

UNITED TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD

BY-LAW 32-83

OFFICE CONSOLIDATION

This is an Office Consolidation of By-law 32-83, as amended, of the Corporation of the United Townships of Laxton, Digby and Longford. This document has been prepared for the purpose of convenience only. Accordingly, to ensure accuracy, reference should always be had to the original By-law and the individual amendments.

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THE CORPORATION OF THE
UNITED TOWNSHIPS
OF LAXTON, DIGBY AND LONGFORD
BY-LAW NUMBER
32-83

A ZONING BY-LAW

A By-law to regulate the use of land, the erection of buildings or structures, the type of construction, the height, bulk, location, size, floor area, spacing, character and use of buildings or structures in the UNITED TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD;

Whereas under Section 34 of The Planning Act, R.S.O. 1990, as amended, the United Townships of Laxton, Digby and Longford may pass a Zoning By-law;

NOW THEREFORE, the Council of the Corporation of the UNITED TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD enacts the following By-law:

SECTION 1

TITLE AND AREA RESTRICTED

- 1.1 This By-law shall be known as the "Zoning By-law" for the geographic TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD.
- 1.2 Schedules "A", "B", "C", "D" and "E" attached hereto, with the notations, zone boundaries, symbols and references shown thereon, illustrates the area to which this By-law applies and is 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".
- 1.3 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.

SECTION 2

ZONES AND ZONING MAPS

2.1 ZONES

For the purpose of this By-law, the following zones are used and the same are established within the defined areas on the Schedules attached hereto.

RRI	Rural Residential Type One
RR2	Rural Residential Type Two
LSR	Limited Service Residential
LSS	Limited Service Seasonal
C1	General Commercial
C2	Highway Commercial
C3	Commercial Recreation
C4	Commercial Trailer Park
MI	General Industrial
M2	Industrial Extractive
M3	Industrial Disposal
01	Open Space
02	Open Space Special Use
AI	Rural General
CF	Community Facility

2.2 ZONING MAPS

The extent and boundaries of the said zones are shown on the Schedules attached hereto and are declared hereby to form part of this By-law. Such zones may be referred to by the appropriate symbols.

2.3 SPECIAL ZONES

Where the zone symbol on certain lands as shown on the Schedule or Schedules is followed by a dash and a number, for example "A1-1", then special provisions or limitations apply to such lands. The special provisions will be found by referring to that section of the By-law which deals with the specific zone. Lands shown in this manner shall be subject to all of the restrictions of the zone in addition to, or except as otherwise provided for by the special provisions.

SECTION 3

RURAL RESIDENTIAL TYPE ONE (RR1) ZONE

3.1 RR1 USES PERMITTED

No persons 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 one or more of the following uses:

- a. Single detached dwelling
- b. Home Occupation
- c. Park
- d. Bed and Breakfast Establishment

3.2 RR1 ZONE REQUIREMENTS

In a Rural Residential Type One (RR1) Zone, no persons shall hereafter erect or use a building except in conformity with the following requirements:

- | | | |
|---|------|-------|
| a. Minimum lot area | 2800 | sq.m. |
| b. Minimum lot frontage | 38 | m |
| c. Minimum front yard | 6.0 | m |
| d. Minimum rear yard | 6.0 | m |
| e. Minimum flankage yard | 6.0 | m |
| f. Minimum water setback | 15 | m |
| g. Maximum lot coverage | 30 | % |
| h. Minimum dwelling unit floor area | 58 | sq.m. |
| i. Maximum height | 11 | m |
| j. Minimum side yard shall be 3 metres on one side of the lot and 1.3 metres for a one storey building plus one metre for each additional or partial storey above the first storey on the opposite side of the lot. | | |
| k. Maximum number of dwelling units per lot | 1 | |

3.3 RRI EXCEPTION ZONES

3.3.1 Notwithstanding Section 3.2 a., the minimum lot area shall be 4,000 square metres on land zoned RR1-1.

3.3.2 Notwithstanding Section 3.1, on land zoned RR1-2, the permitted uses shall include a boarding house.

3.3.3 Notwithstanding Section 3.2 a., the minimum lot area shall be 10 hectares on land zoned RR1-3.

- 3.3.4 Notwithstanding Sections 3.1, 3.2 a. and 19, on land zoned RR1-4, the minimum lot area shall be 10 hectares and up to eight (8) horses may be kept in a barn with a ground floor area not exceeding 640 sq. m. B/L 2003-188

SECTION 4

RURAL RESIDENTIAL TYPE TWO (RR2) ZONE

4.1 RR2 USES PERMITTED

No persons 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 one or more of the following uses:

- a. Vacation dwelling or a single detached dwelling
- b. Park
- c. Home Occupation
- d. Bed and Breakfast Establishment

4.2 RR2 ZONE REQUIREMENTS

In a Rural Residential Type Two (RR2) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

	Communal or Municipal Water Supply Provided	Individual Water Supply and Sewage Disposal
a. Minimum lot area	1400 sq.m.	2000 sq.m.
b. Minimum lot frontage	25 m	25 m
c. Minimum shoreline lot frontage	34 m	34 m
d. Minimum front yard	6.0 m	6.0 m
e. Minimum rear yard	6.0 m	6.0 m
f. Minimum flankage yard	6.0 m	6.0 m
g. Minimum water setback	15 m	15 m
h. Maximum lot coverage	30 %	30 %
i. Maximum height	11 m	11 m
j. Minimum dwelling unit floor area	58 sq.m.	58 sq.m.
k. Minimum side yard shall be 3 metres on one side of the lot and 1.3 metres for a one storey building plus one metre for each additional or partial storey above the first storey on the opposite side of the lot.		
l. Maximum number of dwelling units per lot	1	1

4.3 RR2 EXCEPTION ZONES

4.3.1 Notwithstanding subsection 4.1, land zoned "RR2-1" may also be used for a converted dwelling.

4.3.2 Notwithstanding Section 4.2 g., on land zoned the Rural Residential Type Two Special (RR2-2) Zone the following standards shall apply:

- | | | |
|---|--------|--------------|
| a. Minimum water setback | 20 | m |
| b. Minimum elevation for all exterior building openings | 270.46 | G.C.S. datum |
| c. All driveways shall have a minimum elevation of | 269.96 | G.C.S. datum |
| d. Minimum water setback for fill | 3 | m |

4.3.3 Notwithstanding Sections 4.2 g. and i. and 18.22 and in addition to the provisions of Section 4.2, on land zoned "RR2-3" the following requirements shall apply:

- | | | |
|--|--------|----------|
| a. Minimum water setback | 20 | m |
| b. Minimum opening elevation | 270.46 | m G.S.C. |
| c. Minimum elevation for floor of crawl spaces | 269.96 | m G.S.C. |
- d. no basements shall be permitted as a foundation for any building or structure
- e. for the purposes of the RR2-3 Zone a crawl space shall mean that space located below the first storey of a building or structure which is completely enclosed by the foundation walls and is not greater than 1 metre in height
- f. no buildings shall be greater than one storey in height.

SECTION 5

LIMITED SERVICE RESIDENTIAL (LSR) ZONE

5.1 LSR USES PERMITTED

No persons 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 one or more of the following uses:

- a. Vacation Dwelling or a Single Detached Dwelling
- b. Home Occupation

5.2 LSR ZONE REQUIREMENTS

In a Limited Service Residential (LSR) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

	Communal or Municipal Water Supply Provided	Individual Water Supply and Sewage Disposal
a. Minimum lot area	1400 sq.m	2000 sq.m
b. Minimum lot frontage	25 m	25 m
c. Minimum shoreline lot frontage	34 m	34 m
d. Minimum front yard	6.0 m	6.0 m
e. Minimum rear yard	6.0 m	6.0 m
f. Minimum flankage yard	6.0 m	6.0 m
g. Minimum water setback	15 m	15 m
h. Maximum lot coverage	30 %	30 %
i. Maximum height	11 m	11 m
j. Minimum dwelling unit floor area	58 sq.m	58 sq.m
k. Minimum side yard shall be 3 metres on one side of the lot and 1.3 metres for a one storey building plus one metre for each additional or partial storey above the first storey on the opposite side of the lot.		
l. Maximum number of dwelling units per lot	1	1

5.3 LSR EXCEPTION ZONES

- 5.3.1 Notwithstanding the provisions as set out in Section 5.2, land zoned LSR-1 shall be subject to the following zone requirements:

- | | |
|-----------------------------------|-------------|
| a. minimum lot area | 1982 sq. m. |
| b. minimum shoreline lot frontage | 30 m. |

All other provisions of the LSR Zone shall apply.
(B/L 2007-114)

- 5.3.2** Notwithstanding the provisions as set out in Section 5.2, land zoned **LSR-2** shall be subject to the following zone requirements: **(Reserved D06-30-057)**

SECTION 6

LIMITED SERVICE SEASONAL (LSS) ZONE

6.1 LSS USES PERMITTED

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 Seasonal (LSS) Zone, except for one or more of the following uses:

- a. Vacation Dwelling

6.2 LSS ZONE REQUIREMENTS

In a Limited Service Seasonal (LSS) Zone no person shall hereafter erect or use a building except in conformity with the following requirements:

	Communal or Municipal Water Supply Provided	Individual Water Supply and Sewage Disposal
a. Minimum lot area	1400 sq.m	2000 sq.m
b. Minimum lot frontage	25 m	25 m
c. Minimum shoreline lot frontage	34 m	34 m
d. Minimum front yard	6.0 m	6.0 m
e. Minimum rear yard	6.0 m	6.0 m
f. Minimum flankage yard	6.0 m	6.0 m
g. Minimum water setback	15 m	15 m
h. Maximum lot coverage	30 %	30 %
i. Maximum height	11 m	11 m
j. Minimum dwelling unit floor area	58 sq.m	58 sq.m
k. Minimum side yard shall be 3 metres on one side of the lot and 1.3 metres for a one storey building plus one metre for each additional or partial storey above the first storey on the opposite side		
l. Maximum number of dwelling units per lot	1	1

6.3 LSS EXCEPTION ZONES

6.3.1 Notwithstanding sections 6.2 and 18.1 b, on land zoned LSS-1, the following requirements shall apply:

- | | |
|---|---------|
| a. Minimum water setback | 15 m |
| b. Minimum distance between vacation dwellings | 15 m |
| c. Minimum dwelling unit floor area | 58 sq.m |
| d. Maximum height | 11 m |
| e. Minimum setback from Zone boudnary | 15 m |
| f. Maximum number of dwelling units on all land zoned LSS-1 in the geographic Township of Longford shall be 70. | |

6.3.2 Notwithstanding Sections 6.2 b., d. and k., on land zoned LSS-2 the following provisions shall apply:

- | | |
|---|-----|
| a. Minimum lot frontage | 6 m |
| b. Minimum building setback from a lot line other than a shore lot line | 6 m |

All other provisions of the LSS Zone and the By-law apply to land zoned LSS-2.

SECTION 7

OPEN SPACE (01) ZONE

7.1 01 USES PERMITTED

No person shall hereafter use or change the use of any land in an Open Space (01) Zone, except for one or more of the following uses:

- a. Golf Courses
- b. Parks
- c. Athletic fields, ski lifts and similar uses
- d. Agricultural uses
- e. Resource Management

7.2 01 PROHIBITION OF BUILDING CONSTRUCTION

In an Open Space (01) Zone no person shall hereafter erect any building or structure except structures accessory to a permitted use.

7.3 01 EXCEPTION ZONES

"Reserved"

SECTION 8

OPEN SPACE SPECIAL USE (02) ZONE

8.1 02 USES PERMITTED

No person shall hereafter change the use of any building, structure or land, or erect or use any building or structure in an Open Space Special Use (02) Zone, except for one or more of the following uses:

- a. Hunt Camps
- b. Forestry use
- c. Agricultural use
- d. Vacation Dwelling
- e. Private Recreation
- f. Resource Management

8.2 02 ZONE REQUIREMENTS

In an Open Space (02) Zone, no persons shall hereafter erect or use a building except in conformity with the following requirements:

- | | |
|---|-------|
| a. Minimum water setback | 15 m |
| b. Minimum distance between buildings | 7 m |
| c. Minimum setback from zone boundary | 15 m |
| d. Minimum separation distance between hunt camps | 400 m |

8.3 02 EXCEPTION ZONES

"Reserved"

SECTION 9

RURAL GENERAL (A1) ZONE

9.1 A1 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Rural General (A1) Zone, except for one or more of the following uses:

- a. Agricultural use
- b. Riding and/or boarding stables
- c. Home Occupation
- d. Farm Produce Outlet
- e. Forestry Uses including lumber and saw mills
- f. Hydro or Communications Facilities
- g. Hunt Camps
- h. Machinery and Equipment storage
- i. Single Detached Dwelling
- j. Bed and Breakfast Establishment
- k. Home Industry
- l. Seasonal Farm Residential Use is subject to Section 18.30 of General Provisions. B/L 2007-289

9.2 A1 ZONE REQUIREMENTS

In a Rural General (A1) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- a. Minimum lot area 25 ha
- b. Minimum lot frontage 100 m
- c. Minimum front yard 11 m
- d. Minimum side yard 6.0 m
- e. Minimum rear yard 25 m
- f. Minimum dwelling unit floor area 58 sq.m
- g. Notwithstanding the above, dwelling units shall be subject to the setback requirements of the RR1 Zone
- i. Where a lot is created by consent such lot shall only be used in accordance with the provisions of the RR1 Zone of this By-law and shall not exceed a lot area of 2 hectares.
- j. A second dwelling unit or a converted dwelling shall be a permitted use on land zoned A1 on an existing lot in excess of 25 hectares.
- k. Notwithstanding subsection 18.4, agricultural uses shall not be permitted on a lot which is less than 2 hectares in area.
- l. Where a lot is 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 18.11 a. and b. and shall apply to such lot.

- m. Hydro or communications facilities shall be subject to a minimum front, side and rear yard setback of 6 metres.

9.3 A1 EXCEPTION ZONES

9.3.1 A1-1
Reserved D06-30-047

SECTION 10

GENERAL COMMERCIAL (C1) ZONE

10.1 C1 USES PERMITTED

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

- a. Automobile service stations, subject to the requirements of subsection 11.2
- b. Art or antique shops
- c. Bakeries
- d. Banks, financial institutions or money lending agencies
- e. Business or professional offices
- f. Dry cleaning and laundry depot
- g. Medical clinics
- h. Museum or library
- i. Photography studios
- j. Public and private parking lots
- k. Recreational establishments including premises for billiards, bowling, curling, dancing, roller and ice skating, theatre or cinema
- l. Restaurants, soda fountains, lunch counters and drive-in restaurants
- m. Retail stores, service shops, personal service and repair shops
- n. Upholstering and furniture repair establishments
- o. Funeral parlours
- p. Dwelling Unit
- q. Country Inn
- r. Postal Outlet

10.2 C1 ZONE REQUIREMENTS

In a General Commercial (C1) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- | | | |
|---|------|------|
| a. Minimum lot area | 2000 | sq.m |
| b. Minimum lot frontage | 25 | m |
| c. Minimum front yard | 2 | m |
| d. Minimum rear yard | 9 | m |
| e. Minimum lot coverage | 50 | % |
| f. Maximum height | 11 | m |
| g. Minimum side yard | 4.5 | m |
| h. Minimum dwelling unit floor area | 58 | sq.m |
| i. Maximum number of dwelling units per lot | 1 | |

10.3 C1 EXCEPTION ZONES

- 10.3.1 Notwithstanding subsection 10.1, land zoned "C1-1" may be used for all permitted uses save and except a restaurant or service station, and may also be used for retail sale of firewood. In addition to the requirements of subsection 10.2, the sale and storage of firewood is permitted in the rear yard only.
- 10.3.2 Temporary Use By-Law 9-99 as modified by By-Law 10-00 and the Ontario Municipal Board Order #2216 on April 19, 2000 expired on April 2002 – C1-2 No Longer in Use. (P06-30-041)

SECTION 11

HIGHWAY COMMERCIAL (C2) ZONE

11.1 C2 USES PERMITTED

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

- a. Automobile sales establishments
- b. Automobile service stations and motor vehicle gasoline bars
- c. Tourist information centre
- d. Hotels, motels or motor hotels
- e. Restaurants, including drive-in
- f. Retail sales within wholly enclosed buildings of the following:
 - Major electrical appliances
 - Art and craft objects and antiques
 - Broadloom and draperies
 - Furniture, lamps and mirrors
 - Sporting goods
- g. Retail sales with indoor and/or outdoor display of products and indoor servicing of the following:
 - i. Motor vehicles
 - ii. Recreational trailers and vehicles
 - iii. Motorized snow vehicles
 - iv. Boats and marine motors and equipment
 - v. Heavy equipment and machinery
 - vi. Farm machinery and vehicles
- h. Dwelling unit
- i. Retail sales of lumber and building materials with indoor and outdoor storage and display areas
- j. Bed and Breakfast Establishment

11.2 C2 ZONE REQUIREMENTS

In a Highway Commercial (C2) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- | | | |
|-------------------------|------|------|
| a. Minimum lot area | 4000 | sq.m |
| b. Minimum lot frontage | 45 | m |
| c. Minimum front yard | 14 | m |
| d. Minimum side yard | 12 | m |
| e. Minimum rear yard | 12 | m |
| f. Maximum height | 11 | m |
| g. Maximum lot coverage | 30 | % |

- h. Maximum number of dwelling units per lot 1
- i. Automobile Service Stations or Public Garage
 - i. No portion of any pump island on a service station lot shall be located closer than 6 metres from any street line or from any daylighting triangle.
 - ii. The minimum distance between access driveways shall not be less than 9 metres.
 - iii. The interior angle of a ramp to a street shall not be less than 45 degrees or more than 90 degrees.
 - iv. The minimum distance between the property line of a lot at the street line and the nearest ramp shall be 9 metres.
 - v. All repairing and servicing carried out by an automobile service centre or service garage shall be conducted within a wholly enclosed building.
 - vi. The minimum distance between a flammable liquid pump and a dwelling unit shall be 15 metres.
- j. Hotels, Motels, Motor Hotels shall have a maximum lot coverage of 35 percent.
- k. On a lot used commercially, the dwelling unit shall be contained within the same building as the commercial use unless the dwelling unit is setback 12 metres from any commercial building or structure, complies with the yard requirements of the RR1 Zone and the combined lot coverage of all buildings does not exceed 30 percent.

11.3 C2 EXCEPTION ZONES

11.3.1 Notwithstanding subsection 11.1, land zoned C2-1 may only be used for a detached dwelling and one of the following uses:

- a. The retail sale and servicing of tourist trailers, motorized mobile homes, and mobile camper trailers.
- b. The retailing of arts, crafts and antiques
- c. The retail sale and servicing of boats, marine motors, motorized snow vehicles and related trailers and equipment.

In addition to the requirements of subsection 11.2 the following zone requirements shall also apply:

- d. There may be one contiguous outdoor storage and display area which shall have clearly identifiable boundaries as indicated by fencing or other boundary markers or a change in landscaping treatment and shall be located in the rear yard except that two parking spaces, with a maximum combined area of 90 sq. metres, may be located in a front or side yard and used for product display purposes.
- e. The outdoor storage and display area in the rear yard shall have a maximum area of 1,000 sq. metres.
- f. The outdoor storage and display areas together with the total lot coverage of all buildings and structures shall not exceed an area of 2,000 sq. metres.
- g. Other than intact, licenced or road worthy vehicles and trailers, all goods, parts or equipment shall be kept in a wholly enclosed building.
- h. All mechanical repairs or refurbishing activities, such as repainting, shall be carried out within a wholly enclosed building.

- i. In addition to any parking spaces used for product display, there shall be a minimum of 6 parking spaces on site with at least four spaces reserved for business clientele.

SECTION 12

COMMERCIAL RECREATION (C3) ZONE

12.1 C3 USES PERMITTED

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

- a. Marina
- b. Boat and marine motor sales and service
- c. Restaurant
- d. Motorized snow vehicle sales and service
- e. Boat rentals
- f. Hotel
- g. Motel
- h. Cottage establishment
- i. Lodge
- j. Ancillary retail
- k. Dwelling unit
- l. Bed and Breakfast Establishment

12.2 C3 ZONE REQUIREMENTS

In a Commercial Recreation (C3) Zone, no persons shall hereafter erect or use a building except in conformity with the following requirements:

- | | | | |
|----|--|-----|------|
| a. | Minimum lot area | 0.4 | ha |
| b. | Minimum lot frontage | 60 | m |
| c. | Minimum front yard | 25 | m |
| d. | Minimum rear yard | 6.0 | m |
| e. | Minimum side yard | 6.0 | m |
| f. | Minimum water setback | 1.5 | m |
| g. | Maximum lot coverage | 30 | % |
| h. | Maximum height | 11 | m. |
| i. | Minimum floor area per dwelling unit | 58 | sq.m |
| j. | Maximum number of dwelling units | 2 | |
| k. | Notwithstanding subsection 18.21 and article 12.2 f., a marina, but excluding boat storage, does not require a water setback provided that it is connected to a water supply system and waste disposal system. | | |

12.3 C3 EXCEPTION ZONES

- 12.3.1 Notwithstanding subsection 12.1 and in addition to subsection 12.2, land zoned C3-1 may only be used for a lodge having a total floor area not exceeding 306 square metres and a total accommodation floor area not exceeding 192 square metres.
- 12.3.2 Despite Section 12.1, on land zoned "C3-2", the only permitted uses shall be a golf course and accessory uses which also include a detached dwelling and a clubhouse with a restaurant.

SECTION 13

COMMERCIAL TRAILER PARK (C4) ZONE

13.1 C4 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Commercial Trailer Park (C4) Zone, except for one or more of the following uses:

- a. Trailer camp or park
- b. Park
- c. Ancillary Retail
- d. Dwelling unit

13.2 C4 ZONE REQUIREMENTS

In a Commercial Trailer Park (C4) Zone, no person shall hereafter erect or use a building or structure except in conformity with the following requirements:

- | | | | |
|----|--|------|------|
| a. | Minimum lot area | 8000 | sq.m |
| b. | Minimum lot frontage | 60 | m |
| c. | Minimum front yard | 25 | m |
| d. | Minimum rear yard | 4.5 | m |
| e. | Minimum side yard | 4.5 | m |
| f. | Minimum water setback | 15 | m |
| g. | Maximum lot coverage | 30 | % |
| h. | Maximum height | 11 | m |
| i. | Minimum camping lot area | 200 | sq.m |
| j. | Minimum camping lot frontage | 10 | m |
| k. | No habitable room except for a factory manufactured prefabricated addition shall be added on to any tourist trailer, mobile camper or trailer or truck camper. | | |
| l. | Maximum number of dwelling units | 1 | |

13.3 C4 EXCEPTION ZONES

13.3.1 Notwithstanding Section 13.2, on lands zoned C4-1, the following requirements shall apply:

- | | | | |
|----|----------------------|------|---------------------|
| a. | Minimum lot area | 0.8 | ha |
| b. | Minimum lot frontage | 60 | m |
| c. | Minimum front yard | 120 | m |
| d. | Minimum side yard | 90 | m on the north side |
| | | 90 | m on the south side |
| e. | Minimum rear yard | 30.5 | m |

- f. All other zone requirements in Section 13.2 shall apply to lands zoned C4-1.

13.3.2 COMMERCIAL TRAILER PARK EXCEPTION TWO (C4-2) ZONE

- a) Notwithstanding subsection 13.1, land zoned C4-2, shall only be used for a seasonal modular home within a vacant land condominium plan and a private recreational facility.
- b) Notwithstanding articles 13.2 a. through 13.2 l., land zoned C4-2 shall be subject to the following requirements:
- | | | |
|------|--|-----------|
| i. | minimum front yard setback | 17 m. |
| ii. | minimum modular unit frontage on common element road | 10 m. |
| iii. | minimum modular unit depth | 14 m. |
| iv. | minimum modular unit area | 466 sq.m. |
| v. | maximum number of modular units | 75 |
| vi. | minimum modular home setback, all yards | 1.5 m. |
| vii. | maximum recreational facility area | 506 sq.m. |

All other zone requirements in subsection 13.2 shall apply.

On land zoned C4-2(H1), the removal of the (H1) holding symbol shall be in accordance with the following:

- i. the owner shall enter into a site plan agreement with the Municipality for any development on the property.

SECTION 14

GENERAL INDUSTRIAL (M1) ZONE

14.1 M1 USES PERMITTED

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 (M1) Zone except for one or more of the following uses:

- a. Dry-light industry
- b. Light industry
- c. Medium industry
- d. Any activity connected with the automotive trade other than an automotive scrap yard
- e. Service industries such as a public garage including an engine and body repair shop, a printing establishment, a laundry or cleaning establishment, a paint shop, a plumbing shop, sheet metal shop and similar uses
- f. Boat and marine supply, storage, repair, and related sales establishments
- g. Building supply and equipment depot
- h. Commercial undertakings, incidental to manufacturing, or contractor's or tradesmen shops
- i. Farm implement dealer
- j. Machine and welding shop
- k. Sawmill
- l. Warehouse
- m. Single detached dwelling subject to the RR2 Zone provisions

14.2 M1 ZONE REQUIREMENTS

In a General Industrial (M1) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- | | |
|---|--------|
| a. Minimum lot area | 0.4 ha |
| b. Minimum lot frontage | 30 m |
| c. Minimum front yard | 15 m |
| d. Minimum rear yard | 11 m |
| e. Minimum side yard | 3 m |
| f. Maximum lot coverage | 50 % |
| g. Maximum height | 11 m |
| h. Maximum number of dwelling units per lot | 1 |
| i. The setbacks of subsection 18.27 shall also apply to industrial uses in the M1 Zone. | |

14.3 M1 ZONE EXCEPTIONS

14.3.1 Notwithstanding subsection 14.1, land zoned "M1-1" may only be used for a public works depot.

14.3.2 Notwithstanding subsection 14.1, and articles 14.2 e. and f., and 18.27 a., land zoned M1-2 may only be used for Dry-light industry, a custom workshop, an artisan's studio, a tradesman or contractor's shop, a sheet metal shop or a machine and welding shop and one dwelling unit and shall be subject to the following zone requirements:

- a. Minimum side yard 20 m
- b. Minimum flankage yard 15 m
- c. Minimum rear yard 20 m
- d. Maximum lot coverage 30 %
- e. Maximum floor area for use other than a dwelling 300 sq.m
- f. Maximum number of premises 2
- g. Outdoor storage is not permitted
- h. Dwelling unit subject to compliance with the RR2 zone provisions
- i. Other than a dwelling, no building shall have an exterior opening in a main wall which abuts the eastern side yard.

For the purpose of the M1-2 Zone, the following definitions shall apply:

An Artisan's Studio shall mean an enclosed building used for the production and storage of art and craft objects including paintings, pottery, folk art, sculpture and glass works;

A Tradesman's or Contractor's Shop shall mean an enclosed building where a building tradesman or contractor stores equipment or materials and performs shop or assembly work but does not include any use or activity otherwise defined herein.

SECTION 15

INDUSTRIAL EXTRACTIVE (M2) ZONE

15.1 M2 USES PERMITTED

No person shall hereafter change the use of any building, structure or land or erect and use any building or structure in an Industrial Extractive (M2) Zone, except for one or more of the following uses:

- a. Pit

15.2 M2 ZONE REQUIREMENTS

In an Industrial Extractive (M2) Zone, no persons shall hereafter erect or use a structure or building or establish a use except in conformity with the following requirements:

- a. Minimum lot area 0.4 ha
- b. Minimum front yard 30 m
- c. Minimum side yard 15 m
- d. Minimum rear yard 15 m
- e. Minimum flankage yard 30 m
- f. Notwithstanding any other provisions of this By-law no pit or quarry shall be established or made within 90 metres of a dwelling unit.

15.3 M2 EXCEPTION ZONES

15.3.1 In addition to the uses permitted in Subsection 15.1, land zoned "M2-1", may be used for a quarry.

15.3.2 Notwithstanding Subsection 15.1, land zoned "M2-2" may only be used for a pit with a maximum extraction of 20,000 tonnes per year.

15.3.3 Notwithstanding article 15.1 a., land zoned "M2-3" may only be used for a pit with a maximum extraction of 20,000 tonnes per year.

Notwithstanding subsection 15.2 article D., land zoned "M2-3" shall have no minimum rear yard requirement where the lot abuts another M2 Zone.

15.3.4 Notwithstanding Section 15.1, land zoned 'M2-4' may be used for a pit, quarry and wood waste disposal site subject to the following provisions:

- a. a pit and/or quarry shall have a maximum combined total extraction limit of 20,000 tonnes per year including extraction from any portion of the same lot zoned M2-3; and

- b. the wood waste disposal site shall be limited to a maximum area of 2 hectares.

Notwithstanding articles 15.2 c. and 15.2.d., on land zoned "M2-4", a pit and/or quarry shall have no minimum side or rear yard requirements where the lot abuts another M2 or M2 Exception Zone and a wood waste disposal site shall have minimum side and rear yards of 30 metres except where the zone abuts another M2 or M2 Exception Zone.

For the purposes of this zone, a wood waste disposal site shall mean a facility for the disposal of wood waste which has been issued a Certificate of Approval by the Ministry of Environment and Energy.

All other requirements of the M2 Zone shall continue to apply.

15.3.5 M2-5 RESERVED (D06-30-054)

SECTION 16

INDUSTRIAL DISPOSAL (M3) ZONE

16.1 M3 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in an Industrial Disposal (M3) Zone, except for one of the following uses:

- a. Recycling depot
- b. Sanitary landfill site
- c. Waste transfer station

16.2 M3 ZONE REQUIREMENTS

In an Industrial Disposal (M3) Zone, no person shall hereafter erect or use a building or establish a use except in conformity with the following requirements.

- a. Minimum lot area 1 ha
- b. Minimum lot frontage 60 m
- c. Minimum front yard 30 m
- d. Minimum side yard 30 m
- e. Minimum rear yard 30 m
- f. Minimum flankage yard 30 m
- g. Any use permitted in this zone shall be located and/or screened from public view by natural topographical features, high and low level visual screening consisting of both evergreen and deciduous trees, berms, an opaque fence or any combination thereof.

16.3 M3 EXCEPTION ZONES

16.3.1 Notwithstanding Section 16.1, land zoned "M3-1" shall only be used for a scrap yard.

16.3.2 Notwithstanding subsection 16.1, land zoned "M3-2" shall only be used for a recycling depot. For the purposes of land zoned "M3-2" a recycling depot means a facility for the sorting and temporary storage of recyclable materials such as glass, cans, newsprint and other non-hazardous recyclable materials, but does not include unlicensed motor vehicles, trees, tires, metal, salvage, liquids or hazardous wastes.

SECTION 17

COMMUNITY FACILITY (CF) ZONE

17.1 CF USES PERMITTED

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

- a. Park
- b. Arena
- c. Assembly Hall
- d. Cemetery
- e. Municipal Office
- f. Place of Worship
- g. Post Office
- h. Library
- i. Non-commercial school
- j. Community Centre
- k. Municipal, hydro or communication facilities
- l. Fire Hall
- m. Police station

17.2 CF ZONE REQUIREMENTS

In a Community Facility (CF) Zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- | | |
|---------------------------------|-------|
| a. Minimum front yard | 6.0 m |
| b. Minimum side yard | 4.5 m |
| c. Minimum rear yard | 6.0 m |
| d. Maximum height of structures | 11 m |

17.3 CF EXCEPTION ZONES

"Reserved"

SECTION 18

GENERAL PROVISIONS

18.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

a. Permitted Uses

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

- i. 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,
- ii. any building or part thereof used for human habitation, except as in this By-law is specifically permitted.

b. Location

An accessory building shall only be erected in a side or rear yard and shall comply with the following requirements:

An accessory building may be erected not closer than 1.3 metres from a rear lot line and 1.3 metres from the side lot line nor closer to a flanking 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.

Notwithstanding the requirement that an accessory building is only permitted in the side or rear yard, a garage may be erected in the front yard provided that it complies with the setback provisions of the specific zone.

c. Lot Coverage and Height

- i) The total lot coverage of all accessory buildings shall not exceed 8 percent of the lot area.
- ii) The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure 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. (B/L 2002-139)

d. Accessory Structures

Notwithstanding the yard and setback provisions of this By-law, drop awnings, flag poles, garden trellises, retaining walls, fences, signs or similar uses may be permitted in any required yard or in the area between the street line and the setback provided they comply with all other provisions of this By-law.

e. Boat House, Pump House, Dock

Notwithstanding any other provisions of this By-law, a boat house, dock or pump house may be erected and used in the water setback provided that the approval of any other governmental authority having jurisdiction within this area has been obtained.

The maximum height of a boat house shall be 5 metres. For the purpose of determining the height of a boat house within the water setback or if it is located on water, it shall be measured from the high water mark. The maximum floor area of a boat house shall be 45 square metres. The maximum width of a boat house, measured on the wall abutting the waterbody, shall be 5 metres or 25% of the shoreline lot frontage whichever is less.

f. Cabins

- i. One private Cabin, having a maximum floor area of 30 square metres may be permitted as an accessory use to a permitted dwelling unit on a lot which conforms to the requirements of this By-law for lot area and lot frontage.
- ii. Notwithstanding the above, on lands zoned 02 and LSS-1, cabins having a maximum floor area of 30 square metres may be permitted as an accessory use to a permitted dwelling unit provided a minimum distance of 10 metres is maintained between buildings, whether it is an accessory use or permitted dwelling unit.

g. Satellite Dishes

One satellite dish may be erected subject to meeting the locational requirements for an accessory building of article 18.1 b. except that a satellite dish may be attached to the main building.

h. Swimming Pools

A swimming pool shall be permitted provided that it meets the setback provisions for the appropriate zone and the following provisions:

- i. an area with a minimum width of 1.25 metres shall be provided around the entire swimming pool, such area to be clear of all structures, buildings and fences except diving boards, aprons and decking normally associated with a swimming pool;
- ii. a fence, with a minimum height of 1.7 metres shall be required to enclose the pool area; and
- iii. swimming pools shall be set back a minimum of 5 metres from any septic system tile field.

18.2 CONSTRUCTION USES

A building or structure incidental to construction on the lot where such building or structure is situated, is permitted in all zones, but only for as long as it is necessary for the work in progress and until the work is completed, or abandoned for eight or more months.

18.3 DAYLIGHTING TRIANGLE

Notwithstanding any other provisions of this By-law, in all zones, on a corner lot, a fence, hedge, shrub, bush or tree or any other structure, vegetation or grade shall not be permitted to exceed a height greater than 75 centimetres above finished grade of the streets that abut the lot within the daylighting triangle for a distance of 6 metres from their point of intersection. No sign shall be permitted within or to overhang the required daylighting triangle.

18.4 EXEMPTION FOR LOT FRONTAGE AND AREA REQUIREMENTS

Where a lot has less lot area and/or lot frontage and/or shoreline lot frontage than required herein at the date of passing of this By-law or where such lot is created as a result of public purchase, expropriation or a consent under the Planning Act, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that said lot has a minimum lot area of 930 square metres, that all other requirements of this By-law are complied with, and that a certificate of approval has been obtained from the District Health Unit and/or Ministry of the Environment.

18.5 PUBLIC ACQUISITION

Any land acquired by the Municipality, County, Public Authority or Province which results in a legally conveyable lot becoming non-complying or further reducing an existing non-complying legally conveyable lot then the lot shall be deemed to be an existing legal non-complying lot.

18.6 ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Notwithstanding the yard, setback and landscaping provisions of this By-law, where there is an established building line such permitted building or structure may be erected closer to the street line than required by this By-law provided such permitted building or structure is not erected closer to the street line than the established building line on the date of passing of this By-law.

18.7 FRONTAGE ON A PUBLIC STREET

Any lot which is in existence on or prior to the date of passing of this By-law or is an island lot or is in the LSR or LSS Zone shall be exempt from requiring frontage on a public street. Further, any lot within a registered plan of subdivision under Section 50 of The Planning Act, R.S.O. 1990, as amended, in which the road is to be assumed by the Municipality as stated within a subdivision agreement shall be exempt from requiring frontage on a public street.

18.8 PITS AND QUARRIES

No pit or quarry shall be established or made in any area of the Corporation except in a zone where a pit or quarry is included under the heading "Uses Permitted" in this By-law.

Notwithstanding any other provision of this By-law, a wayside pit or quarry not in excess of 2 hectares shall be considered to be a permitted use except in a Residential Zone.

18.9 GREATER RESTRICTIONS

This By-law shall not reduce or mitigate any more stringent restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

18.10 HEIGHT EXCEPTION

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following buildings or structures provided the use is permitted:

a barn, a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tank, a windmill, a satellite dish, a radio, mobile phone or television tower or antenna, air conditioner duct, grain elevator, silo, corn crib or solar collector.

18.11 NON-CONFORMING USE AND NON-COMPLYING PROVISIONS

a. Non-conforming Uses

- i. No person shall use any land or erect or use any building or structure except for those uses permitted in the zone in which such land, building or structure is or is to be located. Uses existing prior to the date of passing of this By-law which were in conformity with and not forbidden by an existing By-law in force at the date of passage of this By-law may continue as an existing, legal, non-conforming use.
- ii. A non-conforming use shall not be reconstructed in such a manner that shall enlarge, extend or otherwise structurally alter the building or structure unless such building or structure is thereafter to be used for a purpose permitted within such zone, and complies with all requirements for such zone.

b. Non-complying Uses

A non-complying use, building or structure may be enlarged or extended provided that the extension or enlargement complies with the requirements of this By-law.

c. Restoration to a Safe Condition

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.

d. Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law of any building or structure, the plans for which have prior to the date of passing of the By-law been approved by the By-law Enforcement Officer, as long as the building or structure when erected is used and continues to be used for the purpose for which it was approved and provided the erection of such building or structure is commenced within 6 months or as provided for in The Planning Act after the date of the passing of this By-law and such building or structure is completed within 1 year after the erection thereof is commenced.

e. Discontinued Use

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

f. Damaged Buildings

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.

18.12 DWELLING UNIT RESTRICTION

A maximum of one dwelling unit per lot shall be permitted except in the LSS-1 Zone and as provided for in sections 9 and 12.

18.13 PARKING REQUIREMENTS

a. Off-Street Parking

For every building or structure to be erected, off-street parking having unobstructed access to a public street shall be provided and maintained in conformity with the following:

USE

PARKING SPACES REQUIRED

Commercial, Uses

1 per 30 sq.m. of floor area

Hotel, Motel, Tourist Establishment

1 per guest room or accommodation unit plus additional spaces as required for restaurants, liquor licenced uses, similar uses, but excluding lobbies, hallways and similar areas.

Industrial and Warehouse

For the first 2800 sq.m. of the premises, 1 per 40 sq.m. of the gross floor area or portion thereof and for any additional floor area in excess of 2800 sq.m., 1 per 100 sq.m. of floor area or portion thereof. For any retail use, 1 per 30 sq.m of floor area.

Liquor Licensed Premises excluding Restaurants

1 per 5 sq.m. of floor area.

USE

Office-Business, Professional or
Government area

PARKING SPACES REQUIRED

1 per 30 sq.m. of floor or portion thereof.

Place of Assembly

1 per 6 fixed seats or 1 per 7.5 sq.m. of floor
area, whichever is greater.

Residential

2 per dwelling unit.

Restaurant

1 per 5 sq.m. of floor area devoted to patron use.

Schools- Nursery, Public or Separate

1.5 per teaching classroom or equivalent.

Service Shop

1 per 15 sq.m. of floor area

Trailer Camp

1.5 per camping lot.

Any Other Use

1 per 100 sq.m. of floor area

b. Standards for Parking Lots

The following development standards shall apply to all parking lots required under
this By-law:

- i. the parking lot shall have visible boundaries and shall be suitably drained;
- ii. the parking lot shall be located on the same lot as the use for which it is intended
to serve or not more than 40 metres from the location it is intended to serve;
- iii. 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;
- iv. no driveway shall be located closer than 10 metres from the limits of the
right-of-way at the street intersection;
- v. 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;
- vi. access to the required parking areas shall be provided by means of unobstructed
driveways or passageways at least 4.5 metres in width. For access to parking
spaces in a parking lot the aisle width shall be 4.5 metres for parallel parking to

45 degrees and for 46 degrees to 90 degrees, the aisle width shall be 7.5 metres;

- vii. each parking space shall be 2.7 metres by 6.2 metres; and,
- viii. a landscaped buffer, a minimum of 3 metres in width, shall be provided along any boundary where a parking lot or private parking lot abuts a property used or zoned for residential purposes. Where an opaque fence, at least 1.8 metres in height is provided, the buffer width may be reduced to 2 metres. At a minimum, the buffer will include an unpierced hedgerow of evergreens or shrubs, at least 1 metre in height at planting, planted immediately adjacent to the lot line or any fencing provided.

18.14 OFF STREET LOADING SPACE REQUIREMENTS

- a. 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, loading facilities on land that is not part of a highway, parking lot, or required driveway, comprised of one or more loading space, 17 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

- b. 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. With the exception of 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.
- c. 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.

18.15 LANDSCAPING AND BUFFERING

- a. 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, so as to provide adequate buffering.
- b. 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 planting strip or opaque fence, 1.8 metres in height is provided in conjunction with the landscaping.
- c. In addition to any other provision of this By-law, such landscaping shall provide high and low level visual screening and consist of evergreen planting.
- d. Notwithstanding the above, a landscaped buffer may be reduced in width to 3 metres where an opaque fence, 2 metres in height is constructed in conjunction with the landscaping.

18.16 MULTIPLE USES

- a. 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.
- b. Where a multiple use is located within or adjacent to a Residential zone, landscaping provisions shall be provided in accordance with Section 18.16.

18.17 MULTIPLE ZONES ON A LOT

- a. 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.
- b. Notwithstanding article 18.17 a., 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.

18.18 OBNOXIOUS AND PROHIBITED USES

No use shall be permitted which, from its nature or the materials used therein, is declared to be an offensive trade, business or manufacturing concern under the Public Health Act R.S.O. 1990, as amended or regulations thereunder.

18.19 PUBLIC USES PERMITTED

- a. The provisions of this By-law shall not apply to the use of any land or to the erection of any building or structure for the purpose of public service by the Municipality or the County, any telephone or telegraph company or gas company, and Department of the Government of Ontario or Canada, including Ontario Hydro, provided that where such building or structure is located in a Residential Zone.
 - i. No goods, material, or equipment shall be stored in the open except during construction,
 - ii. The lot coverage and yard requirements prescribed for the RR1 zone shall be complied with, and
 - iii. Any building erected under the authority of this paragraph shall be designed and maintained in general harmony with residential buildings of the type permitted in such zone.

b. Streets and Installations on Streets

Nothing in this By-law shall prevent land to be used as a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, telephone or other supply and/or communication line, provided that the location of such installation has been approved by the Corporation.

18.20 RELOCATED BUILDINGS

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 By-law Enforcement Officer, except for buildings brought into the Municipality and stored temporarily for a period of one year, prior to subsequent relocation and final resting place.

18.21 MINIMUM OPENING ELEVATION RESTRICTIONS

- a. No opening to any residential dwelling unit shall be permitted below a minimum opening elevation equal to the normal high water mark for an abutting watercourse or lake plus 2 metres.

18.22 REAR YARD REDUCTION

Notwithstanding the Minimum Rear Yard requirements in the residential zones, where the rear lot line shares a common boundary with a 20.1 metre public allowance which abuts a lake or river, the aforementioned allowance is not a public thoroughfare but may provide a means of a second public access to the lot then the minimum rear yard shall be one metre.

18.23 THROUGH LOTS

- a. Where a lot other than a corner lot has frontage on more than one street, the front yard setback and other requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located.
- b. In the case of a through lot having boundaries dividing the lot from the streets of equal length, accessory buildings may be located in one or the other yard adjoining a street, but no closer to the street line than the minimum front yard requirement.

18.24 CONVERTED DWELLINGS

Where a converted dwelling is a permitted use in a zone, an existing single detached dwelling may be converted to create one additional dwelling unit provided:

- a. No exterior addition to or major exterior alteration of any such dwelling proposed to be converted is made and the external appearance and general character of the building as a detached dwelling is not changed;
- b. The detached dwelling to be converted shall have a minimum floor area of not less than 140 square metres and such floor area shall have a minimum ceiling height of not less than 2.3 metres over at least 75 percent of the required floor area with clear height of 2.1 metres at any point;
- c. There shall be no exterior stairways except open metal fire escapes which shall be located only in a rear yard or side yard;
- d. Off-street parking shall be provided according to this By-law;
- e. Notwithstanding other limitations imposed by this By-law a converted dwelling shall only be permitted subject to the following:
 - i. minimum lot area 2000 sq.m.
 - ii. minimum lot frontage 25 m
 - iii. minimum floor area per dwelling unit 58 sq.m.

- f. The dwelling shall be serviced by an approved sewage system but shall not include a holding tank.

18.25 HOLDING ZONE

Unless otherwise specified within the applicable zone provisions, where the zone symbol shown on a Schedule to this By-law is followed by the holding symbol "(H)", the use of the lands shall be limited to the existing uses and 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.

18.26 HOME OCCUPATION OR HOME INDUSTRY

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

- a. A home occupation or home industry 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;
- b. A 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 an accessory structure;
- c. A home industry shall not occupy more than 25 percent of the gross floor area of the dwelling unit when located within the dwelling unit, or 50 percent of the gross floor area of the dwelling unit if the home industry is located in an accessory structure;
- d. A home occupation or home industry shall not interfere with television or radio reception on adjacent lots;
- e. Parking shall be provided in accordance with subsection 18.13 of this By-law;
- f. There shall be no outside storage of goods or merchandise associated with the home occupation or home industry.
- g. A home industry located in an accessory building shall be subject to the setback provisions of subsection 18.27.

18.27 INDUSTRIAL AND RESIDENTIAL SETBACKS AND RESTRICTIONS

In addition to the landscaping requirements of Section 18.15 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 30 m
 - ii. medium industry 90 m
 - iii. heavy industry 300 m
- b. Notwithstanding clause a., the minimum setbacks from residential lots shall be reduced to 10 metres for light or 30 metres for medium industrial uses where the following provisions and regulations are met:
 - i. mechanical ventilation, heating, cooling or dust collection equipment are located at ground level and located or equipped to suppress noise generation;
 - ii. truck access, turnaround, parking and loading areas are separated from residential lots by the main building;
 - iii. outside storage areas are separated from residential lots by the main building;
 - iv. the main building has no openings other than emergency or employee entrances adjacent to residential lots.

18.28 INDUSTRIAL DISPOSAL ZONE SETBACKS AND RESTRICTIONS

Notwithstanding any other provisions of this By-law, no dwelling, building or structure shall be permitted within 470 metres of a Sanitary Landfill Site.

18.29 COUNTY ROAD SETBACKS

The following minimum setbacks shall apply to all buildings and structures except as otherwise provided by subsection 18.6:

- a. Where the County Road width is 30 m 6.5 m
- b. Where the County Road width is 26 m 8.5 m
- c. Where the County Road width is 20 m 11.5 m

18.30 SEASONAL FARM RESIDENTIAL USE

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

- a) 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.
- b) The seasonal farm residential use cannot exceed 250 square metres in area and may be contained in more than one building.
- c) A covenant be registered on title that the residence will be used only for seasonal farm residential use.
- d) That the seasonal farm residential use shall not exceed eight months per seasonal worker in each calendar year.
B/L 2007-289

SECTION 19

DEFINITIONS

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

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.

ACCESSORY BUILDING means a separate and subordinate building on the same lot as the main building or permitted uses, devoted exclusively to an accessory use.

ACCESSORY STRUCTURE means any structure that is not a building.

ACCOMMODATION FLOOR AREA, TOTAL means that portion of a building or buildings designed for the sleeping accommodation of guests.

AERODROME 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.

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

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 shall mean:

- 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.

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.

AUTOMOBILE SERVICE STATION means a building or part thereof used for the servicing and minor repairing essential to the actual operation of motor vehicles and may include the retail sale of oil, gasoline, and automobile accessories.

BASEMENT means that portion of a building the floor of which is completely below 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.

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 a detached accessory building which is designed or used only for the sheltering or storage of a boat or other form of water transportation and accessories. It shall not be used for human habitation and shall not contain sanitary facilities, cooking facilities or other residential amenities.

BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment.

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

BUILDING BY-LAW means any "building By-law" within the meaning of the Building Code Act, R.S.O. 1990, as amended.

BY-LAW ENFORCEMENT OFFICER means the chief building official or employee of the Municipality from time to time charged by the corporation with the duty of enforcing the provisions contained herein.

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

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

CLUB, CHARITABLE SERVICE OR ORGANIZATION means an association of persons, whether incorporated or not, united in some common interest, meeting periodically for cooperation or conviviality but not for personal profit. "Club" shall also mean, where the context requires, a premises owned or occupied by the members of such association within which the activities of the club are conducted.

CONDOMINIUM means the ownership of individual units in a multiple unit structure with common elements in which:

- i. the unit comprises not only the space enclosed by the unit boundaries but all material parts of the land within the space;
- ii. the common element means all the property except the units; and
- iii. the common element is owned by all of the owners as tenants in common.

COTTAGE ESTABLISHMENT means a tourist establishment containing two or more vacation dwelling units designed for human habitation and accessory uses may include accommodation for permanent staff.

COUNCIL means the Municipal "Council" of the Corporation of the UNITED TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD.

COUNTRY INN means a commercial tourist establishment which contains one residential dwelling unit and up to a maximum of eight guest rooms used by the travelling public for overnight accommodation for monetary compensation. The guest room shall be accessible from a common entrance and the proprietor may or may not provide meals; however, where meals are served, a common dining area or room shall be available to guests.

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, but shall not include metal spinning, furniture manufacturing and the like.

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".

DOCK means an accessory 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.

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

DWELLING means a dwelling unit.

DWELLING UNIT means one or more habitable rooms designed or intended for use by one household exclusively as an independent and separate household in which separate kitchen and sanitary facilities are provided for the exclusive use of the household with a private entrance from outside the building or from a common hallway or stairway inside the building and without limiting the above shall include a mobile home or modular home but not including motels, hotels, tents, truck camper, tourist trailer, or mobile camper trailer. The minimum floor area for a dwelling unit shall be 58 square metres.

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 designed 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 single detached dwelling, which because of size or design has been or can be converted into more than one dwelling unit.

DWELLING, DUPLEX means a building that is divided horizontally into two dwelling units each of which has 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 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, and may include a mobile home which complies with the minimum floor area requirements of the zone within which it is located and from which the wheels are removed and a permanent foundation is installed.

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

ESTABLISHED BUILDING LINE means the average distance from street line or high water mark to existing buildings in any block where more than half the frontage has been built upon, at the date of the final passing of this By-law.

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

FARM PRODUCE OUTLET means an accessory use to an agricultural use which consists of the retail sale of agricultural products.

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 and 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 designated authority.

FLOOR AREA means the maximum area contained within the outside walls excluding in the case of a dwelling, any private garage, porch, verandah, unfinished attic, basement or cellar.

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 means an enclosed structure for the storage of one or more motor vehicles in which no business, occupation, or service is conducted for profit.

GARDEN SUITE, more commonly known as "granny flat" means a temporary, accessory dwelling which is self-contained and separate from the main dwelling.

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, Recreation Room, sewing room or enclosed sunroom.

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

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

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

HEREIN shall mean 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 INDUSTRY means an accessory use, for gainful employment, conducted in part of a dwelling, or an accessory building, for a small scale, dry, light industrial use, which is secondary to and compatible with a domestic household and is carried out solely by members of the household residing in the dwelling on a year round basis.

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 room or similar use.

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.

HUNT CAMP means a building or structure having a maximum area of 45 square metres consisting of one or more rooms which is at least partially furnished and may include facilities for the preparation of food and overnight accommodation, on a temporary basis, for use only during the hunting or fishing seasons but shall not include any other establishments or use as may be defined or classified in this By-law. Hunt Camps, which are located on Crown land, are subject to Provincial requirements.

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.

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 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 and/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.

LANE means a public thoroughfare 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 washers and dryers and in which only water and detergents or soaps are or can be used.

LOADING SPACE means an unencumbered area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area 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 catering to 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 of land, and land covered with water, described in a deed or other document the title of which can legally be conveyed or shown as a lot or block on a Registered Plan of Subdivision or part thereof, save and except a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of The Planning Act, R.S.O. 1990, as amended.

LOT AREA shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or within an Open Space (01) Zone.

LOT, CORNER means a lot situated at the intersection of and abutting on two or more streets provided that the angle of intersection of such streets is not more than 135 degrees.

LOT COVERAGE, MAXIMUM means that percentage of the lot area covered by all buildings 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, and for the purpose of this definition, the "maximum lot coverage" in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

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 measured back from and parallel to the chord of the "lot frontage" a distance equivalent to the minimum front yard requirement for the zone. For the purposes 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. Where the front lot line and side lot line are joined by one or more curves, then the point of intersection of the straight line projection of the side and front lot lines shall be used as the point where the side lot line joins

the front lot line. In the case of a corner lot, the shorter of the frontages shall be deemed the "lot frontage".

LOT FRONTAGE, SHORELINE means the horizontal distance measured back from and parallel to the chord of 'shoreline frontage' a distance of 7.5 metres. For the purpose of this paragraph, the chord of the 'shoreline frontage' is a straight line joining the two points where the side lot lines intersect the shore lot line. Where the shore lot line and side lot lines are joined by one or more curves, then the point of intersection of the straight line projection of the side and shore lot lines shall be used as the point where the side lot line joins the shore lot line.

LOT, ISLAND means a lot fronting on a body of water, being a 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, FLANKAGE 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. In case each of such lot lines shall be 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 "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 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.

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

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 homes, or modular homes but does not include a trailer camp or park.

MOBILE HOME SITE means a parcel of land within a mobile home park used to accommodate one mobile or modular home 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 not intended to be dismantled and relocated but shall not include a mobile home.

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 or similar use.

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.

MOTOR VEHICLE means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, selfpropelled 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, UNLICENSED means a motor vehicle which is unregistered for the current year under the Highway Traffic Act, R.S.O. 1990, as amended.

MUNICIPALITY or CORPORATION, means the Corporation of the UNITED TOWNSHIPS OF LAXTON, DIGBY, AND LONGFORD.

NON-COMPLYING means that the building, structure or use does not meet the lot area, lot frontage, setback, lot coverage, height, floor area, parking, loading space and landscaping requirements contained herein.

NON-CONFORMING USE means the use of land, buildings, or structures for a purpose or use which is not a permitted use for the zone in which such land, building, or structure is located.

NORMAL HIGH WATER LEVEL means the highest elevation of the water surface of a body of water or a watercourse excluding seasonal flooding.

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; the emission of gas, fumes, dust or objectionable odour; or the unsightly storage of goods, wares, salvage, refuse matter, waste or other material. Without limiting the generality of the foregoing Obnoxious shall include any uses which under the Public Health Act, R.S.O. 1990, as amended, or regulations thereunder may be declared by the local Board of Health or Council to be a noxious or offensive trade, business or manufacturing concern.

PARK means any open space or recreational area but shall not include a privately operated mobile home park or trailer park.

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

PARKING LOT, PRIVATE means an open area, other than a street, used for the temporary parking of three or more motor vehicles for the exclusive use of the land owner, tenant or patrons.

PARKING SPACE means an area exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles which has adequate access to permit ingress or egress of a motor vehicle to and from a street.

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 means a "pit" within the meaning of the Aggregate Resources Act, R.S.O. 1990, as amended.

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 private club.

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

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

PRIVATE RECREATION means premises, whether it be an incorporated association of persons by some common interests or a camp, and includes the premises owned or occupied by the members or participants for recreational purposes.

PUBLIC AUTHORITY means any board or commission or committee of the Municipality or the County of Victoria established or exercising any power of authority under any general or special Statute of Ontario with respect to any of the affairs or purposes of the municipality or a portion thereof and shall include any telephone company or power utility or Ontario Hydro.

QUARRY means a "quarry" under the meaning of the Aggregate Resources Act, R.S.O. 1990, as amended.

RESOURCE MANAGEMENT means a planned program to use and conserve fishing, forestry, wildlife and water resources.

SATELLITE DISH means any device used, or intended to be used, to either broadcast or receive signals to or from satellites.

SCRAP YARD means a premise 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

SERVICE SHOP means a building or part thereof used for the repair of household articles and catering to the personal needs of people such as hairdressing and barber shops, but excludes any manufacturing or fabrication of goods for sale.

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

SHOPPING CENTRE means a group of commercial uses, which have been 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 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 the portion of a building, other than an attic or basement, included between any floor level and the floor, ceiling or roof next above it.

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 1.2 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 also include private rights-of-way and roads in registered Plans of Subdivision that are to be assumed under a subdivision agreement.

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.

STREET LINE means a boundary line of 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.

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

TOURIST HOME 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 rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

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 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 living, shelter and sleeping accommodation, with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle.

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.

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 and may include retail sales.

WATER SETBACK means a yard extending between the 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 distance between the 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 six dwelling units.

WAYSIDE PIT or QUARRY means a temporary pit or quarry opened or used by a public or private road authority solely for the purpose of a particular project or contract of road construction.

YARD means an open, uncovered space on a lot appurtenant 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 on 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, FLANKAGE means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage 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, 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 shown on the schedules of this By-law.

SECTION 20

INTERPRETATION

20.1 SCOPE

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.

20.2 SYMBOLS

The symbols used on the Schedules attached hereto refer to the appropriate zones established by this By-law.

20.3 DEFINED

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.

20.4 INTERPRETATION OF ZONE BOUNDARIES

When the boundaries of any zone, as shown on the attached Schedules 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.

20.5 CERTAIN WORDS

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.

20.6 MEASUREMENT

The Metric System of measurement shall be the only standard to be applied in this By-law. The non-metric measurements are approximate, and are included only as a general guide for reference purposes.

20.7 ABBREVIATIONS

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

SECTION 21

ADMINISTRATION AND VALIDITY

21.1 ENFORCEMENT

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.

21.2 INSPECTION OF PREMISES

A By-law Enforcement Officer as is assigned the responsibility of administering and enforcing this By-law by the Municipality may, at all reasonable times and upon producing proper identification, enter and inspect, either by himself or accompanied by one assistant, any property or premises in or about which there is reason to believe that the provisions of this By-law are not complied or conformed with, for the purpose of carrying out his duties under this By-law.

21.3 VIOLATION PENALTY

Pursuant to Section 67 of the Planning Act, R.S.O. 1990, as amended, every person who contravenes any of the provisions of this By-law is guilty of an offense, and on conviction is liable on a first conviction to a fine of not more than \$20,000.00 and 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.

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 on a first conviction a fine of not more than \$50,000.00 and 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.

Each day that the person, persons or corporation contravenes any provisions of this By-law, shall constitute a separate offense.

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 offense by the persons or corporation.

21.4 VALIDITY

- a) 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.
- b) This By-law shall take effect from the date of passing thereof, subject to approval of the Ontario Municipal Board.

READ A FIRST TIME THIS 12th DAY OF NOVEMBER, 1983

READ A SECOND TIME THIS 12th DAY OF NOVEMBER, 1983

READ A THIRD TIME AND PASSED THIS 12th DAY OF NOVEMBER, 1983

THE CORPORATION OF THE UNITED TOWNSHIPS OF LAXTON, DIGBY AND LONGFORD

"David Graham"
Reeve

"F. Vernon LeCraw"
Clerk

APPENDIX "A" -METRIC CONVERSION

1) Linear Measurements (rounded)

<u>Metric</u>		-	<u>Imperial</u>		<u>Metric</u>		-	<u>Imperial</u>	
75	cm	-	30	in	11	m	-	36	ft
1	m	-	3.3	ft	11.5	m	-	37.5	ft
1.2	m	-	4	ft	12	m	-	39	ft
1.25	m	-	4.1	ft	14	m	-	46	ft
1.3	m	-	4.3	ft	15	m	-	49	ft
1.7	m	-	5.5	ft	15.5	m	-	51	ft
1.8	m	-	6	ft	17	m	-	55.5	ft
2	m	-	6.6	ft	20	m	-	65	ft
2.1	m	-	7	ft	20.1	m	-	66	ft
2.3	m	-	7.5	ft	25	m	-	82	ft
2.7	m	-	9	ft	30	m	-	98	ft
3	m	-	9.8	ft	30.5	m	-	100	ft
4	m	-	13	ft	34	m	-	112	ft
4.5	m	-	15	ft	38	m	-	125	ft
5	m	-	16.5	ft	40	m	-	131	ft
6	m	-	20	ft	45	m	-	148	ft
6.2	m	-	20.5	ft	60	m	-	197	ft
6.5	m	-	21.6	ft	90	m	-	295	ft
7	m	-	23	ft	100	m	-	328	ft
7.5	m	-	25	ft	305	m	-	1000	ft
8.5	m	-	28	ft	306	m	-	1004	ft
9	m	-	29.5	ft	400	m	-	1312	ft
10	m	-	33	ft	762	m	-	2500	ft

2) Area Measurements

<u>Metric</u>		-	<u>Imperial</u>		<u>Metric</u>		-	<u>Imperial</u>	
5	sq.m	-	54	sq.ft	0.4	ha	-	0.9	ac
7.5	sq.m	-	81	sq.ft	0.8	ha	-	1.9	ac
15	sq.m	-	161.5	sq.ft	1	ha	-	2.5	ac
30	sq.m	-	333	sq.ft	2	ha	-	4.9	ac
40	sq.m	-	430.5	sq.ft	4	ha	-	10	ac
45	sq.m	-	484.5	sq.ft	10	ha	-	10	ac
58	sq.m	-	624	sq.ft	25	ha	-	62	ac
100	sq.m	-	1076.5	sq.ft					
140	sq.m	-	1507	sq.ft					
200	sq.m	-	2153	sq.ft					
300	sq.m	-	3229	sq.ft					
301	sq.m	-	3240	sq.ft					
930	sq.m	-	10011	sq.ft					
1400	sq.m	-	15070	sq.ft					
2000	sq.m	-	21528	sq.ft					
2001	sq.m	-	21539	sq.ft					
2800	sq.m	-	30140	sq.ft					
4000	sq.m	-	43057	sq.ft					
8000	sq.m	-	86114	sq.ft					

Please
Note:

This conversion table is not part of the By-law.
 Imperial measures are approximate and are for reference purposes only. The metric values throughout the By-law are the measures to be used.