DISTRIBUTION CENTRE** means a premises used for the storage and distribution of goods, wares, merchandise, substances, articles or things, within a building and

SECTION 2 – DEFINITIONS

may include a commercial storage facility or facilities for an accessory wholesale or retail outlet, but does not include a transportation terminal.

2.254 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).

~~2.356~~**2.255 WASTE DISPOSAL SITE INFLUENCE AREA** means the area where possible effects of a waste disposal site, including landfill generated gases, ground and surface water contamination by leachate, odour, discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff and vectors and vermin are most likely to occur.

~~2.357~~**2.256 WATER BODY** means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

~~2.358~~**2.257 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.

~~2.359~~**2.258 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.

~~2.360~~**2.259 WATER FRONTAGE** means the straight line horizontal distance between the two most widely separated points on any one shoreline of a lot.

~~2.361 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.

~~2.362~~**2.260 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.

~~2.363 WELDING SHOP~~ means the use of land, building, or structure where pieces of metal are welded or fabricated.

2.364 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.

2.261

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(a) 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.

(b) Wetlands that meet Ministry of Natural Resources and Forestry criteria are classified as Provincially Significant.

~~2.365~~2.262 **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.

~~2.366~~2.263 **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.

~~2.367~~ **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.

~~2.368~~2.264 **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~~establishment
- (i) Dwelling

~~2.369~~2.265 **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.

~~2.370~~2.266 **WRECKING 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

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for further use, dismantled or abandoned. This definition may include a junkyard, a scrap metal yard, a Recycling Yard and a Salvage Yard on the premises. ~~see~~ **SALVAGE YARD**

~~2.371~~2.267 **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.

~~2.372~~2.268 **YARD, EXTERIOR SIDE** means the side yard adjacent to a public street.

~~2.373~~2.269 **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.

~~2.374~~2.270 **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.

~~2.375~~2.271 **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.

~~2.376~~2.272 **ZONE** means a designated area of land use shown on the Zone Schedules attached hereto and forming part of this By-law.

~~2.377~~2.273 **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.

~~2.378~~2.274 **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

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 Dwelling – Secondary Unit (Detached), 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~~ exclude:
 - (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 m² {108 ft²})~~,
 - (c) for a gatehouse in an Industrial Zone having a gross floor area of less than 10 m² {108 ft²}, than ten square metres (10 m² {108 ft²}),
 - ~~(e)(d)~~ For a structure not more than five square metres (5.0 m² {53.8 ft²}) in a parking area for the use of attendants; or
 - ~~(d)(e)~~ 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) Accessory Building Height:
 - (a) The maximum height of an accessory buildings in any ~~residential~~ zone shall not exceed ~~four and five tenths of a five metres (5.0 m {16.40 feet}) or as~~ unless otherwise permitted ~~provided~~ in the individual zone provisions.
 - (b) Notwithstanding (6)(a), the maximum height of an accessory building in an Agricultural, Rural, Commercial, Industrial, or Mineral Resource Zone may be constructed to a maximum height of 6.1 metres (20 feet), provided that it complies with the minimum yard requirements applicable to the main use and all other applicable provisions in this By-law are complied with.

SECTION 3 – GENERAL PROVISIONS

- ~~(6)~~ (7) The minimum interior and rear yard setback for an accessory building or structure shall be 1.2 metres (3.94 feet), unless otherwise required by Section 3.1(6) or the individual zone requirements.
- (8) In any Residential Zone, accessory buildings (excluding swimming pools) shall not cover more than 10% of the lot area. For the purpose of this By-law, a Garden Suite and Dwelling – Secondary Unit (Detached) shall be considered accessory buildings.
- ~~(7)~~(9) Private swimming pools, both above-ground and in-ground, outdoor and indoor, shall be permitted subject to obtaining a permit from the Township and complying with the~~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 exterior side~~nal~~ yard required for the main use, nor closer than one and two tenths metres (2.0 metres 1.2 m {3.94 ft.}) (6.56 feet) to an interior side yard or rear yard lot line. Any accessory building or structure used in conjunction with the pool, ~~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 or covered pools which are not an integral part of a dwelling unit or part of a municipal or private recreational facility shall conform with the provisions respecting accessory uses and structures.~~accessory building requirements contained above.~~
- ~~(8)~~(10) 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 metres (100 metres {328.1 feet}) from any dwelling on an adjacent lot or 15.24 metres (50 feet) 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, dwelling – secondary unit, garden suite, 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.
- (c)
- ~~(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~~ ESTABLISHMENTS – General Development Standards**
- (1) No aAdult eEntertainment ~~Parlour~~ establishment shall be:

SECTION 3 – GENERAL PROVISIONS

~~(1)~~ 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.

~~(a)~~ No Adult Entertainment Parlour shall be located within 500 metres of any residential zone, school, church, place of worship, day nursery care, public library, community centre hall / arena, or public park; or,

~~(a)~~

~~(2)(b)~~ No Adult Entertainment Parlour shall be permitted to locate on a lot having frontage on a Major Arterial Road.

~~(3)~~ 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:

~~— Within a required front yard or a required flankage yard, provided such equipment shall have a minimum setback of three metres (3 m 3 metres [9.84 feet.]) from any the street line, and a minimum setback of six tenths of one metre (of 0.6 metres ([1.97 feet.]) from an interior side or rear lot line;~~

~~(1) Where such equipment is located within the required front yard or exterior side yard for the main use, it shall be and is screened from the street by an enclosure or landscaping, to the satisfaction of the Township; 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;~~

3.43.3 ~~MOTOR VEHICLE~~ AUTOMOBILE SERVICE STATION, COMMERCIAL GARAGE AUTOMOBILE REPAIR GARAGE, MOTOR VEHICLE GAS BAR, MOTOR VEHICLE WASHING ESTABLISHMENTS CAR WASH

The following provisions shall apply for all zones within which an automobile service station, automobile repair garage, and / or car wash ~~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 m² 2 [646 ft²])~~ 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~~

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~~(3)~~(2) 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)~~(3) ~~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)~~(4) 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.~~

3.53.4 BACKYARD CHICKENS

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

- (1) The keeping of hens shall be restricted to Agricultural and Rural 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 ~~3.0 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 place of worship 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.

3.63.5 BED AND BREAKFAST ESTABLISHMENTS

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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)~~(3) Bed and breakfast establishments shall be permitted in the R1, RR, AG, and RU Zones ~~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)~~(4) 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 bBed and bBreakfast eEstablishment 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)~~(5) 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.~~

~~3.93.6 BULK BULK & FUEL STORAGE TANKS~~FUEL DEPOT

No bulk ~~or fuel storage tank~~fuel depot 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.~~

3.7 BUNK HOUSES

- (1) The Township of North Stormont shall require that the owner of lands enter into an agreement respecting the matters outlined in this section, including the posting of financial securities,

SECTION 3 – GENERAL PROVISIONS

prior to the establishment of a bunk house. Any agreement shall be registered against the lands.

- (2) Bunk Houses shall be permitted on a temporary basis for so long as it constitutes an integral part of the farm operation.
- (3) At such a time that the Bunk House is, in the opinion of the Township, no longer needed for employee housing and/or does not constitute an integral part of the farm operation, it must be demolished or removed from the property to the satisfaction of the Township.
 - (a) If the Bunk House is the sole dwelling on the subject lands, it may be converted and/or used as the main principal dwelling by the owner in lieu of demolition.
 - (b) The Bunk House may be converted and used as a dwelling-secondary unit, subject to compliance with all applicable provisions to secondary units, in lieu of demolition.
- (4) All occupants of the Bunk House shall be directly employed in the farm operation to which it serves. Immediate family members of an employee of the farm operation may also occupy with the Bunk House.

3.103.8 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)(1)~~ (1) No outdoor patio shall be permitted on a lot in a yard which where the lot line abuts a Residential Zone or residential use other than commercial or industrial.
- ~~(2)(2)~~ (2) 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.
 - ~~— 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.~~
- ~~(4)(3)~~ (3) No commercial patio shall be permitted to encroach upon any required parking space, loading zone, or driving aisle, unless permitted by the Township in writing;
 - ~~— 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 in writing.~~
- ~~(5)(4)~~ (4) No part of a commercial patio shall be located within a defined Site Triangle, as outlined in Section 3.12.

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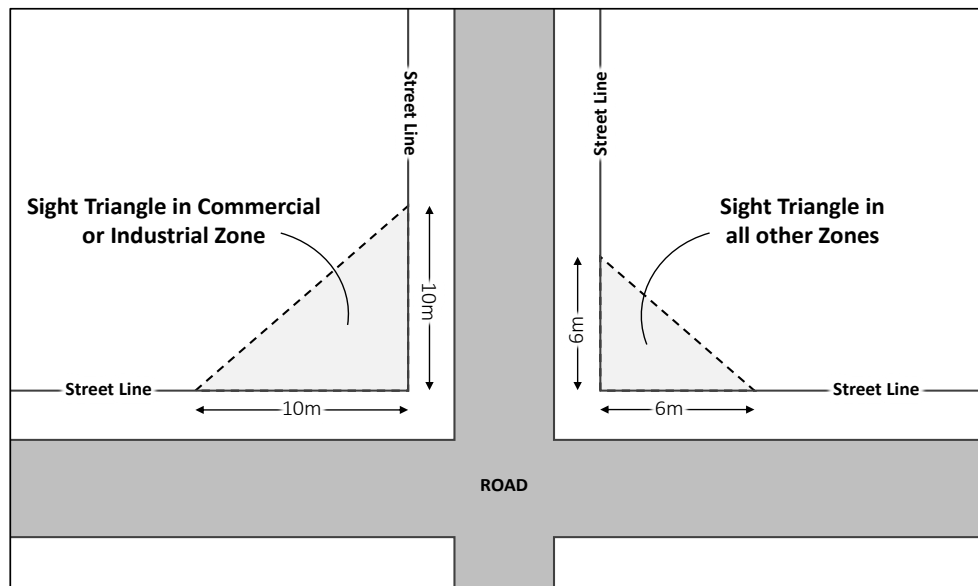
3.9 CUMULATIVE STANDARDS

Where a building, structure or lot accommodates more than one use, the requirements of this By-law with respect to lot area, loading spaces, and parking spaces shall be the sum of the requirements of the separate uses thereof.

3.113.10 SIGHT TRIANGLES

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

- (1) In a Commercial or Industrial Zone, the sight triangle shall be measured 10 metres (32.8 feet) from the point of intersection of the street lines. In all other Zones, the sight triangle shall be measured 6 metres (19.7 feet) from the point of intersection of the street lines. Please see the diagram below for a visual overview of these requirements.



- (2) No building, structure, or use which would obstruct the vision of drivers of motor vehicles on corner lots shall be permitted within a sight triangle;
- (3) No fence, wall, tree, hedge, bush or other vegetation, greater than seventy-six one hundredths of one metre (0.756 metres (2.5 feet)) above the centreline of the street or road, other than agricultural crops shall be permitted within a sight triangle;
- (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 metres (1.97 feet)) shall be permitted within a sight triangle.
- (4)

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~~(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, all 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 be complied with.~~

~~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~~ **3.11 DRIVE THROUGH FACILITIES**

Accessory drive through facilities serving a commercial use 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 accesses 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.

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~~(5) Illumination sources shall be so designed to divert illumination and glare away from adjacent streets and properties.~~

3.143.12 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 ~~rResidential, Rural Residential,~~ cCommercial, or iInstitutional zZone 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.

3.153.13 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.

3.163.14 FRONTAGE ACCESS TO ~~ON~~ A PUBLIC ROAD

No person shall erect any building or structure, develop, or otherwise use any lot in any zone unless:

- a) such lot abuts a public road or;
- b) such lot has access to a public road by means of a legally registered right-of-way or easement over an intervening lot or a private common element road integral to a registered plan of condominium; or,
- c) the Province, the County or the Township, as the case may be, has issued an entrance permit or otherwise granted permission to provide vehicular access from such lot or from such intervening lot, as the case may be, to the said 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.~~

3.173.15 GARDEN SUITES & DWELLING - SECONDARY UNITS

Where permitted by this By-law, all gGarden sSuites and dDwelling-sSecondary uUnits shall be subject to the following provisions:

~~(1) No Ggarden sSuite or Dwelling-Secondary Unit shall be established on a lot until the main dwelling has been established. For the purpose of this Section, an eligible principal dwelling includes:~~

(1)

Dwelling—Single-Detached;

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~~Dwelling – Semi-Detached;~~
~~Dwelling – Duplex;~~
~~Dwelling – Street Townhouse;~~
~~Dwelling – Townhouse~~

- (2) A Garden Suite or Dwelling - Secondary Unit (Detached) shall not be permitted where it would be ancillary to an interior (middle) dwelling unit that is part of a Dwelling - Townhouse or Dwelling - Street Townhouse.
- (3) For a lot containing a Dwelling - Single Detached, Dwelling - Semi-Detached or Dwelling - Townhouse or Street Townhouse, a maximum of one (1) Garden Suite or Dwelling - Secondary Unit is permitted per main dwelling/dwelling unit. For a Dwelling – Duplex, a maximum of one (1) Garden Suite or Dwelling - Secondary Unit is permitted per lot.
- (4) A Garden Suite or Dwelling – Secondary Unit shall not be severed from the main dwelling.
- (5) A Garden Suite or Dwelling - Secondary Unit shall contain adequate kitchen, washroom, and sleeping accommodation/facilities independent from the main dwelling in accordance with the minimum requirements of the Ontario Building Code.
- (6) A Garden Suite or Dwelling - Secondary Unit shall only be permitted where adequate servicing (water supply and sewage disposal) exists or can be made available to accommodate the use, to the satisfaction of the Township.
- (7) In a Residential Zone, the maximum floor area for a Garden Suite or Dwelling - Secondary Unit (Detached) shall be limited in accordance with the maximum lot coverage permitted for accessory buildings outlined in Section 3.1(7). Notwithstanding this, no Garden Suite or Dwelling - Secondary Unit (Detached) shall have a floor area larger than the main dwelling/dwelling unit in any zone.

~~Only one garden suite may be established per lot.~~

~~Driveway~~ Parking to accommodate a Garden Suite or Dwelling - Secondary Unit shall be provided in accordance with Section 4.0 and must share the same entrance provided for the main dwelling/dwelling unit. Notwithstanding this, for a Garden Suite or Dwelling - Secondary Unit located on a corner lot, a separate entrance and parking area may only be permitted where it would not result in more than one (1) entrance to the respective yard and would not adversely impact local infrastructure or adjacent properties, as determined by the Township in its sole discretion. ~~viewway 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.~~

- (8)
- (9) A Dwelling - Secondary Unit (Attached) shall be accessed via a private entrance from outside the building or from a common vestibule inside the building. The creation of a Dwelling, Secondary Unit (Attached) must not result in any new exterior doorway entrance added to the front wall of the main dwelling/dwelling unit, whether before, during or after the creation of the Dwelling - Secondary Unit (Attached).

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~~The height of a Garden Suite or Dwelling – Secondary Unit (Detached) shall comply with Section 3.1(6) of this By-law, but shall not exceed one (1) storey in a Residential Zone.~~

(10) Siting for a Garden Suite or Dwelling – Secondary Unit (Detached) shall be in accordance with the provisions applicable to accessory buildings. Where a rear or interior side yard-facing wall of a Garden Suite or Dwelling – Secondary Unit (Detached) will contain one or more windows and/or entrance(s), the minimum yard setback from the corresponding lot line shall be 4 metres (13.12 feet).

~~(2) The siting of a garden suite shall be in accordance with the provisions for accessory uses.~~

~~(3) The maximum gross floor area shall be ninety two and nine tenths square metres (92.9 m² [1000. ft²]).~~

~~(4) The maximum height shall be one storey, and shall not exceed four and one half metres (4.5 m [14.7 ft.]).~~

~~(5)~~(11) No garden suite or Dwelling – Secondary Unit (Detached) shall be located closer than three metres (3 metres [9.84 feet.]) to the ~~main residence~~main dwelling/dwelling unit on the lot or any building on an abutting property.

~~(6) Only one garden suite may be established per lot.~~

~~(7) All garden suites shall be provided with adequate water supply and sewage disposal systems.~~

~~(8)~~(12) All ~~G~~garden ~~S~~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.~~

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3.193.16 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 m² [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~~ overconcentration of Group Home Type 2 uses within a 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.

3.17 HOME-BASED BUSINESSES

- (1) The classification of a use as a home-based business shall be at the discretion of the Township of North Stormont in consideration of this Section. Where the size, scale, nature, and/or any other aspects of a proposed use exceed the scope of what can reasonably be considered a home-based business, the most applicable use or definition will apply.
- (2) General Provisions: A home-based business:
 - (a) ~~They~~ shall not change the residential, agricultural, or rural character of the property on which they are established;
 - (b) ~~they~~ must not become a nuisance due to noise, odour, dust, fumes, vibration, radiation, glare, traffic, parking, or any other nuisance which may be associated with non-residential activities;
 - ~~they must not become a fire or building hazard or health risk;~~
 - (c) ~~they~~ must not interfere with radio, television or other telecommunications transmissions; and,
 - (d) ~~Home-based businesses~~ must not involve the use of the premises as a dispatching office, supply, or storage facility.;
- ~~(3) The operators of the home-based businesses must reside in the dwelling unit from which the home-based business is conducted.;~~
- (3)
- (4) The maximum number of home-based businesses per dwelling unit is:
 - (a) 1 in a Residential Zone; and,

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(b) 2 in any other zone.

~~(4)~~ _____

~~(a)~~ _____

~~Home-based businesses must not involve the use of the premises as a dispatching office, supply, or storage facility;~~

~~(5)~~ No home-based business shall involve the keeping, boarding, treatment, training, breeding and selling, or medical or personal care of any animals or livestock, unless specifically permitted in the zoning provisions applicable to the site.;

~~(5)~~ _____

~~_____~~

~~_____~~

~~(6)~~ Where the home-based business is used for a private day nursery, ~~day care nursery school or instruction~~, not more than ~~five (5) pupils~~ charges may be in attendance at any one time.;

~~(6)~~ _____

~~_____~~

~~In a residential zone, no home-based business shall involve the keeping or parking of a commercial vehicle on the property beyond that permitted in this By-law.~~

~~_____~~

~~If any part of a home-based business is located within an attached garage, it shall not impact the ability for all minimum required residential parking to be accommodated;~~

~~(7)~~ _____

~~Where any parking is required for the home-based business, such spaces shall be accommodated on the site of the business but shall not impact the ability for all minimum required residential parking to be accommodated.~~

~~(8)~~ Location of home-based business

(a) A home-based business and associated activities in a residential zone shall be conducted indoors and contained within the dwelling unit or attached garage. Accessory buildings shall not be used in the home-based business.

(b) A home-based business and associated activities in an agricultural or rural zone may be contained within a dwelling unit, attached garage, accessory building, subject to compliance with all other provisions of this Section.

(c) An accessory building used as part of a home-based business in an agricultural or rural zone shall, in addition to complying with all other provisions applicable to accessory buildings, be located a minimum of 5 metres from an interior side or rear property line and 50 metres from a dwelling on a neighbouring lot.

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(9) Maximum area for home-based business

- (a) A home-based business in a residential zone shall be limited to a cumulative maximum area of 25% of the gross floor area of the dwelling unit.
- (b) A home-based business in an agricultural or rural zone shall be limited to a cumulative maximum area of 100 m², exclusive of any outdoor storage area.

(10) Number of on-site, non-resident employees

- (a) In a residential zone, a home-based business may have a maximum of ~~one (1)~~ on-site, non-resident employee;; ~~subject to 4(3);~~
- (b) In an agricultural or rural zone, a home-based business may have a maximum of ~~two (2)~~ on-site, non-resident employees; ~~subject to 4(3);~~
- (c) No on-site, non-resident employees shall be permitted for a home-based business associated with a dwelling-secondary unit, accessory dwelling or dwelling unit, or a dwelling unit within a multi-unit dwelling (i.e. apartment).

(11) Customer/Client Visits

- (a) Limited on-site retail and client services/visits directly associated with a home-based business is permitted, ~~subject to 5(2) and~~ provided it does not negatively impact the residential character of the property.
- (b) No retail or client services/visits shall be offered as part of a home-based business located within a dwelling-secondary unit, accessory dwelling or dwelling unit, and/or a dwelling unit within a multi-unit dwelling (i.e. apartment).
- ~~—— Notwithstanding 5(2), telemarketing and mail order sales are permitted provided that it does not negatively impact the residential character of the property.~~
- (c) Retail activities or client services/visits are restricted to within dwelling units and accessory buildings only.

(12) Signage

- (a) In a residential zone, ~~one (1)~~ non-illuminated/animated sign measuring no more than 0.5 m² ~~(5.38 ft²)~~ is permitted for a home-based business.
- (b) In an agricultural or rural zone, ~~one (1)~~ non-illuminated/animated sign measuring no more than 6 m² ~~(65 ft²)~~ is permitted for a home-based business.

(13) Outdoor Storage

- (a) In a residential zone, outdoor storage is prohibited.

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- (b) For the purposes of this by-law, a business or use solely dealing with indoor or outdoor storage of automobiles, buses, boats, recreational and/or any other types of vehicles or equipment shall not be considered a home-based business and shall be subject to the applicable zoning definitions defined herein.
- (c) In an agricultural or rural zone, outdoor storage of materials, equipment, or vehicles directly associated with the home-based business is permitted but shall be screened from all public roads and neighbouring properties to the satisfaction of the Township.
- (d) Where permitted, outdoor storage associated with a home-based business shall only be located within a rear or interior side-yard and shall be located a minimum of 10 metres from an interior-side property line, 5 metres from a rear-property line, and 100 metres from a dwelling on a neighbouring lot.
- (e) Where permitted, outdoor storage associated with a home-based business shall be limited to a maximum area of 5% of the lot size, up to a maximum of 150 m².
- (f) On-site storage of hazardous chemicals or explosives is prohibited.

~~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.~~

~~— A maximum of two (2) non-resident employees may be permitted for the operation of the home industry.~~

- ~~(1) 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 m² [1076.4 ft²]).~~
- ~~(2) 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.~~
- ~~(3) 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.~~
- ~~(4) A non-illuminated and non-animated sign of not more than six square metres (6 m² [65 ft²]) 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~~

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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 m² [5.33 ft²]) 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~~

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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.~~

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~~(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 m² [65 ft²]) in area shall be permitted in accordance to any provisions of this By-law or other By-law of the Municipality relating to Signs.~~

3.23.18 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.

3.24.19 HUMAN HABITATION NOT PERMITTED IN CERTAIN STRUCTURES

No truck, bus, coach, ~~street car~~~~streetcar~~ 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

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~~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.~~

3.273.20 KENNELS

Notwithstanding the yard and setback provisions 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 150-200 metres ([656.17 feetft])~~ of a dwelling located on another lot. Conversely no kennel shall be erected or established within 150 m of a kennel 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 this setback, subject to compliance with if all other provisions of this By-law are complied with. _____ [amended by By-law Z-05-2014]~~

3.283.21 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) 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.~~
- (5) 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

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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.~~

~~(6)~~ 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.

~~(7)~~(6) The whole of any yard for a single detached, ~~semi-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

~~3.22~~

All lands within the Township shall be subject to MDS I and MDS II as established by the Province which the case of MDS I, provides the minimum distance separation for new development from existing livestock facilities; and in the case of MDS II, provides minimum distance separation for new or expanding livestock facilities from existing development.

~~(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 ~~I~~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~~3.23 MOBILE HOMES

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

~~3.31~~3.24 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

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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 ~~dwelling~~use shall be permitted in the zone in which ~~the dwelling~~it 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 (510%)~~ 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; and,
- (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,~~
- ~~(4) The model home shall comply with all applicable terms and conditions of the said subdivision agreement.~~

~~3.323.25~~ 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.~~

~~3.343.26~~ 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 (24)~~ months~~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 (1124)~~ months and completed within ~~twenty-four (12424)~~ 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

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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.
- (5) 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~~ other 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; ~~and approved by the Township or Eastern Ontario Health Unit South Nation Conservation Authority~~ and approved by the Township or Eastern Ontario Health Unit South Nation Conservation Authority ~~by Zoning By-law Z-05-2014~~ [amended by Zoning By-law Z-05-2014]
 - (c) all other applicable provisions of this By-law are satisfied.
- ~~(6) 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~~ ~~by Zoning By-law Z-05-2014~~ [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.~~

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~~(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~~ 3.27 ~~NOT MORE THAN ONE MAIN~~ **NUMBER OF DWELLINGS 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. For the purposes of this Section, a Garden Suite or Dwelling – Secondary Unit shall not count toward the number of dwellings per 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, unless permitted as a Garden Suite or Dwelling – Secondary Unit;~~
- ~~(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~~ 3.28 **OPEN STORAGE AND OUTDOOR DISPLAY**

(1) OPEN STORAGE

Except as otherwise ~~provided in Subsection (2) of this Section, or~~ specifically provided by this By-law 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) Open Storage shall only be permitted in the CH, M, MR, WY, WD, MP, & MQ Zones, where it is clearly accessory and directly related to an established principal use on the property.
- ~~(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 not be permitted in any required front 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~~ and no closer than 3 metres to any side or rear lot line.
- (c) Areas used for open storage shall be screened from any public roadway by a 3 m landscaped planting strip containing an opaque fence, wall or other visual barrier not less than 2 m in height, to the satisfaction of the Township. This provision shall not apply

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to open storage associated with a permitted agricultural use or to the outside display and sale of goods and materials in accordance with Section 3.28(2).

- (d) Where an area used for open storage abuts a Residential or Institutional Zone, the open storage shall be located no closer than 6 metres to the shared lot line, and must be screened by a 3 m landscaped planting strip containing an opaque fence, wall or other visual barrier not less than 2 m in height, to the satisfaction of the Township.

~~(b) —~~

- ~~(c)(e) 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)(f) 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.~~

~~(g) _____~~

~~(3)~~(2) **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:

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- (a) An outdoor display or sales area shall be permitted accessory and directly related to a commercial ~~or~~; 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.
- (b) The outdoor display area shall not be located in ~~any~~ yard ~~on a lot abutting that abuts~~ a Residential or Institutional Zone, unless screened in accordance with Section 3.28(1)(d). e-
- ~~(a)(c)~~ The outdoor display area shall not occupy more than ~~forty percent (40%)~~ of the lot area except where it is accessory to an Automobile Sales or Rental Establishment. a vehicle sales lot is a listed permitted use in the zone.
- ~~(b)(d)~~ 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~~3.29 **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 tThe 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

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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).~~

3.413.30 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.

3.423.31 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**~~

~~**3.43**~~

- ~~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).~~
- ~~The Township of North Stormont shall require, as a condition of consent approval, that the retained lot (agricultural land) resulting from a consent to sever a Residence Surplus to a Farm Operation shall be rezoned by the applicant or owner of the subject lands to prohibit residential development, in accordance with the requirements of the Provincial Policy Statement.~~

~~**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~~

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- ~~—within 500 m of any land zoned Waste Management~~
~~(2)–~~

~~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.~~

- ~~(4) A semi-detached or 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.~~

~~(5) From rail lines~~

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

3.473.32 SHIPPING CONTAINERS

Except as otherwise provided, shipping containers shall not be permitted in any zone, save and except Industrial and Commercial zones. Shipping containers shall be screened to the satisfaction of the Township in all Commercial Zones.

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~~3.48~~3.33 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 RETAIL 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~~3.34 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)~~(c) 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

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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)~~(a) 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)~~(b) 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)~~(c) 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)~~(a) 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)~~(b) 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~~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~~for a Class I Industry shall be ~~twenty metres (20 m [65.6 ft.])~~ ~~measured from a Class I Industry~~ to a sensitive land use.

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- (b) The minimum separation distance ~~from a sensitive land use to~~for 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~~for 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) 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 metres from the normal high water mark or top of bank, as determined by a topographical survey.
- ~~(e) —~~
- ~~(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~~

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~~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 (3 m [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.

~~(l)~~—

(7) 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.

(8) 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.

~~(9) 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 United Counties of SDG 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 Township is in receipt of a study or report, prepared by a qualified engineer or other professional suited to carry out the work, demonstrating that the hazard can be overcome through the use of acceptable engineering techniques and where safe access can be provided. 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.~~

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~~(10)~~(9) 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.

~~(11)~~(10) 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. The study must propose an appropriate setback and describe any mitigation measures, if required, to the satisfaction of the Municipality. Additional approvals from the Township of North Stormont and/or Permits from the Conservation Authority having jurisdiction may be required prior to any development or site alteration.

~~3.513.35~~ 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 ~~3.254.0~~; or
- (b) where lands are used for any other Residential purpose, the boat or recreational vehicle must be stored:
 - i. within a private garage or carport;
 - ii. 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;
 - iii. in the Rear Yard not closer than ~~1.0~~ m from any lot line; or
 - iv. 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

SECTION 3 – GENERAL PROVISIONS

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.~~

~~(1)~~ **SECTION 3.52(a) – Special Provisions:**

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

- ~~(a) — 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:~~

SECTION 3 – GENERAL PROVISIONS

- ~~(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.~~

3.543.36 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 1st 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~~ in accordance with the requirements applicable to ~~with setbacks for~~ accessory structures and any applicable Municipal Building By-laws.

3.553.37 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,

SECTION 3 – GENERAL PROVISIONS

- (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.

3.563.38 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.

3.573.39 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.

3.583.40 WAYSIDE PITS AND QUARRIES

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

- (1) 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;
- (2) 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
- (3) an agreement is signed with the County that the wayside pit or quarry shall be rehabilitated upon completion of the public project.

3.593.41 YARD ENCROACHMENTS

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

- (1) 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 (than 0.56 metres (1.97 feet.))~~ into any required yard.
- (2) An exterior staircase may encroach into a required side or rear yard to a maximum of 1 metre ~~one metre (1 m (3.28 feet.))~~.
- (3) An unenclosed porch, ~~and~~ accessibility ramp, ~~and~~ covered or uncovered steps, ~~and~~ ~~Decks~~ (including the stairs that access the deck from finished grade) are permitted to encroach a yard on any lot where residential uses are permitted, provided:
 - (a) ~~The maximum height of the deck from finished grade is one and two tenths metres (1.2 metres (3.94 feet.))~~

SECTION 3 – GENERAL PROVISIONS

- (b)(a) The deck is located no closer than ~~three metres (3 metres (9.84 feet.))~~ from the rear lot line;
- (c)(b) The deck is located no closer than ~~six tenths of one metre (0.56 metres (1.97 feet.))~~ m from the interior side lot line;
- (d) ~~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 (1.52 metres (3.94 feet.))~~ but must retain a setback of not less than ~~six tenths of one metre (0.56 metres (1.97 feet.))~~ m from any lot line.
- (5) Entries, 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 by no~~ more than ~~1.5 metre one metre (1 m (3.28 feet.))~~ m.
- (7) Awnings, flagpoles, lighting fixtures and lampposts, garden trellises, fences are permitted ~~as constructed~~ 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.
- ~~(7) —~~
- ~~(8) A gate house or guard house shall be permitted in accordance with Section 3.1, 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 on a rural route shall be permitted in a required front yard in accordance with Section 3.1.~~
- ~~(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, subject to any applicable Sight Triangle requirements of Section 3.12.~~
- ~~(12) A farm produce outlet having a gross floor area of less than ten square metres (10 m² (108 ft²)) may be permitted in a required front yard or a side yard abutting a public road in accordance with Section 3.1.~~
- ~~(13) A gazebo shall not be permitted in a required front yard or side yard, but shall be permitted in a required rear yard.~~

SECTION 3 – GENERAL PROVISIONS

~~(14)~~(8) Satellite dishes shall be permitted to project ~~one half of one metre (0.5 m~~0.5 metres
~~{1.64 ft.})~~(1.64 feet) into any required rear or side yard.

SECTION 4 – PARKING & LOADING REQUIREMENTS

4.1 PARKING RATES

~~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:

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential:	
Single detached, Semi-detached or duplex, Converted dwelling, Street townhouse (freehold)	2 spaces per dwelling unit which may include 1 1 space in a garage or carport and 1 space in front of a garage or carport
Triplex, fourplex, Dwelling-Multi-Unit, Apartment dwellings, Dwelling- Townhouse Townhouse condominium project	1.5 spaces per dwelling unit, 15% of which will <u>shall</u> be clearly marked and reserved for visitor parking
Garden Suite, in-law suite or accessory apartment Dwelling-Secondary Unit, Dwelling-Accessory,	1 space per <u>dwelling unit</u>
Group home	1 for each non-resident staff plus 3 <u>0.5 spaces per guest room or minimum 2.</u>
Other Residential Uses not listed	<u>1 space per dwelling unit</u>
Other uses:	
Agricultural Uses	<u>No minimum</u>
Automotive Repair Garage, Motor vehicle body shop, motor vehicle repair shop, motor vehicle Automobile Service Station, service station, motor vehicle gas bar	2 spaces per service bay plus 1 space per employee; minimum 3 spaces
Arena, assembly hall, Arena/Hall, private clubs, auditorium, halls, stadium, theatre, place of worship, and other similar places of assembly Place of Worship	1 space for every 4 seats, fixed or otherwise; or where there are no fixed seats, 1 space for every 10 m ² (107.6 ft ²) of assembly space
Automobile tive sales establishment Sales or Rental Establishment, Recreational vehicle sales and repair, Farm Implement sales and repair Agricultural Industrial Establishment	1 space for every 32 m ² (344.4 ft ²) 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 Car Wash	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

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Boarding, Lodging , or Rooming house	1 space for each guest unit in addition to the required residential parking spaces
Building supply store <u>Supply Outlet</u> , Lumber Yard , Garden <u>Centre</u> , Nursery farm , <u>Farm</u> Produce outlet, commercial greenhouse	1 space for each 20 m ² (215.2 ft ²) of gross floor area and 1 space for each 35 m ² (376.2 ft ²) of open storage
Clinic, Medical, Dental or veterinary clinic <u>Veterinarian Establishment</u>	6 spaces for first practitioner and 5 spaces for each additional practitioner
Bowling alley, Curling rink <u>Recreation Establishment</u>	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 <u>Equipment Sales/Rental - Domestic</u>	2 spaces per 100 m ² (1076.4 ft ²) of gross floor area or fraction thereof, with a minimum of 8 spaces
General Commercial business, retail <u>Retail Store</u> , Convenience Store, grocery store, commercial and personal service establishments, bank/financial institution , office, public building, meeting rooms, profession office, funeral parlour <u>home</u> , building supply or home improvement outlets	1 space per 20 m ² (215.2 ft ²) of gross floor area with a minimum of 3 spaces
Golf course	4 spaces per hole with a minimum of 50
Home Occupation Based Business or Rural Home Business	1 space for each non-resident employee, plus the <u>in addition to the</u> required number of spaces for a residential dwelling
Hotel, Motel	1 space per guest room plus 1 space for each 10m ² (107.6 ft ²) 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 ² (1022.6 ft ²) 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 , <u>brewery</u>	The greater of 1 space for each 10 m ² (107.6 ft ²) of gross floor area or 1 space for each 4 persons of design capacity of eating area or beverage room

SECTION 4 – PARKING & LOADING REQUIREMENTS

Schools:	
Elementary	1.5 spaces per teaching classroom plus 1 space per each 4 m ² (43.1 ft ²) of floor area in the gymnasium, auditorium or assembly area.
Secondary, V vocational, Technical, Training, or College	4 spaces per teaching class plus 3 spaces for each 4 m ² (43.1 ft ²) of floor area in the gymnasium, auditorium or assembly area
Shopping Centre	5.5 spaces per 100 m ² (1076.4 ft ²) of gross leasable floor space
All other uses not listed above	<p>The greater of:</p> <ul style="list-style-type: none"> • 1 space for every 25m² (269.1 ft²) gross floor area; • <u>1 space for every 4 persons design capacity;</u> • <u>1 space for every 2 on-site employees</u>

4.2 GENERAL PARKING REQUIREMENTS

(1) 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 and no change in use occurs. If an addition is made to the building or structure which increases the gross floor area, or a change in use occurs then parking spaces for the addition or area changed in use shall be provided.

(2) 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.

(3) Each parking space shall maintain a minimum size and area as indicated herein:

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

~~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) A driveway, parking aisle, or lane, regardless of whether it provides direct ingress and egress to and from a parking space, shall:

- (a) have a minimum width of 6 metres for two-way traffic;
- (b) have a minimum width of 4 metres for one-way traffic; and,
- (c) in no case exceed a width of 9 metres.

SECTION 4 – PARKING & LOADING REQUIREMENTS

~~4.3~~(5) Every owner and/or operator of a public or private parking area on lands zoned Commercial, Industrial and Institutional shall provide not less than 2% of the total number of parking spaces for barrier free parking with a minimum of one space. Where the minimum barrier free parking requirements conflict with the Integrated Accessibility Standards under Accessibility for Ontarians with Disabilities Act, 2005, the higher requirement shall apply. ~~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:~~

No. of Required Parking spaces	No. of Designated Spaces
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 to be accessible to physically disabled persons whether via ramps, depressed curbs, or other appropriate means, and so arranged 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.~~

~~(6) 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, in all other zones, where off-site parking is proposed required parking is not provided on the same lot, the lot or part of the lot where the parking is proposed to be located shall be:~~

SECTION 4 – PARKING & LOADING REQUIREMENTS

- (a) located no more than 100 metres from the building or use it is intending to serve;
- (b) located on a lot held in the same ownership and/or authorized by a renewable ten (10) year use agreement and the parking spaces shall be retained for the duration of the use.

~~4.4 — 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.~~

~~— 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.~~

~~4.6 — 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.~~

~~4.7 — Each parking space shall maintain a minimum size and area as indicated herein:~~

Parking Space Type	Minimum Width	Minimum Length
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

~~4.8 — 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.~~

~~4.9 — PARKING SPACES FOR SINGLE DETACHED, SEMI-DETACHED, AND DUPLEX DWELLINGS IN RESIDENTIAL ZONES; SUPPLEMENTARY REGULATIONS~~

(7) Construction Materials

- (a) Where a parking area is located within an Urban Settlement Area, all parking spaces and associated areas shall be constructed of asphalt paving, concrete, paver stones or similar materials permitted by the Township;

SECTION 4 – PARKING & LOADING REQUIREMENTS

(b) Where a parking area is located outside of an Urban Settlement Area, all parking spaces and associated areas shall be constructed of crushed stone or gravel, asphalt paving, concrete, paver stones or similar materials permitted by the Township;

~~(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.~~

~~4.10~~ **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.~~

(8)

~~(a) 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

~~(3) 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.~~

~~(4) No part of any parking space shall be closer than 1.53.0 metres (9.845 ft.) along to the lot line abutting the street in commercial and industrial zones.~~

~~(5) 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 m² [53.8 ft²]) in area may be erected in the parking area for the use of attendants in the area.~~

~~(6) The Parking Area shall be included on any Site Plans submitted with an Application.~~

(9)

~~(7) 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.~~

SECTION 4 – PARKING & LOADING REQUIREMENTS

4.11 — BUFFERING

~~(10)~~ Where, in any zone, ~~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 Zone or a street ~~use, lot or Zone, then~~ a continuous strip of landscaped open space a minimum width of ~~three metres (3.0 metres (9.84 feet.))~~ shall be provided along the abutting lot line. The landscaped strip shall be continuous except for aisles, driveways and pedestrian areas required for access to the parking area.

~~(11)~~ Where, in any zone, a required parking area providing more than four (4) parking spaces abuts a Residential Zone, sufficient screening of the parking area shall be provided in form satisfactory to the Township, such as but not limited to fencing or additional landscaping.

~~(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)~~ —

4.12 — 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)~~ (12) 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 7 metres (23 feet.))~~, 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 metres (14.8 feet.))~~.

~~4.13 (13)~~ COMMERCIAL VEHICLE PARKING 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 (1) commercial licensed motor vehicle on any lot in any residential Zone.

~~4.14~~ — 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.

4.15 — LOADING

4.3

SECTION 4 – PARKING & LOADING REQUIREMENTS

~~(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.~~

- (1) In any Zone, the owner of any building or structure for commercial, industrial, or institutional uses involving the frequent shipping, loading or unloading of persons, animals or goods (except agricultural uses), shall provide on-site loading facilities in accordance with the following provisions:

~~4.16~~

Land Use	Gross Floor Area	Loading Spaces Required
Commercial & Institutional	0 – 200 m ²	0
	200 - 500 m ²	1
	Above 500 m ²	1, plus 1 for each additional <u>per</u> 1,000 m ² of gross floor area or part thereof.
Industrial	0 – 400 m ²	1 <u>2</u>
	400 – 2000 m ²	3
	Above 2000 m ²	4 <u>4</u>

- ~~(1) The off-street~~ All loading spaces 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.

(2)

- (3) Each loading space shall maintain a minimum size and area as indicated herein:

Land Use	Length	Width	Height Clearance
Commercial & Institutional	<u>9 m (29.5 ft)</u>	<u>3.5 m (11.5 ft)</u>	<u>4 m (13.1 ft)</u>
Industrial	<u>15 m (49.2 ft)</u>	<u>3.5 m (11.5 ft)</u>	<u>4 m (13.1 ft)</u>

~~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:~~

~~4.19~~ LOCATION

- (4) The loading Loading areas shall be 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 located within an interior side or rear yard and shall not be permitted in a front yard shall not be in a front yard.~~ Screening and buffering of loading areas ~~shall be used in areas with surrounding residential zones or uses.~~ A site plan shall be completed showing the location of

SECTION 4 – PARKING & LOADING REQUIREMENTS

~~such screening and the location of loading spaces. —~~ shall be required as part of any site plan control process.

~~4.20 — LOADING BAY~~

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

~~4.21 — SURFACING~~

(5) Where a loading area is located in an Urban Settlement Area, ~~The loading~~ loading spaces and approaches shall be surfaced with concrete or asphalt, ~~crushed stone or gravel. Driveways and aisles shall be surfaced with asphalt or concrete.~~

(6) Where a loading area is located outside of an Urban Settlement Area, loading spaces and approaches shall be surfaced with concrete, asphalt, crushed stone or gravel.

~~(1) —~~

~~(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

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:

ZONE		SYMBOL
RESIDENTIAL	First Density	R1
	Second Density	R2
	Third Density	R3
	Fourth Density	R4
	Rural Residential	RR
	Mobile Home Subdivision	RMHS
	Mobile Home Park	RMHP
COMMERCIAL	General Commercial	CG
	Local Commercial	CL
	Highway Commercial	CH
INSTITUTIONAL		IN
INDUSTRIAL	Restricted Industrial	M
	Rural Industrial	MR
OPEN SPACE		OS
AGRICULTURAL		AG
RURAL		RU
WRECKING YARD		WY
WASTE DISPOSAL		WD
MINERAL AGGREGATE	Pit	MP
	Quarry	MQ
	Reserve	MA
FLOOD PLAIN		FP
HAZARD LANDS		H
WETLANDS		WL
PROVINCIALY SIGNIFICANT WETLAND		PSW
AREA OF NATURAL AND SCIENTIFIC INTEREST		ANSI

5.2 SCHEDULES

The attached Schedules 1 – ~~11~~² 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

- (1) 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

SECTION 5 – ZONES

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.

- (2) Where a holding zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than 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.

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

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 Dwelling – Single Detached	Day Nursery – Private Garden suite
Group home type 1 Group Home Type 1	Home Based Business Accessory apartment
Dwelling – Secondary Unit Day nursery private	Places of worship not including cemeteries

(2) Zone Requirements:

(a) All R1 Zone Uses

Lot Area (minimum)		
Private Well & Private Sewage		4,000.0 m ²
Municipal Water & Private Sewage		1,800.0 m ²
Private Well & Municipal Sanitary Sewer		930.0 m ²
Municipal Water & Municipal Sanitary Sewer		450.0 m ²
Dwelling Unit Floor Area (minimum, per unit)		75.0 m ²
Dwellings per Lot (maximum)		1
Building Height (maximum)		11.0 m
Lot Frontage (minimum)		
Private Well & Private Sewage		40.0 m
Municipal Water & Private Sewage		30.0 m
Private Well & Municipal Sanitary Sewer		22.0 m
Municipal Water & Municipal Sanitary Sewer		15.0 m
Yard Requirements (minimum)		
Front	(All Service Arrangements)	6.0 m
Rear	(At least 1 Municipal Service)	6.0 m
	(No Municipal Services)	8.0 m
Interior Side	(Both Municipal Services)	1.2 m
	(1 Municipal Service)	2.0 m
	(No Municipal Services)	3.0 m
Exterior Side	(All Service Arrangements)	6.0 m
Lot Coverage (maximum)		
Both Municipal Services		4 35%
1 Municipal Service		3 45%
No Municipal Services		2 305%

SECTION 6 – RESIDENTIAL ZONES

(3) General Provisions:

In accordance with the applicable provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule 11~~2~~

SECTION 6 – RESIDENTIAL ZONES

6.2 RESIDENTIAL SECOND DENSITY (R2) ZONE

(1) Permitted uses:

R1 uses in accordance with the provisions thereof Duplex dwelling	<u>Boarding, Lodging, and Rooming House as accessory use (up to 5 units)</u> Converted dwelling up to 2 units
Semi-detached dwelling <u>Dwelling – Semi-Detached</u>	<u>Dwelling – Multi-unit (up to 2 units)</u> Boarding or rooming house as accessory use (up to 5 units)
Link dwelling <u>Dwelling – Linked</u>	

(2) Zone Requirements:

(a) All R2 Zone Uses, unless otherwise noted in 6.2(1)

Dwelling Unit Floor Area (minimum per DU)	75.0 m ²
Dwellings per Lot (maximum)	2
Building Height (maximum)	11.0 m
Yard Requirements (minimum)	
Front	6.0 m
Rear	6.0 m
Interior Side	2.0 m
Exterior Side	6.0 m
Lot Coverage (maximum)	
At Least 1 Municipal Service	35%
No Municipal Services	20%

~~(b) — Single Detached Dwelling~~

Lot Area (minimum) —	
Private Well & Private Sewage	4,000.0 m²
Municipal Water & Private Sewage	1,860.0 m²
Private Well & Municipal Sanitary Sewer	930.0 m²
Municipal Water & Municipal Sanitary Sewer	450.0 m²
Lot Frontage (minimum)	
Private Well & Private Sewage	40.0 m
Municipal Water & Private Sewage	30.0 m
Private Well & Municipal Sanitary Sewer	22.0 m
Municipal Water & Sanitary Sewer — (corner lot)	18.0 m
— (interior lot)	15.0 m

Dwelling – Semi-Detached & Dwelling – Linked

SECTION 6 – RESIDENTIAL ZONES

~~(c)(b)~~ Semi-Detached or Link Dwelling

Lot Area (minimum per DU)	
Private Well & Private Sewage	4,000.0 m ²
Municipal Water & Private Sewage	1,860.0 m ²
Private Well & Municipal Sanitary Sewer	930.0 m ²
Municipal Water & Municipal Sanitary Sewer	270.0 m ²
Lot Frontage (minimum <u>per DU</u>)	
Private Well & Private Sewage	40.0 m
Municipal Water & Private Sewage	30.0 m
Private Well & Municipal Sanitary Sewer	20.0 m
Municipal Water & Sanitary Sewer (corner lot)	15.0 m
(interior lot)	9.0 m

~~(d)(c)~~ Dwelling - Duplex and Dwelling and Boarding, Lodging, & Rooming House

Lot Area (minimum per DU)	
Private Well & Private Sewage	4,000.0 m ²
Municipal Water & Private Sewage	1,860.0 m ²
Private Well & Municipal Sanitary Sewer	930.0 m ²
Municipal Water & Municipal Sanitary Sewer	540.0 m ²
Lot Frontage (minimum)	
Private Well & Private Sewage	40.0 m
Municipal Water & Private Sewage	30.0 m
Private Well & Municipal Sanitary Sewer	22.0 m
Municipal Water & Sanitary Sewer	15.0 m

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

Note: If a Dwelling – Semi-Detached ~~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) General Provisions:

In accordance with the applicable provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~12~~1

SECTION 6 – RESIDENTIAL ZONES

6.3 RESIDENTIAL THIRD DENSITY (R3) ZONE

(1) Permitted Uses:

R1 and R2 uses in accordance with the provisions thereof, <u>except Day Nursery - Private</u>	<u>Dwelling – Street Townhouse</u> Converted dwelling in accordance with the provisions of R1 for a single detached dwelling
Triplex <u>Dwelling – Multi-Unit (up to 4 units)</u>	<u>Dwelling - Townhouse</u> Converted dwellings up to 4 dwelling units

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

(2) Zone Requirements:

(a) All R3 Zone Uses, unless otherwise noted in Section 6.3(1)~~Row House Dwelling~~

Lot Area (minimum per DU)	180.0 m ²
Dwelling Unit Floor Area (minimum per DU)	65.0 m ²
Building Height (maximum)	11.0 m
Lot Frontage (minimum per DU)	6.0 m plus required side yard where applicable
Yard Requirements (minimum)	
Front	6.0 m
Rear	7.5 m
Interior Side	3.0 m
Exterior Side	6.0 m
Lot Coverage (maximum)	35%
Landscaped Open Space (minimum)	35%
Main Building Spacing (minimum)	3.0 m
Group Setback: Notwithstanding any other provisions of this By-law, not more than four consecutive units within a row house <u>Dwelling – Street Townhouse or Dwelling - Townhouse dwelling</u> 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.	
Development Form: Not more than eight (8) dwelling units shall be in anyone <u>Dwelling – Street Townhouse or Dwelling – Townhouse</u> row house dwelling .	

NOTE: No Dwelling – Street Townhouse or Dwelling – Townhouse shall be erected or otherwise established in the R3 Zone unless it is serviced by municipal water and sanitary sewer.

(3) General Provisions:

SECTION 6 – RESIDENTIAL ZONES

In accordance with the applicable provisions of Section 3 hereof.

- (4) Special Exception Zones, Holding Zones, and Temporary Zones:**
See Schedule 11~~2~~

SECTION 6 – RESIDENTIAL ZONES

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	Dwelling – Apartment apartment dwelling Senior Citizens'
Apartment dwelling Dwelling – Multi-Unit	Long-Term Care Home Nursing home

(2) Zone Requirements

(a) ~~All R4 Uses, unless otherwise noted in Section 6.4(1), Apartment Dwelling House:~~

Lot Area (minimum per DU)	
First Four (4) Units	230.0 m ²
Each Additional Unit in Excess of Four (4)	45.0 m ²
Dwelling Unit Floor Area (minimum per DU)	
Bachelor Unit	45.0 m ²
One Bedroom Unit	55.0 m ²
Two Bedroom Unit	60.0 m ²
Over Two Bedrooms	65.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
Front	9.0 m
Rear	7.5 m
Interior Side	3.0 m
Exterior Side	7.5 m
Lot Coverage (maximum)	35%
Landscaped Open Space (minimum)	35%

(3) General Provisions

In accordance with the applicable provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones

See Schedule ~~11~~²

SECTION 6 – RESIDENTIAL ZONES

6.5 RESIDENTIAL RURAL (RR) ZONE

(1) Permitted Uses

Single Detached Dwelling <u>Dwelling – Single Detached</u>	<u>Home Based Business</u>
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(2) Zone Requirements

(a) All RR Zone Uses:

Lot Area (minimum per DU)	4,000.0 m ²
Dwelling Unit Floor Area (minimum)	75.0 m ²
Dwellings per Lot (maximum)	1
Building Height (maximum)	11.0 m
Lot Frontage (minimum)	45.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	7.5 m
Interior Side	3.0 m
Exterior Side	7.5 m
Lot Coverage (maximum)	15%

(3) General Provisions

In accordance with the applicable provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones

See Schedule 11~~2~~

SECTION 6 – RESIDENTIAL ZONES

6.6 MOBILE HOME SUBDIVISION (RMHS) ZONE

(1) Permitted Uses

Mobile Home	Home Based Business
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(2) Zone Requirements

(a) All RMHS Zone Uses:

Lot Area (minimum per DU)	4,000.0 m ²
Dwelling Unit Floor Area (minimum)	37.0 m ²
Dwellings per Lot (maximum)	1
Building Height (maximum)	6.0 m
Lot Frontage (minimum)	45.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	7.5 m
Interior Side	3.0 m
Exterior Side	7.5 m
Lot Coverage (maximum)	30%

(3) General Provisions

In accordance with the applicable provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones

See Schedule 11~~2~~

SECTION 6 – RESIDENTIAL ZONES

6.7 MOBILE HOME PARK (RMHP)

(1) Permitted Uses

Dwelling – Mobile Home	Mobile Home	Park	Park
Home Based Business	Park Management Office	Park Management Office, accessory to the	Mobile Home Park
Mobile Home Park			

(2) Zone Requirements

(a) Mobile Home Park:

Lot Area (minimum)	10,000.0 m ²
Building Height (maximum)	9.0 m
Lot Frontage (minimum)	60.0 m
Density (maximum)	
Municipal Water & Municipal Sanitary Sewer	15 sites / ha
Private Well & Municipal Sanitary Sewer	9 sites / ha
Private Well & Private Sewage	4 sites / ha
Landscaped Open Space (minimum)	10%

(b) Mobile Home Site:

Site Area (minimum)	
Municipal Water & Municipal Sanitary Sewer	452.0 m ²
Private Well & Municipal Sanitary Sewer	810.0 m ²
Private Well & Private Sewage	2,000.0 m ²
Dwelling Unit Floor Area (minimum)	37.0 m ²
Dwellings per Site	1
Building Height (maximum)	6.0 m
Lot Frontage (minimum)	
Municipal Water & Municipal Sanitary Sewer	15.0 m
Private Well & Municipal Sanitary Sewer	22.5 m
Private Well & Private Sewage	30.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	4.5 m
Interior Side	3.0 m
Exterior Side	7.5 m
Site Coverage (maximum)	30.5%

(3) General Provisions

SECTION 6 – RESIDENTIAL ZONES

In accordance with the applicable provisions of Section 3 hereof.

- (4) Special Exception Zones, Holding Zones, and Temporary Zones**
See Schedule 11~~2~~

SECTION 6 – RESIDENTIAL ZONES

6.8 ADDITIONAL PROVISIONS FOR RESIDENTIAL ZONES

~~(1)~~ (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 m² 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 m²~~
- ~~(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)~~ (1) **Other General Provisions**

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

~~(3)~~ (2) **Special Exception Zone**

See Schedule 11~~2~~

~~(4)~~ (3) **Holding Zones**

~~(5)~~ (4) **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	Flea Market Laundromat
Assembly Hall Arena/Hall	Funeral Home Motel
Auction Establishment	Hotel
Automobile Sales or Rental Establishment	Institutional Use
Automobile Service Station	Laundromat
Automotive Store Auction-barn	Library Office
Bakery Automobile Dealership	Long Term Care Facility Parking Area Of Parking Garage
Bank/Financial Institution Automobile Service Station	Micro-Brewery Personal Service Establishment/Shop
Automotive Store	Museum Pet Shop
Art Gallery Bake Shop	Office Place Of Entertainment
Artist's Studio Bank	Personal Service Establishment Printing Shop
Automotive Repair Garage Boutique	Place of Entertainment Private Club
Catering Establishment Business	Private Club Rental Establishment
Clinic	Recreation Establishment
Car Wash	Restaurant
Convenience Store Catering Establishment	Retail Store Restaurant
Day Nursery	School, Commercial
Dwelling – Apartment Clinic	Shopping Centre Retail Store
Dwelling Unit - Accessory	Tavern
Dry Cleaning and Laundry Establishment Commercial Patio	Tourism Lodging Establishment Service Outlet
Equipment Sales/Rental – Domestic Communications Facility	Veterinarian Establishment Shopping Centre
Equipment Repair Dressmaker	Studio (Photo, Artistic)
Farmers' Market Dry Cleaning – Outlet	Tailor Shop
Dry Cleaning – Plant	Tavern
Farmers' Market	Theatre
Financial Service	Tourist Lodging Establishment

(2) Zone Requirements:

(a) All CG Zone Uses

Lot Area (minimum)	
Full Municipal Services	450.0 m ²

SECTION 7 – COMMERCIAL ZONES

Without Full Municipal Services	2,000.0 m ²
Building Height (maximum)	12.0 m
Lot Frontage (minimum)	
Full Municipal Services	15.0 m
Without Full Municipal Services	30.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	7.5 m
Interior Side	3.0 m
Exterior Side	7.5 m
Lot Coverage (maximum)	
Full Municipal Services	5 40%
Without Full Municipal Services	30%

NOTE: Where the interior side lot line of a lot in a Commercial Zone abuts another lot in a Commercial Zone, no interior side yard will be required.

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~²

SECTION 7 – COMMERCIAL ZONES

7.2 ~~LOCAL COMMERCIAL (CL) ZONE~~

~~(1) Permitted uses:~~

Antique Shop	Office
Bake Shop	Personal Service Shop
Convenience Store	Retail
financial services	Snack Bar Or Coffee Shop
Laundromat	One Dwelling Unit Situated Within The Same Building As The Commercial Use

~~(2) Zone Requirements:~~

~~(a) All CL Zone Uses~~

Lot Area (minimum) —	
Full Municipal Services	450.0 m ²
Without Full Municipal Services	2,000.0 m ²
Building Height (maximum)	9.0 m
Lot Frontage (minimum)	
Full Municipal Services	15.2 m
Without Full Municipal Services	45.0 m
Yard Requirements (minimum) —	
Front —	7.5 m
Rear —	7.5 m
Interior Side — (abutting lot in commercial zone)	3.0 m
Exterior Side —	7.5 m
Lot Coverage (maximum)	
Full Municipal Services	35%
Without Full Municipal Services	30%

~~**NOTE:** Where the interior side lot line of a lot in a Commercial Zone abuts another lot in a Commercial Zone, no interior side yard will be required.~~

~~(3) General Provisions:~~

~~In accordance with the provisions of Section 3 hereof.~~

~~(4) Special Exception Zones, Holding Zones, and Temporary Zones:~~

~~See Schedule 12~~

SECTION 7 – COMMERCIAL ZONES

7.3.2 HIGHWAY COMMERCIAL (CH) ZONE

(1) Permitted uses:

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

(2)

<u>Adventure Games</u>	<u>Flea Market</u>
<u>Arena/Hall</u>	<u>Garden Centre</u>
<u>Auction Establishment</u>	<u>Golf Course</u>
<u>Automotive Repair Garage</u>	<u>Greenhouse, Commercial</u>
<u>Automobile Sales or Rental Establishment</u>	<u>Kenel</u>
<u>Automobile Service Station</u>	<u>Lumber Yard</u>
<u>Bakery</u>	<u>Mini-Warehouse & Public Storage</u>
<u>Building Supply Outlet</u>	<u>Motor Vehicle Inspection Garage</u>
<u>Bulk Fuel Depot</u>	<u>Outdoor Recreational Facility</u>
<u>Car Wash</u>	<u>Place of Entertainment</u>
<u>Contractor's Shop or Yard</u>	<u>Propane Facility</u>
<u>Convenience Store</u>	<u>Recreation Establishment</u>
<u>Equipment Sales / Rental – Domestic</u>	<u>Restaurant</u>
<u>Equipment Sales / Rental – Commercial, Industrial</u>	<u>Transportation Terminal</u>
<u>Equipment Repair</u>	<u>U-Brew / Small Batch Brewery</u>
<u>Farm Produce Outlet</u>	<u>Veterinarian Establishment</u>
<u>Farm Supply Establishment</u>	<u>Workshop</u>

(2) Zone Requirements:

(a) All CH Zone Uses

Lot Area (minimum)	
Full Municipal Services	N/A
Without Full Municipal Services	4,000.0 m ²

SECTION 7 – COMMERCIAL ZONES

Building Height (maximum)		12.0 m
Lot Frontage (minimum)		
Full Municipal Services		15.0 m
Without Full Municipal Services		45.0 m
Yard Requirements (minimum)		
Front	(Full Municipal Services)	7.5 m
	(Without Full Municipal Services)	9.0 m
Rear	(Full Municipal Services)	7.5 m
	(Without Full Municipal Services)	9.0 m
Interior Side	(Full Municipal Services)	3.0 m
	(Without Full Municipal Services)	6.0 m
Exterior Side	(Full Municipal Services)	7.5 m
	(Without Full Municipal Services)	9.0 m
Lot Coverage (maximum)		
Full Municipal Services		40%
Without Full Municipal Services		30%

NOTE: Where the interior side lot line of a lot in a Commercial Zone abuts another lot in a Commercial Zone, no interior side yard will be required.

~~(4)~~(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

~~(5)~~(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~2

SECTION 7 – COMMERCIAL ZONES

~~7.47.3~~ 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 ~~CH~~ 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 ²
One Bedroom Unit	55 m ²
Two Bedroom Unit	60 m ²
More than Two Bedrooms	65 m ²

(3) Automobile Service Stations and ~~Commercial Garages~~Automotive Repair Garages

Automobile service stations and ~~commercial~~automotive repair 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.

(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 ZONE

No person shall hereafter use any lands nor erect, alter, enlarge or use any building or structure in an Institutional (IN) 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	nursing home, including rest homes, retirement homes and homes for the aged
cemetery	park parking area
church	private club
clinic	public use
community centre	school
day nursery	accessory dwelling house
electrical supply facility	accessory dwelling unit

~~(2)~~

<u>Arena / Hall</u>	<u>Intuitional Use</u>
<u>Art Gallery</u>	<u>Library</u>
<u>Cemetery</u>	<u>Long-Term Care Facility</u>
<u>Clinic</u>	<u>Museum</u>
<u>Day Nursery</u>	<u>Park</u>
<u>Dwelling, Accessory to Place of Worship only</u>	<u>Place of Worship</u>
<u>Fairgrounds</u>	<u>Public Utility</u>
<u>Farmer's Market</u>	<u>Recreation Establishment</u>
<u>Fire Hall</u>	<u>School</u>
<u>Hospital</u>	

~~(3)~~(2) Zone Requirements:

(a) All IN Zone Uses

Lot Area (minimum)	
Full Municipal Services	450.0 m ²
Without Full Municipal Services	2,000.0 m ²
Dwellings per Lot (maximum)	1
Building Height (maximum)	12.0 m
Lot Frontage (minimum)	
Full Municipal Services	15.0 m
Without Full Municipal Services	30.0 m
Yard Requirements (minimum)	
Front	7.5 m
Rear	7.5 m

SECTION 8 – INSTITUTIONAL ZONE

Interior Side	3.0 m
Exterior Side	7.5 m
Lot Coverage (maximum)	
Full Municipal Services	50 40%
Without Full Municipal Services	30%
Landscaped Open Space (minimum)	
Full Municipal Services	30%
Without Full Municipal Services	50%

NOTE: Where the interior side lot line of a lot in an Institutional Zone abuts another lot in an Institutional Zone, no interior side yard will be required.

~~(4)~~(3) **General Provisions:**

In accordance with the provisions of Section 3 hereof.

~~(5)~~(4) **Special Exception Zones, Holding Zones, and Temporary Zones:**

See Schedule ~~11~~2

SECTION 8 – INSTITUTIONAL ZONE

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 m² 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 ~~the~~each dwelling ~~unit~~ shall be from an adjacent street and for the sole use of the dwelling ~~unit~~.

~~(2)~~ Accessory Dwellings

- ~~(c)~~ 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)~~(2) Cemeteries

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

~~(4)~~(3) Other General Provisions

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

SECTION 9 – INDUSTRIAL ZONES

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

~~(2)~~

<u>Adventure Games</u>	<u>Industrial Uses, Class I & II</u>
<u>Agricultural Industrial Establishment</u>	<u>Kenel</u>
<u>Agricultural Processing Establishment</u>	<u>Lumber Yard</u>
<u>Agricultural Service Establishment</u>	<u>Micro-Brewery</u>
<u>Automotive Repair Garage</u>	<u>Mini-Warehouse & Public Storage</u>
<u>Bulk Fuel Depot</u>	<u>Motor Vehicle Inspection Garage</u>
<u>Car Wash</u>	<u>Propane Facility</u>
<u>Communications Facility</u>	<u>Public Utility</u>
<u>Contractor's Shop or Yard</u>	<u>Recycling Depot</u>
<u>Crematorium</u>	<u>Transportation Depot</u>
<u>Energy from Waste</u>	<u>Transportation Terminal</u>
<u>Equipment Sales/Rental - Domestic</u>	<u>Transfer Station</u>
<u>Equipment Sales/Rental – Commercial/Industrial</u>	<u>Warehouse/Distribution Centre</u>
<u>Equipment Repair</u>	<u>Wholesale Establishment</u>
<u>Factory Outlet</u>	<u>Workshop</u>
<u>Farm Supply Establishment</u>	

~~(2)~~(2) Zone Requirements:

(a) All M Zone uses:

Lot Area (minimum)	4,000.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	45.0 m
Yard Requirements (minimum)	
Front	15.0 m
Rear	12.0 m
Interior Side	7.5 m

SECTION 9 – INDUSTRIAL ZONES

Exterior Side	15.0 m
Lot Coverage (maximum)	50%
Landscaped Open Space (minimum)	
Full Municipal Services	30%
Without Full Municipal Services	50%

~~(4)~~(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

~~(5)~~(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~²

SECTION 9 – INDUSTRIAL ZONES

9.2 RURAL INDUSTRIAL (MR) ZONE

(1) Permitted Uses:

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

(2)

Abattoir	Greenhouse, Commercial
Agricultural Industrial Establishment	Livestock Auction & Sales Outlet
Agricultural Processing Establishment	Lumber Yard
Agricultural Service Establishment	Public Utility
Auction Establishment	Recycling Depot
Communications Facility	Transportation Depot
Contractor's Shop or Yard	Transportation Terminal
Farm Supply Establishment	

(3)(2) Zone Requirements:

(a) All MR Zone Uses – Moose Creek:

Lot Area (minimum)	
Full Municipal Services	1,000.0 m ²
Without Full Municipal Services	4,000.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	25.0 m
Yard Requirements (minimum)	
Front	6.0 m
All other yards	7.5 m
Lot Coverage (maximum)	60%

(4)(3) All MR Zone Uses – Balance of Township

Lot Area (minimum)	4,000.0 m ²
Building Height (maximum)	15.0 m

SECTION 9 – INDUSTRIAL ZONES

Lot Frontage (minimum)	45.0 m
Yard Requirements (minimum)	
Front	15.0 m
Rear	12.0 m
Interior Side	7.5 m
Exterior Side	15.0 m
Lot Coverage (maximum)	50%

~~(5)~~(4) General Provisions:

In accordance with the provisions of Section 3 hereof.

~~(6)~~(5) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~2

SECTION 9 – INDUSTRIAL ZONES

9.3 ADDITIONAL PROVISIONS FOR INDUSTRIAL ZONES

(1) **Accessory Dwellings**

~~In an M or MR zone, Accessory dwellings~~ dwelling units shall conform to the requirements of the R1 zone.

(2) ~~Commercial Garages~~ **Automotive Repair Garages**

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

(3) **Increased Yard Requirements**

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

(4) **Special Provisions Adjacent to Railways**

As per Section 3.40

(5) **Other General Provisions**

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

SECTION 10 – OPEN SPACE ZONE

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 – <u>Recreational & Tourist</u>	Open Space
Cemetery	Outdoor Recreational Facility
Conservation <u>Use-use</u>	Park Private Club <u>Private Club</u>
Fairground	<u>Park, including accessory buildings/uses reasonably ancillary</u> Public Park, including Public Washroom And/Or Changeroom
Golf Course	

(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.~~
- (b)

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~ 2

SECTION 10 – OPEN SPACE ZONE

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 ZONE

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

11.1 AGRICULTURAL (AG) ZONE

(1) Permitted Uses:

Abattoir	Intensive Livestock Operation
Agricultural Use Accessory Apartment	Kennel
Agricultural use	Livestock Sales Barn And/Or Assembly Points
Agriculture-Related Use Agricultural use (small)	Market Garden
Bed and Breakfast	Maple Sugar Operation
Cemetery	Nursery
Communications Facility	Sawmill
Conservation Use	Tile Drainage Operation
Equestrian Use	Veterinary Establishment
Farm Equipment Dealer	Wayside Pit Or Wayside Quarry
Farm Produce Outlet	Dwelling Accessory To An Existing Agricultural Use
Farm Produce Storage	Dwelling – Single Detached Dwelling Accessory To A Kennel Or Veterinary Establishment
Feed Mill	Dwelling – Secondary Unit Mobile Home Only As A Secondary Dwelling To An Agricultural Use
Forestry Use	Bunk House Existing Dwelling
Grain Drying Facility	Winery Single Detached Dwelling
Home-Based Business Occupation	Accessory uses to the foregoing

(2) Zone Requirements:

(a) Agricultural Use

Lot Area (minimum)	300,000.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	200.0 m
Yard Requirements (minimum)	
All Yards	15.0 m
Lot Coverage (maximum)	30%

(b) Conservation Use, Forestry Use

Lot Area (minimum)	100,000.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	150.0 m

SECTION 11 – AGRICULTURAL ZONE

Yard Requirements (minimum)	
Interior Side	9.0 m
All Other Yards	15.0 m
Lot Coverage (maximum)	30%

(c) Single Detached Dwelling

Lot Area (minimum)	4,000.0 m ²
<u>Dwellings per lot (maximum)</u>	<u>1</u>
Dwelling Unit Floor Area (minimum)	75.0 m ²
Building Height (maximum)	11.0 m
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
Interior Side	3.0 m
All Other Yards	7.5 m
Lot Coverage (maximum)	<u>20</u> 15%

(d) Other ~~Non-Residential~~ Uses

Lot Area (minimum)	10,000 8,000.0 m ²
Building Height (maximum)	15.0 m
Lot Frontage (minimum)	60.0 m
Yard Requirements (minimum)	
All Yards	12.0 m
Lot Coverage (maximum)	<u>20</u> 30%

NOTE: Notwithstanding the foregoing, on a lot having an accessory dwelling, or ~~n-accessory dwelling, accessory—mobile home or~~ kennel, the minimum lot area shall be 1 ha and the minimum lot frontage shall be 45 m.

NOTE: A kennel shall be prohibited within 200 m of a dwelling on another lot.

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule 112

SECTION 11 – AGRICULTURAL ZONE

11.2 ADDITIONAL PROVISIONS FOR AGRICULTURAL ZONES

(1) Bunk Houses:

Notwithstanding the limit of one (1) dwelling per lot in the Agricultural Zone, a Bunk House may also be permitted as an accessory use to the main dwelling and agricultural operation, subject to compliance with Section 3.

~~(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) Dwelling – Secondary Units:

Notwithstanding the limit of one (1) dwelling per lot in the Agricultural Zone, a Dwelling – Secondary Unit may also be permitted, subject to compliance with Section 3.15.

~~(2)(3) Intensive Livestock Operations: Livestock Facilities:~~

~~New and for expansions to existing expanded intensive livestock operations facilities shall be in compliance with the provisions of Section 3.21 of this By-law.~~

(4) Residence Surplus to a Farm Operation:

Notwithstanding any other provision contained in this By-law to the contrary, a “Flag Lot” created as a result of a consent application to sever a residence surplus to a farm operation may have a minimum frontage of 12 metres.

~~(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 11 – AGRICULTURAL ZONE

|

SECTION 12 – RURAL ZONE

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	<u>Golf Course</u> Forestry Use
Agricultural Industrial Establishment Agricultural Use (Small)	Kennel Intensive Livestock Operation
<u>Agricultural Processing Establishment</u>	<u>Greenhouse, Agricultural</u>
<u>Agricultural Service Establishment</u>	<u>Greenhouse, Commercial</u>
<u>Agriculture-Related Use</u>	<u>Livestock Auction & Sales Outlet</u>
Bed and Breakfast	
<u>Bunk House</u>	
	Market Garden
<u>Campground</u>	
Cemetery	
<u>Cemetery, Pet</u>	
Conservation Use	<u>Winery</u>
Dwelling – Single Detached	
<u>Dwelling – Secondary Unit</u>	
Equestrian Use	
<u>Home-Based Business</u>	
Farm Produce Outlet	
<u>Farm Supply Establishment</u>	

(2) Zone Requirements:

(a) Agricultural use, Conservation use, Forestry use, and Kennel use, in accordance with the provisions of the Agricultural Zone.

(b) Agricultural Use (small), Market Garden

Lot Area (minimum)	8,000.0 m ²
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
All Yards	15.0 m
<u>Lot Coverage</u>	<u>20%</u>

(c) Equestrian Use

Lot Area (minimum)	40,500.0 m ²
Lot Frontage (minimum)	30.0 m

SECTION 12 – RURAL ZONE

Yard Requirements (minimum)	
All Yards	15.0 m
<u>Lot Coverage</u>	<u>20%</u>

(d) Other Non-Residential Uses:

Lot Area (minimum)	10,000.0 <u>8,000.0</u> m ²
Building Height (maximum)	9.0 m
Lot Frontage (minimum)	60.0 m
Yard Requirements (minimum)	
All Yards	15.0 m
Lot Coverage (maximum)	10% <u>20%</u>

(e) Single detached dwelling:

Lot Area (minimum)	4,000.0 m ²
Dwelling Unit Floor Area (minimum)	75.0 m ²
Dwellings Per Lot (maximum)	1
Building Height (maximum)	9.0 m
Lot Frontage (minimum)	30.0 m
Yard Requirements (minimum)	
Interior Side	3.0 m
All Other Yards	7.5 m
Lot Coverage (maximum)	10% <u>20%</u>

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~ 2

SECTION 12 – RURAL ZONE

12.3 Additional Provisions for Rural Zones

(1) Bunk Houses:

Notwithstanding the limit of one (1) dwelling per lot in the Rural Zone, a Bunk House may also be permitted as an accessory use to the main dwelling and agricultural operation, subject to compliance with Section 3.

(2) Dwelling – Secondary Units:

Notwithstanding the limit of one (1) dwelling per lot in the Rural Zone, a Dwelling – Secondary Unit may also be permitted, subject to compliance with Section 3.

(3) Livestock Facilities:

New and expanded intensive livestock facilities shall comply with the provisions of Section 3 of this By-law.

(4) Compliance with Minimum Distance Separation Formulae:

(a) The minimum distance between any livestock facilities and a residential building or other sensitive use on another lot shall be determined according to the Minimum Distance Separation Two (MDS II) Formula.

(b) The minimum distance between any residential building or other sensitive use and livestock facilities located on another lot shall be determined according to Minimum Distance Separation One (MDS I) Formula. Notwithstanding this provision, the MDS I requirements shall not apply to non-agricultural uses on Lots of Record.

(5) Cemeteries:

Cemeteries shall conform to the requirements of the Cemeteries Act.

(6) Wayside Pit or Quarry:

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

(7) Existing Lots of Record

For existing lots of record, an agricultural use (small) shall be permitted on lots with a minimum lot area of 8,000 m²

~~**(1) 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 ZONE

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	Wrecking Yard
Commercial garage	Accessory Dwelling
Salvage Yard	
<u>Automotive Repair Garage</u>	<u>Recycling Depot</u>
<u>Dwelling – Single Detached</u>	<u>Recycling Yard</u>
<u>Equipment Repair</u>	
<u>Motor Vehicle Inspection Garage</u>	

(2) Zone Requirements:

Yard Requirements (minimum)	
All Yards	12.0 m

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) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~²

SECTION 13 – WRECKING YARD ZONE

13.3 Additional Provisions for Wrecking Yard Zones

(1) ~~Accessory Dwellings~~

~~Accessory Dw~~ellings shall conform to the requirements of the ~~RR1~~ Zone.

(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~~addition, coniferous trees shall be planted along the exterior of the fence or wall to effectively screen the Wrecking Yard, to the satisfaction of the Township.

(3) **Other General Provisions**

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

SECTION 14 – WASTE DISPOSAL ZONE

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

14.1 Waste Disposal (WD) Zone

(1) Permitted Uses:

<u>Aggregate Recycling Facility</u>	<u>Recycling Yard</u>
<u>Alternate Energy System</u>	<u>Renewable Energy System</u>
<u>Compost Facility</u>	<u>Transportation Depot</u>
<u>Energy from Waste Facility</u>	<u>Transfer Station</u>
<u>Public Utility</u>	<u>Waste Disposal Site</u> Waste Management Site
<u>Recycling Depot</u>	<u>Wrecking Yard</u>

(2) Zone Requirements:

Lot Area (minimum)	40,000.0 m ²
Yard Requirements (minimum)	
All Yards	12.0 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.~~

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~2

SECTION 14 – WASTE DISPOSAL ZONE

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 AGGREGATE 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

(1) Permitted Uses:

<u>Aggregate Recycling Facility</u>	Pit
Agricultural Use, excluding buildings	<u>Portable Asphalt/Concrete Plant</u>
<u>Asphalt/Concrete Batching Plant</u>	<u>Public Utility</u>
Conservation Use	Crushing, Screening, Washing, and Storage
Forestry Use	
<u>Motor Vehicle Inspection Garage</u>	<u>Transportation Depot</u>

(2) Zone Requirements:

- (a) Agricultural Use, ~~Conservation Use, or Forestry Use,~~ in accordance with the requirements of the RU Zone.

- (b) ~~Pit~~ All other uses, ~~Crushing, Screening, Washing, and Storage:~~

Yard Requirements (minimum)	
All Yards	15.0 m

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

(3) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~ 2

SECTION 15 – MINERAL AGGREGATE ZONES

15.2 Mineral Aggregate – Quarry (MQ) Zone

(1) Permitted Uses:

Conservation Use	Crushing, Screening, Washing, and Storage
Forestry Use	Asphalt Plant
	Concrete Plant
<u>Aggregate Recycling Facility</u>	<u>Portable Asphalt/Concrete Plant</u>
Agricultural Use, excluding buildings	<u>Public Utility</u>
<u>Asphalt/Concrete Batching Plant</u>	Quarry
<u>Motor Vehicle Inspection Garage</u>	<u>Transportation Depot</u>
Pit	

(2) Zone Requirements:

- (a) Agricultural Use, ~~Conservation Use, or Forestry Use~~, in accordance with the requirements of the RU Zone.
- (b) Pit, in accordance with the requirements of the MP Zone.

- (c) ~~Quarry, Crushing, Screening, Washing, and Storage, Asphalt Plant, Concrete Plant~~: All other uses:

Yard Requirements (minimum)	
All Yards	30.0 m

- (d) 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) General Provisions:

In accordance with the provisions of Section 3 hereof.

(4) Special Exception Zones, Holding Zones, and Temporary Zones:

See Schedule ~~11~~2

SECTION 15 – MINERAL AGGREGATE ZONES

15.3 MINERAL AGGREGATE - RESERVE (MA) ZONE

(1) **Permitted Uses:**

All uses permitted in the RU Zone, excluding buildings or structures	Park, excluding buildings
Agricultural Use, excluding buildings	
Environmental Preserve and Educational Area	Outdoor Recreation Use, excluding buildings
Forestry Use	

(2) **Zone Provisions:**

In accordance with the requirements of the RU Zone.

~~15.1~~ 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

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 Use, <u>excluding buildings</u>	Marine Facility, <u>excluding buildings</u> Outdoor Recreation
Conservation and Forestry Uses, excluding buildings	Outdoor Recreation, <u>excluding buildings</u> Parking Area, excluding buildings
Flood Control Structure <u>Golf Course, excluding buildings</u>	Public Park, <u>excluding buildings</u>
<u>Forestry Use, excluding buildings</u> Marine Facility	Structure or use accessory to a residential use such as a patio, barbecue, or similar use, excluding buildings

16.2 Additional Provisions for Flood Plain (FP) Zone

~~(2)~~

- (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.

~~(3)~~(2) Other General Provisions:

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

SECTION 17 – HAZARD LAND ZONE

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)

(1) Permitted Uses:

Agricultural Uses, excluding buildings	<u>Golf Course, excluding buildings</u>
Conservation Uses, excluding buildings	<u>Marine Facility, excluding buildings</u>
Forestry Uses, excluding buildings	<u>Park, excluding buildings</u> Parking Area, excluding buildings
<u>Flood Control Structure</u>	

~~17.1~~17.2 Additional Provisions for Hazard Land (H) Zone

(1) Other general Provisions

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

~~(2)~~ Non-Conforming Uses

(2)

~~(b)~~ Notwithstanding the provisions of ~~Section 16.1 and Section 3.29 hereof~~this by-law 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.

~~17.2~~17.3 Special Exception Zones

See Schedule ~~11~~2

SECTION 18 – WETLAND ZONE

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 Uses, excluding buildings	Open Space Outdoor Recreation Facility, excluding buildings excluding Golf Course
Conservation Uses	Public Park
Flood Control Structure	Water Storage Use
Forestry Use	

(2) Zone Requirements:

~~(2)~~

~~(a)~~ No building or structure shall be located closer than 15 m to any lot line.

~~(a)~~

(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~~ Conservation Authority having jurisdiction.

(3) Special Exceptions

(Reserved)

18.2 18.2 Additional Provisions for Wetlands (WL) Zone

(1) Other general Provisions

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

SECTION 19 – PROVINCIALY SIGNIFICANT WETLAND ZONE

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:

Existing Agricultural Uses, excluding buildings Conservation Use, excluding buildings	Passive Outdoor Recreation Use
Conservation Use, excluding buildings	

(2) Zone Requirements: None

19.2 Additional Provisions for Provincially Significant Wetland (PSW) Zone

(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 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	Open Space Outdoor Recreation Facility, excluding buildings, excluding a Golf Course
Flood Control Structure	Public Park

(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.



OFFICE OF THE MAYOR
CITY OF HAMILTON

August 20, 2021

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

City Council, at its meeting held on August 13, 2021, approved Item 13 of Planning Committee Report 21-012 which reads as follows:

13. Noise Concerns and Request for Expiry of Extended Construction Hours

WHEREAS, municipalities have the authority under the *Municipal Act, 2001* to pass a Noise By-law to regulate and prohibit with respect to noise;

WHEREAS, in response to the COVID-19 pandemic, the Ontario government sought to accelerate construction projects in municipalities;

WHEREAS, the Ontario government passed O.Reg 131/20, under the *Municipal Act, 2001* ("O.Reg 131/20") allowing for extended construction hours for projects associated with the healthcare sector to 24 hours a day and any other construction activity in a municipality between the hours of 6am and 10pm;

WHEREAS, O.Reg 131/20 limits a municipality's authority and enforcement through Section 451.1 of the *Municipal Act, 2001* from prohibiting and regulating noise with respect to after-hour noise from construction sites;

WHEREAS, there has been an increase in complaints as a result of after-hour noise caused by construction sites impacting the quiet enjoyment of the residents of Hamilton; and,

WHEREAS, O.Reg 131/20 is set to expire on October 7, 2021;

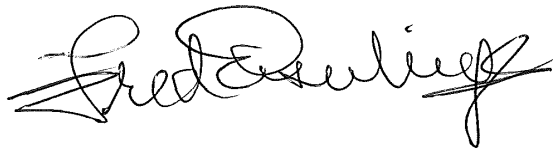
THEREFORE BE IT RESOLVED:

- (a) That the Mayor contact the Premier of Ontario, and local Members of Parliament to ask that the Province to promptly expediate the expiry of O.Reg 131/20, the COVID exemption for after-hours noise from construction sites.

- (b) That the Mayor contact the Premier of Ontario, and local Members of Parliament to request that the Province not make the temporary regulations of O.Reg 131/20, or any similar restrictions, permanent through an amendment to the *Municipal Act, 2001*.
- (c) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.

Your consideration of Council's request is appreciated. We would ask that you reference File #C21-014 when responding to this correspondence.

Sincerely,



Fred Eisenberger
Mayor

File #C21-014

c.c. Hon. Andrea Horwath, Leader of the Official Opposition, MPP, Hamilton Centre
Hon. Donna Skelly, MPP, Flamborough-Glanbrook
Hon. Paul Miller, MPP, Hamilton East-Stoney Creek
Hon. Monique Taylor, MPP, Hamilton Mountain
Hon. Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas
Association of Municipalities of Ontario
All Ontario Municipalities (by email)

Counties Administration Building reopens to the public

For Immediate Release

Aug. 31, 2021

THE COUNTIES, Ontario – The United Counties of SDG administration building in Cornwall has reopened to the public with specific protocols to ensure physical distancing and other COVID-19 mitigation measures are followed. The building is open from 8:30 a.m. to noon, and 1 to 4 p.m. Monday to Friday.

The administration building was shuttered earlier this year to protect against the spread of the pandemic. Staff continued working remotely until this spring when they then returned to the building.

Visitors to the Counties Administration Building must:

- Wear a mask.
- Sanitize hands upon entry with the provided sanitizer.
- Follow hand and respiratory etiquette while on-site.
- Practice two-metre physical distancing.
- Be courteous and yield to others in close quarters.
- Limit the number of visitors to only those required to be present.
- Pay with a card instead of cash, when possible.
- Remain home if showing signs of illness, awaiting COVID-19 test results, or if you have been in close contact with an individual diagnosed with COVID-19.

“These protocols will protect our visitors, staff and others while helping to stamp out the spread of COVID-19,” said CAO Tim Simpson. “We will continue to evaluate our protocols and make changes as required.”

Because the building is now open to the public, the lockbox used at the main entrance for drop-offs has been removed.

Counties Council is meeting in-person at the administration building, but due to space limitations only staff are allowed in the council chambers at the same time. All Counties Council meetings are streamed live on YouTube.

-30-

Contact:

Todd Lihou, Corporate Communications Coordinator
United Counties of SDG
613-932-1515, ext. 1205
tlihou@sdgcounties.ca

Where Ontario Began

August 11, 2021

The Right Honourable Justin Trudeau
Prime Minister of Canada
Justin.Trudeau@parl.gc.ca

Federal Cabinet
Via email to each Minister

The Honourable François-Philippe Champagne
Minister of Innovation, Science and Industry
Francois-Philippe.Champagne@parl.gc.ca

Re: Council Resolution Supporting Affordable Internet

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on August 9, 2021 passed the attached resolution.

Internet is a necessity, not a luxury for the vast majority of Canadians – a fact that has been highlighted throughout the ongoing COVID-19 pandemic. However, despite being an essential utility, too many people are struggling to afford reliable internet services, while some don't have access to broadband internet at all. Ontario residents, and Canadians from coast to coast to coast, should never have to choose between paying their internet bill and other essentials such as food, medication, or housing expenses.

On May 27th, the Canadian Radio-television and Telecommunications Commission (CRTC) arbitrarily reversed its 2019 Rates Order concerning wholesale internet rates charged by Canada's largest carriers to smaller companies. This decision was devastating for consumers as it effectively guarantees internet prices will continue to rise despite the fact that Canadians already pay some of the highest internet prices in the world. Additionally, this decision directly impacts many smaller internet service providers (ISPs) and threatens hundreds of well-paying jobs and tens of millions in investments that would benefit communities in Ontario.

Issued in August of 2019, the CRTC's 2019 Rates Order confirmed the large carriers [systematically broke](#) rate-setting rules to grossly inflate their costs of providing network access. The CRTC set new rates and ordered the large carriers to repay amounts they overcharged competitors during its proceeding. The 2019 Rates Order was based on a rigorous, evidence-based, 4-year long regulatory process. It was upheld on appeals by the Federal Court of Appeal, the Supreme Court of Canada, and the Federal Cabinet and was widely expected to be implemented this year. Instead, the CRTC arbitrarily and completely reversed the 2019 Rates Order, a decision that harms competition, reduces customer choice, and ignores the real and urgent need for affordable internet in Canada.

Not only do rural and remote communities continue to struggle to gain access to affordable broadband internet, the digital divide and lack of affordability remain an issue across all communities in Ontario, and Canada. For example, [a recent report by the Brookfield Institute at Ryerson University](#) found that more than a third of households in Toronto are worried about paying their home internet bills over the next few months. More than half of the city's low-income households also have download speeds below the national target of 50 megabits per second. Many rural and remote communities don't have access to broadband, or any internet services, at all. This would be problematic in the best of times, but is even more so now as the pandemic has made high-speed, affordable internet a necessity for education, work, and health care.

[A 2020 price study prepared by Wall Communications Inc.](#) for ISED found that internet prices increased across all service baskets over 2019, making Canada an international outlier among its peer countries. Without intervention from the federal government, who in 2019 promised to reduce internet prices for all Canadians, there is no doubt that this trend will continue.

The Federal Cabinet must overturn the decision now to ensure that affordable internet becomes a reality, not just an ideal. We are sharing this letter and Council resolution with representatives of, and leaders in, communities across Canada. We urge you and them to make this important issue your own, as it directly affects the people in their regions, and across Canada. As you all know, internet is now a necessary utility to all Canadians similar to gas, hydro, water and electricity. The CRTC decision has impacted over 1,200 small ISP's across Canada, thousands of jobs in your communities and negatively impacts millions of Canadians ability to receive affordable internet.

We would welcome the opportunity to discuss this critical issue with you at your earliest convenience, and to work together in making our concerns heard in support of affordable internet for all.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Canniff', written over a horizontal line.

Darrin Canniff, Mayor/CEO
Municipality of Chatham-Kent

Attachment: Council Resolution Supporting Affordable Internet

C: (via email)
Honourable Doug Ford, Premier of Ontario
Dave Epp, MP, Chatham-Kent-Leamington
Lianne Rood, MP, Lambton-Kent-Middlesex
Rick Nicholls, MPP, Chatham-Kent-Leamington
Monte McNaughton, MPP, Lambton-Kent-Middlesex
Association of Municipalities of Ontario (AMO)
Federation of Canadian Municipalities (FCM)
All Ontario Municipalities

Attachment: Council Resolution Supporting Affordable Internet

Whereas internet connectivity is a basic necessity and essential utility for the vast majority of Canadians;

Whereas too many Canadians struggle to afford reliable, high-speed internet services, or do not have access to broadband internet at all;

Whereas the need for high-speed and affordable internet is always critical, but is even more so now as the COVID-19 pandemic has shown it is required for education, work, and health care;

Whereas independent studies have consistently shown that Canadians pay some of the highest prices for internet in the world and that internet prices have increased year over year;

Whereas the Canadian Radio-television and Telecommunications Commission's (CRTC) 2019 Rates Order set wholesale internet prices that would facilitate greater competition and promote innovative broadband services and more affordable prices for consumers;

Whereas the 2019 Rates Order was based on a rigorous, evidence-based, 4-year long regulatory process, and was upheld on appeal by unanimous decision of the Federal Court of Appeal, while the Supreme Court of Canada and the Federal Cabinet declined to review it;

Whereas on May 27, 2021, the CRTC decided to reverse its 2019 Rates Order, effectively guaranteeing that internet prices will continue to rise for consumers;

Now therefore be it resolved that the Municipality of Chatham-Kent call on the Federal Cabinet, Prime Minister Justin Trudeau, and ISED Minister Francois-Phillippe Champagne to overrule the CRTC's reversal and immediately implement the evidence-based 2019 Rates Order.

Be it further resolved that the Premier of Ontario, Ontario Minister of Industry, local MPPs, the Association of Municipalities of Ontario, all 444 Ontario municipalities and the Federation of Canadian Municipalities be sent correspondence of Council's resolution along with the attached letter.



August 4, 2021

Sanjay Coelho
Ministry of the Environment, Conservation and Parks - Environmental Policy Branch
40 St Clair Avenue West, Floor 10
Toronto, ON M4V1M2
mecp.landpolicy@ontario.ca

RE: ERO 019-2785

Dear Mr. Coelho

The following is the submission from Gravel Watch Ontario (GWO; gravelwatch.org) in response to the request for comments on the Proposed Land Use Compatibility Guideline, Ministry of Environment, Conservation and Parks (March 2021) ERO 019-2785.

About Gravel Watch Ontario

Gravel Watch Ontario is a province-wide coalition of citizen groups and individuals that acts in the interests of residents and communities to protect the health, safety, quality of life of Ontarians and the natural environment in matters that relate to aggregate resources.

GWO recognizes the obligation to protect agricultural lands, water resources and the natural environment, all of which are essential for building a climate-resilient Ontario for future generations. GWO works with and on behalf of our members and communities throughout the province to advocate that policies regulating aggregate extraction not result in permanent loss of farmland or rural landscape amenities and do not damage the integrity of the water resources supplied by the rural landscape. Gravel Watch Ontario has commented on government planning and aggregate policies for over 15 years.

We understand that ERO notice 019-2785 links to four separate compliance initiatives. GWO's submission focuses on aggregate resources as it pertains to these draft Land Use Compatibility Guidelines. In general, GWO found the information regarding aggregate to be scattered throughout various sections of the document, often unclear or contradictory, making it particularly onerous on the reviewer to sift through and sort out the intent and nature of land use compatibility as it relates to aggregate operations. The ensuing discussion has *italicized and indented* the instructions identified in the Guideline with GWO's comments following thereafter for ease of reference.

1. INTRODUCTION & CONTEXT

1.1 Overview

GWO Concern/Issue – Preferential Treatment of Aggregate Class 3 Major Facilities over Sensitive Land Uses

*The objective of the current EPA D-6 Guideline is to “prevent or minimize the encroachment of sensitive land use upon industrial land and **vice versa**, as these two types of land uses are normally incompatible due to possible adverse effects on sensitive land use created by industrial operations.”*

The overview of the Land Use Compatibility Guideline states that “the Guideline is to be applied to achieve and maintain land use compatibility between major facilities and sensitive land uses when a planning approval under the Planning Act is needed in the following circumstances:

- A new or expanding sensitive land use is proposed near an existing or planned major facility, **or***
- A new or expanding major facility is proposed near an existing or planned sensitive land use.”*

Although the Compatibility Guideline requires equal application by both a major facility and a sensitive land use, they are not treated equally throughout the document. For example, Section 2.8 of the Guideline, demonstration of need is to be carried out by proponents of sensitive land uses only. In Appendix D, the Area of Influence (AOI) and the Minimum Distance Separation (MDS) for are not applicable to land use decisions for new or expanding aggregate operations.

The Guideline also identifies aggregates as a sector which has had a history of ongoing and frequent complaints. Situating aggregate operations near sensitive land uses under exempted and exclusive rules does not achieve compatibility.

GWO Recommendation #1

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

1.2 General Approach to Planning for Land Use Compatibility

GWO Concern/Issue -- Co-existence and Compatibility Not Conceptually Related

“Land Use compatibility is achieved when major facilities and sensitive land uses can co-exist and thrive for the long-term within a community through planning that recognizes the locational needs of both.”

The terms compatibility and co-existence are not conceptually the same. Compatibility denotes relations that are well-suited, friendly and harmonious. Co-existence, on the other hand, denotes tolerance and forbearance. Inferring these terms are correlated sets the stage for further conflict, lengthy appeals and increased costs for all parties.

In Section 3.8, the concept of co-existence as meaning tolerance is confirmed.

“.....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... which may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.

Minor impacts are not defined but the sensitive land use is expected to tolerate the resulting adverse effects for the long term. Long term consequences can result in societal costs associated with health and safety or environmental degradation. It’s an unfair practice to expect the public to tolerate long term consequences.

Use of the term co-existence does not align with federal international agreements regarding sustainable development and climate change which strive for a balance between the various sectors of society. This balance is also reflected in Ontario’s environment, climate change and planning frameworks.

GWO Recommendation #2:

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces’ social, environmental and climate change responsibilities.

1.3 Guiding Hierarchy for Land Use Compatibility Planning

GWO Concerns/Issues – The PPS not being read in its’ entirety.

“Separation of incompatible land uses is the preferred approach to avoiding land use compatibility issues. The Guideline state that this approach is consistent with PPS 1.1.5.6”

The PPS speaks to the incompatibility of sensitive residential land use with existing aggregate operations. GWO believes that the reverse is also true as per Case Law - Capital Paving v Wellington (County) 2010 Carswell Ont. Paragraph 6....

“it is fair to say the PPS speaks to incompatibility of sensitive residential use with earlier operations, and the reverse is also true, that a proposed pit may be incompatible with prior residential use”.

Although the Guideline in Section 1.7.1 generally supports fulfillment of provincial interests identified in the PPS, missing throughout the document is identification to the pertinent PPS clauses which direct consideration for development to (1) consider social and environmental impacts, and (2) only permit development once potential impacts have been addressed.

GWO Recommendation #3:

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

GWO Concern/Issue – Ambiguous Terminology and Lack of Meaningful Public Involvement

“When avoidance (i.e. separation) alone is not possible, minimizing and mitigating potential impacts may provide a basis for a proposal. If minimization is not viable, the proposed incompatible land use should not be enabled, and related planning or development applications should not be approved”

GWO supports this Guideline. The term ‘should’, however, is indefinite and subject to interpretation and ambiguity.

GWO Recommendation #4:

- Change the word ‘should’ to ‘shall’ to provide clear direction to ensure incompatible uses are not enabled nor approved.

“Planning authorities, proponents and the surrounding communities ‘should work together’ to achieve land use compatibility”.

Working together is a viable approach to achieving compatibility. ‘Should work together’ implies relationship building, collaboration and compromise. Appendix C, however, outlines best practices for relationship building as merely communicating with members of the public. Communication relates to the informing stage of planning engagement conventions as depicted on Step 3 of the Arnstein’s Ladder of Public Participation (<https://www.citizenshandbook.org/arnsteinsladder.html>.) ‘Informing’ is generally a one-way communication strategy that rarely results in even minor adjustments. Informing does not denote, nor reflect the concept of ‘working together’. Society’s legal and institutional framework that sanctions planning decisions has increasingly recognized the benefit of various engagement measures for practical deliberations that include various perspectives and encourages dialogue to promote understanding among stakeholders’ values and interests. The role of the public to bring forth community values is critical. It is also critical to consider the concept of ‘working together’ as relationship building and collaboration in regards to the Duty to Consult with Indigenous Peoples.

GWO Recommendation #5:

- Change ‘should work together’ to ‘shall work together’.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government’s responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

1.6 Roles and Responsibilities

1.6.1 Planning Authorities

Planning authorities must not approve development proposals where there are irreconcilable incompatibilities (i.e. adverse effects with no feasible required mitigation measures). Land use planning decisions that result in incompatibility may create ongoing issues for all parties, including municipalities to address noise and odour complaints and other impacts.

GWO supports the above guideline.

GWO Concern/Issue – Increased responsibility on the planning authorities

Planning authorities also undertake planning exercises which must address land use compatibility, such as comprehensive reviews of OPs, development of secondary plans and reviews of zoning by-laws. To address land use compatibility, OP policies and land use designations....must be up-to-date and in accordance with this Guideline.

Updating OPs and zoning by-laws is a daunting task which puts pressure on planning authorities' capacity requirements and ultimately for increasing property taxes. Although mandated under the same Planning Act as municipalities, Local Planning Authorities in rural and unorganized territories do not have the corresponding human and financial resources to carry out basic planning functions, let alone up-dates to OPs and zoning by-laws in regards to this Guideline.

GWO Recommendation #6:

- Do no overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

2. TOOLS TO ASSESS LAND USE COMPATIBILITY

2.1.1-3 Areas of Influence and Minimum Set Back Distances

GWO Concern/Issue –

Preferential Treatment Given to Aggregate Operations

An influence area approach to minimize land use conflicts for aggregate resource extraction has long been recognized. The 1986 Guideline on Implementation of the Mineral Aggregate Resources Policy Statement (Ministry of Natural Resources) states that:

"An influence area is the area surrounding a pit or quarry where the impacts of the operation may be felt on the environment, nearby residents and land uses. The influence area concept is intended to protect existing or designated sensitive land uses from proposed pits or quarries and existing or designated pits or quarries from encroachment by sensitive uses ..."

Guideline Section 1.2 recognizes that sensitive land uses located too close to a major facility could experience environmental impacts as well as risks to public health and safety. Similarly, Section 2.1.3 states that:

“proposals should not result in sensitive land uses being located in MSDs as adverse effects are highly likely to occur.”

While a planning authority may determine that an Area of Influence may be smaller (based on supporting studies), it must never be smaller than the MSD in the Guideline. However, while recognizing that some above-ground equipment such as crushers, ready-mix concrete plants and asphalt plants may require ECA's, the Guideline states:

The AOI and MSD in the Guideline are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land use.

And, Section 2.2 states:

Aggregate Operations (Aggregate extraction, Resource Extraction, Other mineral quarries) identified as Class 3 (AOI 1,000 m/MSD 500 m) AOI and MSD only applies to new or expanding sensitive land use proposals near major facility aggregate operations.

In addition, the Aggregate Resources Ontario Provincial Standards (AROPS) refers to measurement of separation as the distances to sensitive receptors, not to the property boundary of a sensitive land use as recommended in Section 2.4 and in relation to Section 3.3 “At-receptor mitigation is not recognized by the Ministry to mitigate odour and dust impacts” and in Appendix B.1 “the Ministry-developed AOIs in this Guideline should address both noise and vibration...separation distances for noise are larger than vibration so covering noise impacts will cover vibration impacts” which fails to account for any future expansions of the aggregate operation or changes to the site plan.

Although Guideline Section 4 recommends planning mechanisms to assist in the implementation of land use compatibility, Section 66 of the ARA is highly restrictive of municipal authority such as municipal site plan controls and development permits. Both the PPS (Section 2.5.2.4) as well as the ARA (Section 12.1 (1.1)) prohibit municipalities from issuing zoning by-laws to restrict the depth of extraction while Guideline Section 4.1 recommends adverse impacts on sensitive land uses to be considered at the Official Plan (OP) and zoning stage. Section 13 of the ARA, however, allows the Minister, at any time, to rescind or vary a condition of a licence, amend a licence or require a licensee to amend the site plan. A licensee may also make the same requests of the Minister at any time. These unknown operational impacts cannot be adequately assessed or determined at the planning/approval stage. The question then becomes...how can a planning authority be responsible for approvals of an industrial extractive zoning when site plans can be changed at the licensing stage and throughout the life of the license for which the planning authority has no control?

GWO Recommendation #7:

- For new or expanding aggregate operations:
 - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
 - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,

- Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
- Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
- Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

2.8 Demonstration of Need

GWO Concern/Issue – Preferential Treatment Given to Aggregate Producers – no balance

The demonstration of need.....is only required by proponents of sensitive land uses.

When considering new sensitive land uses near mineral aggregate areas, planning authorities must consider active aggregate operations, zoning which permits future aggregate operations and, where provincial information is available, deposits of mineral aggregate resources.

The concern in this Section is the nature and regional distribution of aggregate since there are areas throughout the province where distribution of aggregate is ubiquitous. “Freezing” land has the potential to restrict settlement to narrow confines. This situation does not take into consideration future generations, which is antithetical to the United Nations concepts and definitions pertaining to ‘development that meets the needs of the present without compromising the needs of future generations’¹. Freezing land also creates the risk for mega-quarry development that can lead to long term and irreversible impacts. There is little data available regarding aggregate reserves yet the focus is to open up new lands closer to market as a means to reduce transportation costs for the producer. Lands nearest to market are also lands nearest or adjacent to residential or farm lands which places the risk of long term and irreversible impacts onto the sensitive land use.

An unbalanced approach to demonstration of need will perpetuate conflict, constrained relations, and more appeals, thereby increasing costs for government, the proponent and the general public which is contradictory to the stated purpose of this Guideline.

GWO Recommendation #8

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

The Guideline further states:

Compatibility studies should be prepared by the proponent.....the planning authority is responsible to review compatibility....If in house expertise is not available, the planning authority should consider having a peer review of studies at the expense of the proponent.

¹ World Commission on Environment and Development. Our Common Future, Oxford, UK. Oxford. University Press. 1987.

GWO Recommendation #9

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

3. COMPLIANCE

GWO Concern/Issue – The public is expected to tolerate impacts for the long term Increased municipal responsibility to deal with complaints

“Per its compliance framework, the Ministry may refer incidents related to compatibility issues that stem from planning decision to a more appropriate level of government or agency (e.g. municipality).....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.

Conceptual alignment regarding co-existence as being compatible is applicable here. Refer to Section 1 regarding terminology. Co-existence and compatibility are not conceptually the same and compatibility is a two-way process.

Refer to page 3 regarding the discussion pertaining to Section 1.2 and the lack of distinction between minor and major impacts. Shifting EPA compliance to the planning authority puts pressure on municipal capacity requirements which ultimately puts pressure on increasing municipal property taxes thereby shifting the financial responsibility to the public. In areas outside municipal boundaries, the role of Local Planning Boards is not mentioned and the public in these areas have no avenue available to have their concerns or complaints dealt with appropriately given the capacity limitations of Planning Boards. Similar to Section 2, how can planning authorities be responsible for compliance issues when site plans can be changed at the licensing stage and throughout the life of the aggregate operations which is outside the planning authorities' jurisdiction?

GWO Recommendation #10

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

4.0 IMPLEMENTATION AND PLANNING TOOLS

4.3.1 Municipal By-laws

GWO Concern/Issue

- **Increased workload for planning authorities and risk of increasing property tax burden**
- **Lack of reference to fly rock as a contaminant**

Onus is on the municipality to enforce by-laws that would prevent and respond to land use compatibility issues.

Development and enforcement of by-laws regarding EPA compatibility issues puts further pressure on planning authorities' capacity requirements and risk of increase to local property taxes. As stated above, once the license has been approved, the planning authorities' oversight is limited by the PPS and the ARA. In addition, Local Planning Boards do not have the capacity for by-law enforcement. The public in these areas must rely on the good will of the self-reporting aggregate producers to comply with compatibility issues.

GWO Recommendation #11:

- Do not overburden planning authorities' capacity and planning budgets.
- The province needs to review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.

GWO Recommendation #12:

- MECP to take responsibility for monitoring and compliance regarding their mandate for the environment as it relates to major facilities.

APPENDIX - D – SECTOR SPECIFIC RELATED TO AGGREGATES

GWO Concern/Issue

- **Preferential Treatment of Aggregate Industry**
- **PPS not being referred to in its entirety**
- **Recognition of the differences between planning and licensing stages**

Overall, aggregate operations are depicted as having priority over sensitive land uses. This imbalance includes the following:

- AOIs and MSDs are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land uses,
- Not requiring demonstration of need,
- PPS clauses are not being applied consistently, and
- Grey areas exist between the planning and licensing functions.

The PPS favours a balanced approach regarding the potential for social and environmental impacts. Pertinent PPS clauses that consider the EPA state that development is to only be permitted when public health & safety, air quality and climate change have been addressed. Incompatibility in terms of noise, air, contaminants and vibration relate to public health and safety or environmental degradation and

although they are potential impacts of aggregate operations, they are not fully addressed by this Guideline.

Within this section, the planning authority is to consider compatibility as per the PPS and the ARA.

Planning authorities....should also take into consideration that through the licensing process under the Aggregate Resource Act (ARA), MNRF also has requirements to assess potential impacts on existing nearby land uses and whether it is feasible to mitigate potential impacts through that process.

The ARA is not a feasible mechanism to address compatibility because it is proponent driven. Although addressing public concerns regarding potential impacts from operations are the proponent's responsibility under the ARA, the purposes of the ARA are to manage, control and regulate aggregate resources and operations to "minimize" the adverse impact on the environment. Compatibility between land uses is a government planning function and a responsibility that relates to public interest and community well-being. As a business, the proponent's corporate responsibility is to their shareholders and business profitability. The ARA and accompanying AROPS are not planning but operational documents and focus on the merits of the proposed pit's operations.

GWO Recommendation #13

- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

GWO Concern/Issue – Preferential Treatment of Aggregate Operations

"Planning authorities must consider the potential for adverse effects from aggregate operations (including existing, planned and potential future operation), such as traffic to and from the facilities, and noise and dust from blasting, crushing or other operations, for proposals that require a planning approval."

The Guideline also requires planning authorities to consider impacts for future aggregate operations where zoning is approved, deposits of mineral aggregate resources where provincial information is available, as well as dormant, licenced pits and quarries and un-rehabilitated "legacy" sites. Although the surficial geology maps identify location and extent of aggregates, quality is not always well defined, only the range and nature of the deposit. Determining quality requires further testing through bore holes and analysis of the material. Under this Guideline aggregate operations can freeze land for potential (not predicted) development even though the operation may not be permitted or even feasible given the quality or quantity of the material in particular locations. Freezing land would be detrimental to a cohesive society, compatible relations and future generations.

GWO Recommendation #14:

- Consider equity and the balance of land uses and opportunities for future generations.

Appendix D does not consider other potential adverse effects from aggregate operations such as the potential for groundwater and surface water contamination. Since these adverse effects on sensitive

land uses are not specified in the Guidelines, there may be confusion for planning authorities when considering approvals for rezoning of aggregate operations.

GWO Recommendation #15:

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

WHAT'S MISSING IN THE GUIDELINES

1. Fly Rock

The Guideline does not include fly rock as a discharge from quarry blasting and the adverse effect on sensitive land uses. Ontario Regulation 244/97 under the ARA which pertains to fly rock was approved on November 2020 and should be addressed in the Guideline.

2. Cumulative Effects

Aggregate extraction is often described as a temporary or interim use even though aggregate licenses are granted with no end date (in perpetuity) and gravel pits and quarries can lie dormant for decades. It is the local property owners, residents and communities which are in the location for the long term and will have to live with the consequences. MNRF's siloed approach to assessing aggregate operations and pit licenses is maladaptive to deal with the long term consequences that can result from the expansion of aggregate operations. A project specific lens is not adequate to determine the incremental effects from past, present and future human actions. It is misleading to not consider the full potential of social and environmental impacts from all development occurring in a region, not merely from one operation but how that operation relates within the locational context.

GWO Recommendation #16:

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

CONCLUSION

The long standing recognition of the inherent incompatibility between sensitive land uses and industrial lands goes back in history to when land use activities that generated noise, smell, unsanitary or hazardous conditions were walled off from civic activities and living spaces as a means to regulate compatibility. Whether a sensitive land use proposes to expand near an existing aggregate operation, or whether an aggregate operation proposes to expand near an existing sensitive land use, the effects will be the same. Planning was and is the mechanism to provide guidance to reduce the risk for social and environmental impacts and/or conflicts associated with land use decisions.

Compatibility is a two-way process and must be reflected throughout the document. Aggregate extraction, by its very nature, is not a renewable resource and therefore cannot be considered a

sustainable resource. The Guideline should align with global concepts of sustainable development and the underlying tenants of corporate social responsibility and adherence to good planning. The Guideline should be applied by the municipality when considering planning applications for new and expanding pits and quarries near sensitive land uses where the effects on and of climate change and the health and safety of communities and future generations can be considered. The ARA proponent-driven, site-specific studies of the aggregate licencing process should not be substituted for good planning. Unless the Guideline is applied to aggregate operations as Class III industrial facilities without exemption, and planning authorities are given the tools and human and financial resources to carry out the expectations in this Guideline, land use compatibility and the potential for conflict with nearby sensitive land uses cannot be resolved.

SUMMARY OF RECOMMENDATIONS

GWO Recommendation #1

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

GWO Recommendation #2:

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces' social, environmental and climate change responsibilities.

GWO Recommendation #3:

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

GWO Recommendation #4:

- Change the word 'should' to 'shall' to provide clear direction to ensure incompatible uses are not enabled nor approved.

GWO Recommendation #5:

- Change 'should work together' to 'shall work together'.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government's responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

GWO Recommendation #6:

- Do not overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

GWO Recommendation #7

- That new or expanding aggregate operations:
 - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
 - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,
 - Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
 - Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
 - Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

GWO Recommendation #8

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

GWO Recommendation #9

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

GWO Recommendation #10

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

GWO Recommendation #11:

- Do not overburdening planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.

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- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

GWO Recommendation #14:

- Consider equity and the balance of land uses as well as opportunities for future generations.

GWO Recommendation #15:

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

GWO Recommendation #16:

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

REFERENCES:

Arnstein's Ladder of Public Participation, found at:
(<https://www.citizenshandbook.org/arnsteinsladder.html>.)

EPA D-Series Guidelines

- D-1 Land Use and Compatibility
- D-1-1 Land Use Compatibility: Procedure for Implementation
- D-1-2 Land Use Compatibility: Specific Applications
- D-1-3 Land Use Compatibility: Definitions
- D-6 Compatibility between Industrial Facilities
- D-6-1 Industrial Categorization Criteria
- D-6-3 Separation Distances

Government Documents:

- Aggregate Resources Act Regulations, Amendments 2020
- Aggregate Resources of Ontario Provincial Standards, Amendments 2020
- Provincial Policy Statement 2020
- Ontario Planning Act
- Mineral Aggregate Resources Policy Statement and Guideline on Implementation
- Ontario Environmental Protection Act (EPA)

World Commission on Environment and Development. Our Common Future. Oxford, UK. Oxford. University Press. 1987.



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August 2021
Township of North Stormont

2021 AUG 25 2021

Maxville Manor has always been a progressive organization that puts the well being of its residents as the top priority. After much discussion, the Board of Directors has agreed that new strategies must be considered and implemented. One of the areas that we are looking to change is the governance model and update the organization's Bylaws.

Over the years, the Manor's Board of Directors has been comprised of individuals from founding organizations where their service has been appreciated and loyalty cannot be replaced. We need all our community organizations to continue to support us and have confidence in the care that we give.

We are, however, going to restructure our Board and not put the burden of responsibility solely on community organizations. The other reason that we are moving this way is that there have been changes in the status of some of the founding organizations in this community. Maxville Manor wants to align itself with best practices in governance and so will be moving towards establishing a Board whose members will be selected according to their skills, professional knowledge, and personal qualities. People with all different abilities who have the interest and compassion to serve the seniors of this area will be welcome to apply to sit on the Board. We are committed to building a diverse Board that is representative of the community we serve.

Changes in membership will be implemented gradually over the next 5 years. We felt it imperative that our loyal supporters and those committed to excellence at the Manor be informed of the changes that will be taking place.

Should you have questions or concerns, please feel free to contact me at 613-662-6029 to discuss further. Thank you for your dedication and support of the Manor since 1968.

Sincerely,

Ivan Coleman, Chair

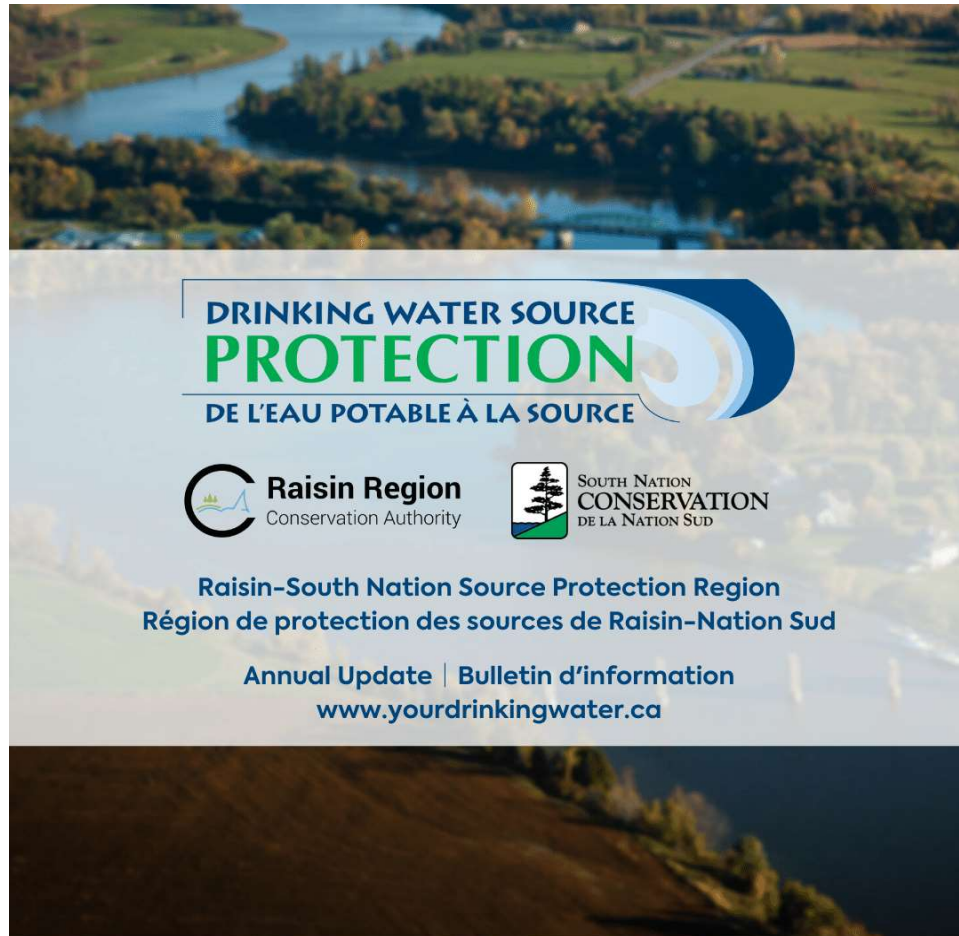
"A non-profit community based charitable corporation" - providing Long Term and Respite Care, Community Outreach Services and "Life-Lease" Apartments For Seniors

Volunteer Board of Directors
Elected from:

Township of North Glengarry, Township of North Stormont, Maxville & District Chamber of Commerce, Maxville & District Lions' Club, Kenyon Agricultural Society, Kenyon Presbyterian Church, St. Andrew's Presbyterian Church, St. Michael & All Angels Anglican Church, St. James' Roman Catholic Church, Maxville United Church & Community at Large.

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Raisin-South Nation Source Protection Committee: Annual Update

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Please share this newsletter with your Municipal Councils and Staff,
including Public Works and Planning.

Veuillez partager ce bulletin avec vos conseils municipaux et votre personnel,
y compris vos services de travaux publics et de planification.
La version française suit.

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Message from Raisin-South Nation Source Protection Committee Chairman Raymond Beauregard

On behalf of the Raisin-South Nation Source Protection Committee,
we are pleased to present our 2020 Annual Update.

Did you know that more than 80 percent of Ontario's population receives their drinking water from a municipal drinking water system? Water travels to your tap from a surface water or ground water source through your local water utility or through an individual water system, such as a private well. Municipalities, source protection authorities and others all play a strong role in ensuring that municipally-treated drinking water is safe for our use.

Safe and readily available water is important for public health, whether it is used for drinking, domestic use, food production or recreational purposes. Improved water supply and sanitation, and better management of water resources also contributes to a strong and vibrant local economy.

Please take a moment to review some of last year's updates undertaken throughout



Lisa Van De Ligt Named New Project Manager

Lisa Van De Ligt, Team Lead of Communications and Stewardship at the Raisin Region Conservation Authority, is the new Raisin-South Nation Source Protection Region's Project Manager, taking over from Phil Barnes.

For more information, please contact Lisa Van De Ligt, Project Manager, at 613-938-3611 ext. 223, lisa.vandeligt@rrca.on.ca.

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What is Source Water Protection?

Source water is the raw water that we take from lakes, rivers, or underground aquifers to supply people with drinking water.

The goal of Source Water Protection is to protect these sources of drinking water from contamination and overuse, now and into the future.

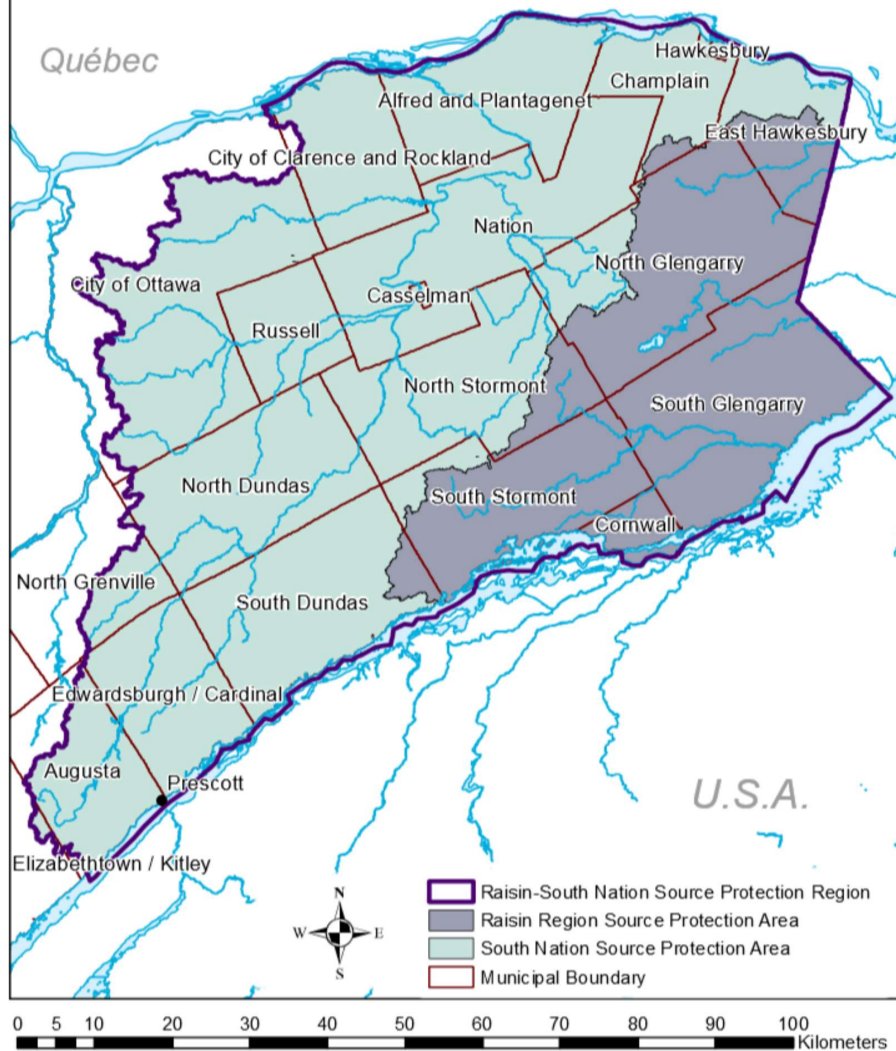
The Ontario *Clean Water Act* requires municipalities and stakeholders to work together to develop watershed-based Source Protection Plans. These plans focus on protecting the source water that supplies municipal drinking water systems.

Source Protection Plans were prepared by local Source Protection Committees.

Visit the [Your Drinking Water website](#) to learn more.

The Province of Ontario produced a guide for Municipal Councillors to understand their responsibilities under the [Clean Water Act](#).

[Access the information guide here!](#)

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Raisin-South Nation Source Protection Region

The Raisin Region Source Protection Area combined with the South Nation Source Protection Area form the Raisin-South Nation Source Protection Region.

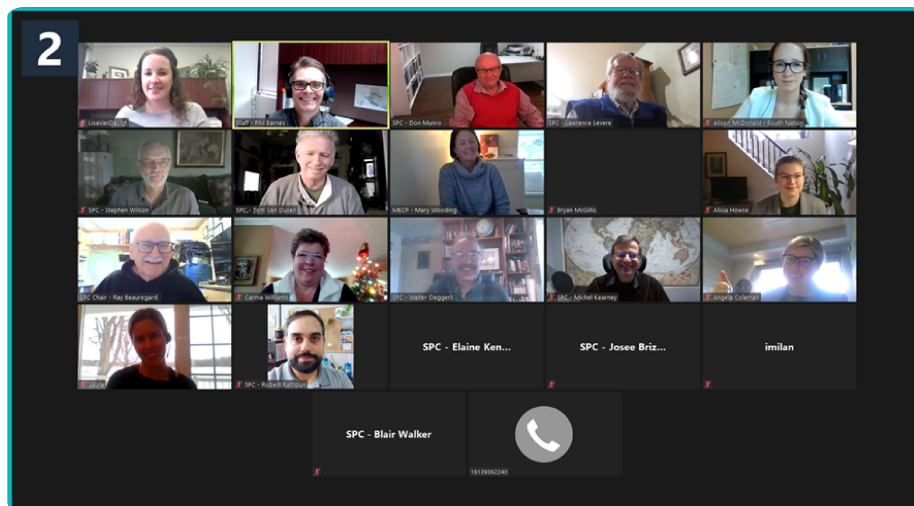
The Raisin Region Source Protection Area includes the jurisdiction of the Raisin Region Conservation Authority (RRCA) and additional areas to the south west (Hoasic Creek) and north (Rigaud River). The total area of the Raisin Region Source Protection Area is approximately 2,000 km².

The South Nation Source Protection Area includes the jurisdiction of South Nation Conservation (SNC) with the addition of the Town of Prescott and an additional area

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The Raisin-South Nation Source Protection Region includes 26 municipal drinking water systems (13 groundwater, and 13 surface water).

[Click here](#) to view a regional map of municipal drinking water systems and for more information on each system.



Raisin-South Nation Source Protection Committee

Source Protection Committees were established for each of the 19 Source Protection Regions in Ontario. The committees are made up of municipal, public, and sector representatives appointed by the Source Protection Authorities. Committee Chairs were appointed by the Minister of the Environment and Climate Change.

These committees are responsible for preparing the Terms of Reference, Assessment Reports and Source Protection Plans to meet the requirements of the *Clean Water Act*. The Committees are required to follow the Clean Water Act, its regulations, Director's rules, guidance material created by the Province, and to work collaboratively with municipalities and Source Protection Authorities.

The Raisin-South Nation Source Protection Committee is made up of 15 members plus a chairperson. The 15 member committee represents the interests of the local municipalities, agricultural sector, commercial and industrial sectors, and the general public. There are additional (non-voting) liaisons representing each Source

The Raisin-South Nation Source Protection Committee met 3 times last year. To learn more about the Source Protection Committee and to view meeting minutes, [click here.](#)



Source Water Protection Education and Outreach

We all want clean, safe, and sustainable water for our future. Helping people understand the importance of protecting our drinking water sources is the first step!

The South Nation and Raisin Region Conservation Authorities deliver education and outreach programming throughout the region, undertake joint social media promotions with Conservation Ontario, and meet with municipal councils to maintain awareness about source water protection.

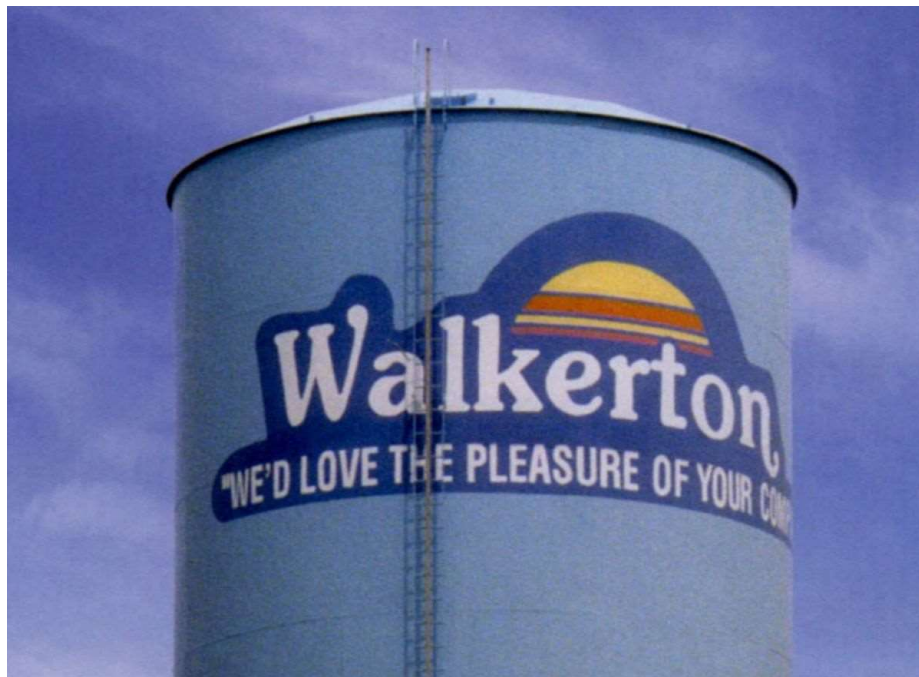
In 2020, due to the COVID-19 pandemic, most education and outreach initiatives were completed virtually.

Have you seen these signs in your municipality and wondered what they were?

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drinking water sources are most vulnerable to contamination.

Visit our [source water protection resources online](#) to find several print media and landowner resources, including fact sheets, brochures, and postcards.



Remembering Walkerton 21 Years Later

In May 2000, a municipal well in Walkerton, Ontario became contaminated with deadly bacteria, resulting in seven deaths and severely impacting thousands of others. Today, while we continue to adapt to ongoing pandemic conditions, we are reminded of what happened at Walkerton 21 years ago, and renew our commitment to protect our sources of drinking water.

Municipalities, source protection authorities and others all play a strong role in ensuring that municipally treated drinking water is safe for our use.

Read more about the [Walkerton tragedy here](#).

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Raisin-South Nation Source Protection: Annual Reporting

Under the *Clean Water Act*, annual reports are prepared by the Risk Management Official on behalf of each municipality and are presented to the Committee.

The Source Protection Plan for the Raisin-South Nation Region Source Protection Areas require Risk Management Officials, Municipalities and Ministries to report annually to the Source Protection Authority.

Here are last year's highlights:

Risk Management Office Highlights (Raisin-South Nation Region)	End of 2019	New in 2020	Total
Risk Management Plans established	82	1	83
Parcels of land managed by a Risk Management Plan	221	1	222
Activities managed by a Risk Management Plan	306	3	309
Safe Septic Inspections	250	1	251
<i>Planning Act or Building Act</i> applications screened	155	24	179
Section 59 Notices Issued	221	7	228
Orders Issued	0	-	0



Always Consider Source Water Protection When Reviewing Development Applications

Section 59 of the Clean Water Act (Restricted Land Uses) enables a process for catching or flagging activities before they are established so they do not become a drinking water threat. The process is triggered by development applications under the *Planning Act* and building permit applications.

Restricted land uses are applied to areas where significant drinking water threats are possible and where *Section 57 (Prohibited Activities)* or *Section 58 (Regulated Activities)* policies apply.

The Risk Management Official works with planning and building authorities to ensure they are aware of the areas prescribed in the Source Protection Plan as being subject to *Section 59* and the activities that they pertain to.

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Message de Raymond Beauregard, président du comité de protection des sources de la région Raisin-Nation Sud

Au nom du Comité de protection des sources de la région Raisin-Nation Sud, nous sommes heureux de vous présenter notre mise à jour annuelle de 2020.

Saviez-vous que plus de 80 p. 100 de la population de l'Ontario reçoit son eau potable d'un réseau d'eau potable municipal ? L'eau arrive à votre robinet à partir d'une source d'eau de surface ou d'eau souterraine par l'entremise de votre compagnie de distribution d'eau locale ou d'un système d'eau individuel, comme un puits privé. Les municipalités, les autorités chargées de la protection des sources et d'autres organismes jouent tous un rôle important en veillant à ce que l'eau potable traitée par la municipalité soit salubre pour notre consommation.

Une eau salubre et facilement disponible est importante pour la santé publique, qu'elle soit utilisée pour la boisson, l'usage domestique, la production alimentaire ou les loisirs. L'amélioration et l'assainissement de l'approvisionnement en eau, ainsi

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certaines des mises à jour de l'année dernière entreprises dans toute la région de protection des sources de la région Raisin-Nation Sud en vue de protéger les sources d'eau potable existantes et futures et d'atténuer les menaces qui pèsent sur les approvisionnements en eau des municipalités.



Lisa Van De Ligt nommée nouvelle gestionnaire de projet

Lisa Van De Ligt, chef d'équipe des communications et de l'intendance à l'Office de protection de la nature de la région Raisin, est la nouvelle gestionnaire de projet de la région de protection des sources Raisin-Nation Sud. Elle succède à Phil Barnes.

Pour de plus amples renseignements, veuillez communiquer avec Lisa Van De Ligt, gestionnaire de projet, au 613-938-3611, poste 223, ou à lisa.vandeligt@rrca.on.ca.



Qu'est-ce que la protection des sources d'eau ?

Nos sources d'eau proviennent de l'eau brute que nous prélevons dans les lacs, les rivières ou les aquifères souterrains pour approvisionner les gens en eau potable.

L'objectif de la protection des sources d'eau est de protéger ces sources d'eau potable de la contamination et de la surutilisation, maintenant et à l'avenir.

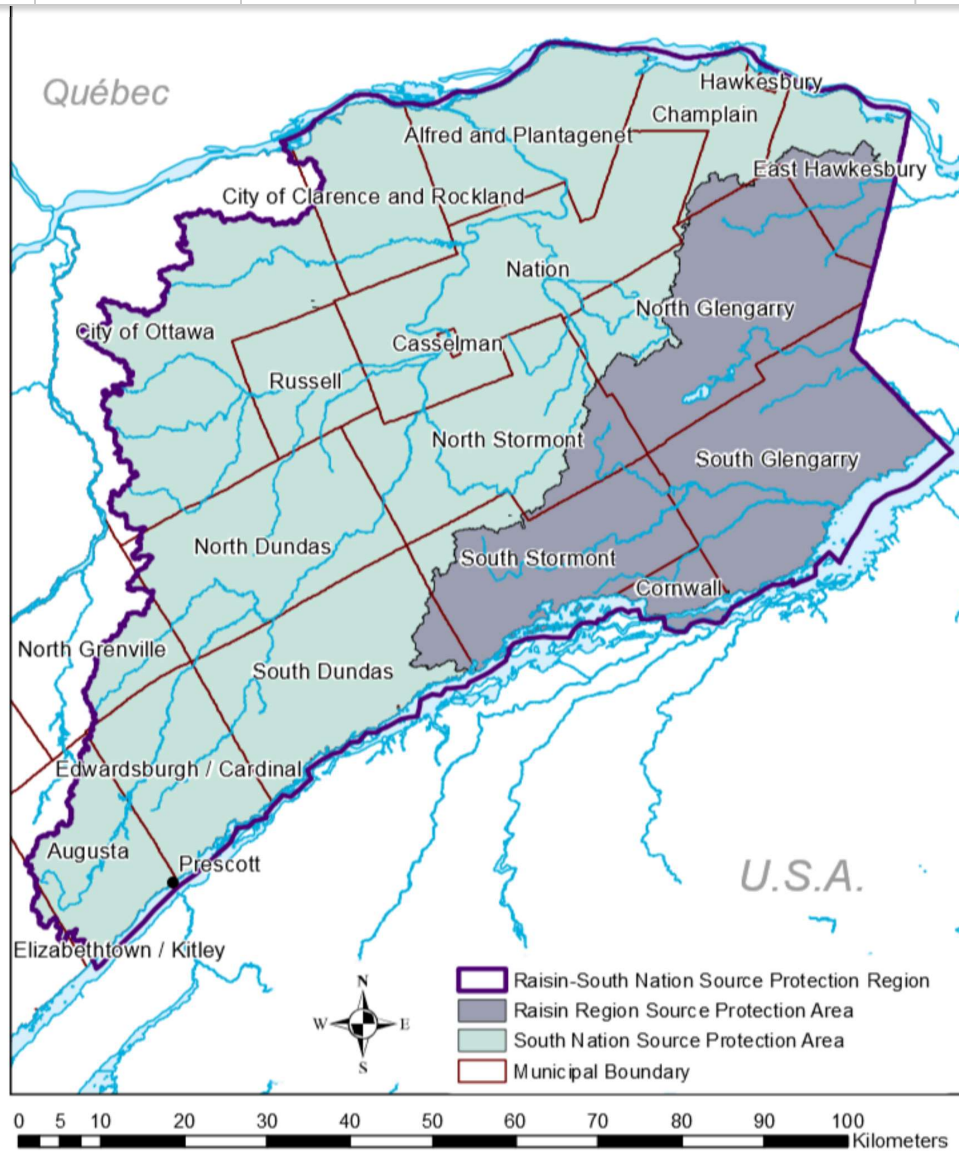
La Loi sur l'eau saine de l'Ontario exige des municipalités et des intervenants qu'ils collaborent à l'élaboration de plans de protection des sources dans les bassins versants. Ces plans sont axés sur la protection des sources d'eau qui alimentent les réseaux municipaux d'eau potable.

Les plans de protection des sources ont été préparés par les comités locaux de protection des sources.

Visitez le site [Web](#) pour en savoir plus.

La province de l'Ontario a produit un guide pour les conseillers municipaux afin de comprendre leurs responsabilités en vertu de la Loi sur l'assainissement de l'eau.

[Accédez au guide d'information ici!](#)

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Région de protection des sources Raisin-Nation Sud

La zone de protection des sources de la région de la Raisin combinée à la zone de protection des sources de la Nation Sud forment la région de protection des sources Raisin-Nation Sud.

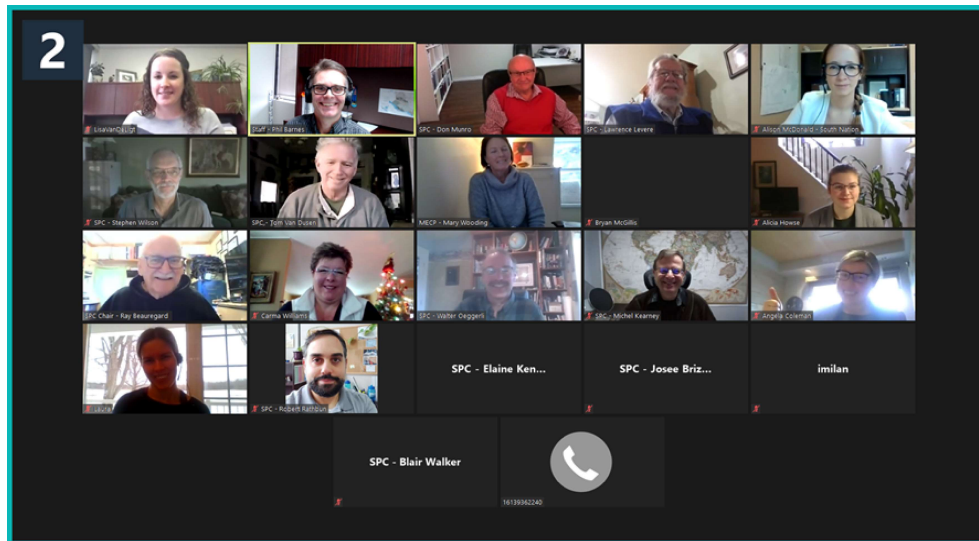
La zone de protection des sources de la région de la Raisin comprend la compétence de l'Office de protection de la nature de la région de Raisin, et des zones supplémentaires au sud-ouest (ruisseau Hoasic) et au nord (rivière Rigaud). La superficie totale de la zone de protection des sources de la région de la Raisin est d'environ 2 000 km².

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Conservation de la Nation Sud (CNS) avec l'ajout de la ville de Prescott et d'une zone supplémentaire au nord-est (Champlain et Hawkesbury). La superficie totale de la zone de protection des sources de la Nation Sud est d'environ 5 000 km².

La région de protection des sources de la Nation Sud comprend 26 réseaux municipaux d'eau potable (13 eaux souterraines et 13 eaux de surface).

[Cliquez ici pour](#) consulter une carte régionale des réseaux municipaux d'eau potable et pour obtenir plus d'information sur chaque réseau.



Comité de protection des sources Raisin-Nation Sud

Des comités de protection des sources ont été créés pour chacune des 19 régions de protection des sources en Ontario. Les comités sont composés de représentants des municipalités, du public et du secteur nommés par l'Office de protection des sources. Les présidents des comités ont été nommés par le ministre de l'Environnement et du Changement climatique.

Ces comités sont chargés de préparer le mandat, les rapports d'évaluation et les plans de protection des sources afin de répondre aux exigences loi sur l'eau saine. Les comités sont tenus de respecter la Loi sur l'eau saine, ses règlements, les règles du directeur, les documents d'orientation créés par la province et de travailler en collaboration avec les municipalités et les autorités de protection des sources.

Le Comité de protection des sources de la Nation Sud est composé de 15 membres et d'un président. Les 15 membres du comité représentent les intérêts des

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chaque autorité de protection des sources, Ministère de l'Environnement, de la Protection de la nature et des Parcs ; et le bureau de santé de l'est de l'Ontario.

Le Comité de protection des sources de la Nation Sud s'est réuni trois fois l'an dernier. Pour en savoir plus sur le Comité de protection des sources et pour consulter les procès-verbaux des réunions,

[cliquez ici.](#)



Éducation et sensibilisation à la protection des sources d'eau

Nous voulons tous une eau propre, salubre et durable pour notre avenir.

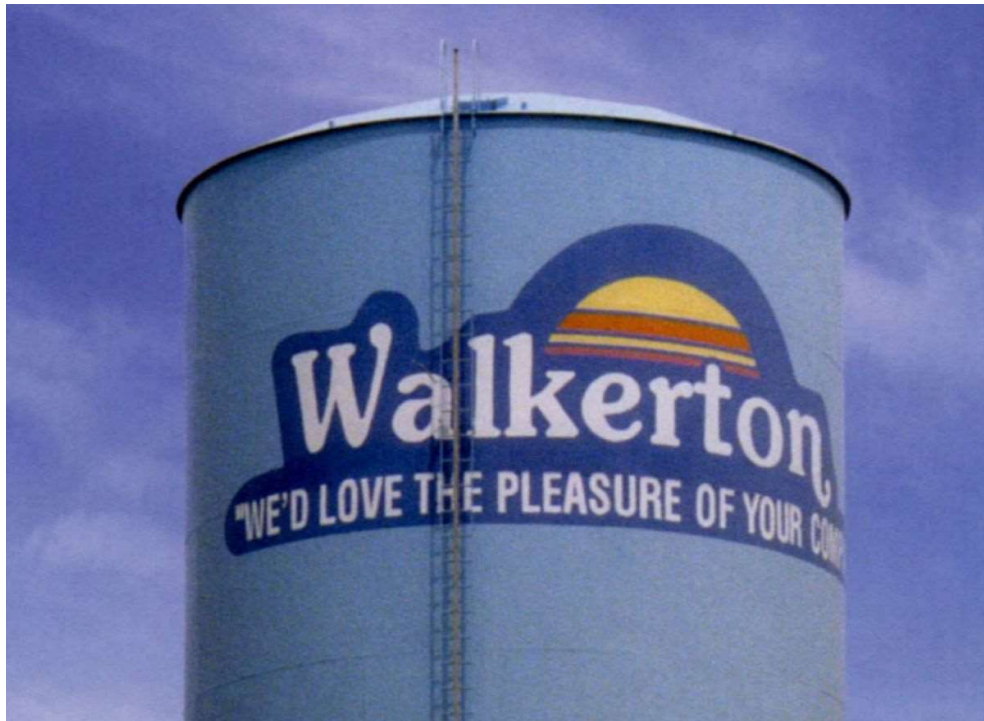
Aider les gens à comprendre l'importance de protéger nos sources d'eau potable est la première étape !

Les offices de protection de la nature de la Nation Sud et de la région de la Raisin offrent des programmes d'éducation et de sensibilisation dans toute la région, font des promotions conjointes dans les médias sociaux avec Conservation Ontario, et rencontrent les conseils municipaux pour maintenir la sensibilisation à la protection des sources d'eau.

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Avez-vous vu ces panneaux dans votre municipalité et vous êtes-vous demandé de quoi il s'agissait ? L'initiative des panneaux de signalisation de la zone de protection de l'eau potable identifie les routes de la zone de protection des sources d'eau de la Nation Sud où les sources d'eau potable municipales sont les plus vulnérables à la contamination.

Visitez notre site Web [ici](#) pour trouver plusieurs ressources et médias imprimés destinées aux propriétaires fonciers, notamment des fiches d'information, des brochures et des cartes postales.



Souvenons-nous de Walkerton, 21 ans plus tard

En mai 2000, un puits municipal de Walkerton, en Ontario, a été contaminé par une bactérie mortelle, entraînant la mort de sept personnes et affectant gravement des milliers d'autres. Aujourd'hui, alors que nous continuons à nous adapter aux conditions pandémiques actuelles, nous nous rappelons ce qui s'est passé à Walkerton il y a 21 ans, et nous renouvelons notre engagement à protéger nos sources d'eau potable.

Les municipalités, les autorités chargées de la protection des sources et d'autres

Pour en savoir plus sur la [tragédie de Walkerton](#), cliquez [ici](#).



Protection des sources de la région Raisin-Nation Sud : Rapports annuels

En vertu de la Loi sur l'eau saine, des rapports annuels sont préparés par le responsable de la gestion des risques au nom de chaque municipalité et sont présentés au comité. Le plan de protection des sources de la région Raisin-Nation Sud exige que les responsables de la gestion des risques, les municipalités et les ministères présentent un rapport annuel à l'Office de protection des sources.

Voici les points saillants de l'année dernière :

Faits saillants du Bureau de gestion des risques (région de Raisin-Nation Sud)	Fin 2019	Nouveau en 2020	Total
Plans de gestion des risques établis	82	1	83
Parcelles gérées par un plan de gestion des risques	221	1	222
Activités gérées par un plan de gestion des risques	306	3	309
Inspections septiques sécuritaires	250	1	251
Examen des demandes en vertu de la <i>Loi sur l'aménagement du territoire</i> ou de la <i>Loi sur le code du bâtiment</i>	155	24	179



Toujours tenir compte de la protection des sources d'eau lors de l'examen des demandes d'aménagement

L'article 59 de la Loi sur l'eau saine (utilisations limitées des terres) permet un processus visant à détecter ou à signaler les activités avant qu'elles ne soient établies afin qu'elles ne deviennent pas une menace pour l'eau potable. Le processus est déclenché par les demandes d'aménagement en vertu de la Loi sur l'aménagement du territoire et les demandes de permis de construire.

Les utilisations limitées des terres s'appliquent aux zones où des menaces importantes pour l'eau potable sont possibles et où les politiques de l'article 57 (activités interdites) ou de l'article 58 (activités réglementées) s'appliquent.

Les responsables de la gestion des risques travaillent avec les autorités chargées de la planification et de la construction pour s'assurer qu'elles connaissent les zones prescrites dans le plan de protection des sources comme étant soumises à l'article 59 et les activités auxquelles elles se rapportent.

8/18/2021

Raisin-South Nation Source Protection Committee Annual Update

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Our mailing address is:

Raisin Region Conservation Authority
County Road 2, P.O. Box 429
South Glengarry, On K6H 5T2
Canada

Notre adresse postale est :

Office de protection de la nature de la région Raisin
Route de comté 2, C.P. 429
Glengarry Sud, On K6H 5T2
Canada

MPP Randy Pettapiece
randy.pettapiece@pc.ola.org

August 16, 2021

RE: Relationship with MPAC

Dear MPP Pettapiece,

At the regular meeting of Council held on August 5, 2021, Perth County Council passed the following resolution brought forward from a Notice of Motion:

WHEREAS municipal governments in Ontario are obliged to receive property assessment services from the Municipal Property Assessment Corporation (MPAC); and

WHEREAS municipalities are funding the mandatory services of MPAC; and

WHEREAS the work of MPAC directly affects the equitability of property taxation in Perth County and in Ontario; and

WHEREAS the Government of Ontario has announced in its 2021 Ontario Budget, that it will be undertaking a Property Assessment and Taxation Review which will address MPAC's performance and will seek the input from all benefiting municipalities; and

WHEREAS the Council of the County of Perth endorses Ontario's expressed intention for a review, including a review of the accuracy and stability of property assessments and the strengthening of governance and accountability of MPAC; and

WHEREAS the County of Perth acknowledges that an evaluation of MPAC is warranted given there have been a number of performance and level of service concerns that need to be addressed;

NOW THEREFORE, be it resolved by the Council of the County of Perth:

THAT Staff be given direction to research and prepare a report in anticipation of the Province's request for input that achieves the following:

- Reviews the details of the financial performance (e.g., balance sheet and income statement reviews) of the Municipal Property Assessment Corporation to support our understanding of the viability of the Corporation and its alignment of spend and assets for their defined mission, mandate and objectives;

Corporation of the County of Perth 1 Huron Street, Stratford, Ontario, Canada N5A 5S4
t. 519-271-0531 f. 519-271-6265 www.perthcounty.ca

- Reviews level of service parameters and performance levels (e.g., key indicators related to accuracy, timeliness, process efficiencies, consistency of outcomes, land use classification revisions, and missed properties) of MPAC efforts in Perth County, collaborating with the lower tier municipalities of Perth County to support with data collection; and
- Clarifies the current governance model and accountabilities of MPAC's Board of Directors, including accountabilities for their performance and means of complaint submission and resolution.

AND THAT, a letter, including a copy of this resolution, be distributed to MPP Randy Pettapiece, Perth-Wellington; Hon. Steve Clark, the Minister of Municipal Affairs and Housing; and all municipalities in Ontario.

We thank you for your advocacy on this matter and look forward to supportive responses from our municipal counterparts and officials from all levels of government.

Sincerely,



Jim Aitcheson, Warden
The Corporation of the County of Perth

CC:

Hon. Steve Clark – Steve.Clark@pc.ola.org
Ontario Municipalities



United Counties of
Stormont, Dundas & Glengarry

RESOLUTION

MOVED BY Councillor MacDonald RESOLUTION NO 2021-195
SECONDED BY Councillor Gardner DATE August 23, 2021

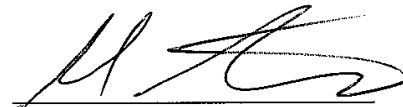
That the Council of the United Counties of Stormont, Dundas and Glengarry supports the County of Perth's resolution regarding the Municipal Property Assessment Corporation ; and

That a copy of the resolution of support be distributed to MPP Jim McDonell, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, and SDG municipalities.

☒ CARRIED

☐ DEFEATED

☐ DEFERRED


WARDEN

Recorded Vote:

Warden Armstrong	_____
Councillor Byvelds	_____
Councillor Fraser	_____
Councillor Gardner	_____
Alternate Jaworski	_____
Councillor Landry	_____
Councillor MacDonald	_____
Councillor McGillis	_____
Councillor Smith	_____
Councillor Warden	_____
Councillor Wert	_____
Councillor Williams	_____

THE CORPORATION OF THE TOWNSHIP OF NORTH STORMONT

BY-LAW NO. 88-2021

BEING a by-law to adopt, confirm and ratify matters dealt with by resolution.

WHEREAS the Municipal Act, 2001, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the Municipal Act, 2001, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS in many cases, action that is taken or authorized to be taken by the Township of North Stormont does not lend itself to the passage of an individual by-law.

NOW THEREFORE Council of the Township of the North Stormont hereby enacts as follows:

1. That the actions of Council, at its regular meeting held on September 7, 2021 in respect of which recommendations, each motion and resolution passed and taken by the Township of North Stormont is, except where the prior approval of the Local Planning Appeal Tribunal or other authority is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein and thereby required for the exercise of any powers therein by the Township of North Stormont.
3. That the Mayor and the appropriate officers of the Township of North Stormont are hereby authorized and directed to do all things necessary to give effect to the actions of the Council of the Township of North Stormont, to obtain approvals where required and except as otherwise provided, the Mayor and Clerk are hereby directed to execute all documents necessary on behalf of the Corporation of the Township of North Stormont and to affix the corporate seal.

READ A FIRST, SECOND AND THIRD TIME, passed, signed and sealed in open Council this 7th day of September 2021.

Jim Wert, Mayor

Craig Calder, CAO/Clerk

SEAL