

TOWNSHIP OF ELDON

COMPREHENSIVE ZONING BY-LAW 94-14



OFFICE CONSOLIDATION

Prepared by: County of Victoria
Planning Department

DEVELOPMENT SERVICES - PLANNING DIVISION
CITY OF KAWARTHA LAKES

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This is an Office Consolidation of By-law 94-14, as amended, of the Corporation of the Township of Eldon. This document has been prepared for the purposes of convenience only. Accordingly, for accurate reference recourse should always be had to the original By-law and the individual amendments. Please consult the By-law History for a list of amendments and their effects.

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THE CORPORATION OF THE

TOWNSHIP OF ELDON

BY-LAW NUMBER: 94-14

A ZONING BY-LAW

Being a By-law, pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended, to regulate the use of land, the location and use of buildings or structures, the type of construction and the height, bulk, size, floor area, spacing, character and minimum opening elevations of buildings or structures and the provision of parking and loading area facilities in the Township of Eldon.

WHEREAS it is considered desirable to control the use of land, the erection and use of buildings or structures in defined areas of the TOWNSHIP OF ELDON in accordance with Section 34 of the Planning Act, R.S.O. 1990, as amended, and in conformity with the Official Plan of the County of Victoria;

NOW THEREFORE the Council of the Corporation of the TOWNSHIP OF ELDON enacts the following By-law:

PART 1 - TITLE AND AREA RESTRICTED**1.1 TITLE**

1.1.1 This By-law shall be known as the "Zoning By-law" of the Township of Eldon.

1.2 AREA RESTRICTED

1.2.1 Schedules A, B, C, D, E, F and G, attached hereto, with the notations, zone boundaries, symbols and references shown thereon define the area to which this By-law applies and are hereby declared to be part of this By-law. The lands affected by this By-law may hereinafter be referred to as the "area zoned".

1.2.2 No building or structure shall hereafter be erected or altered, no lot shall hereafter be created, and the use of any building, structure or lot shall not hereafter be changed in whole or in part except in conformity with the provisions of this By-law.

1.2.3 Schedules 'H' and 'I', attached hereto, provide the forms to calculate Minimum Distance Separations for Non-Agricultural Uses and for Livestock Facilities pursuant to subsection 3.18.1 of this By-law and are hereby declared to be part of this By-law.

1.2.4 Appendices 'A' and 'B' to this By-law are included for information purposes only and do not form a part of this By-law. Appendix 'A' provides Imperial Unit Conversions for many of the commonly used metric units of measurement. Appendix 'B' illustrates the regulated Construction and Fill Area of the Lake Simcoe Region Conservation Authority. Any proposed

construction in this area, may require approvals under the Conservation Authorities Act.

PART 2 - DEFINITIONS

In this By-law, unless the context otherwise requires, the following terms when used shall have the meanings assigned to them as follows:

ABATTOIR means a building or part of a building where livestock are slaughtered for commercial consumption. A refrigerated offal room, meat cutting, curing or smoking operation and a retail/wholesale outlet are considered to be normal accessory uses.

ACCESSORY BUILDING means a detached building or structure on the same lot as the main building devoted exclusively to an accessory use. For the purpose of this By-law swimming pools shall be considered an accessory building or structure.

ACCESSORY USE means a use subordinate and naturally, customarily and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.

AGRICULTURAL PRODUCE STORAGE FACILITY means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce to the general public.

AGRICULTURAL USE means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture.

AGRICULTURALLY RELATED COMMERCIAL USE means a use directly related to agriculture and requiring proximity to farm

operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets.

AIRPORT means any area of land, water (including the frozen surface thereof) or other supporting surface used or intended to be used, either in whole or in part, for the arrival and departure, movement, servicing, parking or storing of aircraft and the receiving and discharging of passengers or cargo including any buildings, installations and equipment in connection therewith.

AIRSTRIP means any land used for the purpose of landing, taxiing or taking off of private aircraft.

ALTER when used in reference to a building, structure or part thereof, means:

- (a) to change any one or more of the internal or external dimensions of such building or structure; or
- (b) to change the use of such building or structure; or
- (c) to change the number of uses or dwelling units contained therein.

ALTER when used in reference to a lot means:

- (a) to change any dimension or area, relating to such lot, which is required within this By-law including lot coverage, setbacks, parking and landscaping; or
- (b) to change the use of such lots; or
- (c) to change the number of uses located thereon.

AMUSEMENT MACHINE means any mechanical, electronic or computerized machine or device or any combination thereof intended for use as a game, entertainment or amusement which is offered for use to the public by any person for profit or gain

and shall include a pinball machine, television game, shooting gallery, video game or other similar device but shall not include billiard or pool tables, games of chance as defined by the Criminal Code or any machine used only for the purpose of vending merchandise or services or playing recorded music.

ANIMAL HOSPITAL means a building or part thereof in which facilities are provided for the treatment or prevention of disease and injury to animals where shelter may be provided within the building during the period of treatment.

AQUACULTURE means the breeding of aquatic forms of life in natural or artificial bodies of water for the purpose of wholesale distribution or retail sale on-site.

ARENA, ICE means a building which houses an ice surface used for recreational activities and may include seating for spectators, a recreational hall and concession booths.

ARENA, LIVESTOCK means a building used for the showing of livestock and horses and may include seating for spectators and concession booths.

ASPHALT PLANT, PORTABLE means a non-permanent facility whose construction permits dismantling and relocation and which is designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material.

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

ATTIC means the portion of a building situated wholly or in part within the roof, but shall not include a storey or a

half-storey.

AUCTION BARN means a building, or part of a building, in which the principal facilities provided are for the storage, display and subsequent sale of goods and articles, including antiques, by way of auction.

AUCTION CENTRE means premises where livestock, farm produce and miscellaneous goods are offered for auction and may also include a flea market.

BASEMENT means that portion of a building between two floor levels which is partly below grade but which has more than one-half of its height from finished floor to underside of the floor joists of the storey next above, above the average finished grade.

BED AND BREAKFAST ESTABLISHMENT means a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are a maximum of three guest rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

BEEKEEPING means the keeping of bees for the production of honeycomb and honeycomb products pursuant to the Bees Act, R.S.O. 1990, as amended.

BLOCK means the smallest unit of land the boundaries of which consists entirely of public streets, shorelines, railroads, public parks, or any combination thereof.

BOARDING, LODGING OR ROOMING HOUSE means a dwelling licenced pursuant to a by-law passed under the Municipal Act, R.S.O. 1990, as amended, in which the proprietor supplies either room or room and board for monetary gain, to more than two but not

more than six persons exclusive of the lessee owner thereof or members of the household and which is not open to the general public and is not defined or licenced as a group home under any statutes or regulations of the Provincial or Federal governments.

BOAT HOUSE means an accessory building or structure which is designed or used for the sheltering or storage of a boat or other forms of water transportation and accessory thereof but excluding human habitation and not including any other use in conjunction with human habitation.

BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk or platform, vessel or vehicle used for any of the said purposes shall be deemed a "building". When used herein as a reference to a use of a "building", it may also be interpreted to be the use of a part of a "building".

BUILDING, MAIN, means the building in which is carried on the principal purpose for which the lot is used.

BUILDING SUPPLY OUTLET means a retail or wholesale store for the sale of building materials, products or accessories and which may include a lumber yard and ancillary outside storage of materials.

BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE means a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and shall include the administrative offices of a non-profit or

charitable organization.

BY-LAW ENFORCEMENT OFFICER means an official or an employee of the Municipality from time to time charged by the Corporation with the duty of administering and enforcing the provisions of the Zoning By-law.

CABIN, PRIVATE means a building for sleeping, containing no cooking or sanitary facilities and which is an accessory use to a dwelling unit.

CAMP OR DAY CAMP means one or more buildings used for sleeping accommodation, the preparation and serving of food and/or sport or recreation facilities, operated under single ownership and intended for recreational purposes on a temporary or seasonal basis and may include one dwelling unit for a caretaker or administrator but shall not include a trailer camp as defined herein.

CAMPING LOT means a parcel of land within a trailer camp or trailer park and is for the exclusive use of the lessee or tenant of such area.

CARPORT means an accessory residential structure used to store motor vehicles and is generally attached to the dwelling consisting of a roof supported by pillars and may have one or more walls but is not enclosed on all four sides.

CELLAR means that portion of a building between two floor levels which is partly or entirely underground but has more than one-half of its height, from finished floor to underside of floor joists of the storey next above, below average finished grade.

CLUB, CHARITABLE OR SERVICE means a non-profit, non-commercial

organization or association of persons, whether incorporated or not, united with some common interest in undertaking or supporting social, cultural, recreational and welfare programs for the common betterment of the community and shall also mean, where the context requires, a premises owned or occupied by the members of such an association within which the activities of the members, or supported by the organization, are conducted.

CLUB, PRIVATE means a commercial undertaking or profit oriented enterprise which provides social, recreational or personal services for groups or individuals with some common interest, and shall also mean a non-profit organization or association of persons united by a common interest in an activity which is of a personal interest nature rather than being directly oriented to the provision or support of a community service, e.g. health club, gun club, archery club.

COMMUNITY CENTRE means a public building intended for social and recreational activities of the residents.

CONCRETE MIXING PLANT means an industrial facility for the mixing of raw materials necessary for the production of concrete.

CONSERVATION USE means a use which preserves, protects or improves any feature of the natural environment through a program of maintenance and management administered by a Conservation Authority, public authority, private groups or individuals.

CONTRACTOR'S YARD means a lot, building or structure where equipment and materials of a contractor are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined herein.

CORPORATION means the Corporation of the TOWNSHIP OF ELDON.

COTTAGE means a building designed for human habitation on a seasonal basis.

COTTAGE ESTABLISHMENT means a tourist establishment containing two or more cottages designed for human habitation which may or may not be equipped with a kitchen.

COUNCIL means the Municipal "Council" of the Corporation of the TOWNSHIP OF ELDON.

COUNTY means the Corporation of the County of Victoria.

CUSTOM WORKSHOP means a building or part thereof used by a person or persons for the manufacture, in small quantities, of made to measure clothes or articles and shall include upholstering, repair, refinishing of antiques and other art objects.

DAYLIGHTING TRIANGLE means that part of a corner lot adjacent to the intersection of the exterior lot lines measured from such intersection the distance required by this By-law along each such street line and joining such points with a straight line. The triangular shaped land between the intersecting lines and the straight line joining the points the required distance along the street lines shall be known as the "daylighting triangle".

DAYCARE CENTRE, DAY NURSERY OR NURSERY SCHOOL means a "day nursery" as defined by the Day Nurseries Act, R.S.O. 1990, as amended.

DOCK means a structure which is designed or used for the mooring of a boat or other form of water transportation which stretches along the side of or projects into a body of water such as a

river or lake.

DRUGLESS PRACTITIONER means a person who practices the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by a similar method within the meaning of the Drugless Practitioners Act, R.S.O. 1990, as amended.

DRY CLEANING DEPOT means a building or portion thereof used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process.

DRY CLEANING ESTABLISHMENT means a building, or portion thereof where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on where only nonflammable solvents are or can be used.

DWELLING means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, including boarding, lodging or rooming houses but not including motels, hotels, tents, truck campers, tourist trailers, or mobile camper trailers.

DWELLING UNIT means one or more habitable rooms designed or intended for use by one household exclusively as an independent and separate unit in which separate kitchen and sanitary facilities are provided for the exclusive use of the household with a private entrance from outside the building or from a common hallway or stairway inside the building.

DWELLING, APARTMENT, means a building containing three or more dwelling units which have a common entrance from the street

level and the occupants of which have the right to use in common, halls and/or stairs and/or elevators and yards.

DWELLING, BACHELOR APARTMENT, means a dwelling unit in an apartment building or converted dwelling designated for occupancy by one or two persons and consisting of a bed-living room, a kitchen or kitchenette and a bathroom.

DWELLING, CONVERTED, means a dwelling on a lot existing at the time of the passing of this By-law which because of size or design can be converted by partition and the addition of sanitary facilities into one additional dwelling unit.

DWELLING, DUPLEX, means a building that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, FOURPLEX, means a building that consists of two duplex dwellings attached to each other vertically.

DWELLING, MAISONETTE, means a building that is divided into three or more dwelling units, each of which has independent entrances, one to a common corridor and the other directly to the outside yard area adjacent to the said dwelling unit.

DWELLING, SEMI-DETACHED, means a building that is divided vertically into two dwelling units each of which has an independent entrance either directly or through a common vestibule.

DWELLING, SINGLE DETACHED, means a completely detached dwelling unit, but shall not include a mobile home.

DWELLING, TOWN HOUSE, means a building that is divided vertically into three or more dwelling units, each of which has

independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

DWELLING, TRIPLEX, means a building that is divided horizontally into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

DWELLING, VACATION, means a single detached dwelling used for recreation purposes that is not used for continuous habitation or as a permanent residence.

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, draining or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED BUILDING LINE means the average distance from the street line to existing main buildings, located on the same side of the street and within 150 metres of a lot, where a minimum of three buildings have been built prior to the date of passing of this By-law.

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

FACTORY OUTLET means a building or part of a building where the products manufactured by an industry, located on the same lot, are kept for wholesale or retail sale, and which does not exceed fifteen percent of the gross floor area of the building within which the industry is located.

FARM PRODUCE OUTLET means a use accessory to an agricultural use

which consists of the retail sale of agricultural products, including meat or fish, produced by an agricultural operation conducted on the same lot, but exclusive of an abattoir.

FAST FOOD FACILITY, MOBILE, means a trailer or vehicle which has been modified, in accordance with the requirements of the Haliburton, Kawartha, Pine Ridge District Health Unit, for the purposes of the preparation and sale of fast foods.

FERTILIZER MIXING PLANT means a building or a complex of buildings where chemical compounds are mixed, treated or otherwise processed for fertilizer, and may be packaged and warehoused. Without limiting the generality of the foregoing, a mixing plant may include ancillary activities such as administrative or business offices and an outlet for the sale of the processed product, seeds, agricultural chemicals and other similar agricultural supplies to the general public.

FINISHED GRADE, AVERAGE means with reference to a building or structure, the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment. When used with reference to a street, road or highway means the elevation of the street, road or highway established by the Corporation or other road authority.

FITNESS CENTRE means a building or part thereof which is used for the purpose of a gymnasium, massage room, steam room, sunroom or swimming pool.

FLOOR AREA means the total floor area contained within the outside walls excluding in the case of a dwelling, any private garage, carport, porch, verandah, deck, unfinished attic, basement, cellar or other room(s) not habitable at all seasons

of the year.

FLOOR AREA, GROSS, means the aggregate of the horizontal areas of each floor whether any such floor is above or below grade, measured between the interior faces of the exterior walls of the building or structure at the level of each floor. For the purposes of residential dwelling units, "Gross Floor Area" shall be the total floor area of the dwelling unit exclusive of any private garage, carport, porch, verandah or deck.

FLOOR AREA, GROSS, LEASABLE, means the total floor area of a commercial or industrial building or structure exclusive of any internal common areas and/or common mechanical or service rooms.

FORESTRY means the management, development and cultivation of timber resources to ensure the continuous production of wood, provision of proper environmental conditions for wildlife, protection and production of ground water resources and protection against floods and erosion and preservation of the recreation resource.

GARAGE, PRIVATE, means an enclosed structure for the storage of one or more motor vehicles and/or household articles incidental to the residential occupancy other than a home occupation as defined herein.

GARAGE, PUBLIC, means a building or place other than a private garage where motor vehicles are kept or stored for remuneration or repair. This definition shall not include a motor vehicle body repair shop, motor vehicle washing establishment, motor vehicle sales establishment or service station.

GARDEN AND NURSERY SUPPLY OUTLET means a building, structure or lot for the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or other vegetation which is

sold to the public at retail and shall also include the sale or rental of such goods, products or equipment normally associated with gardening or landscaping.

GATEHOUSE means an accessory building not exceeding 10 square metres in area used for controlling access to a lot.

GOLF COURSE means an area of land used to play the game of golf and may include as accessory uses a driving range, a miniature golf course and a clubhouse.

GROUP HOME means a single housekeeping unit in a residential dwelling in which three to ten residents, excluding staff of the receiving household, live under responsible supervision and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being. A group home shall be licenced or approved for funding by the Provincial Government.

GUEST ROOM means a room or suite of rooms which contain no facilities for cooking, and which are used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

HABITABLE ROOM means a room in a dwelling used or intended to be used primarily for human occupancy and shall include a room designed for living, sleeping, eating or preparing food, including a den, library, sewing room or enclosed sunroom.

HEALTH CENTRE means a building or portion thereof where health professionals specified by the Regulated Health Professions Act, S.O. 1991, as amended, provide diagnosis and treatment to the general public without overnight accommodation and includes reception areas, offices, coffee shop, offices for consultation, laboratory, X-ray, minor operating rooms, and a pharmaceutical

dispensary providing that all such uses have access only from the interior of the building.

HEIGHT means the vertical distance of a main building or structure between the average finished grade, and

- (a) the highest point of the roof surface, or the parapet, whichever is the greater, of a flat roof; or
- (b) the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. In calculating the "height" of a building or structure, roof constructions such as bulkheads, penthouses, and similar construction enclosing equipment or stairs and which are less than six metres in height and do not occupy more than 30 percent of the area of the roof upon which they are located, and any ornamental roof construction such as towers, steeples or chimneys shall be disregarded.

HEREAFTER means after the date of the passing of any applicable provision of this By-law.

HEREIN means in this By-law, and shall not be limited to any particular section of this By-law.

HIGH WATER MARK means the highest elevation of the water surface of a body of water or watercourse including seasonal flooding as evidenced by changes in shoreline vegetation or residual water marks left on buildings, structures or vegetation resulting from flood events.

HIGH WATER MARK, NORMAL means the usual elevation of the water surface of a body of water or a watercourse excluding seasonal flooding.

HOME FOR THE AGED means a "home" within the meaning of the

Charitable Homes for the Aged, Homes for the Aged and Rest Homes Acts, R.S.O. 1990, as amended, which is operated by the County or Municipality.

HOME IMPROVEMENT SUPPLY OUTLET means a retail or wholesale store within a wholly enclosed building for the sale of home improvement products and accessories.

HOME OCCUPATION means an accessory use of part of a dwelling or part of any accessory building for gainful employment secondary to and compatible with a domestic household and which is carried on by members of the household residing in the dwelling unit.

HOTEL means a tourist establishment containing therein guest rooms served by a common entrance, generally from the street level. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting rooms and conference and recreational facilities.

HOUSEHOLD means an individual person or a group of two or more persons who reside together as a single, independent and separate housekeeping unit and may include up to two roomers or boarders.

INDUSTRY, DRY, means an industry which does not require the consumption or use of water or the discharge of industrial liquid wastes, wash or cooling water or process waste as part of the industrial process and which requires the disposal of only the domestic wastes of employees.

INDUSTRY, HEAVY, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or

particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities.

INDUSTRY, LIGHT, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls.

INDUSTRY, MEDIUM, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities.

INFRASTRUCTURE means physical structures which form the foundation for development and include sewage and water lines and pumping stations, electric power transmission lines and transformers, communication transmission lines and relay towers, transit or transportation corridors and appurtenant facilities, oil and gas pipelines and appurtenant facilities and recycling drop off or collection sites. Infrastructure does not include any related administrative facility, building or structure nor does it include land, buildings or structures for treatment of water, sewage or wastes, production of electric power, production of communication transmissions, or the production of oil or gas.

INSTITUTIONAL USE means facilities serving the community including schools, churches, hospitals, nursing homes and

recreation centres.

ISLAND means a piece of land completely surrounded by water having no access to the mainland via a causeway, bridge or any other physical connection capable of transferring motor vehicles.

KENNEL means a place, whether enclosed or not, where dogs are kept for purposes of breeding, boarding or commercial purposes.

LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

LANDSCAPED OPEN SPACE means the open, unobstructed space at grade on a lot accessible by walking, from the street on which the lot is located, and used exclusively for landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, any curb, retaining wall, parking space or any open space contained within any building or structure.

LANE means a public route for motor vehicles which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

LAUNDRY means a building or part thereof in which the business of a laundry is conducted by means of one or more washers, and drying, ironing, finishing and incidental equipment and in which only water and detergents or soaps are or can be used and includes a coin-operated laundry and dry cleaning depot.

LAWN AND GARDEN EQUIPMENT SALES AND SERVICE ESTABLISHMENT means a building and/or lot used for the display, sale and/or rental of lawn and garden tractors, mowers and equipment and/or the servicing, repair, cleaning and greasing of these products and the sale of accessory and related parts and products including lubrication oils but not including motor fuels.

LIVESTOCK FACILITIES means barns, buildings or structures where animals are housed and shall also include beef feed lots and associated manure storage facilities.

LIVESTOCK HOUSING CAPACITY means the total number of livestock that can be accommodated in a livestock facility at any one time.

LIVESTOCK UNIT means the value or equivalent value for various types of animals based upon manure production and production cycles.

LOADING SPACE means an unencumbered area of land which is provided and maintained on the same lot upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle.

LODGE means a tourist establishment providing temporary accommodation to people engaged in hunting, fishing, recreational activities and the vacationing public by providing meals and sleeping accommodation containing guest rooms or cottages, but shall not include any establishment otherwise defined or classified herein.

LOT means a parcel or tract of land, the title of which is legally conveyable.

LOT, CORNER, means a lot situated at the intersection of two streets or two parts of the same street of which the two adjacent sides upon the street line or street lines includes an angle of not more than 135 degrees or where such adjacent sides are curved, the angle included by the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines drawn through the extremities of the interior lot lines.

LOT, INTERIOR, means a lot other than a corner or a through lot.

LOT AREA means the total horizontal area within the lot lines of a lot excluding the horizontal area of such lot below the normal or maintained summer water level of any abutting body of water.

LOT COVERAGE means that percentage of the lot area covered by all buildings or structures above ground level and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level.

LOT DEPTH means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. When there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

LOT FRONTAGE means the horizontal distance, abutting an improved public street or in an LSR Zone, a street or private right of way, between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where

the side lot lines are not parallel, the "lot frontage" is to be measured by a line equal to the minimum front yard measured back from and parallel to the chord of the "lot frontage" and for the purpose of this paragraph, the chord of the "lot frontage" is a straight line joining the two points where the side lot lines intersect the front lot line, and a sight triangle shall be considered part of the lot for the purposes of calculating the "lot frontage". In the case of a corner lot the shorter of the frontages shall be deemed the "lot frontage".

LOT, ISLAND, means a lot fronting on a body of water being part of or encompassing the whole island, whether or not occupied by a building or structure.

LOT LINE means any boundary of a lot.

LOT LINE, EXTERIOR, means a side lot line which abuts the street on a corner lot.

LOT LINE, FRONT, means, except in the case of a corner lot, island lot, or through lot, the line dividing the lot from the street. In the case of a corner lot, the shorter boundary line abutting the street shall be deemed the "front lot line". Where each of such lot lines are of equal length, the "front lot line" shall be deemed to be the "front lot line" as established in the block by prior construction. In the case of a through lot, the "front lot line" shall be deemed to be the "front lot line" as established in the block by prior construction. In the case of an island lot, the shore lot line shall be deemed to be the front lot line.

LOT LINE, REAR, means the lot line farthest from or opposite to the front lot line. In the case of a through lot, the "rear lot line" shall mean the "rear lot line" as established in the block

by prior construction.

LOT LINE, SHORE, means any lot line or portion thereof which abuts a lake or river.

LOT LINE, SIDE, means a lot line other than a front or rear lot line.

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

MAINTAINED SUMMER WATER LEVEL means the average summer elevation of the water surface of a body of water or a watercourse, based upon the Geodetic Survey of Canada, as established by the Lake Simcoe Region Conservation Authority, the Kawartha Region Conservation Authority or the Ministry of Natural Resources.

MARINA means a building, structure or place containing docking facilities and located on a navigable waterway where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

MARINA, DRY-LAND, means a building, structure, or place where boats and boat accessories are stored, serviced, repaired or kept for sale.

MINIMUM DISTANCE SEPARATION means:

- i) for siting new residential, institutional, commercial, industrial or recreational uses:
 - the distance between the nearest part of a livestock facility and a lot line for a lot having an area of 1 hectare or less; or

- the distance between the nearest part of a livestock facility and the main wall of the dwelling unit on a separate lot larger than 1 hectare; or
 - to the zone boundary of land zoned to permit a specified non-agricultural use.
- ii) for siting new or altered livestock facilities:
- the distance between the nearest part of a livestock facility and the main wall of the dwelling unit on a separate lot; or
 - to the boundary of an area zoned to permit a specified non-agricultural use.

MOBILE HOME means a detached dwelling unit designed for transportation, after fabrication, on streets on its own wheels or on a flatbed or other trailer, arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor and incidental unpacking and assembling operations) located on wheels, jacks or permanent foundations, and which may be connected to utilities and sanitary services, but shall not include a modular home.

MOBILE HOME PARK means an establishment comprising land or premises under single ownership designed and intended for residential use where residence is exclusively for two or more mobile or modular homes, but does not include a trailer camp or trailer park.

MOBILE HOME SITE means a parcel of land within a mobile home park used to accommodate one mobile home or modular home and for the exclusive use of the lessee or tenant of such area.

MODULAR HOME means a single detached dwelling which has been fabricated in two or more sections which cannot function

independently from one another and are designed for transportation on streets on a flatbed or other trailer. Upon arrival at the site, the sections are placed on a foundation and are assembled to form one complete dwelling unit and generally are not intended to be dismantled and relocated.

MOTEL means a tourist establishment containing guest rooms, each of which has a separate entrance from outside the building. Accessory uses may include accommodation for permanent staff, a beverage room, dining room, meeting room, and recreational facilities for the guests.

MOTOR VEHICLE means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include railways or other "motor vehicles" running only upon rails, a motorized snow vehicle, all terrain vehicles (ATV's), farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended.

MOTOR VEHICLE, COMMERCIAL, means any "commercial motor vehicle" within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended.

MOTOR VEHICLE, UNLICENCED, means a motor vehicle which is unregistered for the current year under the Highway Traffic Act, R.S.O. 1990, as amended.

MOTOR VEHICLE BODY REPAIR SHOP means a building or structure used for the painting or repairing of motor vehicle bodies, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

MOTOR VEHICLE FUEL BAR means one or more pump islands, each consisting of one or more motor fuel pumps, and a shelter having a floor area of not more than 12 square metres which shall not be used for sale of any products other than required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.

MOTOR VEHICLE SALES ESTABLISHMENT means a building or part thereof and/or lot used for the display and sale of new and/or used motor vehicles, motor vehicle accessories and related products and the leasing or renting of motor vehicles, but shall not include any other motor vehicle use defined in this By-law.

MOTOR VEHICLE SERVICE STATION means a building or part thereof used for the retail sale of lubrication oils, motor fuels, motor vehicle accessories and may include the servicing and minor repairing essential to the actual operation of motor vehicles but excluding a motor vehicle washing establishment or motor vehicle sales establishment.

MOTOR VEHICLE WASHING ESTABLISHMENT means a building or part thereof used for the operation of motor vehicle washing equipment which is automatic, semi-automatic and/or coin operated.

MOTORIZED MOBILE HOME means any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

MOTORIZED SNOW VEHICLE means a "motorized snow vehicle" within the meaning of the Motorized Snow Vehicles Act, R.S.O. 1990, as amended.

MULTIPLE RESIDENTIAL means a residential building or structure

containing three or more dwelling units.

MUNICIPAL SEWERS means sanitary sewers supplied by the Municipality, a public utilities commission or a municipal authority.

MUNICIPAL WATER means water supplied by the Municipality, a public utilities commission or a municipal authority.

MUNICIPALITY means the Corporation of the TOWNSHIP OF ELDON.

NON-COMPLYING means that the lot, building or structure does not meet the setback, yard or other provisions or requirements contained herein for the zone in which the building or structure is located, as of the date of passing of this By-law.

NON-CONFORMING USE means the use of land, buildings or structures for a purpose which is not included with the permitted uses herein for the zone in which such land, building, or structure is located, as of the date of passing of this By-law.

NOXIOUS means a use which, by its nature or the materials used or produced therein, creates a health hazard.

NURSING HOME means a "nursing home" within the meaning of the Nursing Homes Act, R.S.O. 1990, as amended.

OBNOXIOUS means a use which from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour; or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

PARK, PRIVATE, means any open space or recreational area, other

than a public park, containing therein one or more swimming pools, wading pools, refreshment rooms, tennis courts, bowling greens, gardens, golf courses, ski areas or similar open space uses. This definition shall not include a mobile home park or trailer park.

PARK, PUBLIC, means any open space or recreational area, owned or controlled by a public authority and may include therein neighbourhood, community, regional and special parks or areas and may contain one or more athletic fields, field houses, bleachers, swimming pools, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, boat liveries, bathing stations, refreshment rooms, fair grounds, golf courses or similar uses.

PARKING LOT means an open area, other than a street, used for the temporary parking of two or more motor vehicles and available for public use whether free, for compensation or as an accommodation for clients, visitors, customers or residents.

PARKING SPACE means an area exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles and which has adequate access to permit ingress or egress of a motor vehicle to and from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which is used for the temporary parking or storage of one or more motor vehicles.

PERMITTED means "permitted" by this By-law.

PERSON means an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a "person" to whom the context can apply according to law.

PIT, PEAT, means land or land under water from which peat is being or has been removed by means of an open excavation. It shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted, by the Corporation, or an excavation incidental to the construction of any public works.

PIT, SAND AND GRAVEL, means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public use.

PLACE OF AMUSEMENT means any establishment or part thereof containing more than three amusement machines which are operated for gain and made available for entertainment or amusement of the general public. This definition shall not include:

- (a) Premises which are licenced under the Liquor Licencing Act,
- (b) Establishments which sell amusement machines,
- (c) Establishments where the amusement machines are made available as an accessory use provided that the floor area occupied by the amusement machines does not exceed 5% of the total leasable floor area of the establishment but in no case shall the number of amusement machines which are accessory to another use exceed three,
- (d) Any premises with amusement machines which are considered contrary to the Criminal Code of Canada, and
- (e) A recreational establishment or place of assembly.

PLACE OF ASSEMBLY means a building, or part thereof, in which facilities are provided for such purposes as meeting for civic,

educational, political, religious, social, recreational or athletic purposes and shall include a banquet hall or club.

PLACE OF WORSHIP means a building dedicated to religious worship and may include such accessory uses as a nursery school, convent, monastery or hall or auditorium.

POSTAL OUTLET means a building, structure or lot or part thereof used for the receiving and distribution of mail.

PREMISES means the area of a building or part thereof and/or land or part thereof used for residential or business purposes. In a multiple tenancy building, occupied by more than one business or dwelling unit, each area shall be considered a separate "premises".

PUBLIC AUTHORITY means Federal, Provincial, County or Municipal agencies and includes any commission, board, authority or department established by such agencies and includes any telephone company, power utility, cable television system and natural gas piped distribution system.

PUBLIC SERVICE means a use of land for the health, safety and convenience of the general public. A public service shall include police, ambulance or fire stations, libraries, water treatment plants, community centres, recreational facilities, public administrative facilities but shall not include works depots or yards, waste disposal, waste processing or waste transfer sites.

PUBLIC USE means a use of land, buildings or structures for infrastructure or a public service.

QUARRY means land or land under water from which consolidated aggregate is being or has been excavated, and that has not been

rehabilitated, but does not mean land or land under water excavated for a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to any public use.

RECREATIONAL ESTABLISHMENT means a premises for recreational pursuits such as billiards, bowling, curling, dancing, roller or ice skating, theatre or cinema.

RECREATIONAL TRAIL means a trail laid out for recreational purposes which provides an inter-municipal connection between communities or municipalities.

RECREATIONAL USE, ACTIVE, means a recreational use or activity which is conducted within a building or requires alteration of natural, soil or topographical features and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.

RECREATIONAL USE, PASSIVE, means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of natural, soil or topographical features and includes open space and environmental areas.

RECYCLING DEPOT means enclosed or unenclosed premises for the sorting, processing, or temporary storage of recyclable materials such as glass, tins, paper, wood, plastic and other non-hazardous recyclable materials but does not include unlicensed motor vehicles, trees, tires, metal, salvage, liquids or hazardous wastes.

RESTAURANT means a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure but does not

include a drive-in restaurant.

RESTAURANT, DRIVE-IN, means a restaurant where facilities are available to serve food to the customer for consumption in the customer's motor vehicle parked in an area located on the same lot or at another location not on the same lot and may include a mobile fast food facility.

RIGHT OF WAY, PRIVATE means a private route for motor vehicles which provides legal access to a lot or lot(s).

SALVAGE YARD means premises where goods and materials are processed for further use and stored wholly or partly in the open and may include a scrap metal yard, a motor vehicle wrecking yard, and the ancillary retail or wholesale of rebuilt, refabricated or restored parts or materials.

SANITARY LANDFILL SITE means premises for the permanent disposal of solid waste by burial under controlled circumstances and may include an accessory recycling depot and composting facility.

SAWMILL means a building, structure or area where timber is cut, chipped or milled and temporarily stored, either to finished lumber or as an intermediary step in the process.

SCHOOL, COMMERCIAL, means a school conducted for gain, including secretarial school, language school, driving school, and the like but shall not include a day nursery.

SCHOOL, ELEMENTARY, means an educational facility established under the jurisdiction of the Ministry of Education for grade 8 or equivalent and under.

SCHOOL, NURSERY, means the same as a Day Care Centre.

SCHOOL, SECONDARY, means an educational facility established

under the jurisdiction of the Minister of Education for grade 9 or equivalent and above.

SCRAP YARD means premises for the storage and/or handling or processing of scrap material, which, without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, used bicycles, unlicensed motor vehicles, tires, metal and/or other scrap material and salvage.

SEASONAL FARM RESIDENTIAL USE means a structure or structures for the housing of seasonal farm employees for no more than eight months per seasonal worker, but in no event shall be used for year round occupancy. B/L 2007-289

SEPTAGE DISPOSAL SITE means premises for the spreading and storage of septic waste collected from septic tanks or holding tanks.

SERVICE 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, manufacturing or motor vehicle repair shops.

SERVICE SHOP, PERSONAL, means a building or part thereof in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing, may include hair styling and beauty salons, shoe repair, and shoe shining shops, but excludes any manufacturing or fabrication of goods for sale.

SETBACK means the distance between a lot line and the nearest main wall of any building, structure, excavation or open storage use on the lot.

SHOPPING CENTRE means a group of non-residential uses predominantly retail commercial in nature and designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished from a business area comprising unrelated individual business uses.

STORE, RETAIL, means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public.

STOREY means that portion of a building, other than an attic, basement or cellar, included between any floor level and the floor, ceiling or roof next above it. A storey shall include a walk-out basement.

STOREY, FIRST, means the lowest storey of a building closest to finished grade having its ceiling 2 metres or more above average finished grade.

STOREY, HALF, means the portion of a building situated wholly or in part within the roof and having its floor level not lower than 2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 metres over a floor area equal to at least 50 percent of the area of the floor next below.

STREET, ROAD OR HIGHWAY means a "highway" within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended, and shall include the entire right of way but shall exclude a lane or private right of way.

STREET ACCESS means that any lot having a lot line or portion thereof which is also a street line shall be deemed to have "street access" provided that an access point can be obtained.

STREET, IMPROVED PUBLIC, means a street, assumed by the Corporation, County or Province which has been constructed in such a manner so as to permit its use by normal vehicular traffic and maintained to provide year-round access.

STREET LINE means the dividing line between a lot and a street.

STRUCTURE means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground but does not include fences which do not exceed 2 metres in height.

STRUCTURAL ALTERATIONS means any change in the supporting members of a building such as bearing walls, columns, beams, girders and partitions.

SWIMMING POOL means a structure which creates an artificial body of water, of more than 10 square metres in area, used for bathing, swimming or diving but shall not include ponds.

TEA ROOM means a restaurant where only non-alcoholic beverages, pastries and bakery goods are served.

TILLABLE HECTARES means the total area of land contained within a lot that can be worked or cultivated for the production of grain, forage or food crops.

TOURIST ESTABLISHMENT means a building or buildings designed for the accommodation of the travelling or vacationing public for gain or profit.

TOURIST TRAILER means a trailer that is used or intended to be used for recreational purposes and is not used for continuous habitation or as a permanent residence, notwithstanding that

such trailer may be jacked up or its running gear may be removed.

TRAILER means any vehicle that is at any time drawn upon a highway by a motor vehicle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway.

TRAILER CAMP OR PARK means an establishment licensed by the authority having jurisdiction consisting of camping lots and comprising land used or maintained as grounds for the camping or parking of tourist trailers, motorized mobile homes, truck campers or tents for recreational or vacation use designed for seasonal occupancy only.

TRAILER, MOBILE CAMPER, means any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for the temporary recreational living, and sleeping accommodation, with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle.

TRUCK CAMPER means any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the temporary recreational living, sleeping or eating accommodation of individuals.

TRUCK TERMINAL means a building, structure or place where trucks or transports are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as

common carriers, or which is a bonded warehouse.

USE means, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof is designed, arranged, intended, occupied or maintained and "uses" shall have corresponding meanings. "Use" when used as a verb, "to use" or "used" shall have corresponding meanings.

VISUAL SCREENING, HIGH LEVEL, means trees which will attain a minimum height of 6 metres at maturity.

VISUAL SCREENING, LOW LEVEL, means any combination of vegetation, trees or fencing which will provide visual screening to a minimum height of 1.8 metres.

WALL, END, means a main wall that forms the side of a building.

WALL, FACE, means a main wall that forms the front or rear of a building.

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

WAREHOUSE means a building where wares or goods are stored, but shall not include a retail store.

WASTE TRANSFER STATION means premises for the temporary storage of garbage and waste materials awaiting transfer to a permanent solid waste disposal facility and may include a recycling depot.

WATERCOURSE means the natural channel for a perennial or intermittent stream of water.

WATER SETBACK means a yard extending the full width of a lot between the maintained summer water level or normal high water mark of lakes or rivers and the nearest main wall of any building, structure, excavation or open storage use on the lot and "minimum water setback" means the minimum depth of a "water setback" on a lot between the maintained summer water level or normal high water mark and the nearest main wall of any building, structure, excavation or open storage use on the lot.

WATER SYSTEM, COMMUNAL, means a system of water supply municipally or privately owned which serves a minimum of 3 dwelling units.

WAYSIDE PIT OR QUARRY means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

YARD means an open, uncovered space on a lot apurtenant to a building (except a court) and unoccupied by buildings or structures except as specifically permitted elsewhere in this By-law. In determining "yard" measurements, the minimum horizontal distance from the respective lot lines shall be used.

Where a daylighting triangle is provided for a corner lot, the minimum "yard" requirement from the hypotenuse of the daylighting triangle shall be the lesser of the "yards" required along the exterior lot lines.

YARD, EXTERIOR, means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the exterior lot line and the nearest main wall of the main building or structure.

YARD, FRONT, means a yard extending across the full width of a

lot between the front lot line and the nearest main wall of any building or structure on the lot and "minimum front yard" means the minimum depth of a "front yard" on a lot between the front lot line and the nearest main wall of the main building(s) or structure on the lot.

YARD, REAR, means a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any building or structure on the lot; and the minimum rear yard means the minimum depth of a "rear yard" on a lot between the rear lot line and the nearest main wall of the main building(s) or structure on the lot.

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

YARD, SIDE, means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot; and "minimum side yard" means the minimum width of a "side yard" on a lot between a side lot line and the nearest main wall of the main building(s) or structure on the lot.

ZONE means a designated area of land use and the corresponding provisions as shown on the schedules of this By-law.

PART 3 - GENERAL PROVISIONS

3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

3.1.1 PERMITTED USES

3.1.1.1 Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or accessory use, but shall not include the following:

- (a) any occupation for gain or profit conducted within or accessory to a dwelling unit or on the lot, except as in this By-law is specifically permitted; or,
- (b) any building used for human habitation, except as in this By-law is specifically permitted.

3.1.2 LOCATION

3.1.2.1 Except as otherwise provided herein or within a specific zone, any accessory building which is not part of the main building shall only be erected in an interior side or rear yard.

3.1.2.2 An accessory building may be erected not closer than 1.2 metres from a rear lot line and 1.2 metres from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 1.2 metres to a residential building located on the same lot.

3.1.2.3 Where a lot has shore lot line, or where a lot with a minimum lot area of 0.8 hectares is located in an A1

or A2 zone, a one-storey private garage shall be permitted between the main building and the street line, provided such private garage does not exceed 56 square metres squared in building area, and further provided such private garage complies with the yard provisions of the applicable zone category.

(B/L 97-23)

3.1.2.4 An outdoor heat pump or central air conditioning unit, located in the side yard, shall not be closer than 7.5 metres from a side lot line.

3.1.2.5 Where a lot fronts on a navigable waterway, a boat house, pump house or dock may be erected and used in the water setback, provided such accessory building or structure is not located in the EP Zone, nor closer than 1.2 metres to a side lot line, and further provided that the approval of any other government authority having jurisdiction within this area has been obtained for any boathouse, pumphouse or excavation that is within 1.8 metres from the normal high water mark. For the purpose of this article a navigable waterway shall mean any waterway which forms part of the Trent Canal system of lakes and channels.

3.1.2.6 Notwithstanding article 3.1.2.2, a mutual private garage or a mutual boat house may be erected on a common lot line between lots.

(B/L 97-23)

3.1.3 LOT COVERAGE AND HEIGHT

3.1.3.1 For a lot in a residential Zone and for a lot in the A1 Zone to which article 7.2.1.7 applies, the total

lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, shall not exceed 10 percent of the lot area to a maximum of 100 square metres for a lot in the LSR, LSR-1 or RR3 Zone, and to a maximum of 125 square metres for a lot in the HR, RR1, RR2 or A1 Zone. In any other zone category the lot coverage for buildings and structures shall not exceed 40 percent of the main building gross floor area.

- 3.1.3.2 On a lot in a Residential Zone and on a lot in the A1 Zone to which article 7.2.1.7 applies, the height of any accessory building or structure shall not exceed 5 metres for a lot in the LSR, LSR-1, RR3, HR, RR1, RR2 or A1 Zone. For the purposes of this article, height shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. (Amended by B/L 2004-139)
- 3.1.3.3 Not including an outdoor swimming pool and one boat house on a lot that has a shore lot line, a maximum of two accessory buildings or structures shall be permitted on a lot in any class of Residential Zone.
- 3.1.3.4 Notwithstanding any other provision of this By-law, in any Residential Zone or a lot in the A1 Zone to which article 7.2.1.7 applies, the total floor area of an attached private garage, carport or similar accessory structure shall not exceed 56 square metres or 50 percent of the gross floor area of the residence, whichever is smaller. (B/L 97-23)
- 3.1.4 YARD REQUIREMENTS
- 3.1.4.1 Notwithstanding the minimum yard provisions of this

By-law, the following accessory structures and setbacks may be permitted:

- (a) sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, pilasters or parapets may project into any yard a distance of not more than 0.6 metres;
- (b) eaves or gutters on a main building may project into any yard a distance of not more than 0.6 metres;
- (c) balconies, canopies, unenclosed porches or decks, steps or patios may project into any yard a distance of not more than 1.5 metres provided that a required side yard is not reduced to below 1.5 metres and further provided that a porch or deck which is, at any point, more than 1.2 metres above the adjacent finished grade shall comply with the yard requirements of the applicable zone for a main building;
- (d) unenclosed fire escapes may project into any yard a distance of not more than 1.5 metres;
- (e) ramps for handicapped access may project into any yard a distance of not more than 1.8 metres; and
- (f) fences, free-standing walls, flag poles, clothes poles, diving boards, antennae, light standards, garden trellises, retaining walls and similar accessory structures and appurtenances, hedges, shrubs and trees are permitted in any yard provided that no such structures or vegetation that is more than 0.75 metres in height shall be permitted within three metres of any street line if such structure or vegetation will impede

vision between a height of 0.75 metres and 2.5 metres above the centreline grade of an access from any street to a lot.

3.1.5 BOAT HOUSE, PUMP HOUSE OR DOCKING FACILITIES

3.1.5.1 Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a waterway provided that the location complies with the required minimum side yard for accessory buildings or structures. (B/L 95-7)

3.1.5.2 A boat house or dock located within the water setback, including any boat launching ramp or boat rail system, shall not be permitted to project beyond the shore lot line if such projection will obstruct or interfere with access to the water from an adjacent lot.

3.2 DAYLIGHTING TRIANGLE

3.2.1 Notwithstanding any other provisions of this By-law, in all zones, on a corner lot, no fence, hedge, shrub, bush or tree or any building or structure, vegetation or lot grading shall be permitted to exceed a height greater than 0.75 metres above adjacent finished grade of the travelled portion of the streets that abut the lot within the triangular area included within the street lines for a distance of 6 metres from their point of intersection. No sign shall be permitted within or to overhang the required daylighting triangle.

3.3 ESTABLISHED BUILDING LINE

3.3.1 Notwithstanding the front yard provisions of this By-law, where a permitted building or structure is to be erected on a lot, where there is an established building line, such permitted building or structure may be erected closer to the street line or the normal high water mark or the maintained summer water level, than required by this By-law provided such permitted building or structure is not erected closer to the street line, or the normal high water mark or the maintained summer water level than the established building line.

3.3.2 Where a lot fronts onto a Provincial Highway or a County Road the provisions of subsection 3.3.1 shall not apply unless the lot is located within a General Commercial (C1) Zone.

3.4 **EXISTING BUILDINGS, STRUCTURES AND USES**

3.4.1 NON-CONFORMING USES

3.4.1.1 No person shall use any land or erect or use any building or structure except in conformity with the provisions of this By-law respecting the zone in which such land, building or structure is or is to be located, unless such use existed before the date of the passing of this By-law and was in conformity with and not prohibited by an existing By-law in force at the date of passage of this By-law.

3.4.2 NON-COMPLYING USES

3.4.2.1 Nothing in this By-law shall prevent the extension, enlargement, reconstruction or structural alteration of a building or structure that legally existed prior

to the date of passing of this By-law and which does not comply with the zone provisions or requirements contained herein, provided that the extension, enlargement, reconstruction or structural alteration complies with the appropriate lot area, setback and parking requirements of this By-law.

3.4.2.2 Where an existing building or structure is closer to a lot line than the required yard requirements, any extension to the building or structure shall be required to comply with the minimum yard requirements of the applicable zone.

3.4.3 PERMITTED EXTERIOR EXTENSION

3.4.3.1 A building, which at the date of passing of this By-law was used for a purpose not permitted within the zone in which it is located, shall not be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such zone, and complies with all requirements of this By-law for such zone.

3.4.4 RESTORATION TO A SAFE CONDITION

3.4.4.1 Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure, except such minor changes as may be expressly required for the restoration of the building or structure to a safe condition.

3.4.5 BUILDING PERMIT ISSUED

3.4.5.1 The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law of any building or structure, a permit for which has prior to the date of passing of this By-law been issued by the Chief Building Official, as long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within 6 months after the date of the passing of this By-law.

3.4.6 DISCONTINUED USE

3.4.6.1 Any non-conforming use of land, building or structure which is discontinued or not used for an interval of more than 9 months shall not be resumed nor shall such non-conforming use be changed to any other non-conforming use.

3.4.7 DAMAGED BUILDINGS

3.4.7.1 Nothing in this By-law shall prevent the rebuilding or repair of any building or structure that is damaged or destroyed by causes beyond the control of the owner subsequent to the date of passing of this By-law, provided that the dimensions of the original building or structure are not increased and the use of the building or structure is not altered, provided such rebuilding or repair is conducted within two years.

3.5 **FENCES**

3.5.1 No persons shall construct a fence, exceeding 2 metres in height, in any zone, other than in an Industrial or Agricultural Zone.

3.5.2 Article 3.1.4.1, clause (f) shall apply to fences located within three metres of any street line.

3.6 **FRONTAGE ON PUBLIC STREET**

3.6.1 Except as provided for in this section, and Part 13, no persons shall erect any building or structure in any zone, unless the lot upon which such building or structure is to be erected has a lot line which abuts and obtains direct access onto an improved public street and which is maintained to provide year-round access.

3.6.2 Notwithstanding subsection 3.6.1, a building or structure may be erected and used on the following lots which do not have frontage on an improved public street:

3.6.2.1 An island lot

3.6.2.2 A lot within a registered plan of subdivision in which the street has not been assumed by the Municipality but in which the street is to be assumed under the terms of a subdivision agreement

3.6.2.3 A lot within the "Limited Service Residential" or a "Limited Service Residential" Zone.

3.7 **HEIGHT EXCEPTION**

3.7.1 Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the main use is a use permitted within the zone in which it is located: a barn, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna, air conditioner duct, elevator equipment room, grain elevator, silo or corn crib.

3.8 **HOLDING SYMBOL (H)**

3.8.1 Unless otherwise specified within the applicable zone provisions, where the zone symbol, shown on Schedule A to this By-law, is followed by the holding symbol "(H)", the use of lands so zoned shall be limited to existing uses, conservation or forestry uses exclusive of buildings or structures. At such time as the holding symbol is removed, by amendment to this By-law, the lot may be used in accordance with the applicable zone provisions.

3.9 **HOME OCCUPATIONS**

3.9.1 The following requirements shall apply to any zone wherein a home occupation is permitted:

3.9.1.1 The home occupation shall be clearly secondary to the main use of the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located. For the purposes of this article, illuminated signs or signs greater than one

square metre in area shall be deemed a change in the residential character of a dwelling unit or lot;

3.9.1.2 The home occupation shall not create or become a public nuisance due to noise, dust, traffic or parking;

3.9.1.3 There shall be no outdoor display or storage of goods, wares or merchandise offered or exposed for sale, or sold or kept for sale in the dwelling, and no mechanical or other equipment used or kept except those customarily employed in a residential dwelling for domestic or household purposes or for use by a dentist, drugless practitioner or physician;

3.9.1.4 The home occupation shall not occupy more than 25 percent of the gross floor area of the dwelling unit whether or not such home occupation is located within the dwelling or within an accessory structure.

3.10 **LANDSCAPING**

3.10.1 In any zone, all landscaping shall be in accordance with the definition of landscaping and shall be maintained in a healthy condition and shall be neat and orderly in appearance.

3.10.2 Where a commercial or industrial zone abuts any zone, other than any class of commercial or industrial zone, a landscaped buffer not less than 6 metres in width shall be provided within the commercial or industrial zone boundary. In addition to any other provision of this By-law, such landscaping shall provide high and low level visual screening and consist of both evergreen and deciduous planting. Notwithstanding the

above, a landscaped buffer in a commercial zone may be reduced in width to 3 metres where a coniferous hedge or opaque fence, 1.8 metres in height is provided in conjunction with the landscaping.

3.10.3 A 1.5 metre landscaping buffer shall be provided between any public street and parking or outside display areas.

3.11 **LOT AREA AND FRONTAGE LESS THAN REQUIRED**

3.11.1 Notwithstanding the minimum lot area and/or the minimum lot frontage required herein, where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law or where such lot is created as a result of expropriation or a portion of a lot is acquired by a public authority, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that the use is permitted and the setback, yard, lot coverage, parking and landscaping requirements of the zone in which it is located are complied with, and that said lot has a minimum lot frontage of 15 metres and a minimum lot area of 930 square metres.

3.11.2 Where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law and, as a result of a consent, is increased in size but continues to have less lot area and/or lot frontage than required herein, subsection 3.11.1 shall continue to apply.

3.12 **MULTIPLE USES**

3.12.1 Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

3.12.2 Where a multiple use is located within or adjacent to any class of Residential Zone, landscaping will be provided in accordance with Section 3.10.

3.13 **MULTIPLE ZONES ON A LOT**

3.13.1 Where a lot which existed at the date of passing of this By-law is located within two or more zones the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each portion of such lot provided the lot as a whole has a minimum frontage of 15 metres. In such instances, the zone boundary shall be considered a lot line for the purposes of interpreting and applying the "zone" and "general" provisions of this By-law. The provisions of this subsection do not apply in the following areas:

- i) Land Zoned M3-2 on the west half of Lot 2, Concession 4,
- ii) Land Zoned M3-3 on Lots 47 and 48, North of Portage Road.
- iii) Land zoned A1-14 on part of Lot 6, Concession 2.
(B/L 96-14)

3.13.2 Notwithstanding article 3.13.1 no lot shall be created within any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone.

3.14 **PARKING AND LOADING FACILITIES**

3.14.1 OFF-STREET PARKING

3.14.1.1 Off-street parking spaces and areas shall be provided for every building and structure to be erected or used for any purpose hereinafter set forth in accordance with the parking space requirements set out in article 3.14.1.2.

(a) Handicapped parking spaces shall be provided where ten or more parking spaces are required on a lot and, unless otherwise specified, shall be provided on the basis of 1.0 percent of all required parking spaces. Such spaces shall be sized, signed and reserved for handicapped parking.

(b) Where the calculation of the parking space requirement does not result in a whole number the requirement shall always be rounded up to the next whole number.

3.14.1.2	<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
	Animal Hospital,	5 per Veterinarian or Veterinarian
	Auction Barn, Flea Market	4 per 9 sq. m of g.f.a.
	Bank, Financial Institution	1 per 20 sq. m of g.f.a.
	Business, Professional or Other Office	1 per 30 sq. m of g.f.a.
	Bowling Alley, Curling Rink	3 per lane or curling sheet plus 1 per 9 sq. m

	of g.f.a. devoted to a restaurant, or liquor licenced premises
Day Nursery, Day Care Centre	1.5 per classroom or teaching area
Dry Cleaning Establishment, Laundry	1 per 20 sq. m of g.f.a. or 1 per washing machine whichever is greater
Golf Course	8 per hole
Home for the Aged	0.75 per bed of which 5% shall be handicapped
Hospital	1 for every 4 beds or 1 per 100 sq. m of g.f.a., whichever is greater, of which 5% shall be handicapped
Hotel, Motel, Motor Hotel, Tourist Home, Lodge, Tourist Establishment	1.25 per guest room, or cottage plus 1 per 9 sq. m of g.f.a. devoted to a restaurant or liquor licenced premises
Industrial, Manufacturing Processing, Fabricating Warehousing, Wholesaling, Storage	1 per 40 sq. m of g.f.a. for "light" or "dry-light" industries 1 per 100 sq. m of g.f.a. for all others

Minimum Number of

<u>Use</u>	<u>Parking Spaces Required</u>
Library, Museum	1 per 30 sq. m of g.f.a.
Liquor Licenced Premises	1 per 9 sq. m of g.f.a.
Marina	1 per 20 sq. m of g.f.a. plus 1 per boat slip
Marina, Dry-land	1 per 20 sq. m of g.f.a.
Medical Clinic or Offices for Health Care Professionals	5 per practitioner, of which 5% shall be handicapped
Motor Vehicle Sales Establishment, Motor Vehicle Service Station, Public Storage	1 per 20 sq. m of g.f.a. with a minimum of 5 spaces
Nursing Home	0.5 per bed of which 5% shall be handicapped
Place of Assembly, Place of Worship, Funeral Home	1 per 5 fixed seats, 1 per 3 m of bench seating or 1 per 9 sq. m of g.f.a. whichever is greater, of which 5% shall be handicapped
Residential Apartment, Fourplex, Triplex, Town House or Converted Dwelling	1.5 per dwelling unit of which 25% shall be for visitor parking
Dwelling in a non-residential building	2 per unit
Boarding or Lodging House	1 per guest room

Residential other than specified herein	2 per unit
Restaurant	1 per 9 sq. m of g.f.a.
Restaurant, Drive-In	1 per 5 sq. m of g.f.a. with a minimum of 10 spaces

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
Retail Commercial Establishment, Personal Service Shop, Service Shop, Dry Cleaning Depot	1 per 30 sq. m of g.f.a.
Schools, Elementary	1.5 per classroom or teaching area
Schools, Secondary or Commercial or Community College	4 per classroom or teaching area
Shopping Centre	1 per 20 sq. m of g.l.f.a.
Supermarket, Food Store	1 per 20 sq. m of g.l.f.a.
Trailer Camp	1.5 per camping lot
Uses other than those specified	1 per 30 sq. m of g.f.a.

- 3.14.1.3 The parking lot shall have visible boundaries and the parking spaces clearly defined with the layout of spaces appropriately marked on the ground or signed.
- 3.14.1.4 Parking spaces, parking lots and driveways connecting the parking spaces to a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces, parking lots and driveways shall, before being used, be constructed of crushed stone, gravel, asphalt, brick, concrete or similar material and with adequate provision for drainage. Parking for vacation dwellings and summer camps may include a healthy growing lawn surface.
- 3.14.1.5 A parking space shall be rectangular in shape having a minimum width of 2.8 metres and a minimum length of 6 metres.
- 3.14.1.6 Notwithstanding article 3.14.1.5 parking spaces for the handicapped shall be rectangular in shape having a minimum width of 4 metres unless adjacent to another designated handicapped space in which case a width of 3.5 metres shall be permitted. Handicapped parking spaces shall be located in proximity to building entrances and handicapped access ramps, walkways or elevators.
- 3.14.1.7 Notwithstanding article 3.14.1.5, a parking space used for parallel parking shall have a minimum width of 2.4 metres and a minimum length of 7 metres.
- 3.14.1.8 Each parking space shall have adequate access to the street as described within the definitions of parking

space. Notwithstanding this provision, where a dwelling unit has exclusive use of a private garage and/or driveway and 2 parking spaces are required for the said dwelling unit for the use by the one household, then the two parking spaces can abut end to end, so that one motor vehicle must be moved to enable the second one to have access to the street.

- 3.14.1.9 Unless otherwise provided for elsewhere in this By-law, all parking shall be located on the same lot as the use for which it is intended to serve.
- 3.14.1.10 If the use of a lot is for a place of assembly, the parking lot may be located on a separate lot not more than 150 metres from the location it is intended to serve.
- 3.14.1.11 The width of the aisle in a parking lot shall be based on the angle of the parking spaces to the aisle. If the angle of parking is different on each side of the aisle, then the aisle width shall be based on the parking spaces requiring the widest aisle width. The aisle requirements are as follows:

<u>Angle of Parking Space to Aisle</u>	<u>Minimum Aisle Width</u>
Parallel parking or less than 30 degrees	3.5 metres
Equal to or greater than 30 degrees but less than 50 degrees	4.0 metres
Equal to or greater than 50 degrees but	5.5 metres

less than 70 degrees

Equal to or greater

7.0 metres

than 70 degrees but

less than or equal to

90 degrees

3.14.1.12 When a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition; however, any addition shall provide the necessary parking required under this By-law.

3.14.1.13 No driveway shall be located closer than 15 metres from the limits of the right of way at the street intersection.

3.14.1.14 Where a building or structure accommodates more than one type of use, the parking requirements shall be the sum of the requirement of the separate uses.

3.14.1.15 No persons shall, in any Residential zone, use any lot for the parking or storage of more than one commercial motor vehicle and/or trailer in excess of 5 tonnes gross weight.

3.14.2 OFF-STREET LOADING SPACE REQUIREMENTS

3.14.2.1 For every building or structure hereafter erected, or for every addition to an existing building, in a Commercial or Industrial zone involving the frequent shipping loading or unloading of persons, animals, goods, wares or merchandise there shall be provided

and maintained by the owner of the building at the premises, loading facilities on land; that is not part of a highway, parking lot, or required driveway, comprised of one or more loading spaces 12 metres long, 4 metres wide and having a vertical clearance of at least 4.5 metres with access to a street and according to the floor area of the building or structure as follows:

<u>Floor Area of Buildings</u>	<u>Minimum Number of Loading Spaces</u>
300 square metres or less	no loading spaces
301 square metres up to and including 2000 square metres	1 loading space
2001 square metres and over	2 loading spaces

3.14.2.2 In addition, no loading space or platform or loading door shall be located in any yard or wall of any building or structure which adjoins or faces a street except where the loading space is on the same lot as the commercial or industrial use. In addition to automobile parking lots, parking lot(s) for the use of commercial and industrial traffic shall be provided but shall not be located in any yard flanking a street.

3.14.2.3 Where an addition to an existing building has the effect of increasing total floor area to 301 square metres or greater, the provisions herein shall apply.

3.14.2.4 The driveways and loading spaces shall be maintained with a stable surface which is treated so as to

prevent the raising of dust or loose particles. Before being used, they shall be constructed of one or more of the following: crushed stone, slab, gravel, crushed brick (or tile) cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 0.15 metres and with provisions for drainage facilities.

3.15 **PUBLIC USES**

3.15.1 STREETS AND INFRASTRUCTURE

3.15.1.1 The provisions of this By-law shall not apply to prevent the use of land for streets, recreational trails and infrastructure or prevent the construction, maintenance or repair of such streets, recreational trails or infrastructure.

3.15.2 BY-LAW REQUIREMENTS

3.15.2.1 Notwithstanding subsection 3.15.1, any building appurtenant to infrastructure shall comply with the general provisions of this By-law as contained in Section 3 hereof as well as the applicable zone provision for the lot upon which such use is located.

3.15.3 INFRASTRUCTURE IN RESIDENTIAL ZONES

3.15.3.1 Any electric power transformer station or water or sewage pumping station, which is located in a Residential Zone, shall be enclosed in a building designed, located and maintained in general harmony with the permitted residential buildings in such zone.

3.16 **REDUCTION OF REQUIREMENTS**

3.16.1 No persons shall change the purpose for which any land or building is used or erect any new building or addition to any existing building if the effect of such action is to cause the original, adjoining or remaining buildings or structures to be in contravention of this By-law.

3.17 **RELOCATED BUILDINGS**

3.17.1 In all zones, no buildings, residential or otherwise, shall be moved within the area covered by this By-law or shall be moved into the limits of the area covered by this By-law without a permit from the Chief Building Official.

3.18 **SPECIAL SETBACKS OR RESTRICTIONS**

3.18.1 MINIMUM DISTANCE SEPARATION

3.18.1.1 Notwithstanding any other yard or setback provisions of this By-law to the contrary, no non-farm residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted by a CF, RR1, RR2, RR3, LSR, C2, C3, M1, M2, A1 or A2 Zone, shall be erected or altered unless it complies with the minimum distance separation calculated using Form 1 being Schedule 'H' to this By-law.

3.18.1.2 Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock facility shall be erected or altered unless it complies with the minimum distance separation calculated using Form 2 being Schedule 'I' to this By-law.

3.18.1.3 The provisions of article 3.18.1.1 shall not apply to lots existing as of the date of the passing of this By-law which are less than 4 hectares in area.

3.18.2 COUNTY ROAD SETBACKS

3.18.2.1 The following minimum setbacks shall apply to all buildings and structures:

- (a) from the centre line of a County Road, 21.5 metres except as otherwise provided by subsection 3.3.2.

3.18.3 DISPOSAL INDUSTRIAL SEPARATION DISTANCES AND RESTRICTIONS

3.18.3.1 Notwithstanding any other provisions of this By-law, no dwelling, building or structure shall be permitted within:

- (a) 470 metres of a Waste Disposal Site or Sanitary Landfill Site.

3.18.4 DWELLING UNIT RESTRICTION

3.18.4.1 Except as specifically provided for within the applicable zone provisions, and notwithstanding article 3.13.1 a maximum of one dwelling unit per lot shall be permitted.

3.18.4.2 Notwithstanding any other provisions of this By-law to the contrary, no dwelling unit shall be closer than 90 metres from a licenced sand and gravel pit or quarry, located on a separate lot, unless such dwelling unit is located on an existing lot having a lot area of less than 2 hectares.

3.18.5 ENVIRONMENTAL PROTECTION ZONE SETBACKS AND RESTRICTIONS

3.18.5.1 The following minimum setbacks shall apply to all buildings and structures:

- (a) from any class of Environmental Zone, the setback shall be the applicable yard requirement for the zone or a setback of 15 metres whichever is greater.

3.18.6 INDUSTRIAL AND RESIDENTIAL SEPARATION DISTANCES AND RESTRICTIONS

3.18.6.1 In addition to the landscaping requirements of Section 3.10 and notwithstanding the yard requirements of any zone,

- (a) Industrial uses shall be separated from residential lots based upon the following minimum setbacks:

(i) light industry	60 m
(ii) medium industry	90 m
(iii) heavy industry	300 m

3.18.7 MINIMUM OPENING ELEVATIONS, WATER SETBACKS AND RESTRICTIONS

3.18.7.1 No opening to any residential dwelling unit shall be permitted below a minimum opening elevation equal to the maintained summer water level or normal high water mark for an adjacent body of water, watercourse or lake, plus 0.3 metres.

3.18.7.2 For the purpose of establishing water setbacks and minimum opening elevations the following maintained summer water levels shall apply:

- (a) Canal Lake 241.75 metres C.G.S. Datum
- (b) Mitchell Lake 256.50 metres C.G.S. Datum
- (c) Goose Lake 275.80 metres C.G.S. Datum

3.18.8 NOXIOUS USES

- 3.18.8.1 No person shall use any land or construct, alter or use any building or structure for a noxious use.

3.18.9 THROUGH LOTS

- 3.18.9.1 A through lot shall be subject to the front yard setback and other requirements contained herein on each street in accordance with the provisions of the zone or zones in which such lot is located.

- 3.18.9.2 In the case of a through lot having lot lines of equal length on each street, accessory buildings may be located in only one yard adjoining a street, but no closer to the street line than the minimum front yard requirement.

3.19 **TEMPORARY USES PERMITTED**

- 3.19.1 Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for a scaffold or other temporary building or structure including a sales or rental office, incidental to construction in progress until such construction has been finished or discontinued for a period of 60 days.

- 3.19.2 In the case of a temporary sales or rental office, parking shall be provided in accordance with Section 3.14 hereof.

- 3.19.3 The use of temporary living quarters on a lot in any

class of agricultural or residential zone may be permitted, on a temporary basis, for a period not to exceed 9 months, while a permitted residential dwelling unit is under construction. Such temporary living quarters shall be removed from the lot immediately after the expiry of the 9 month period or upon occupancy of the new dwelling, whichever occurs first.

3.20 **UNENCLOSED STORAGE OF UNLICENCED MOTOR VEHICLES**

3.20.1 No lot or part of a lot except an enclosed building shall be used for the storage of motor vehicles or parts of motor vehicles that do not bear current licence plates.

3.21 **SEASONAL FARM RESIDENTIAL USE**

In the Agricultural (A1) Zone, a seasonal farm residential use shall be permitted subject to the following:

3.21.1 The property on which the seasonal farm residential use is located has to be classed as a farm by MPAC and be on a lot of at least 20 hectares.

3.21.2 The seasonal farm residential use cannot exceed 250 square metres in area and may be contained in more than one building.

3.21.3 A covenant be registered on title that the residence will be used only for seasonal farm residential use.

3.21.4 That the seasonal farm residential use shall not exceed eight months per seasonal worker in each calendar year.

B/L

2007-289

PART 4 - ZONES AND ZONING MAPS**4.1 ZONES**

4.1.1 For the purpose of this By-law, the following zones shall be and the same are established within the defined areas on Schedules A, B, C, D, E, F and G to this By-law:

	Zone		Zone
<u>Part</u>	<u>Symbol</u>	<u>Zone Title</u>	<u>Classification</u>
5	EP	Environmental Protection	Environmental
6	CF	Community Facility	Community
7	A1	Agricultural	Agricultural
8	A2	Rural General	Agricultural
9	HR	Hamlet Residential	Residential
10	RR1	Rural Residential Type One	Residential
11	RR2	Rural Residential Type Two	Residential
12	RR3	Rural Residential Type Three	Residential
13	LSR	Limited Service Residential	Residential
14	C1	General Commercial	Commercial
15	C2	Highway Commercial	Commercial
16	C3	Tourist Commercial	Commercial
17	M1	Restricted Industrial	Industrial
18	M2	General Industrial	Industrial
19	M3	Extractive Industrial	Industrial
20	M4	Disposal Industrial	Industrial

4.2 ZONING MAPS

4.2.1 The extent and boundaries of the said zones are shown on Schedules A, B, C, D, E, F and G attached hereto and may be cited as the "Zoning Map" and is declared

hereby to form part of this By-law. Such zones may be referred to by the appropriate Zone symbols.

4.3 **SPECIAL EXCEPTIONS**

4.3.1 Where a zone contains special exceptions, which are indicated on Schedules A, B, C, D, E, F and G by a zone symbol followed by a hyphen and a numeral, a lot so zoned shall be subject to the special exceptions described in the text for the applicable zone. Where there is a conflict between a special exception and any other section of this By-law, the special exception shall apply. Where the special exception is silent, on any matter, all provisions of this By-law or the applicable zone shall continue to apply.

4.4 **ZONE AND GENERAL PROVISIONS**

4.4.1 The provisions of this By-law shall be held to be the "minimum" requirements except where the word "maximum" is used in which case the maximum requirement shall apply.

PART 5 - ENVIRONMENTAL PROTECTION (EP) ZONE

5.1 USES PERMITTED

5.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in an Environmental Protection (EP) Zone, except for the following uses:

5.1.1.1 Conservation uses

5.1.1.2 Bird or Wildlife Sanctuary

5.1.1.3 Flood and Erosion Control Works

5.1.1.4 Forestry

5.2 PROHIBITION OF BUILDING CONSTRUCTION

5.2.1 In an Environmental Protection (EP) Zone, no person shall hereafter erect any building or structure, except structures for flood and erosion control and docks.

(B/L 95-7)

5.3 ENVIRONMENTAL PROTECTION EXCEPTION ZONES

5.3.1 ENVIRONMENTAL PROTECTION EXCEPTION ONE (EP-1) ZONE

5.3.1.1 Notwithstanding the requirements of subsections 5.1.1 and 5.2.1, land zoned "EP-1" may also be used for a single detached dwelling subject to the provisions of subsection 10.2.1.

5.3.2 ENVIRONMENTAL PROTECTION EXCEPTION TWO (EP-2) ZONE

(D06-27-053)Reserved

PART 6 - COMMUNITY FACILITY (CF) ZONE**6.1 USES PERMITTED**

6.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Community Facility (CF) Zone, except for the following uses:

6.1.1.1 Uses permitted by subsection 5.1.1

6.1.1.2 Cemetery

6.1.1.3 Municipal Building or Structure, Community Centre, Ice Arena, Library, Museum

6.1.1.4 Hospital, Health Centre

6.1.1.5 Nursing Home

6.1.1.6 Place of Worship

6.1.1.7 Elementary School, Secondary School

6.1.1.8 Day nursery

6.1.1.9 Club

6.1.1.10 Public uses

6.1.1.11 Public Park

6.2 ZONE PROVISIONS

6.2.1 No person shall hereafter erect or use any building or structure, in a Community Facility (CF) Zone, except in conformity with the following zone provisions:

6.2.1.1 Lot Area (min.) 2000 sq. m

6.2.1.2 Lot Frontage (min.) 30 m

6.2.1.3	Yard Requirements (min.)	
	(a) front	7.5 m
	(b) interior side	4.5 m
	(c) exterior side	7.5 m
	(d) rear	7.5 m
6.2.1.4	Lot Coverage (max.)	50 %
6.2.1.5	Building Height (max.)	11 m
6.2.1.6	Gross Floor Area	no minimum
6.2.1.7	Landscaped Open Space (min.)	30 %

6.3 COMMUNITY FACILITY EXCEPTION ZONES

6.3.1 COMMUNITY FACILITY EXCEPTION ONE (CF-1) ZONE

6.3.1.1 Notwithstanding subsection 6.1.1, land zoned "CF-1" shall only be used for the following:

- (a) community centre, curling rink
- (b) club
- (c) recreational uses such as a baseball diamond
- (d) soccer field or tennis court
- (e) a ticket booth and/or a store which sells tickets and refreshments to the users of the facility

6.3.1.2 Notwithstanding subsection 6.2.1, land zoned "CF-1" shall be subject to the following zone provisions:

- (a) lot area (min.) 5 ha
- (b) lot frontage (min.) 146.3 m
- (c) yard requirements
 - (i) front 61 m
 - (ii) interior side 15.2 m
 - (iii) exterior side 6.1 m

(iv) rear	61 m
(d) lot coverage (max.)	30 %
(e) building height (max.)	11 m

6.3.2 COMMUNITY FACILITY EXCEPTION TWO (CF-2) ZONE

6.3.2.1 Notwithstanding subsection 6.1.1, land zoned "CF-2" may only be used for a camp or day camp.

6.3.2.2 Notwithstanding subsection 6.2.1, land zoned "CF-2" shall be subject to the following zone provisions:

(a) lot area (min.)	35 ha
(b) lot frontage (min.)	260 m
(c) yard requirements (min.)	
(i) front	60 m
(ii) interior side	15 m
(iii) exterior side	60 m
(iv) rear	25 m
(d) building height	11 m

PART 7 - AGRICULTURAL (A1) ZONE

7.1 **USES PERMITTED**

7.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in an Agricultural (A1) Zone, except for the following uses:

7.1.1.1 Agricultural, Market Garden Farm or Forestry Uses

7.1.1.2 Agricultural produce storage facility or seasonal fruit flower or farm produce outlet for goods grown or produced on the property.

7.1.1.3 Bed and Breakfast Establishment

7.1.1.4 Home Occupation

7.1.1.5 Sawmill

7.1.1.6 Single Detached Dwelling

7.1.1.7 Riding or Boarding Stables

7.1.1.8 Wayside Pit

7.1.1.9 Seasonal Farm Residential Use is subject to Section 3.21 of the General Provisions

7.2 **ZONE PROVISIONS**

7.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in an Agricultural (A1) Zone, except in conformity with the following zone provisions:

- 7.2.1.1 Lot Area (min.) 25 ha
- 7.2.1.2 Lot Frontage (min.) 230 m
- 7.2.1.3 Yard Requirements (min.)
- (a) front 30 m
 - (b) interior side 9 m
 - (c) exterior side 30 m
 - (d) rear 25 m
 - (e) dwelling units shall be subject to article 10.2.1.3
- 7.2.1.4 Lot Coverage (max.) 5 %
- 7.2.1.5 Building Height (max.)
- (a) building accessory to a farm - No restriction
 - (b) all others 10 m
- 7.2.1.6 Gross Floor Area per dwelling (min.) 74 sq. m
- 7.2.1.7 Notwithstanding subsections 7.1.1 and 7.2.1, an existing lot or a lot which was or is created by consent which has a lot area of 1.0 hectares or less shall only be used in accordance with Sections 10.1 and 10.2 of this By-law.
- 7.2.1.8 In the case of an accessory building being used for the parking or storage of school buses or commercial motor vehicles on a lot in an agricultural zone, the maximum height of such building shall be 5 metres and the total floor area for all accessory buildings on the lot shall not exceed 150 square metres.
- 7.2.1.9 Where an existing lot having less lot area or frontage

than required is located in any agricultural zone, subsection 3.11.1 shall not apply to permit the establishment of a non-residential use on a lot having an area of less than 2 hectares.

7.2.1.10 Where a lot has been created by consent in an agricultural zone the retained lot shall be deemed to be an existing non-complying lot and the provisions of subsections 3.4.1 and 3.4.2 shall apply.

7.2.1.11 Notwithstanding subsections 7.1.1 and 3.18.4, a second single detached dwelling may be erected or a single detached dwelling, existing at the date of passing of this By-law, may be changed to a converted dwelling having a maximum of two dwelling units provided the lot upon which it is located has a minimum lot area of 38 hectares and further provided that each dwelling unit has a minimum floor area of 74 square metres and is subject to the setback requirements of the RR1 Zone.

7.2.1.12 A sawmill shall not be permitted within 90 metres of a residential dwelling on a separate lot.

7.3 **AGRICULTURAL EXCEPTION ZONES**

7.3.1 AGRICULTURAL EXCEPTION ONE (A1-1) ZONE

7.3.1.1 In addition to the uses permitted by subsection 7.1.1, land zoned "A1-1" may also be used for off season storage of tourist trailers.

7.3.2 AGRICULTURAL EXCEPTION TWO (A1-2) ZONE

7.3.2.1 Notwithstanding article 7.2.1.1, land zoned "A1-2"

shall have a minimum lot area of 2.4 hectares.

7.3.2.2 Notwithstanding article 7.1.1, a second dwelling unit to be contained within a single detached dwelling is a permitted use. (B/L 2007-212)

7.3.3 AGRICULTURAL EXCEPTION THREE (A1-3) ZONE

7.3.3.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned "A1-3" shall have a minimum lot area of 16 hectares and a minimum lot frontage of 160 metres.

7.3.4 AGRICULTURAL EXCEPTION FOUR (A1-4) ZONE

7.3.4.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned "A1-4" shall have a minimum lot area of 16 hectares and a minimum lot frontage of 175 metres.

7.3.5 AGRICULTURAL EXCEPTION FIVE (A1-5) ZONE

7.3.5.1 Notwithstanding article 7.2.1.1, land zoned "A1-5" shall have a minimum lot area of 19 hectares.

7.3.6 AGRICULTURAL EXCEPTION SIX (A1-6) ZONE

7.3.6.1 Notwithstanding subsection 7.1.1, land zoned A1-6 may only be used for an abattoir.

7.3.7 AGRICULTURAL EXCEPTION SEVEN (A1-7) ZONE

7.3.7.1 In addition to the uses permitted in subsection 7.1.1, land zoned "A1-7" may also be used for a kennel.

7.3.7.2 Notwithstanding article 7.2.1.3, no dog kennel shall be located within 200 metres of an existing dwelling unit except that a dwelling unit on the same lot as the dog kennel is exempt from this provision.

7.3.7.3 For the purposes of the "A1-7" Zone, subsection 3.13.1 shall not apply.

7.3.8 AGRICULTURAL EXCEPTION EIGHT (A1-8) ZONE

7.3.8.1 Notwithstanding subsection 7.1.1, land zoned "A1-8" may only be used for a closed sanitary landfill site.

7.3.9 AGRICULTURAL EXCEPTION NINE (A1-9) ZONE

7.3.9.1 In addition to the uses permitted by subsection 7.1.1, land zoned "A1-9" may also be used for a septage disposal site.

7.3.9.2 For the purposes of the "A1-9" Zone, subsection 3.13.1 shall not apply.

7.3.10 AGRICULTURAL EXCEPTION TEN (A1-10) ZONE

7.3.10.1 In addition to the uses permitted by subsection 7.1.1, land zoned "A1-10" may also be used for a public garage.

7.3.10.2 Notwithstanding article 7.2.1.1 and clause 7.2.1.3(a), and in addition to the provisions of subsection 7.2.1, land zoned "A1-10" shall be subject to the following zone provisions:

(a) lot area (min.)	16.5 ha
(b) front yard (min.)	22 m
(c) floor area for a public garage (max.)	125 sq. m
(d) outdoor storage (max.)	50 sq. m
(e) parking	4 spaces
(f) minimum separation distance between a public garage and a	

dwelling on a separate lot 90 m

- (g) outdoor storage shall be located in the rear yard only
- (h) all motor vehicles on site shall be licenced and no vehicles shall be kept for the purpose of salvage

7.3.11 AGRICULTURAL EXCEPTION ELEVEN (A1-11) ZONE

7.3.11.1 In addition to the uses permitted by subsection 7.1.1, land zoned "A1-11" may also be used for the following:

- (a) septage disposal site
- (b) recycling depot exclusively for wood projects

7.3.11.2 For the purposes of the "A1-11" Zone, subsection 3.13.1 shall not apply.

7.3.12 AGRICULTURAL EXCEPTION TWELVE (A1-12) ZONE

7.3.12.1 For the purposes of the "A1-12" Zone, subsection 3.13.1 shall not apply.

7.3.13 AGRICULTURAL EXCEPTION THIRTEEN (A1-13) ZONE

7.3.13.1 "Reserved"

7.3.14 AGRICULTURAL EXCEPTION FOURTEEN (A1-14) ZONE

7.3.14.1 In addition to subsection 7.1.1, a seasonal farm produce outlet on land zoned "A1-14", may also offer for sale fruit, flowers or produce grown off-site and baked goods baked on-site in conjunction with, and accessory to, the seasonal farm produce outlet.

7.3.15 AGRICULTURAL EXCEPTION FIFTEEN (A1-15) ZONE

7.3.15.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2 and clause 7.2.1.3 (b), land zoned 'A1-15' shall be subject to the following zone provisions:

- (a) lot area (min.) 4 ha
- (b) lot frontage (min.) 20 m
- (c) interior side yard north side (min.) 27.5 m

(B/L 97-6)

7.3.16 AGRICULTURAL EXCEPTION SIXTEEN (A1-16) ZONE

7.3.16.1 Notwithstanding any provision of this By-law to the contrary, the maximum number of animal units and the animal types permitted on land within the A1-16 Zone shall not exceed the equivalent of 20 livestock units as per Animal Group One on TABLE 1 of Schedule "H" or 15 livestock units as per Animal Group Two or 10 livestock units as per Animal Group Three of said table. (B/L 2000-23)

7.3.19 AGRICULTURAL EXCEPTION NINETEEN (A1-19) ZONE

7.3.19.1 In addition to the uses permitted in Section 7.1, on land zoned "A1-19" a Garden Suite is also permitted subject to the following provisions:

- (a) Lot Area (min.) 33 ha.
- (b) A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.

- (c) A Garden Suite shall be located in the exterior side or rear yard and shall be connected to the water supply system serving the existing dwelling and shall not exceed a gross floor area of 99 sq. m. and shall be permitted for a period of ten (10) years commencing on the date the A1-19 Zone is approved.

(By-Law 2002-134)

7.3.20 AGRICULTURAL EXCEPTION TWENTY (A1-20) ZONE

- 7.3.20.1 Despite Sections 7.1 and 7.2.1.1, on land zoned A1-20, a detached dwelling and accessory uses thereto are not permitted; and the minimum lot area shall be 40 ha.

B/L 2007-290

7.3.21 AGRICULTURAL EXCEPTION TWENTY-ONE (A1-21) ZONE

- 7.3.21.1 Notwithstanding subsection 7.1.1, land zoned "A1-21" may only be used for a single detached dwelling and accessory uses thereto; and notwithstanding article 7.2.1.1 and 7.2.1.2, land zoned "A1-21" shall have a minimum lot area of 5.7 ha. and a minimum lot frontage of 106 m. (B/L 2004-141)

7.3.22 AGRICULTURAL EXCEPTION TWENTY-TWO (A1-22) ZONE

- 7.3.22.1 In addition to the uses permitted in Section 7.1, on lands zoned A1-22 a garden suite is also permitted and is subject to the following provisions:

- (a) A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing

detached dwelling.

- (b) A Garden Suite shall be connected to the water supply system serving the existing dwelling, shall not exceed a gross floor area of 60 square metres and shall be permitted for a period of ten (10) years commencing on the date that the A1-22 Zone is in effect.

(B/L 2007-210)

7.3.23 AGRICULTURAL EXCEPTION TWENTY-THREE (A1-23) ZONE

7.3.23.1 In addition to the uses permitted in Section 7.1, on lands zoned A1-23 a garden suite is also permitted and is subject to the following provisions:

- (a) A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.
- (b) A Garden Suite shall be connected to the water supply system serving the existing dwelling, shall not exceed a gross floor area of 80 square metres and shall be permitted for a period of ten (10) years commencing on the date that the A1-23 Zone is in effect.

(B/L 2008-185)

7.3.24 AGRICULTURAL EXCEPTION TWENTY-FOUR (A1-24) ZONE

7.3.24.1 For the purposes of the "A1-24" Zone, subsection 7.2.1.11 shall not apply."

7.3.25 AGRICULTURAL EXCEPTION TWENTY-FIVE (A1-25) ZONE

Residential use shall not be permitted.

(B/L 2009-222)

7.3.26 AGRICULTURAL EXCEPTION TWENTY-SIX (A1-26) ZONE

7.3.26.1 In addition to the uses permitted in Section 7.1, on lands zoned A1-26 a garden suite is also permitted and is subject to the following provisions:

(a) A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.

(b) A Garden Suite shall be connected to the water supply system serving the existing dwelling, shall not exceed a gross floor area of 51 square metres, shall be generally located in the area identified on Schedule "A" attached to the By-law and shall be permitted for a period of ten (10) years commencing on the date that the A1-26 Zone is in effect. **B/L 2011-035 (Expires March 22, 2021)**

7.3.27

7.3.28

7.3.29

PART 8 RURAL GENERAL (A2) ZONE

8.1 USES PERMITTED

8.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A2) Zone except for a maximum of three of the following uses:

8.1.1.1 Animal Hospital or Veterinary Clinic

8.1.1.2 Any use permitted in the A1 Zone subject to the provisions of Section 7.2

8.1.1.3 Auction Barn, Auction Centre, Flea Market

8.1.1.4 Bed and Breakfast Establishment

8.1.1.5 Farm Equipment Sales and Service

8.1.1.6 Feedmill

8.1.1.7 Grain Cleaning Plant

8.1.1.8 Grain Drying and Storage Facility

8.1.1.9 Home Occupation

8.1.1.10 Landscaping or Excavating Business

8.1.1.11 Nursery or Commercial Greenhouse

8.1.1.12 Tack Shop

8.1.1.13 Taxidermy Establishment

8.1.1.14 One Residential Dwelling Unit

8.2 ZONE PROVISIONS

8.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A2) Zone, except in conformity with the following zone provisions:

8.2.1.1	Lot Area (min.)	4000 sq. m
8.2.1.2	Lot Frontage (min.)	45 m
8.2.1.3	Yard Requirements (min.)	
	(a) front	15 m
	(b) interior side	4.5 m
	(c) exterior side	15 m
	(d) rear	15 m
	(e) setback from an existing residential use on an abutting lot	30 m
8.2.1.4	Lot Coverage (max.)	30 %
8.2.1.5	Building Height (max.)	10.5 m
8.2.1.6	Gross Floor Area (min.)	74 sq.m
8.2.1.7	Landscaped Open Space (min.)	20 %
8.2.1.8	Density (max. per lot)	
	(a) residential uses	1 d.u.
	(b) separate premises	2

8.2.1.9 The provisions of articles 7.2.1.8 through 7.2.1.11 also apply to land zoned "A2".

8.3 **RURAL GENERAL EXCEPTION ZONES**

8.3.1 RURAL GENERAL EXCEPTION ONE (A2-1) ZONE

8.3.1.1 Notwithstanding articles 8.2.1.1, 8.2.1.2 and 8.2.1.3 clause (a), land zoned "A2-1" shall be subject to the following zone provisions:

- | | |
|-------------------------------|---------|
| (a) lot area (min.) | 1.19 ha |
| (b) lot frontage (min.) | 200 m |
| (c) front yard setback (min.) | 12 m |

8.3.2 RURAL GENERAL EXCEPTION TWO (A2-2) ZONE

8.3.2.1 In addition to the uses permitted by subsection 8.1.1, land zoned "A2-2" may also be used for a machine and welding shop for farm equipment.

PART 9 - HAMLET RESIDENTIAL (HR) ZONE**9.1 USES PERMITTED**

9.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Hamlet Residential (HR) Zone, except for the following uses:

- 9.1.1.1 Single Detached Dwelling
- 9.1.1.2 Home Occupation
- 9.1.1.3 Park
- 9.1.1.4 Elementary or Secondary School

9.2 ZONE PROVISIONS

9.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Hamlet Residential (HR) Zone, except in conformity with the following zone provisions:

- 9.2.1.1 Lot Area (min. per d.u.)
 - (a) Communal or municipal water supply 1400 sq. m
 - (b) Individual water supply and
sewage disposal 2000 sq. m
- 9.2.1.2 Lot Frontage (min.)
 - (a) Communal or municipal water supply 25 m
 - (b) Individual water supply and sewage
disposal 30 m
- 9.2.1.3 Yard Requirements (min.)
 - (a) front 7.5 m

	(b) side yard	3 m on one side and 1.2 m on the other side
	(c) rear	7.5 m
	(d) water setback	15 m
9.2.1.4	Lot Coverage (max.)	30 %
9.2.1.5	Building Height (max.)	11 m
9.2.1.6	Gross Floor Area (min. per d.u.)	74 sq. m
9.2.1.7	Landscaped Open Space (min.)	25 %
9.2.1.8	Density (max. per lot)	1 d.u.
9.2.1.9	Notwithstanding subsections 9.1.1 and 9.2.1, an elementary or secondary school shall only be permitted in accordance with the zone provisions of Section 6.2.	

9.3 **HAMLET RESIDENTIAL EXCEPTION ZONES**

9.3.1 HAMLET RESIDENTIAL EXCEPTION ONE (HR-1) ZONE

9.3.1.1 Notwithstanding clause 9.2.1.3 (a), land zoned "HR-1" shall have a minimum front yard of 15 metres.

9.3.2 HAMLET RESIDENTIAL EXCEPTION TWO (HR-2) ZONE

9.3.2.1 Notwithstanding article 9.2.1.2, land zoned "HR-2" shall have a minimum lot frontage of 26 metres.

9.3.3 HAMLET RESIDENTIAL EXCEPTION THREE (HR-3) ZONE

9.3.3.1 Notwithstanding article 9.2.1.2, on land zoned 'HR-3' the minimum lot frontage shall be 20 metres.

(B/L 97-6)

9.3.4 HAMLET RESIDENTIAL EXCEPTION FOUR (HR-4) ZONE

9.3.4.1 Notwithstanding clause 9.2.1.3 (a) and subsections 3.1.3.1 and 3.1.3.2, on land zoned HR-4, the minimum front yard setback shall be 15 metres, and one accessory building shall not exceed a height of 6.5 m. nor shall it exceed a gross floor area of 140 sq. m. (B/L 2001-140)

PART 10 - RURAL RESIDENTIAL TYPE ONE (RR1) ZONE**10.1 USES PERMITTED**

10.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type One (RR1) Zone, except for the following uses:

10.1.1.1 Single Detached Dwelling

10.1.1.2 Home Occupation

10.1.1.3 Public Park

10.2 ZONE PROVISIONS

10.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type One (RR1) Zone, except in conformity with the following zone provisions:

10.2.1.1 Lot Area (min.) 4000 sq. m

10.2.1.2 Lot Frontage (min.) 38 m

10.2.1.3 Yard Requirements (min.)

(a) front 7.5 m

(b) interior side 5 m

(c) exterior side 7.5 m

(d) rear 7.5 m

10.2.1.4 Water Setback 15 m

10.2.1.5 Lot Coverage (max.) 30 %

10.2.1.6	Building Height (max.)	11 m
10.2.1.7	Gross Floor Area (min. per d.u.)	74 sq. m
10.2.1.8	Landscaped Open Space (min.)	30 %
10.2.1.9	Density (max. per lot)	1 d.u.

10.3 **RURAL RESIDENTIAL TYPE ONE EXCEPTION ZONES**

10.3.1 RURAL RESIDENTIAL TYPE ONE EXCEPTION ONE (RR1-1) ZONE

10.3.1.1 Notwithstanding article 10.2.1.1, land zoned "RR1-1" shall have a minimum lot area of 1.9 hectares.

10.3.2 RURAL RESIDENTIAL TYPE ONE EXCEPTION TWO (RR1-2) ZONE

10.3.2.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-2" shall have a minimum lot area of 8,000 square metres and a minimum lot frontage of 130 metres. For the purposes of this By-law, the front lot line shall be the northern property line.

10.3.3 RURAL RESIDENTIAL TYPE ONE EXCEPTION THREE (RR1-3) ZONE

10.3.3.1 Notwithstanding any provision of subsections 10.1.1 and 10.2.1 to the contrary, the use of land zoned "RR1-3" shall be limited to existing uses and structures except where a permit for a new building, structure or addition has been issued by the Lake Simcoe Conservation Authority, or a subsequent authority, pursuant to a regulation established the under authority of the Conservation Authorities Act.
(B/L 99-9) (B/L 2000-07)

10.3.4 RURAL RESIDENTIAL TYPE ONE EXCEPTION FOUR (RR1-4) ZONE

10.3.4.1 Notwithstanding subsection 10.1.1, land zoned RR1-4 may also be used for a home service industry.

10.3.4.2 Notwithstanding the maximum lot coverage provisions of article 3.1.3.1, on land zoned RR1-4, the maximum lot coverage for accessory buildings shall be 221 square

metres.

10.3.4.3 The maximum floor area for a home service industry shall be 221 square metres.

10.3.4.4 Notwithstanding article 3.1.2.2, an accessory building used for a home service industry shall be subject to a minimum setback of 5 metres from a side or rear lot line.

10.3.4.5 An opaque screening fence at least 1.8 metres in height shall be installed along the southerly side lot line beginning not less than 15 metres from the front lot line or a point equal to the limit of the parking area closest to the front lot line, whichever results in the shorter fence, and shall extend to the rear lot line.

10.3.4.6 For the purposes of the RR1-4 Zone, a "home service industry" shall mean the use of an accessory building on a residential lot for the gainful employment of the members of the household occupying the lot and a maximum of one employee involved in the operation of a custom workshop, a contractor's yard or the sale, repair and storage of domestic water treatment systems and associated supplies with no outdoor storage of supplies or product and signage limited to a maximum of 1 square metre.

(By-law 2000-16)

10.3.5 RURAL RESIDENTIAL TYPE ONE EXCEPTION FIVE (RR1-5) ZONE

10.3.5.1 Notwithstanding article 10.2.1.1 or any provision of article 3.1.3.1 to the contrary, land zoned 'RR1-5

shall have a minimum lot area of one hectare and may feature two accessory buildings or structures, exclusive of an unenclosed pool, with a maximum lot coverage for accessory buildings or structures of 325 sq. metres.

(By-Law 2000-17)

10.3.6 RURAL RESIDENTIAL TYPE ONE EXCEPTION SIX (RR1-6) ZONE

10.3.6.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, on land zoned RR1-6, the following requirements shall apply:

Lot Area 1.03 ha.

Lot Frontage 60 m.

(By-Law 2002-41)

10.3.7 RURAL RESIDENTIAL TYPE ONE EXCEPTION SEVEN (RR1-7)
ZONE

10.3.7.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, on land zoned RR1-7, the following requirements shall apply:

Lot Area 1.03 ha

Lot Frontage 112 m.

(By-Law 2002-41)

10.3.8 RURAL RESIDENTIAL TYPE ONE EXCEPTION EIGHT (RR1-8)
ZONE

10.3.8.1 In addition to the uses permitted in Section 10.1, on land zoned "RR1-8" a Garden Suite is also permitted subject to the following provisions:

i. A "Garden Suite" means a temporary dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.

ii. A "Garden Suite" shall be located in a side yard or rear yard and shall be connected to both the water supply and sewage disposal systems serving the existing dwelling and shall not exceed a gross floor area of 51 sq. m. and shall be permitted for a period of ten (10) years commencing on the date the RR1-8 Zone is in effect.

(B/L 2002-233)

PART 11 - RURAL RESIDENTIAL TYPE TWO (RR2) ZONE**11.1 USES PERMITTED**

11.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Two (RR2) Zone, except for the following uses:

11.1.1.1 Single Detached Dwelling

11.1.1.2 Home Occupation

11.1.1.3 Public Park

11.2 ZONE PROVISIONS

11.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Two (RR2) Zone, except in conformity with the following zone provisions:

11.2.1.1 Lot Area (min. per d.u.)

(a) serviced with communal or
municipal water supply 1400 sq. m

(b) serviced with individual
water supply & sewage disposal 2000 sq. m

11.2.1.2 Lot Frontage (min.)

(a) serviced with communal or
municipal water supply with
no shore lot line 25 m

- (b) serviced with individual water supply and sewage disposal with no shore lot line 30 m
- (c) with shore lot line 30 m

11.2.1.3	Yard Requirements (min.)	
	(a) front	7.5 m
	(b) interior side	3 m on one side and 1.2 m on the other side plus 1 m for each additional or partial storey above the first
	(c) exterior side	7.5 m
	(d) rear	7.5 m
		(B/L 95-13)
11.2.1.4	Water Setback	15 m
11.2.1.5	Lot Coverage (max.)	30 %
11.2.1.6	Building Height (max.)	11 m
11.2.1.7	Gross Floor Area (min. per d.u.)	74 sq. m
11.2.1.8	Landscaped Open Space (min.)	30 %
11.2.1.9	Density (max. per lot)	1 d.u.

11.3 **RURAL RESIDENTIAL TYPE TWO EXCEPTION ZONES**

11.3.1 RURAL RESIDENTIAL TYPE TWO EXCEPTION ONE (RR2-1) ZONE

11.3.2 Notwithstanding article 11.2.1.1, land zoned "RR2-1" shall have a minimum lot area of 950 square metres.

PART 12 - RURAL RESIDENTIAL TYPE THREE (RR3) ZONE**12.1 USES PERMITTED**

12.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Three (RR3) Zone, except for the following uses:

12.1.1.1 Single Detached Dwelling

12.1.1.2 Vacation Dwelling

12.1.1.3 Public Park

12.2 ZONE PROVISIONS

12.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Three (RR3) Zone, except in conformity with the following zone provisions:

12.2.1.1 Lot Area (min.)

(a) communal or municipal
water supply 1400 sq. m

(b) individual water supply
and sewage disposal 1850 sq. m

12.2.1.2 Lot Frontage (min.)

(a) communal or municipal
water supply with
no shore lot line 25 m

(b) individual water supply
and sewage disposal

	with no shore lot line	30 m
	(c) with shore lot line	30 m
12.2.1.3	Yard Requirements (min.)	
	(a) front	7.5 m
	(b) interior side 3 m on one side, 1.2 m on the other side, plus 1 m for each additional or partial storey above the first	
	(c) exterior side	7.5 m
	(d) rear	7.5 m
12.2.1.4	Water Setback	15 m
12.2.1.5	Lot Coverage (max.)	30 %
12.2.1.6	Building Height (max.)	11 m
12.2.1.7	Gross Floor Area (min. per d.u.)	74 sq. m
12.2.1.8	Landscaped Open Space	30 %
12.2.1.9	Density (max. per lot)	1 d.u.
12.3	RURAL RESIDENTIAL TYPE THREE EXCEPTION ZONES	
12.3.1	RURAL RESIDENTIAL TYPE THREE EXCEPTION ONE (RR3-1) ZONE	
12.3.1.1	Notwithstanding subsection 12.1.1, land zoned "RR3-1" shall only be used for a garage and/or boathouse and within this accessory building, habitable rooms or sanitary facilities shall not be permitted.	

12.3.2 RURAL RESIDENTIAL TYPE THREE EXCEPTION TWO (RR3-2)
ZONE

12.3.2.1 Notwithstanding subsection 3.11.1, article 12.2.1.1,
an clause 12.2.1.3 (a), land zoned RR3-2 shall be
subject to the following zone provisions:

- | | |
|--|----------|
| (a) lot area | 650 sq.m |
| (b) exterior side yard (min.) | 6 m |
| (c) maximum floor area for habitable rooms | 200 sq.m |
| (d) maximum floor area for second storey | 83 sq.m |
- (B/L 2000-11)

PART 13 - LIMITED SERVICE RESIDENTIAL (LSR) ZONE

13.1 USES PERMITTED

13.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Limited Service Residential (LSR) Zone, except for the following uses:

13.1.1.1 Single Detached Dwelling

13.1.1.2 Vacation Dwelling

13.2 ZONE PROVISIONS

13.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Limited Service Residential (LSR) Zone, except in conformity with the following zone provisions:

13.2.1.1 Lot Area (min.)

- | | |
|--|------------|
| (a) municipal water supply provided | 1400 sq. m |
| (b) individual water supply and
sewage disposal | 1850 sq. m |

13.2.1.2 Lot Frontage (min.)

- | | |
|--|------|
| (a) municipal water supply with no
shore lot line | 25 m |
| (b) individual water supply and
sewage disposal with no
shore lot line | 30 m |
| (c) with shore lot lines | 30 m |

13.2.1.3 Yard Requirements (min.)

	(a) front	7.5 m
	(b) interior side yard	3 m on one side, 1.2 m on the other side plus 1 m for each additional or partial storey above the first
	(c) exterior side	7.5 m
	(d) rear	7.5 m
13.2.1.4	Water Setback (min.)	15 m
13.2.1.5	Lot Coverage (max.)	30 %
13.2.1.6	Building Height (max.)	11 m
13.2.1.7	Gross Floor Area (min. per d.u.)	74 sq. m
13.2.1.8	Landscaped Open Space	30 %
13.2.1.9	Density (max. per lot)	1 d.u.

13.3 LIMITED SERVICE RESIDENTIAL EXCEPTION ZONES

- 13.3.1 LIMITED SERVICE RESIDENTIAL EXCEPTION ONE (LSR-1) ZONE
- 13.3.1.1 Notwithstanding subsection 13.1.1, land zoned "LSR-1" may only be used for a vacation dwelling.
- 13.3.2 LIMITED SERVICE RESIDENTIAL EXCEPTION TWO (LSR-2)
- 13.3.2.1 Notwithstanding the definition of "accessory use" and "accessory building", and subsection 13.1.1, on land zoned "LSR-2" a vacation dwelling is the only permitted residential use and the following buildings may be erected with or without a dwelling being constructed:
- (a) a garage,
 - (b) a boat house,
 - (c) a building or structure, which is not suitable

for human habitation, in which household goods that are commonly associated with a residential use are stored.

13.3.2.2 Notwithstanding the definition of the term "street" in Part 2 of this By-law, the private right-of-way, known as Paradise Street, which abuts the LSR-2 Zone, shall be considered a "street" for the purpose of determining the front lot line and appropriate minimum yards and the following zone provisions shall apply:

- (a) Maximum number of buildings,
other than a dwelling 2
- (b) lot coverage, for all buildings other than a dwelling, shall not exceed 10 percent of the lot to a maximum of 100 sq. m.
- (c) building height, for all buildings other than a dwelling, shall not exceed 4 metres and shall be measured as the vertical distance between the highest point of any roof surface and the average finished grade.

(B/L 99-6)

PART 14 - GENERAL COMMERCIAL (C1) ZONE

14.1 USES PERMITTED

14.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Commercial (C1) Zone, except for one of a maximum of three of the following uses:

14.1.1.1 Animal Hospital or Veterinary Clinic

14.1.1.2 Bank, Financial Institutions

14.1.1.3 Bed and Breakfast Establishment

14.1.1.4 Business or Professional Office

14.1.1.5 Commercial School

14.1.1.6 Club

14.1.1.7 Dry Cleaning and Laundry Depot

14.1.1.8 Health Clinic

14.1.1.9 Museum, Library

14.1.1.10 Postal Outlet

14.1.1.11 Public and Private Parking Lots

14.1.1.12 Recreational Establishment, Fitness Centre

14.1.1.13 Restaurant, excluding drive-in

14.1.1.14 Retail Store, service shop and personal service shop

14.1.1.15 Taxi stand

14.1.1.16 Tourist Establishment

14.1.1.17 Upholstering and furniture repair

14.1.1.18 Dwelling unit as part of a building containing a permitted non-residential use.

14.2 **ZONE PROVISIONS**

14.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Commercial (C1) Zone, except in conformity with the following zone provisions:

14.2.1.1 Lot Area (min.) 1400 sq. m

14.2.1.2 Lot Frontage (min.) 25 m

14.2.1.3 Yard Requirements (min.)

(a) front 2 m

(b) interior side

(i) nil for an interior side yard where the building has a common wall with the building on an adjacent lot.

(ii) all others 1.5 m

(c) exterior side 2 m

(d) rear 9 m

14.2.1.4 Lot Coverage (max.) 30 %

14.2.1.5 Building Height (max.) 11 m

14.2.1.6 Gross Floor Area (min.)

(a) Bachelor Apartment 35 sq. m

(b) All other residential units 55 sq. m plus

14 sq. m for each habitable room, in excess of 4
 (c) All other uses no minimum

14.2.1.7 Landscaped Open Space (min.) 10 %

14.2.1.8 Density (max. per lot) 1 d.u.

14.3 **GENERAL COMMERCIAL EXCEPTION ZONES**

14.3.1 GENERAL COMMERCIAL EXCEPTION ONE (C1-1) ZONE

14.3.1.1 Notwithstanding subsection 14.1.1, land zoned "C1-1" may only be used for retail sales.

14.3.1.2 Notwithstanding subsection 14.2.1, land zoned "C1-1" shall be subject to the following zone provisions:

- | | |
|----------------------------|------------|
| (a) lot area (min.) | 3600 sq. m |
| (b) lot frontage (min.) | 36.5 m |
| (c) yard requirements | |
| (i) front | 2 m |
| (ii) interior side | 3 m |
| (iii) exterior side | 2 m |
| (iv) rear | 9 m |
| (d) lot coverage (max.) | 30 % |
| (e) building height (max.) | 11 m |

14.3.1.3 Where the Commercial Zone abuts residential uses along the eastern and southern lot lines, a landscaped buffer within the Commercial Zone boundary shall be provided. In addition to any other provision of this By-law, such landscaping shall be three metres in width and provide high and low level visual screening.

The existing tree cover along the easterly, westerly and southerly lot lines shall be maintained as a buffer between the existing residential uses and the retail commercial use.

14.3.2 GENERAL COMMERCIAL EXCEPTION TWO (C1-2) ZONE

14.3.2.1 Notwithstanding subsection 14.1.1, land zoned "C1-2" be developed with one main building containing a maximum of two of the following commercial uses; a professional or business office, a retail store, a personal service shop, a service shop, and one dwelling unit. In the absence of a dwelling unit there may be up to three commercial uses. A mini-storage facility is also permitted in the absence of any other use and may include an accessory one bedroom apartment unit.

14.3.2.2 Notwithstanding any provision of Section 14.2 to the contrary, the following zone provisions will apply within the C1-2 Zone:

- (a) Minimum interior side yard abutting a residential zone 3 metres
- (b) Minimum interior side yard for a mini-storage facility abutting a residential lot or for a storage unit exterior door 6 metres
- (c) Minimum front yard for a mini-storage facility 7.5 metres

14.3.2.3 For the purpose of the C1-2 zone, a Mini-storage facility means a wholly enclosed building or structure comprised of individual storage units, with each unit not more than 50 sq. metres in size and having individual exterior doors with the storage units leased or rented for the purpose of storing household goods, appliances, furniture or equipment but which

are not used for industrial warehousing or the bulk storage of hazardous, toxic or highly inflammable goods such as paints, solvents, ammonia, fertilizers, pesticides, herbicides, bottled gasses, fuels or cleaning products.

(B/L 2000-22)

14.3.3. GENERAL COMMERCIAL EXCEPTION THREE (C1-3) ZONE

14.3.3.1. Notwithstanding the provisions of Section 3.10 of the By-Law, land zoned "C1-3" the landscape buffer along the northern property line shall consist of an opaque fence, 1.8m in height; and the landscape buffer along the eastern and southern property lines shall be a minimum of 3m in width with a coniferous hedge or opaque fence, 1.8m in height.

(B/L 2005-21)

PART 15 - HIGHWAY COMMERCIAL (C2) ZONE**15.1 USES PERMITTED**

15.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Highway Commercial (C2) Zone, except for one or a maximum of two of the following uses:

15.1.1.1 Animal Hospital or Veterinary Clinic

15.1.1.2 Bed and Breakfast Establishment

15.1.1.3 Hotel, Motel, or Motor hotel

15.1.1.4 Motor vehicle sales establishment, motor vehicleservice station, motor vehicle fuel bar, dry-land marina

15.1.1.5 Dwelling unit

15.1.1.6 Recreational establishment

15.1.1.7 Restaurant, including drive-in restaurant

15.1.1.8 Retail sales establishment, within a wholly enclosed building, for:

(a) furniture, home furnishings and home decorating supplies

(b) major appliances

(c) motor vehicle, marine and recreational vehicle accessories, trailers, boats and motorized snow vehicles

(d) building or home improvement supplies

(e) recreational equipment

(f) garden and nursery supplies

(g) farm, business or institutional equipment and

machinery

15.1.1.9 Tourist Information Centre

15.2 **ZONE PROVISIONS**

15.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Highway Commercial (C2) Zone, except in conformity with the following zone provisions:

15.2.1.1 Lot Area (min.) 4000 sq. m

15.2.1.2 Lot Frontage (min.) 45 m

15.2.1.3 Yard Requirements (min.)

(a) front 6 m

(b) interior side 12 m

(c) exterior side 6 m

(d) rear 12 m

15.2.1.4 Lot Coverage (max.) 30 %

15.2.1.5 Building Height (max.) 11 m

15.2.1.6 Gross Floor Area (min.)

(a) Residential units 55 sq. m plus 14 sq. m for each habitable room in excess of 4

(b) All other uses no minimum

15.2.1.7 Landscaped Open Space (min.) 20 %

15.2.1.8 Density (max. per lot) 1 d.u.

15.2.2 Motor Vehicle Service Stations and Fuel Bars

- 15.2.2.1 No portion of any fuel pump island or fuel pump island canopy, shall be located closer than 6 metres from any street line or daylighting triangle.
- 15.2.2.2 The minimum distance between access driveways shall be 9 metres.
- 15.2.2.3 The interior angle of intersection between an access driveway and the street shall not be less than 45 degrees nor greater than 90 degrees.
- 15.2.2.4 All repair and mechanical servicing of motor vehicles shall be conducted within a wholly enclosed building.

15.3 **HIGHWAY COMMERCIAL EXCEPTION ZONES**

15.3.1 HIGHWAY COMMERCIAL EXCEPTION ONE (C2-1) ZONE

15.3.1.1 Notwithstanding subsections 15.1.1 and 3.18.4, land zoned "C2-1" shall only be used for a garden and nursery supply outlet, a drive-in restaurant and a dwelling unit.

(B/L 96-17)

15.3.2 HIGHWAY COMMERCIAL EXCEPTION TWO (C2-2) Zone

15.3.2.1 Notwithstanding subsection 15.1, on land zoned C2-2 the following uses are permitted to a maximum of four:

- a) Veterinary Clinic
- b) Motor Vehicle Fuel Bar
- c) Restaurant
- d) Convenience Store
- e) Bank or Financial Institution
- f) Service Shop, Personal
- g) Business, Professional or Administrative Office
- h) Medical Clinic **(By-Law 2009-099)**

PART 16 - TOURIST COMMERCIAL (C3) ZONE

16.1 USES PERMITTED

16.1.1 No person shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Tourist Commercial (C3) Zone, except for one or more of the following uses:

16.1.1.1 Accessory retail

16.1.1.2 Boat and marine motor sales and service

16.1.1.3 Cottage establishment

16.1.1.4 Golf course

16.1.1.5 Hotel

16.1.1.6 Lodge

16.1.1.7 Marina

16.1.1.8 Motel

16.1.1.9 Motorized snow vehicle sales and service

16.1.1.10 Recreational equipment rentals including boats

16.1.1.11 Restaurant

16.1.1.12 Dwelling unit

16.2 ZONE PROVISIONS

16.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Tourist Commercial (C3)

Zone, except in conformity with the following zone provisions:

16.2.1.1	Lot Area (min.)	4000 sq. m
16.2.1.2	Lot Frontage (min.)	60 m
16.2.1.3	Yard Requirements (min.)	
	(a) front	25 m
	(b) interior side	6 m
	(c) exterior side	25 m
	(d) rear	7.5 m
		(B/L 95-13)
16.2.1.4	Water Setback	15 m
16.2.1.5	Lot Coverage (max.)	30 %
16.2.1.6	Building Height (max.)	11 m
16.2.1.7	Gross Floor Area (min.)	
	(a) residential unit	55 sq. m plus 14 sq. m for each habitable room in excess of 4
	(b) all other uses	no minimum
16.2.1.8	Landscaped Open Space (min.)	25 %
16.2.1.9	Density (max. per lot)	1 d.u.
16.2.1.10	Notwithstanding article 16.2.1.4, marina dockage or berths may be located within the water setback.	

16.3 **TOURIST COMMERCIAL EXCEPTION ZONES**

16.3.1 TOURIST COMMERCIAL EXCEPTION ONE (C3-1) ZONE

(D06-27-053)Reserved

16.3.2 TOURIST COMMERCIAL EXCEPTION TWO (C3-2) ZONE

(D06-27-053) Reserved

16.3.3 TOURIST COMMERCIAL EXCEPTION THREE (C3-3) ZONE

(D06-27-053) Reserved

PART 17 - RESTRICTED INDUSTRIAL (M1) ZONE**17.1 USES PERMITTED**

17.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Restricted Industrial (M1) Zone, except for the following uses:

17.1.1.1 Light industry, dry-light industry

17.1.1.2 Laundry or dry cleaning establishment

17.1.1.3 Motor vehicle sales establishment, motor vehicle service station and motor vehicle washing establishment excluding a motor vehicle scrap or salvage yard.

17.1.1.4 Custom workshop

17.1.1.5 Contractor's yard

17.1.1.6 Public garage, motor vehicle body shop

17.1.1.7 Business or Professional Office and commercial undertakings accessory to a permitted use.

17.2 ZONE PROVISIONS

17.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Restricted Industrial (M1) Zone, except in conformity with the following zone provisions:

17.2.1.1 Lot Area (min.) 4000 sq. m

- 17.2.1.2 Lot Frontage (min.) 30 m
- 17.2.1.3 Yard Requirements (min.)
- (a) front 15 m
 - (b) interior side 30 m or 3 m if abutting a lot in an industrial or commercial zone classification
 - (c) exterior side 10 m
 - (d) rear 10 m
- 17.2.1.4 Lot Coverage (max.) 50 %
- 17.2.1.5 Building Height (max.) 11 m
- 17.2.1.6 Gross Floor Area no minimum
- 17.2.1.7 Landscaped Open Space (min.) 10 %
- 17.2.1.8 Outside storage not permitted
- 17.2.1.9 In addition to article 17.2.1.3, the provisions of article 3.18.6.1 shall apply.

17.3 **RESTRICTED INDUSTRIAL EXCEPTION ZONES**

"Reserved"

PART 18 - GENERAL INDUSTRIAL (M2) ZONE

18.1 USES PERMITTED

18.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Industrial (M2) Zone, except for the following uses:

18.1.1.1 All uses permitted in a Restricted Industrial (M1) Zone

18.1.1.2 Agricultural produce storage facility, seed cleaning plant

18.1.1.3 Building supply and equipment depot and sales

18.1.1.4 Bulk fuel storage

18.1.1.5 Contractor's yard

18.1.1.6 Dry-land marina

18.1.1.7 Farm implement sales and service, feed mills, fertilizer mixing plants and associated sales

18.1.1.8 Medium industry

18.1.1.9 Truck, transport or bus terminals

18.1.1.10 Outside storage accessory to a permitted use

18.2 ZONE PROVISIONS

18.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Industrial (M2)

Zone, except in conformity with the following zone provisions:

- | | | |
|----------|---|---------------------|
| 18.2.1.1 | Lot Area (min.) | 4000 sq. m |
| 18.2.1.2 | Lot Frontage (min.) | 30 m |
| 18.2.1.3 | Yard Requirements (min.) | |
| | (a) front | 15 m |
| | (b) interior side | 30 m or 3 m if |
| | abutting a lot in an industrial or commercial | zone classification |
| | (c) exterior side | 10 m |
| | (d) rear | 10 m |
| 18.2.1.4 | Lot Coverage (max.) | 50 % |
| 18.2.1.5 | Building Height (max.) | 11 m |
| 18.2.1.6 | Gross Floor Area | no minimum |
| 18.2.1.7 | Landscaped Open Space (min.) | 10 % |
| 18.2.1.8 | Outside storage accessory to a permitted use, shall be permitted within a fenced interior side or rear yard, shall not be permitted within 30 metres of a lot line and the lot coverage of all buildings and outside storage combined shall not exceed 60%. Where the lot abuts a lot in an industrial or commercial zone classification, the setback for outside storage may be reduced to 3 metres. | |
| 18.2.1.9 | Outside display of finished goods, produced on-site, is permitted in the front yard only. | |

18.2.1.10 In addition to article 18.2.1.3, the provisions of article 3.18.6.1 shall apply.

18.3 **GENERAL INDUSTRIAL EXCEPTION ZONES**

18.3.1 "Reserved"

18.3.2 GENERAL INDUSTRIAL EXCEPTION TWO (M2-2) ZONE

18.3.2.1 Notwithstanding subsection 18.1.1, land zoned "M2-2" may only be used for a contractor's yard and an accessory office.

18.3.2.2 Notwithstanding clauses 18.2.1.3 (a) and 18.2.1.3 (b) and article 18.2.1.5, land zoned "M2-2" shall be subject to the following zone provisions:

- (a) Yard Requirements
 - (i) front 25 m
 - (ii) interior side 10 m
- (b) Building Height (max.) 10 m

18.3.3 GENERAL INDUSTRIAL EXCEPTION THREE (M2-3) ZONE

18.3.3.1 Notwithstanding subsection 18.1.1, land zoned "M2-3" shall only be used for a motor vehicle repair shop and one single detached dwelling.

18.3.3.2 Notwithstanding clauses 18.2.1.3 (b) and 18.2.1.3 (d), land zoned "M2-3" shall be subject to the following zone provisions:

- (a) Yard Requirements
 - (i) southern interior side yard for industrial buildings (min.) 1.8 m
 - (ii) interior side yard for single detached dwelling (min.) 3 m
 - (iii) rear yard (min.) 6.1 m

(b) Lot Coverage (max.) 5.5 %

18.3.3.3 The repair and service of all motor vehicles shall be conducted within a wholly enclosed building.

18.3.3.4 The external storage of motor vehicle parts, materials, and/or repair equipment is prohibited.

18.3.3.5 In addition to Section 3.14, on land zoned "M2-3" the motor vehicle parking associated with the automobile repair shop shall be restricted to the rear yard only.

18.3.3.6 Notwithstanding Section 3.10, a continuous landscaped buffer shall be planted and maintained along the side lot line, where the "M2-3" Zone abuts a residential use, from the rear lot line to a depth of 41 metres. A continuous landscaped buffer shall consist of evergreen vegetation which shall consist of evergreen vegetation which shall achieve a minimum height of 1.5 metres and a minimum width of 1 metre within 3 years of the passing of this By-law. Alternatively, an opaque fence of a minimum height of 1.5 metres shall be constructed to the above specifications.

18.3.4 GENERAL INDUSTRIAL EXCEPTION FOUR (M2-4) ZONE

18.3.4.1 Notwithstanding subsection 18.1.1, land zoned "M2-4" may only be used for the following uses:

18.3.4 GENERAL INDUSTRIAL EXCEPTION FOUR (M2-4) ZONE

18.3.4.1 Notwithstanding subsection 18.1.1, land zoned "M2-4" may only be used for the following uses:

- (a) Agriculture
- (b) Custom workshop
- (c) Dry light industry
- (d) Dry medium industry
- (e) Outdoor storage of parts, materials, or products related to a

permitted use shall be permitted south of existing buildings. There shall be no outdoor storage of hazardous liquids.

18.3.4.2 Notwithstanding Sections 3.10, 3.14.1, 18.1, and 18.2, land zoned "M2-4" shall be subject to the following zone provisions:

- (a) Lot frontage no minimum
- (b) The zone boundary nearest to and parallel to CKL Road 48 shall be deemed the front lot line for the purposes of yard requirements.
 - i) Front yard setback (min.) 55.0 m
 - ii) Eastern interior side yard setback (min.) 30.0 m
 - iii) Western interior side yard setback (min.) 23.0 m
 - iv) Rear yard setback (min.) 90.0 m
 - v) Notwithstanding Subsection 18.3.4.2 (c) i), an accessory structure with a maximum floor area of 10 sq.m. may have a north setback of 15.0 m.
- (c) Building height (max) 13.0 m
- (d) Floor area (max.) 4,600 sq. m.
- (e) Parking spaces (min.) 48
- (f) Accessible parking spaces (min.) 2
- (g) Drive aisle width (min.) 7.0 m
- (h) The driveway connecting lands zoned "M2-4" to CKL Road 48 shall have a minimum width of 7.0 m.
- (i) The maximum height of materials stored within an outdoor storage area shall be 3.0 m. This shall be measured from the adjacent grade, not inclusive of the berm.
- (j) Outdoor storage related to a permitted use shall be located south of all existing buildings and enclosed by an earthen berm with a minimum height of 1.5 m and a stable slope of 2 to 1 along the entire eastern, southern, and western edge of the area used for outdoor storage. The minimum earthen berm height shall be measured from the finished grade inside the outdoor storage area.
- (k) The south edge of the earthen berm referenced in Subsection 18.3.4.2 (j) shall have a minimum rear yard setback of 15.0 m from the northern edge of a watercourse or drainage ditch. For the purposes of this by-law, a drainage ditch is also defined as a watercourse.
- (l) Notwithstanding Subsection 3.10.2, a landscaped buffer in an industrial zone may be reduced in width to 1.5 metres where a coniferous hedge or privacy fence, either being 2.0 metres in height, is provided."

(B/L 2010-041)

18.3.5 GENERAL INDUSTRIAL EXCEPTION FIVE (M2-5) ZONE

18.3.5.1 Notwithstanding Subsection 18.1, land zoned "M2-5" shall only be used for uses permitted in a Restricted Industrial (M1) Zone; a dry-land marina; and/or a truss assembly or manufacturing plant predominantly conducted within a wholly enclosed building, a building supply and equipment depot and sales, and outside storage accessory to a permitted use.

18.3.5.2 Notwithstanding clauses 18.2.1.3 (b) and 18.2.1.3 (d), land zoned "M2-5" shall be subject to the following zone provisions:

- (a) Yard Requirements
 - (i) northern interior side yard for industrial buildings (min.) 9.8 m
 - (ii) northern interior side yard for accessory office building 3.0 m
 - (iii) southern interior side yard for industrial buildings (min.) 45.0 m
 - (iv) rear yard (min.) 9.0 m
- (b) Lot Coverage (max.) 40.0 %

18.3.5.3 Notwithstanding Section 3.10, an opaque fence of a minimum height of 2 metres shall be constructed and maintained along the side lot line, to the north, where the "M2-5" Zone abuts the RR1 Zone, from the front lot line to a depth of 65 metres. Along the side lot line to the south, where the "M2-5" Zone abuts the A1 Zone, a continuous landscaped buffer, together with a

combination earthen berm and opaque fence, with a minimum combined height of 4.25 metres shall be constructed from the front lot line to a depth of 62 metres. The continuous landscaped buffer shall consist of high and low level screening of evergreen vegetation which shall achieve a minimum height of 2.0 metres and a minimum width of 1.25 metres within 2 years of the passing of this By-Law. The required landscaped buffer shall be in addition to any existing natural vegetation on the property. The earthen berm shall be planted with grass or groundcovers to guard against erosion and enhance its visual amenity.

18.3.5.4 Notwithstanding Section 18.2.1.8, outside storage accessory to a permitted use, shall be permitted within a fenced interior side or rear yard, and shall not be permitted within a fenced interior side or rear yard, and shall not be permitted within 10 metres of the north lot line and 30 metres of the south lot line. The lot coverage of all buildings and outside storage combined shall not exceed 50%.

18.3.5.5 The minimum distance between the side lot line to the south and any additional entrance to the property from Farms Road shall be 30 metres.

18.3.6 GENERAL INDUSTRIAL EXCEPTION SIX (M2-6) ZONE

18.3.6.1 In addition to Section 18.1.1, on land zoned "M2-6" may only be used for the following purposes:

- (a) A contractor's yard and accessory offices.
- (b) A municipal work depot.

(c) A municipally operated or municipally contracted recycling operation.

18.3.7 GENERAL INDUSTRIAL EXCEPTION SEVEN (M2-7) ZONE

Deleted by By-Law 2004-141 (D06-27-035)

PART 19 - EXTRACTIVE INDUSTRIAL (M3) ZONE**19.1 USES PERMITTED**

19.1.1 No person shall hereafter change the use of any building, structure or land or erect and use any building or structure in an Extractive Industrial (M3) Zone, except for the following use:

19.1.1.1 Sand and gravel pit

19.2 ZONE PROVISIONS

19.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any structure or building except in conformity with the following requirements:

19.2.1.1 Lot Area (min.) 10 ha

19.2.1.2 Yard Requirements (min.)

- | | |
|-----------------------------------|------|
| (a) front | 30 m |
| (b) interior side | 15 m |
| (c) exterior side | 30 m |
| (d) rear | 15 m |
| (e) from residence on another lot | 90 m |

19.3 EXTRACTIVE INDUSTRIAL EXCEPTION ZONES

19.3.1 EXTRACTIVE INDUSTRIAL EXCEPTION ONE (M3-1) ZONE

19.3.1.1 In addition to the uses permitted by subsection 19.1.1, land zoned "M3-1" may also be used for a concrete batching plant.

19.3.2 EXTRACTIVE INDUSTRIAL EXCEPTION TWO (M3-2) ZONE

19.3.2.1 Notwithstanding the uses permitted in subsection 19.2.1, land zoned "M3-2" may only be used for a pit with a maximum annual extraction of 20,000 tonnes.

19.3.2.2 In addition to the provisions of subsection 19.2.1, land zoned "M3-2" shall be subject to the following provisions:

- i) Access to the Concession Road, lying between Concessions 3 and 4 shall be over land zoned A1 on the same lot.

19.3.3 EXTRACTIVE INDUSTRIAL EXCEPTION THREE (M3-3) ZONE

19.3.3.1 Notwithstanding the uses permitted in subsection 19.2.1, land zoned "M3-3" may only be used for a sand and gravel pit with a maximum annual extraction of 20,000 tonnes.

(B/L 95-13)

PART 20 - DISPOSAL INDUSTRIAL (M4) ZONE**20.1 USES PERMITTED**

20.1.1 No person shall hereafter change the use of any building, structure or land or erect and use any building or structure in an Disposal Industrial (M4) Zone, except for one of the following uses:

20.1.1.1 A sanitary landfill site

20.1.1.2 A waste transfer station

20.2 ZONE PROVISIONS

20.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Disposal Industrial (M4) Zone except in conformity with the following zone provisions:

20.2.1.1	Lot Area (min.)	
	(a) sanitary landfill site	10 ha
	(b) waste transfer station	1.0 ha
20.2.1.2	Lot Frontage (min.)	
	(a) sanitary landfill site	150 m
	(b) waste transfer station	60 m
20.2.1.3	Yard Requirements (min.)	
	(a) front	30 m
	(b) side	30 m
	(c) rear	30 m
	(d) for transfer station all yards	10 m

20.2.1.4 All permitted uses shall be enclosed by an opaque fence a minimum of 2.0 metres in height or a landscaped buffer at least 6 metres wide with an unpierced hedgerow of evergreens at least 2.0 metres in height.

20.3 **DISPOSAL INDUSTRIAL EXCEPTION ZONES**

20.3.1 DISPOSAL INDUSTRIAL EXCEPTION ONE (M4-1) ZONE

20.3.1.1 Notwithstanding subsection 20.1.1, land zoned "M4-1" may only be used for a salvage yard or a scrap yard.

20.3.1.2 For the purposes of the "M4-1" Zone, the zone provisions of subsection 20.2.1 for sanitary landfill site shall apply.

20.3.2 DISPOSAL INDUSTRIAL EXCEPTION TWO (M4-2) ZONE

20.3.2.1 Notwithstanding subsection 20.1.1, land zoned "M4-2" may only be used for a recycling depot or a composting facility.

20.3.2.2 For the purposes of the "M4-2" Zone, the zone provisions of subsection 20.2.1 for sanitary landfill site shall apply.

20.3.3 DISPOSAL INDUSTRIAL EXCEPTION THREE (M4-3) ZONE

20.3.3.1 Notwithstanding subsection 20.1.1, land zoned "M4-3" may only be used for a sewage treatment facility.

20.3.3.2 For the purposes of the "M4-3" Zone, the provisions of subsection 20.2.1 for a sanitary landfill site shall apply.

PART 21 - INTERPRETATION**21.1 SCOPE**

21.1.1 In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirement adopted for the promotion of public health, safety, convenience and general welfare.

21.2 SYMBOLS

21.2.1 The symbols used on the schedule attached hereto refer to the appropriate zones and zone exceptions established by this By-law.

21.3 DEFINED

21.3.1 The extent and boundaries of all zones are shown on the Schedules attached hereto, and all such zones are hereby defined as areas to which the provisions of this By-law shall respectively apply.

21.4 INTERPRETATION OF ZONE BOUNDARIES

21.4.1 Where the boundaries of any zone, as shown on the attached schedule are uncertain, the following provisions shall apply:

(a) Where a zone boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane.

(b) Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lots registered in the appropriate Registry Office or Land Titles

Office, the boundary shall follow such lot lines.

- (c) Where a street, lane, railroad or railway right of way, or watercourse is included on the zoning map, they shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof.
- (d) Where a street, lane, railroad or railway right of way, electrical transmission line right of way, or watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such street, lane, right of way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.
- (e) Where a zone boundary is indicated as following the limits of the Municipality, the limits shall be the boundary.
- (f) Where none of the above provisions apply, the said zone boundary shall be scaled from the attached Schedules at the scale indicated.

21.5 CERTAIN WORDS

- 21.5.1 In this By-law words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word "used" includes "arranged, designed, or intended to be used"; the word "shall" is mandatory and not directory.

21.6 MEASUREMENT

- 21.6.1 The Metric system of measurement shall be the only

standard to be applied in this By-law. The imperial equivalents are included as Appendix "A" as a general guide for reference purposes only and does not form part of this By-law.

21.7 ABBREVIATIONS

21.7.1 The following abbreviations, where used in this By-law, shall have the same meaning as if the word were printed in full:

d.u.	-	dwelling unit
ha	-	hectare
sq. m	-	square metre
m	-	metre
min.	-	minimum
max.	-	maximum
g.f.a.	-	gross floor area
C.G.S. Datum	-	Canada Geodetic Survey Datum

21.8 COMPLIANCE WITH OTHER LAWS

21.8.1 This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a Federal, Provincial, County or Governmental Authority having jurisdiction to impose such restrictions.

PART 22 - ADMINISTRATION AND VALIDITY**22.1 ENFORCEMENT**

22.1.1 No permit for the use of land or for the erection or use of any building or structure and no certificate of occupancy or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use is in violation of any provisions of this By-law.

22.2 INSPECTION OF PREMISES

22.2.1 Where a By-law Enforcement Officer believes, on reasonable grounds, that this By-law is being contravened, the By-law Enforcement Officer, or any person acting under his or her instructions may, upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.

22.2.2 Notwithstanding subsection 22.2.1, except under the authority of a search warrant issued under Section 49.1 of the Planning Act, a By-law Enforcement Officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling, without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

22.3 CONTINUATION OF EXISTING REGULATIONS

22.3.1 All By-laws in force within the Municipality prohibiting or regulating the use of land or buildings or structures shall be and the same are hereby amended insofar as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern, provided however, where this By-law does not apply, existing Municipal By-laws shall remain in full force and effect.

22.4 VIOLATION PENALTY

- 22.4.1 Pursuant to Section 67 of the Planning Act, R.S.O. 1990, as amended, every person or persons who contravenes any of the provisions of this By-law is guilty of an offence, and on conviction is liable;
- 22.4.1.1 on a first conviction to a fine of not more than \$20,000.00 and;
- 22.4.1.2 on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which such person was first convicted.
- 22.4.2 Where a corporation is convicted of the contravention of any of the provisions of this By-law, the maximum penalty that may be imposed is;
- 22.4.2.1 on a first conviction a fine of not more than \$50,000.00 and;
- 22.4.2.2 on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.
- 22.4.3 Each day that the person, persons or corporation contravenes any provisions of this By-law, shall constitute a separate offence.
- 22.4.4 Where a conviction is entered in respect of any contravention of this By-law, in addition to any other remedy or any penalty provided by this By-law, the court in which the conviction has been entered, and

any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or corporation.

22.5 REPEAL OF EXISTING ZONING BY-LAWS

Restricted Area By-law 78-5, as amended, of the Corporation of the TOWNSHIP OF ELDON is hereby repealed.

22.6 VALIDITY

22.6.1 Should any section, clause or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.

22.6.2 This By-law shall take effect from the date of passing thereof, subject to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended.

READ a first time this 24th day of October, 1994

READ a second time this 24th day of October, 1994

READ a third time and passed this 24th Day of October, 1994

Signed: "Wayne Teel"

Reeve

Signed: "D. A Grant"

Clerk

APPENDIX "A"
METRIC CONVERSION

Linear Measurements**(rounded)**

<u>Metres</u>	<u>Feet</u>	<u>Metres</u>	<u>Feet</u>
0.15	0.5	15.2	49.9
0.50	1.6	15.5	50.9
0.60	2.0	18.0	59.0
0.75	2.5	20.0	65.6
1.0	3.3	24.0	78.7
1.2	4.0	25.0	82.0
1.5	5.0	30.0	89.4
1.8	6.0	30.5	100.1
2.0	6.6	35.0	114.9
2.3	7.5	36.5	119.8
2.4	7.8	40.0	131.2
2.5	8.2	45.0	147.6
2.8	9.2	50.0	164.0
3.0	9.9	60.0	196.9
3.5	11.5	61.0	200.1
4.0	13.1	85.0	278.9
4.5	14.8	92.0	301.8
5.0	16.4	100.0	328.1
5.5	18.0	120.0	393.7
6.0	19.7	146.3	480.0
6.1	20.0	150.0	492.0
7.0	23.0	160.0	524.9
7.5	24.6	175.0	574.1
9.0	29.5	200.0	656.2
10.0	32.8	260.0	853.0
11.0	36.0	300.0	984.3

TOWNSHIP OF ELDON

COMPREHENSIVE ZONING BY-LAW 94-14

22-7

OFFICE CONSOLIDATION

July 2011

12.0

39.4

400.0

1312.3

15.0

49.2

Area Measurements

<u>Square Metres</u>	<u>Square Feet</u>
5	53.8
9	96.9
10	107.6
12	129.2
14	150.7
20	215.3
30	322.9
35	376.8
40	430.6
55	592.0
65	699.7
74	796.6
92	990.3
93	1001.1
100	1076.4
150	1614.6
300	3229.3
301	3240.0
370	3982.8
460	4951.6
550	5920.3
650	6996.8
690	7427.3
800	8611.4
830	8934.3
950	10226.0
1390	14962.3
1400	15070.0
1650	17761.0

1850	19913.9
1860	20021.5
2000	21528.5
2001	21539.3
3600	38751.3
4000	43057.1

Hectares

Acres

1.0	2.5
1.9	4.7
2.0	4.9
2.4	5.9
5.0	12.4
10.0	24.7
16.0	39.5
19.0	46.9
35.0	86.5
38.0	93.9

TOWNSHIP OF ELDON

COMPREHENSIVE ZONING BY-LAW 94-14

22-10

OFFICE CONSOLIDATION

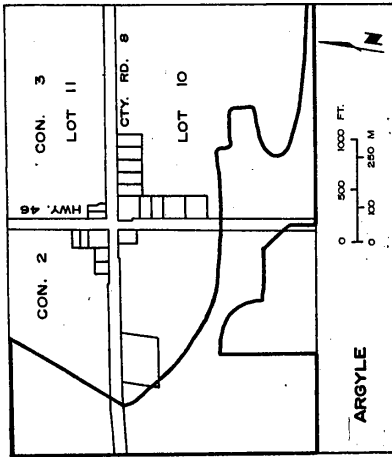
July 2011

APPENDIX "B"

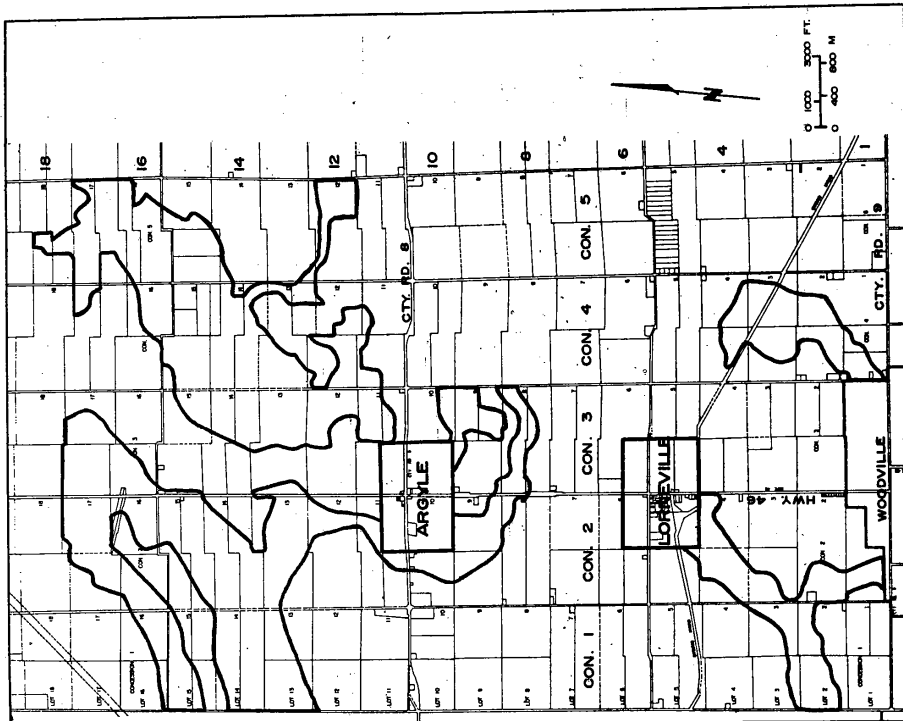
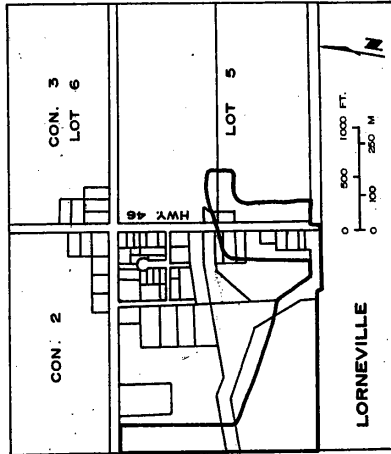
The REGULATORY CONSTRUCTION & FILL AREA

LAKE SIMCOE REGION CONSERVATION AUTHORITY

APPENDIX 'B'



EXPLANATORY NOTE:
 Land bounded by the bold solid line is within The Regulatory Construction & Fill Area of the Lake Simcoe Region Conservation Authority. Property owners are directed to the Conservation Authority for further information concerning the requirements for building within these areas.



MINIMUM DISTANCE SEPARATION (MDS)
CALCULATION SHEET FOR NON-AGRICULTURAL USES

USES: To determine the required minimum distance separation (MDS) for non-agricultural uses establishing in proximity to livestock facilities.

The following information is to be completed as it relates to livestock operations within 120 metres of the proposed non-agricultural use.

APPLICANT'S NAME: _____ TELEPHONE: _____

ADDRESS: _____ FAX: _____

LOCATION - TOWNSHIP: _____ LOT: _____

CON.: _____

FILE #: _____ DATE: _____ EVALUATOR: _____

ASSESSMENT OF THE LIVESTOCK FACILITY

STEP 1 - TOTAL LIVESTOCK UNITS

To calculate the Total Livestock Units, complete the table below based on the information in Table 1.

COLUMN 1 COLUMN 2 COLUMN 3 COLUMN 4 COLUMN 5

Type of Livestock	Animal Group Table 1	Housing Capacity of Livestock Facility	No. of Animals / Livestock Unit Table 1	No. of Livestock Units Column 3 / Column 4

		(A) = Total Livestock Units		(A)

If there are more than 300 livestock units, reference must be made to the full set of tables available from any O.M.A.F.A. office.

STEP 2 - LAND BASE ASSESSMENT (B)

No. of tillable ha on site ___ x 5 = _____ (B) Potential Livestock Units
 (Maximum of (B) is 150 Livestock Units)

STEP 3 - CALCULATIONS

Enter the Greater of (A) Total Livestock Units, from Step 1 or (B) Land Base Assessment, from Step 2: _____ (Use this figure to enter Column 1 of Table 2)

Minimum Distance Separation req'd from Livestock Facility = _____ m.
(from Table 2)

Actual distance as estimated from livestock facility = _____ m.

Minimum Distance Separation required from Manure Storage = _____ m.
(from Table 3)

Actual distance as estimated from manure storage = _____ m.

STEP 4 - CONCLUSION

if the actual distance separation is less than the required minimum distance separation the application DOES NOT COMPLY with the By-law.

This application MEETS () DOES NOT MEET () the required MDS for the livestock facility.

TABLE 1 ANIMAL GROUPS

ANIMAL GROUP 1	ANIMAL GROUP 2	ANIMAL GROUP 3	ANIMAL GROUP 4	ANIMALGROUP 5
1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals
200 Chicken Broilers 1 Dairy Cow ^{1,2} (tie stall) 1 Horse ³	4 Adult Sheep ³ 1 Beef Cow confinement 2 Heifers confinement 10 Feeder Lambs 100 Ducks 5 Emu	1 Beef Cow ¹ yard/Barn 2 Beef Feeder Yard/Barn 1 Dairy Cow ^{1,2} (Free stall) 2 Dairy Heifers yard/Barn	50 Adult Mink ⁴ 10 Adult Fox ³ 125 Caged Layers	4 Feeder Hogs 4 Sows/Boars ⁵ 20 Weaners 4-30 kg 6 White Veal

	3 Ostrich	4 Adult Goats ³		
	500 Pullets	10 Feeder Goats		
	50 Turkeys (>10 kg)	40 Adult Rabbits ⁴		
	75 Turkeys (5-10 kg)	3 Red Veal <300 kg		
	100 Turkeys (<5kg)	125 Chicken Breeder Layers		
		75 Turkey Breeder Layers		

¹ Includes calf to 150 kg, ² Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm,

³ Includes offspring until weaned, ⁴ Includes offspring to market size, ⁵ Includes offspring to 4 kg.

Select Animal group 1, 2, 3, 4 or 5, depending on type of animals on farm. If there are animals from different groups, select the highest group number. The group number is used when referring to Table 2.

STEP 4: TABLE 2. MINIMUM DISTANCE SEPARATION FROM LIVESTOCK FACILITY

Read across appropriate line from Column 1 to respective Animal Group and Land Use Type. This number is the Minimum Distance Separation requirement in metres from a livestock facility.

COLUMN 1	TYPE "A" LAND USE					TYPE "B" LAND USE				
	To permit: <ul style="list-style-type: none"> • Up to 3 rural residential lots, either by consent or by plan of subdivision • the severance of an existing dwelling • passive recreational • the building of a dwelling on an existing lot of record • agriculturally related commercial • industrial 					To permit: <ul style="list-style-type: none"> • residential subdivision • active recreational • institutional • commercial • urban expansion • multiple residential • or result in a Rural Cluster 				
Greater of Livestock Units (a) or Potential Livestock Units (b)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345

75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	191	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

TABLE 3. MINIMUM DIDSTANCE SEPARATION FROM MANURE STORAGE

The following table is used to calculate MDS requirements from manure storages associated with livestock facilities.

Using the resulting MDS distance from Table 2, read across the appropriate line to Column 1, 2, 3 or 4. Select the distance under the appropriate Land Use Type.

This is the MINIMUM DISTANCE SEPARATION REQUIREMENT from the manure storage of a livestock facility for the establishment of a non-farm use.

Column 1:Roofed or covered manure storage. Includes covered concrete and steel tanks, storages under fully slatted floors, in-barn solid manure packs, and roofed manure storages.

Column 2:Open solid manure pile on concrete slab including any associated runoff control and storage.

Column 3:Open concrete or steel tank, silo or yard runoff storage.

Column 4:Open, earth-sided storage OR earth-sided storage with concrete floor.

MANURE STORAGE DISTANCE

Distance for Livestock Facility from Table 2 (Step 3)	Column 1		Column 2		Column 3		Column 4	
	Covered Tank		Open Solid Storage		Open Liquid Tank Silo and Yard Runoff Storage		Earthen Manure Storage	
	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use
40	40	-	55	-	119	-	324	-
45	45	-	60	-	123	-	326	-
50	50	-	65	-	127	-	328	-
55	55	-	70	-	132	-	331	-
60	60	-	74	-	136	-	333	-
65	65	-	79	-	140	-	335	-
70	70	70	84	103	144	241	337	686
75	75	75	89	107	149	246	339	689
80	80	80	94	112	153	250	342	691
85	85	85	99	117	157	254	344	693
90	90	90	103	122	161	258	346	695

95	95	95	108	127	165	263	348	698
100	100	100	113	132	170	267	351	700
110	110	110	123	141	178	275	355	704
120	120	120	133	151	187	284	359	709
130	130	130	142	161	195	292	364	713
140	440	140	152	171	203	301	368	717
150	150	150	162	180	212	309	373	722
160	160	160	172	190	220	318	377	726
170	170	170	181	200	229	326	382	731
180	180	180	191	209	237	335	386	735
190	190	190	201	219	246	343	390	740
200	200	200	210	229	254	351	395	744
210	210	210	220	239	263	360	399	749
220	220	220	230	248	271	368	404	753
230	230	230	239	258	280	377	408	757
240	240	240	249	268	288	385	413	762
260	260	260	268	287	305	402	421	771
280	280	280	288	307	322	419	430	780
300	300	300	307	326	339	436	439	788
320	320	320	327	346	356	453	448	797
340	340	340	346	365	372	470	457	806
360	360	360	366	385	389	487	466	815
380	380	380	385	404	406	504	475	825
400	400	400	404	423	423	521	483	833
450	450	450	453	472	465	563	506	855
500	500	500	501	520	508	605	528	877
550	550	550	550	569	550	648	550	899

MINIMUM DISTANCE SEPARATION (MDS)
 CALCULATION FOR LIVESTOCK FACILITIES

USE: To determine the required minimum distance separation requirements for livestock and poultry facilities within agricultural areas.

The following information is to be completed as it relates to the livestock/poultry operation.

FARM _____ NAME/OWNER: _____

FARM LOCATION: COUNTY OF VICTORIA TWP _____ LOT _____ CONC _____
 ADDRESS: _____

TELEPHONE: (____) ____ - _____ FAX: (____) ____ - _____

This project consists of:

- () New livestock or poultry facilities
- () New manure storage
- () Modifications to existing manure storage
- () Modifications to existing livestock or poultry facilities
- () Rebuilding (ie after fire).

Step 1

Use the table below to list the type and number of livestock or poultry to be housed at any one time on the property:

		Equivalent		Equivalent		Equivalent
Type of Livestock/Poultry	Existing Barn Capacity	Livestock Units from Table 1	Additional Barn Capacity	Livestock Units from Table 1	Total Barn Capacity	Livestock Units

Total 1

Total 2

Total 3

Step 2

Total 2 []

Calculation of Percentage Increase _____ X 100 = [] %

Total 1 []

Step 3

Factor A: Livestock/poultry to be added

(0.65, 0.7, 0.8 or 1.0) (From Table 1) FACTOR A: [_____]

Factor B: Total number of livestock units (Step 1 Total 3)

(From Table 2) FACTOR B: [_____]

Factor C: Percentage increase. (Step 2) (Table 3) FACTOR C: [_____]

Factor D: Type of manure system

FACTOR D: [_____]

(Solid=0.7, Liquid=0.8)

Step 4

Building Base Distance (From Step 3 -

A X B X C X D) Base Distance F: [_____]

(insert below)

Step 5

Manure Storage Base Distance (F from Step 4)

Table 4 Base Distance S:

[_____]

(insert below)

Step 6

MINIMUM DISTANCE

SEPARATION

SUMMARY:

BUILDING:	'F'	MANURE	'S'
Base	[]	STORAGE	[]
Distance			

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Neighbouring Land use or boundary	Factor	Distance "F" Step 4 x Column 2 (m)	Actual Distance (m)	Distance 'S' Step 5 x Column 2 (m)	Actual Distance (m)
Nearest Neighbour's Dwelling	1.0				
Areas Zoned for Agriculturally related Commercial Passive Recreation or Industrial use	1.0				
Areas Zoned for Residential, Institutional, Active Recreation or Commercial Use	2.0				
Nearest Side or Rear Lot line	0.2				
Nearest Exterior Side or Front Lot Line	0.25				

TABLE 1: FACTOR 'A' (Barn Odour Potential)
and Animals per Livestock Unit (based on housing capacity)

Animals per Livestock Unit				Factor A
BEEF	1	Beef Cow ¹	(barn confinement)	0.7
	1	" "	(barn with yard)	0.8
	2	Beef Feeders	(barn confinement)	0.7
	2	Beef Feeders	(barn with yard)	0.8
CHICKEN	125	Caged Layers	(manure stored in barn)	1.0
	125	Caged Layers	(daily manure removal)	0.8
	125	Chicken Breeder Layers		0.8
	200	Chicken Broilers/Roasters		0.65
	500	Pullets (replacement layers)		0.7
DAIRY	1	Milking Cow ^{1,2}	(tie-stall)	0.65
	1	" "	(free-stall)	0.7
	2	Dairy Heifers	(barn confinement)	0.7
	2	" "	(barn with yard)	0.8
DUCK	100	Ducks		0.7
EMU	5	Emu		0.7
FOX	40	Adult Fox ⁴		1.1
GOAT	4	Adult Goats ³		0.7
	10	Feeder Goats (>20 kg)		0.7
HORSE	1	Horse ³		0.65
MINK	80	Adult Mink ⁴		1.1
OSTRICH	3	Ostrich		0.7
RABBIT	40	Adult Rabbits ⁴		0.8
SHEEP	4	Adult Sheep ³		0.7

	10	Feeder Lambs (>20 kg)	0.7
SWINE	5	Sows/Boars	1.0
	4	Feeder Hogs (30-120 kg)	1.0
	20	Weaners (4-30 kg) ⁵	1.0
TURKEY	50	Meat Turkeys (>10 kg)	0.7
	75	Meat Turkeys (5-10 kg)	0.7
	75	Turkey Breeder Layers	0.8
	100	Meat Turkeys (<5 kg)	0.7
	500	Pullets (replacement breeders)	0.7
VEAL	6	White Veal	1.0
	3	Red Veal (<300 kg)	0.8

Notes: For all other animals/poultry use 1 livestock unit per 450 kg housed at one time (A=0.8)

¹ Includes calf to 150 kg.

² A dairy/cow-calf farm usually has milking cows, dry cows, heifers and calves, Multiply the number of milking/nursing cows by 1.5 to account for the followers when they are all kept on the same farm.

³ Includes offspring until weaned

⁴ Includes offspring to market size

⁵ Multiply number of sows by 2.4 to determine the number of weaners.

TABLE 2: FACTOR 'B' (Final Livestock Units).

Livestock Units	Factor B	Livestock Units	Factor B	Livestoc k Units	Factor B	Livestoc k Units	Factor B				
5	-	107	95	-	313	500	-	578	1600	-	821
6	-	119	100	-	318	520	-	585	1650	-	829
7	-	129	110	-	327	540	-	592	1700	-	836
8	-	138	120	-	335	560	-	598	1750	-	844
9	-	145	130	-	343	580	-	605	1800	-	851
10	-	152	140	-	350	600	-	611	1850	-	858
12	-	164	150	-	357	620	-	617	1900	-	865
14	-	175	160	-	366	640	-	623	1950	-	872
16	-	183	170	-	374	660	-	629	2000	-	879
18	-	191	180	-	383	680	-	635	2100	-	892
20	-	198	190	-	392	700	-	640	2200	-	905
22	-	205	200	-	400	720	-	646	2300	-	917
24	-	210	210	-	409	740	-	651	2400	-	929
26	-	216	220	-	418	760	-	656	2500	-	941
28	-	221	230	-	426	780	-	661	2600	-	952
30	-	225	240	-	435	800	-	666	2700	-	963
32	-	230	250	-	444	850	-	679	2800	-	974
34	-	234	260	-	452	900	-	690	2900	-	985
36	-	238	270	-	461	950	-	702	3000	-	995
38	-	241	280	-	470	1000	-	713	3200	-	1015
40	-	245	290	-	478	1050	-	723	3400	-	1034
45	-	253	300	-	487	1100	-	733	3600	-	1053
50	-	261	320	-	501	1150	-	743	3800	-	1071
55	-	268	340	-	512	1200	-	753	4000	-	1088
60	-	275	360	-	522	1250	-	762	4200	-	1105
65	-	281	380	-	531	1300	-	771	4400	-	1121
70	-	287	400	-	540	1350	-	780	4600	-	1136
75	-	293	420	-	548	1400	-	789	4800	-	1152
80	-	298	440	-	556	1450	-	797	5000	-	1166
85	-	304	460	-	564	1500	-	805	7500	-	1326
90	-	309	480	-	571	1550	-	813	10000	-	1455

TABLE 3:

FACTOR 'C'

(Percentage Increase).

Livestock Units		Factor C	Livestock Units		Factor C	Percentage Increase		Factor C
0-50	-	0.70	120	-	0.86	280	-	1.03
55	-	0.72	130	-	0.88	300	-	1.04
60	-	0.73	140	-	0.90	325	-	1.05
65	-	0.75	150	-	0.91	350	-	1.06
70	-	0.76	160	-	0.92	375	-	1.07
75	-	0.77	170	-	0.94	400	-	1.08
80	-	0.78	180	-	0.95	425	-	1.09
85	-	0.79	190	-	0.96	450	-	1.10
90	-	0.81	200	-	0.97	500	-	1.11
95	-	0.82	220	-	0.99	550	-	1.12
100	-	0.83	240	-	1.00	650	-	1.13
110	-	0.85	260	-	1.02	700	-	1.14

Note: For new livestock farms or if the % increase is greater than 700 percent, use
Factor C=1.14

TABLE 4 SITING DISTANCES FOR MANURE STORAGE (metres).

Column 1: Roofed or covered manure storage. Includes covered concrete and steel tanks, storages under fully slotted floors, in-barn solid manure packs, and roofed manure storages.

Column 2: Open sided manure pile on concrete slab including any associated runoff control and storage.

Column 3: Open concrete or steel tank, silo for liquid manure, milkhouse waste, or yard runoff storage.

Column 4: Open liquid manure earth-sided storage or earth-sided storage with concrete floor.

Minimum Base Distance 'F' for the Building (m)	Column 1	Column 2	Column 3	Column 4
	Covered Tank or Storage (m)	Open Solid Storage (m)	Open Liquid Tank, Silo, Milkhouse Waste and Yard Runoff Storage (m)	Earthen Manure Storage (m)
40	40	55	119	324
45	45	60	123	326
50	50	65	128	328
55	55	70	132	331
60	60	74	136	333
65	65	79	140	335
70	70	84	144	337
75	75	89	149	340
80	80	94	153	342
85	85	99	157	344
90	90	104	161	346
95	95	108	166	348
100	100	113	170	351
105	105	118	174	353
110	110	123	178	355
115	115	128	182	357
120	120	133	187	360
125	125	138	191	362
130	130	142	195	364
135	135	147	199	366

140	140	152	204	368
145	145	157	208	371
150	150	162	212	373
160	160	172	220	377
170	170	181	229	382
180	180	191	237	386
190	190	201	246	391
200	200	210	254	395
210	210	220	263	399
220	220	230	271	404
230	230	239	280	408
240	240	249	288	413
260	260	269	305	422
280	280	288	322	430
300	300	307	339	439
320	320	327	356	448
340	340	346	373	457
360	360	366	389	466
380	380	385	406	475
400	400	404	423	484
420	420	424	440	492
440	440	443	457	501
460	460	463	474	510
480	480	482	491	519
500	500	502	508	528
550	550	550	550	550

