

THE CORPORATION OF THE TOWNSHIP OF VERULAM

ZONING BY-LAW 6-87

A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP OF VERULAM, PURSUANT TO SECTION 34 OF THE PLANNING ACT, S.O. 1983.

The Council of the Corporation of the Township of Verulam ENACTS the following:

SECTION 1

TITLE, APPLICATION AND SCOPE

1.1 TITLE OF BY-LAW

This By-law may be cited as the "Zoning By-law" of the Township of Verulam.

1.2 APPLICATION OF BY-LAW

The provisions of this By-law shall apply to all lands within the Corporation of the Township of Verulam.

1.3 SCOPE OF BY-LAW

1.3.1 NO REDUCTION OF RESTRICTIONS:

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

1.3.2 CONFORMITY WITH BY-LAW:

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or lot hereafter be changed, in whole or in part, except in conformity with the provisions of this By-law.

No lands shall be severed from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this By-law.

1.3.3 EXISTING USES CONTINUED:

Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

1.3.4 BUILDING PERMIT ISSUED:

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law, provided:

- a. when the building or structure is erected, it shall be used and continue to be used for the purpose for which the building permit was issued; and
- b. the erection of such building or structure is commenced within one year of the date of passing of this By-law and provided the erection of such building or structure is completed within a reasonable time after the erection thereof is commenced.

SECTION 2

SCHEDULES TO BY-LAW

2.1 The following Schedules are included in and form part of this By-law:

Schedule "A"	1:24000
Schedule "B"	1:10000
Schedule "C"	1:10000

2.2 The boundaries of all the zones shall be shown on the Schedules. Zone boundaries, where possible, shall be construed to be lot lines, street lines, shorelines, boundaries of railroad, hydro or other rights-of-way or boundaries of registered plans. In the case where uncertainty exists as to the boundary of any zone, then the location of such zone boundary shall be determined in accordance with the Schedules at the original scale as indicated in Section 2.1.

SECTION 3

INTERPRETATION

For the purposes of this By-law, words used in the present tense include the future; words in singular include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "uses" shall also mean "designed to be used"; and the word "occupied" shall also mean "designed to be occupied."

SECTION 4

DEFINITIONS

In this By-law, unless the context requires otherwise, the following definitions and interpretations shall apply:

"ACCESSORY", when used to describe a use, building or structure, means a use, a building or a structure that is incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

"ACCESSORY BUILDING OR STRUCTURE" in conjunction with 'Dwelling Unit, Additional Residential', means a use, building or structure that may be used for human habitation and is customarily incidental, subordinate and exclusively devoted to the principal use or main building, and located on the same lot therein. (B/L 2020-160)

"AIR FILTRATION CONTROL" shall mean the functional use of industrial grade multi-stage carbon filtration systems or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and size accordingly in comparison to the facility it serves as designed by a qualified person. B/L 2021-057.

"ALTER", when used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" means to change the area, frontage or depth thereof; to change the width, depth or area of any required yard, landscaped open space or parking area; or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of such lot, or otherwise.

"ALTERED" and "ALTERATION" shall have corresponding meanings.

"ANAEROBIC DIGESTION" shall mean a process used to decompose organic matter by bacteria in an oxygen-limited environment. B/L 2020-124

"ATTIC" means that portion of a building situated wholly or partly within the roof and which is not a one-half storey.

"AUDITORIUM" means a building or structure where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, community centre, gymnasium, stadium, theater or similar use.

"AUTOMOBILE SERVICE STATION" means an establishment primarily engaged in the retail sale of fuels or lubricants for motor vehicles or snowmobiles. Accessory uses may include the sale of motor vehicle or snowmobile accessories and minor maintenance or repair operations for such vehicles, other than bodywork or painting.

"BASEMENT" means a storey which is partly underground, but which has at least one-half of its height (measured from finished floor to finished ceiling) above the adjacent 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 two guest rooms for rent to the traveling or vacationing public whether rented regularly, seasonally or occasionally.
(B/L 24-96)

"BEVERAGE ROOM" means a building or premises, other than a restaurant, which is licensed under The Liquor License Act.

"BOARDING, LODGING OR ROOMING HOUSE" means a dwelling licenced pursuant to a By-law passed under the Municipal Act, R.S.O. 1990, 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 his 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. (B/L 24-96)

"BODY SHOP" means a building or premises used for the painting or repairing of vehicle bodies. This definition shall not include a salvage yard as defined herein.

"BUILDING" means any structure, other than a wall or fence, used for shelter, accommodation or enclosure of persons, animals or chattels.

"BUILDING SUPPLY OUTLET" means a retail or wholesale store for the sale of building materials, products or accessories and which may include a lumber yard and ancillary outside storage of materials. (B/L 24-96)

"BUSINESS PROFESSIONAL OR ADMINISTRATIVE OFFICE" means a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advise, consultation or treatment and shall include the administrative offices of a non-profit or charitable organization. (B/L 24-96)

"CANNABIS" shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels). B/L 2021-057

"CANNABIS PRODUCTION AND PROCESSING FACILITY" means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto. B/L 2021-057

"CELLAR" means that portion of a building which is partly or wholly underground and which has more than one-half of its height (measured from finished floor to finished ceiling) below the adjacent finished grade.

"CHIEF BUILDING OFFICIAL" means an individual appointed by the Township with the duty of enforcing the provisions of this By-law.

"CHURCH" means a building owned or occupied by a religious congregation or religious organization dedicated exclusively to worship and other religious activities. Accessory uses may include a church hall, church auditorium, Sunday School or Parish Hall.

"CLINIC" means a building or part of a building used solely by medical doctors, dentists and/or drugless practitioners, as well as by their staff and their patients, for the purpose of consultation, diagnosis and office treatment.

"CONSERVATION USE" means a use which preserves, protects or improves any feature of the natural environment through a program of maintenance and management administered by a Conservation

Authority, public authority, private group or individual. (B/L 24-96)

"CONTRACTOR'S YARD" means a lot, building or structure where the equipment and materials of a contractor are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined herein. (B/L 24-96)

"CORPORATION" means the Corporation of the Township of Verulam.

"COUNCIL" means the Council of the Corporation of the Township of Verulam.

"COUNTY" means the Corporation of the County of Victoria.

"COURT" means an open, unoccupied space adjoining a building, such space being bounded on two or more sides by the walls of the said building.

"DAYCARE CENTRES, DAY NURSERY OR NURSERY SCHOOL" means a "day nursery" as defined by the Day Nurseries Act, R.S.O. 1990, as amended. (B/L 24-96)

"DEMOLISHED" means, with respect to a building, the complete demolition or removal of the roof together with any two exterior walls, or, where the entire roof is not removed, the complete demolition of more than 50% of an existing structure exclusive of a basement or crawl space. (B/L 24-96)

"DEMOLITION" means the doing of anything in the removal of a building or structure or any material part thereof. (B/L 24-96)

"DENSE NON AQUEOUS PHASE LIQUID" shall mean chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and cleanup. Commonly used DNAPLS include, but are not limited to paint strippers, varnishes, aerosols, and pharmaceuticals. B/L 2020-124

"DRINKING WATER THREAT" shall mean an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat. Refer to the Clean Water Act for the prescribed 22 drinking water threats. B/L 2020-124

"DRUGLESS PRACTITIONER" means a person who practices the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by a similar method within the meaning of the Drugless Practitioners Act, R.S.O. 1990, as amended. (B/L 24-96)

"DWELLING, CONVERTED" means a dwelling, erected prior to the date of passing of this By-law, the interior of which has been altered so as to provide therein not more than two dwelling units. (B/L 24-96)

"DWELLING, DUPLEX" means a residential building that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule. (B/L 24-96)

"DWELLING, SEASONAL" means a single detached dwelling used for recreational purposes that is not used for continuous habitation as a permanent residence. (B/L 24-96)

"DWELLING, SEMI-DETACHED" means a residential building that is divided vertically into two dwelling units, each of which has an independent entrance, either directly or through a common vestibule. (B/L 24-96)

"DWELLING, SINGLE-DETACHED", means a completely detached dwelling unit but shall not include a mobile home or a recreational vehicle. (B/L 24-96)

"DWELLING, TRIPLEX" means a residential 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. (B/L 24-96)

"DWELLING UNIT" means a suite of two or more habitable rooms, designed for use by one household only, in which sanitary conveniences are provided and in which facilities are provided for cooking or for the installation of cooking equipment, and with an independent entrance either directly from outside the building or through a common hallway inside the building. (B/L 24-96)

"DWELLING UNIT, ADDITIONAL RESIDENTIAL" means a residential dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the primary residential dwelling unit. The additional residential unit

includes a separate entrance, kitchen facilities, washroom facilities, and living space from the primary residential dwelling unit. (B/L 2020-160)

"DWELLING UNIT, BACHELOR" means a dwelling unit consisting of one bathroom and not more than two habitable rooms and providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

"DWELLING UNIT, PRIMARY RESIDENTIAL" means a single detached, semi-detached, or town house dwelling for the purpose of the definition of additional residential dwelling unit. (B/L 2020-160)

"DWELLING UNIT AREA" means the habitable area contained within the inside walls of a dwelling unit, excluding any private garage, carport, porch, verandah, unfinished attic, cellar or sun room (unless such sun room is habitable in all seasons of the year); and excluding common hallways, common stairways or other common areas, and the thickness of exterior walls.

"ERECT" means to build, construct, reconstruct or relocate and without limiting the generality of the word, also includes:

any preliminary operation such as excavation, filling or draining;

altering any existing building or structure by an addition, enlargement, extension or other structural change; and

any work which requires a building permit.

"ERECTED" and "ERECTION" shall have corresponding meanings.

"ESTABLISHED BUILDING LINE" means the average distance from the street line to existing buildings for all lots within 150 metres of the lot to be built on where 5 or more of the lots having street access upon the said side of the street have been built upon.

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

"FACTORY OUTLET" means a building or part of a building, accessory to a permitted industrial use, where the products manufactured by that industry are kept for wholesale or retail sale.

"FARM" means a use of land, buildings or structures for the purpose of field crops, fruit farming, market gardening, dairying, woodlots, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities. B/L 2021-057.

"FARMER" means a person whose chief source of income is derived from the operation of a farm.

"FARM PRODUCE OUTLET" means a use, accessory to a permitted farm, which consists of the retail sale of agricultural products produced on the farm or surrounding farms where such outlet is located.

"FINISHED GRADE" means the average elevation of the finished surface of the ground at the base of a structure or of that portion of a building which abuts a front yard, exclusive of any embankment in lieu of steps.

"FLOOD PLAIN" means the area below the high water mark of a waterbody.

"FORESTRY USE" means the management, development, and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource, and shall include areas owned or managed by the Ministry of Natural Resources or local conservation authority.

"FUEL STORAGE TANK" means a tank for the bulk storage of petroleum or petroleum products, inflammable liquids, gasses or similar substances. This definition shall not include a tank for storage which is accessory to some other use on the premises where such tank is located.

"GOLF COURSE" means a public or private area operated for the purpose of playing golf. This definition may include a par 3 golf course, but shall not include a driving range, a miniature golf course or similar use.

"GRAVEL PIT" means any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral in order to supply material for construction, manufacturing or industrial purposes, but shall not include an excavation incidental to the erection of a building or structure

for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works. This definition shall not include a wayside pit as defined in The Pits and Quarries Control Act.

"GROSS FLOOR AREA" means the aggregate of the horizontal areas of each floor of a building or structure, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:

- any accessory dwelling unit;
- any part, below finished grade, of a building or structure which is used for heating equipment;

any part, below finished grade, of a building or structure which is used for the storage or parking of motor vehicles; or enclosed malls when used as a common area between stores.

"GROUP HOME" means a single housekeeping unit in a dwelling unit in which three to ten residents excluding staff or the receiving household, live under responsible supervision and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being. The home is licensed or approved for funding by the Provincial Government. (B/L 24-96)

"GUEST ROOM" means a room or suite of rooms which contains no facilities for cooking, and which is used or maintained for gain or profit by providing accommodation to the public.

"HABITABLE ROOM" means a room designed for living, sleeping, eating or food preparation.

"HEIGHT", when used with reference to a main building, means the vertical distance between the finished grade and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney, steeple or antenna.

"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, vegetation or other shoreline features as a result of flood events. (B/L 24-96)

"HOME FOR THE AGED" means a "home:" within the meaning of the Homes for the Aged and Rest Homes Act, R.S.O. 1990, as amended, which is operated by the County or Municipality or a "charitable home for the aged" as defined by the "Charitable Institutions Act R.S.O. 1990, as amended. (B/L 24-96)

"HOME IMPROVEMENT SUPPLY OUTLET" means a retail or wholesale store, within a wholly enclosed building, for the sale of home improvement products and accessories. (B/L 24-96)

"HOME OCCUPATION" means any occupation conducted for gain or profit within a dwelling or part of any building accessory to a dwelling.

"HOTEL" means a tourist establishment containing therein five or more guest rooms served by a common entrance. Accessory uses may

include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, or similar uses.

"HOUSEHOLD" means an individual person or a group of two or more persons who reside together as a single, independent and separate unit and may include up to two roomers or boarders. (B/L 24/96)

"INCIDENTAL VOLUME" means standard size containers that are used for personal or domestic activities. This excludes larger volumes used in activities, such as hobbies and home businesses. B/L 2020-124.

"INFRASTRUCTURE" means physical structures which form the foundation for development and include sewage and water lines and pumping stations, electric power transmission lines and transformers, communication transmission lines and relay towers, transit or transportation corridors and appurtenant facilities, oil and gas pipelines and appurtenant facilities and recycling drop off sites. Infrastructure does not include any related administrative facility, building or structure nor does it include land, buildings or structures for treatment of water, sewage or wastes, production of electric power, production of communication transmissions, or the production of oil or gas. (B/L 24-96)

"INTAKE PROTECTION ZONE" shall mean the vulnerable area delineated around surface water intakes for municipal drinking water systems and is comprised of subzones:

- IPZ-1: The area immediately adjacent to the intake and is considered the most vulnerable area due to its proximity to the intake. IPZ-1 is the area within a 1,000m radius when centered on the intake, and where IPZ-1 extends onto or touches land, land within a 120m setback of the high water mark.
- IPZ-2: A secondary protection area that is located upstream of the IPZ-1 and represents the extent to which a contaminant could travel to the municipal intake within 2 hours of its release into the environment (due to a spill or leak). B/L 2020-124.

"LANDSCAPED OPEN SPACE" means the open, unobstructed space, at finished grade on a lot, accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, patio or similar area but shall not include any driveway or ramp,

whether surfaced or not, nor any curb, retaining wall, parking area or open space beneath or within a building or structure.

"LANE" means a public throughfare which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

"LAUNDROMAT" means an establishment containing one or more washers, each having a capacity not exceeding 22 kg, and drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

"LIQUIDATION SALE" means a special sales event where predominately over production, end of line or other goods are sold at a discounted rate. (B/L 2020-125)

"LODGE" means a tourist establishment containing therein five or more guest rooms served by a common entrance while additional guest rooms may have a separate entrance directly from outside the building. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

"LOT" means a parcel or tract of land, described in a deed or other conveyance which is legally capable of conveying title.

"LOT, CORNER" means a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than 135 degrees; where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that in the latter case the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

"LOT, INTERIOR" means any lot which has street access, other than a corner lot.

"LOT, STANDARD WATERFRONT" means a lot which has no street access, but has water access on one shoreline only.

"LOT, THROUGH" means any lot having street access on 2 or more street lines, other than a corner lot.

"LOT, THROUGH WATERFRONT" means a lot which has no street access, but has water access on more than one shoreline.

"LOT AREA" means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any flood plain or marsh and the horizontal area between the top and toe of an embankment of 30° or more from the horizontal.

"LOT COVERAGE" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings on the lot and, in the case of a tourist establishment, that portion of the lot area which covers a septic tank tile bed. "Lot coverage" shall not include the following:

- a. balconies, canopies and overhanging eaves, provided none of the foregoing are less than 2.4 metres above finished grade;
- b. enclosed malls when used as a common area between stores;
- c. private open air swimming pools protruding not more than 1.3 metres above finished grade.

"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. If 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 depth" shall not apply to standard waterfront lots or through waterfront lots.

"LOT FRONTAGE" means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum required front yard depth.

"LOT LINE" means any boundary of a lot or the vertical projection thereof.

"LOT LINE, FRONT" means, in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be

deemed an exterior side lot line. In the case of a through lot or a corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a waterfront lot, the shoreline shall be deemed to be the front lot line. In the case of a through waterfront lot, the longest shoreline shall be deemed to be the front lot line.

"LOT LINE, REAR" means, in the case of a lot having 4 or more lot lines, the lot line farthest from and opposite to the front lot line. If a lot has less than 4 lot lines, there shall be deemed to be no rear lot line.

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

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

"MARINE FACILITY" means an accessory building or structure which is used to take a boat into or out of a navigable waterway, to moor, to berth or to store a boat. This definition may include a boat launching ramp, boat lift, dock, or boathouse, but shall not include any building used for human habitation or any boat service, repair or sales facility.

"MOBILE HOME" means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer otherwise designed.

"MOBILE HOME PARK" means land which has been provided and designed for the location thereon of two or more occupied mobile homes.

"MODULAR HOME" means a single detached dwelling which has been fabricated in two (2) 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. (B/L 24-96)

"MOTEL" means a tourist establishment containing therein five or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.

"MUNICIPAL DRINKING WATER SYSTEM" shall mean a drinking water system or part of a drinking water system,

- a) That is owned by a municipality or by a municipal service board established under the Municipal Act, 2001;
- b) That is owned by a corporation established under Sections 9, 10, and 11 of the Municipal Act, 2001 in accordance with Section 203 of the Act;
- c) From which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or,
- d) That is in a prescribed class. B/L 2020-124

"NON-CONFORMING" means a use, a building or a structure which does not conform to the provisions of this By-law, for the zone in which such use, building or structure is located, on the date of passing of this By-law.

"NURSING HOME" means a building in which the proprietor supplies, for gain or profit, lodging with or without meals and, in addition, provides nursing, medical or similar care and treatment, if required. This definition may include a rest home or convalescent home, but shall not include any other establishment otherwise defined or classified herein.

"PARK" means an area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use, but shall not include a mobile home park or trailer park.

"PARK, COMMUNITY" means a park greater than 1.6 hectares in size designed to provide a community wide recreational service function with frontage on a collector road or a local road directly connected to a collector road, a mix of vehicular and pedestrian access, parking accommodation for all sports facilities on site, fully lit outdoor sports field, courts or bowling greens and may have associated bathing stations, supervised swimming areas or indoor recreation facilities. (B/L 24-96)

"PARK, NEIGHBOURHOOD" means a park typically 8,000 square metres to 1.6 hectares in size which is designed to provide a localized recreational service function, generally having frontage on a

local road, principally pedestrian access with limited parking facilities, and with not more than: 2 tennis courts with lighting facilities; and 2 baseball/softball diamonds and one playing field for soccer, football, rugby or similar sporting activities which are unlit and may have unsupervised swimming areas or water access areas. (B/L 24-96)

"PARK, PASSIVE RECREATIONAL" means a park for conservation uses, botanical gardens, arboretums and passive recreational uses which require little change to the natural terrain or vegetation and excludes sports facilities other than playground equipment or trails. (B/L 24-96)

"PARKETTE" means a park, less than 8,000 square metres, in size which provides a local, passive recreation, playground or water access function. (B/L 24-96)

"PARKING AREA" means an area or structure provided for the parking of motor vehicles and includes any related aisles, parking spaces or driveways, but shall not include any part of a street. This definition may include a private garage.

"PARKING LOT" means any parking area other than a parking area accessory to a permitted use on the same lot.

"PARKING SPACE" means a portion of a parking area, exclusive of any aisles or driveways, which may be used for the temporary parking or storage of a vehicle.

"PERMITTED" means permitted by this By-law.

"PERSON" means any human being, association, firm, partnership, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

"PLANTING STRIP" means an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not more than 3 metres high and not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.

"PREMISES" means the area of a building or part thereof and/or land or part thereof used for residential or business purposes.

In a multiple tenancy building, occupied by more than one business or dwelling unit, each area shall be considered a separate "premises". (B/L 24-96)

"PRIVATE CABIN" means a dwelling unit which contains no cooking facilities and which is accessory to a permitted dwelling. (B/L 24-96)

"PRIVATE GARAGE" means an accessory building or portion of a dwelling which is fully enclosed and designed or used for the sheltering of permitted vehicles and storage of household equipment incidental to the residential occupancy. (B/L 24-96)

"PUBLIC AUTHORITY" means Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agencies and includes any telephone company, power utility, cable television system and natural gas piped distribution system. (B/L 24-96)

"PUBLIC SERVICE" means a use of land for the health and safety of the general public or the social-cultural benefit and identify of the immediate community and shall include police, ambulance or fire stations, libraries, water treatment plants, community centres, auditoriums, and indoor recreational facilities, but shall not include works depots or yards, recycling depots, waste disposal, waste processing or waste transfer sites. (B/L 24-96)

"PUBLIC USE" means a use of land buildings or structures for infrastructure or a public service. (B/L 24-96)

"RECREATIONAL ESTABLISHMENT" means an amusement centre, a billiard or pool hall, bowling alley, curling or skating rink, or similar use.

RECREATIONAL TRAIL means a trail laid out for recreational purposes which provides an inter-municipal connection between municipalities or communities. (B/L 24-96)

"RECREATIONAL VEHICLE" means a vehicle or portable structure, other than a mobile home or a modular home, that is used or intended to be used for temporary or seasonal recreational or vacation living, sleeping or eating accommodation of persons including vehicles or structures commonly referred to as tent trailers, travel trailers, motor homes, truck campers and park model trailers, even if the vehicle or structure is jacked up or its running gear removed and which is not intended for or used as a principal or permanent residence.

RECYCLING DEPOT means enclosed or unenclosed premises for the sorting, processing, or temporary storage of recyclable materials such as glass, tins, paper cardboard, plastic and other, non-hazardous recyclable materials but does not include storage of unlicensed motor vehicles, trees or parts thereof other than leaves, tires, metal other than tin and aluminum cans, salvage liquids, or hazardous wastes. (B/L 24-96)

"RENTAL CABIN" or "RENTAL COTTAGE" means a tourist establishment designed to accommodate one household in a detached building or in one of two such buildings which have a common wall.
(B/L 24-96)

"RESTAURANT" means a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein.

"RESTAURANT, DRIVE-IN" means an establishment where food is offered for sale or sold to the public for consumption, such establishment being designed for consumption of the food within a motor vehicle parked in a permitted parking space on the premises of the establishment.

"RESTAURANT, TAKE-OUT" means an establishment where food is offered for sale or sold to the public solely for consumption off the premises of the establishment.

"RETAIL STORE" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

"RISK MANAGEMENT OFFICIAL" shall refer to the person appointed under Part IV of the Clean Water Act, 2006 and who is responsible for making decisions about risk management plans and risk assessments and must meet the prescribed criteria in the regulations under the Clean Water Act, 2006. B/L 2020-124.

"SALVAGE YARD" means an establishment where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open. This definition may include a junk yard, a scrap metal yard or an automobile wrecking yard.

"SCHOOL" means a school under the jurisdiction of a Board as defined in the Education Act.

"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

"SEASONAL RECREATION OR VACATION USE" means the temporary occupation of land buildings or structures for the recreational living, sleeping or eating accommodation of the vacationing or travelling public during the peak period between April 1 to November 30, in any calendar year, and in the case of recreational vehicles for occasional weekend or holiday occupancy in December and weekends only in January, February or March. (B/L 20-93)

"SENSITIVE LAND USE" means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the built or natural environment. Examples include residences, day care centres, and educational and health centres. B/L 2021-057

"SERVICE SHOP, MERCHANDISE" means an establishment wherein articles or goods such as appliances, furniture or similar items may be repaired or serviced. This definition shall not include any manufacturing operation or establishment used for the service or repair of vehicles.

"SERVICE SHOP, PERSONAL" means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio or similar use.

"SETBACK" means the least horizontal dimension between the centreline of a street allowance, measured at right angles to such centreline, and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

"SHOPPING CENTRE" means a group of restricted business uses designed, developed and managed as a unit, having the required off-street parking provided on the site. Restricted business uses shall be limited to banks, offices, retail stores, restaurants, or similar uses.

"SHORELINE" means any lot line or portion thereof which abuts a waterbody.

"SIGHT TRIANGLE" means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

"SIGN" means a name, identification, description, device, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or lot which directs attention to an object, product, place, activity, person, institute, organization or business.

"SIGNIFICANT DRINKING WATER THREAT" shall mean an activity which poses or has the potential to pose a significant risk to the source of a municipal drinking water system. B/L 2020-124.

"SIGNIFICANT DRINKING WATER THREAT, EXISTING" shall mean a significant drinking water threat where an activity that has been engaged in prior to the date that the Source Protection Plan took effect and continues to occur; an agricultural activity that has been engaged in at sometime within the 10-year period prior to the date that the Source Protection Plan takes effect; an activity that is related to a development proposal where an application was made under the Planning Act, Condominium Act, or Building Code Act on a day before the source protection plan takes effect; or an activity that is related to an application made for the issuance or amendment of a prescribed instrument on a day before the source protection plan takes effect. B/L 2020-124.

"SIGNIFICANT DRINKING WATER THREAT, EXPANSION" shall mean an increase in the scale of an activity that is considered a significant drinking water threat already taking place on a property. The increase in scale may include, but is not limited to:

- a) Increasing the area of land where an activity is taking place;
- b) Increasing the amount of effluent or discharge from an activity;

- c) Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d) Increasing the quantity of chemical or pathogen containing material applied. B/L 2020-124.

"SIGNIFICANT DRINKING WATER THREAT, FUTURE" shall mean an activity that is considered a significant drinking water threat that is proposed to commence after the date the applicable Source Protection Plan takes effect and is not an existing activity. B/L 2020-124.

"SOURCE MATERIAL, AGRICULTURAL" shall mean a variety of materials that may be sources of nutrients or pathogens, such as:

- Manure produced by farm animals, including bedding materials;
- Runoff from farm-animal yards and manure storages;
- Wash water that has not been mixed with human body waste;
- Organic materials produced by intermediate operations that process the above materials (e.g., mushroom compost);
- Anaerobic digestion output that does not include sewage biosolids or human body waste; and,
- Regulated compost that is derived from compost containing dead farm animals. B/L 2020-124.

"SOURCE MATERIAL, NON-AGRICULTURAL" shall mean a variety of materials that may be sources of nutrients or pathogens and are intended to be applied to land as nutrients, but are not necessarily produced on a farm, such as:

- Pulp and paper biosolids;
- Sewage biosolids;
- Anaerobic digestion output where less than 50% of the total material is on-farm anaerobic digestion materials; and
- Any other material that is not from an agricultural source (i.e. materials from dairy product or animal food manufacturing). B/L 2020-124.

"SPECIAL EVENT" means a use of land, buildings or structures for an event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, a fair, a carnival, a regatta, a religious or music festival, or a recreational competition. For the purposes of this definition "temporary" means that the combined total duration of all Special Events held on one property shall not exceed seven days in a calendar year except in the case of a tractor pull, snowmobile race, motorcycle-motorcross event, music festival or other Special Event capable of producing excessive noise levels, in

which case only one such event may be held and for a duration of no longer than three days on one property in a calendar year.
(B/L 24-96)

"STONE QUARRY" means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial, or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.

"STOREY" means the portion of a building, other than an attic or a cellar, included between any floor level and the floor, ceiling or roof next above it.

"STOREY, FIRST" means the lowest storey of a building.

"STOREY, ONE-HALF" means that portion of a building situated wholly or partly within the roof 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% of the area of the floor next below.

"STREET" means a public thoroughfare under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition shall not include a lane or private right-of-way.

"STREET ALLOWANCE" shall have a corresponding meaning.

"STREET, IMPROVED" means a street which has been constructed in such a manner so as to permit its use by normal vehicular traffic.

"STREET ACCESS" means, when referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

"STREET LINE" means the limit of the street allowance and is the dividing line between a lot and a street.

"STRUCTURE" means anything constructed or erected, the use of which requires location on or in the ground, or attached to something having location on or in the ground.

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

"TOURIST CAMP" means a "tourist camp" as defined under subsection 236(15) of the Municipal Act R.S.O. 1990, and includes tent campgrounds.

"TRAILER CAMP" means an establishment, licenced by the Township of Verulam, consisting of camping lots and comprising land used or maintained as grounds for the camping or parking of travel trailers, park model trailers or recreational vehicles used for seasonal recreational or vacation use and which are not used as a principal or permanent residence.

"TRAILER CAMP LOT" means a parcel of land within a trailer camp or tourist camp provided for the exclusive use or occupancy by the vacationing or travelling public for seasonal or temporary recreational or vacation occupancy by a recreational vehicle, travel trailer, park model trailer or tent. (B/L 20-93)

"TOURIST ESTABLISHMENT" means a building designed or used for the accommodation of the travelling or vacationing public.

"Trailer", when used in the context of a Park Model Trailer, Travel Trailer or Recreational Vehicle means a trailer as defined under subsection 210 (101) of the Municipal Act R.S.O. 1990, and when used in any other context means a trailer as defined by the Highway Traffic Act R.S.O. 1990.

"TRAILER, PARK MODEL", means a recreational vehicle, built to C.S.A. Standard Z241, constructed on a single chassis, having a gross floor area, including lofts, not exceeding 50 square metres and having a width greater than 2.6 metres when in transit mode.

"TRAILER, TRAVEL", means a recreational vehicle not more than 2.6 metres wide when in transit mode and having a gross floor area not exceeding 37.2 square metres. (B/L 20-93)

"USE", when used as a noun, means the purpose for which a lot, building or structure, or any combination thereof is designed, arranged, occupied or maintained. "USES" shall have a corresponding meaning. "USE" (when used as a verb) or "TO USE" shall have corresponding meanings.

"VEGETATION, INTRODUCED" means a plant species that did not originate in the geographic area or region in which it is found

and would not naturally or normally occur on a specific site or location through the process of ecological succession but requires human landscaping, planting, or horticultural activities to occur on a specific site or property. (B/L 9-99)

"VEGETATION, NATIVE" means a plant species or plant community which originated in the geographic area or region in which it is found or would be commonly found, growing or propagating in such area or region if a site or property is, or left, undisturbed by human activities and is not introduced vegetation. (B/L 9-99)

"VEGETATION, NATURAL" means native vegetation growing on a specific site or location, as a result of the process of ecological succession where said site or location has been largely, or remains, undisturbed by human activities for an extended period. (B/L 9-99)

"VEHICLE" means an automobile, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a park model trailer, a travel trailer, a recreational vehicle or a trailer.

"VEHICLE AGENCY" means an establishment having as its main use the storage of vehicles for sale, rent or lease. Accessory uses may include facilities for the repair or maintenance of such vehicles.

"VULNERABLE AREA" shall mean Wellhead Protection Areas and Intake Protection Zones around municipal drinking water sources where activities may be a significant drinking water threat now or in the future. B/L 2020-124.

"WASTE DISPOSAL SITE" within the meaning of Part V of the Environmental Protection Act shall mean:

- a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
- b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause a). B/L 2020-124.

"WASTE TRANSFER STATION OR SITE" means premises for the temporary storage of garbage and waste materials awaiting transfer to a permanent solid waste disposal facility and may include a recycling depot. (B/L 24-96)

"WATER ACCESS" means that any lot having a lot line or portion thereof which is also a shoreline, shall be deemed to have water access.

"WATERBODY" means any bay, lake, natural watercourse or canal, other than a drainage or irrigation channel.

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

"WATER SETBACK" means the straight line horizontal distance from the high water mark of a waterbody to the nearest part of any excavation, building, structure, or open storage use on the lot.

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

"WELLHEAD PROTECTION AREA" shall mean the vulnerable area delineated around groundwater wells. The delineation helps to identify the length of time it would take most contaminants to travel from the location of a spill or leak to the associated well.

- WHPA-A: The area within a 100m radius from a wellhead, considered the most vulnerable area for groundwater intakes
- WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years
- WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years
- WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years
- WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water. B/L 2020-124.

"YARD" means a space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in this By-law.

"YARD, FRONT" means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any excavation or main building on the lot and FRONT YARD DEPTH means the least horizontal dimension between the front lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

"YARD, REAR" means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any excavation or main building on the lot. If there is no rear lot line, there shall be deemed to be no rear yard. REAR YARD DEPTH means the least horizontal dimension between the rear lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

"YARD, SIDE" means a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any excavation or main building on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard. SIDE YARD WIDTH means the least horizontal dimension between the side lot line of the lot and the nearest part of any building, structure or excavation on the lot, or the nearest open storage use on the lot.

"YARD, EXTERIOR SIDE" means a side yard immediately adjoining a street.

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

"YARD, REQUIRED" means a yard with the minimum front yard depth, rear yard depth, or side yard width required by the provisions of this By-law. A required side yard shall extend from the required front yard to the required rear yard or, in the case of a lot which has no rear lot line, the required side yard shall extend from the required front yard to the opposite required side yard.

"ZONE" means a designated area of land use shown on the Schedules.

"ZONING ADMINISTRATOR" means the officer or employee of the Corporation charged with the duty of enforcing the provisions of this By-law.

SECTION 5

GENERAL PROVISIONS

5.1 ACCESSORY USES

5.1.1 USES PERMITTED:

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

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

5.1.2 LOT COVERAGE:

The total lot coverage of all accessory uses on a lot in a Residential Zone shall not exceed 10% of the lot area.

5.1.3 LOCATION:

- a. Notwithstanding the yard provisions of this By-law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, legal signs, marine facilities, or similar accessory uses shall be permitted in any yard.
- b. Except as otherwise provided herein, in a Residential Zone, any accessory building or structure which is not attached to the main building shall not be erected in any yard other than the interior side yard or rear yard.
- c. A boat house, gazebo, dock or pump house may be erected in the front yard or within the water setback on a lot which abuts a lake or

river provided it does not have a height greater than 4 metres from the highest point of the building or structure to the finished grade.

5.1.4 YARDS:

All accessory uses shall comply with the yard provisions of the zone in which such accessory use is located, except that in a Residential Zone, an accessory use shall comply with the following provisions:

- a. When such accessory use is located in an interior side yard, it shall be no closer than 1.2 metres to the interior side lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case no interior side yard is required.
- b. when such accessory use is located in the rear yard, no rear yard is required except in the case where the rear lot line is the side lot line of the adjoining lot, in which case such accessory use shall be no closer than 1.2 metres to that portion of the rear lot line which adjoins the interior side lot line of the adjoining lot.
- c. No detached accessory building or structure shall be located closer than 1.2 metres to a main building.

5.1.5 HEIGHT

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

5.2 CONSTRUCTION USES

- 5.2.1 In all zones, a building or structure incidental to construction on the lot where such building or structure is situated, is permitted, but only for as long as it is necessary for work in progress and until the work is completed or abandoned.
- 5.2.2 "Abandoned" in this subsection means the failure to proceed expeditiously with the construction work.

5.3 DWELLING UNITS

5.3.1 YARD PROVISIONS:

Where a dwelling unit is located in a Non-Residential building, such dwelling unit shall comply with the yard provisions of this By-law which apply to the said Non-Residential buildings.

5.3.2 CELLAR LOCATION:

No dwelling unit, in its entirety, shall be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used for no purpose other than a furnace room, laundry room, storage room, recreation room or for a similar use.

5.3.3 BASEMENT LOCATION:

A dwelling unit, in its entirety, may be located in a basement, provided that the finished floor level of such basement is not below the level of any sanitary sewer or storm sewer serving the building in which such basement is located and provided further that the finished floor level of such basement is not more than 1.2 metres below the adjacent finished grade.

5.4 EXTERNAL BUILDING MATERIALS

The following building materials shall not be used for the exterior vertical facing on any wall of any building or structure which is located partly or wholly within 90 metres of a street:

- a. tar paper
- b. building paper
- c. asphalt roll-type siding
- d. asphalt fibreboard.

5.5 FLOOD PLAINS

5.5.1 USE OF FLOOD PLAINS:

No person shall use any lot or erect, alter or use any building or structure on a flood plain for any purpose except one or more of the following uses:

- a. agricultural use, other than a building
- b. forestry use, other than a building
- c. golf course, other than a building
- d. marine facility
- e. parking lot
- f. private park, other than a building
- g. public use.

5.5.2 CALCULATION OF ZONE PROVISIONS:

No part of any flood plain shall be used to calculate any of the zone provisions required by this By-law.

5.6 GRAVEL PITS AND STONE QUARRIES

No gravel pit or stone quarry shall be established or made in any area of the Corporation except in a zone where a gravel pit or a stone quarry is included under the heading "Uses Permitted" in this By-law. Where this By-law states that no land shall be used for any purpose other than planting grass, shrubs, seeded berms, trees or similar vegetation, this shall also mean that no gravel pit or stone quarry shall be established in those areas.

5.7 HEIGHT EXCEPTIONS

The height provisions of this By-law shall not apply to the following uses:

- a. barn
- b. belfry
- c. chimney
- d. church spire
- e. clock tower
- f. corn crib
- g. drying elevator
- h. farm implement shed
- i. feed or bedding storage use
- j. flag pole
- k. non-commercial radio antenna
- l. non-commercial television antenna
- m. silo
- n. water tower.

5.8 HOME OCCUPATIONS

No home occupation shall be permitted in any zone unless such home occupation conforms to the following provisions:

- 5.8.1 No person, other than a member of the household, shall be engaged in canvassing, delivering or as a go-between in distributing merchandise to customers. (B/L 24-96)
- 5.8.2 There shall be no external display or advertising, other than a legal sign, to indicate to persons outside, that any part of the dwelling unit or lot is being used for a purpose other than residential. (B/L 24-96)
- 5.8.3 Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.
- 5.8.4 Such home occupation shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling. (B/L 24-96)
- 5.8.5 There shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, offered or exposed for sale or rent on the premises.

5.8.6 The home occupation shall comply to the parking requirements in Section 5.14.

5.8.7 A Bed and Breakfast use may be permitted as a home occupation provided not more than two bedrooms are used for that purpose.

5.9 ILLUMINATION

Lighting fixtures, which are not public uses and which are designed for exterior illumination, shall be installed with the light directed downward and deflected away from adjacent lots and streets. Such lighting fixtures shall not be more than 9 metres above finished grade, and no closer than 4.5 metres to any street line.

5.10 LANES AS YARDS

Where the rear lot line of a lot adjoins any portion of a lane, one-half of the width of that portion of such lane may be considered part of the lot for the purpose of computing the lot area and the rear yard depth of the lot.

5.11 LOADING SPACE REGULATIONS

5.11.1 REQUIREMENTS:

The owner or occupant of any lot, building or structure erected or used for any purpose, other than a farm, involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials, shall provide and maintain at the premises, facilities comprising one or more loading spaces at least 9 metres long, 3.6 metres wide and having a vertical clearance of at least 4.3 metres, and in accordance with the following:

GROSS FLOOR AREA OF BUILDING OR STRUCTURE	MINIMUM NUMBER OF LOADING SPACES REQUIRED
a. 280 sq.m or less	1
b. Exceeding 280 sq.m but not 2300 sq.m	2
c. Exceeding 2300 sq.m but not 7500 sq.m	3
d. Exceeding 7500 sq.m	3, plus 1 additional loading space for each additional 9000 square metres of gross floor area or fractional part thereof.

provided, however, that in addition to the above number of loading spaces, space shall be provided for the parking of vehicles awaiting access to loading spaces.

5.11.2 LOCATION:

The required loading spaces shall be provided on the lot occupied by the building or structure for which the said loading spaces are required and shall not form a part of any street or lane.

5.11.3 YARDS WHERE PERMITTED:

The required loading spaces shall be located only in an interior side yard or rear yard provided such loading spaces are located no closer than 18 metres to any street line.

5.11.4 ACCESS:

Access to loading spaces shall be by means of a driveway at least 6 metres wide contained within the lot on which the spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

5.11.5 SURFACE:

The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, they shall be constructed of one or more of the following: crushed stone, slab, gravel, crushed brick (or tile), cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 15 cm and with provisions for drainage facilities.

5.11.6 ADDITION TO EXISTING USE:

When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with 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, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

5.12 LOT DEVELOPMENT REQUIREMENTS

5.12.1 ACCESS TO IMPROVED STREET:

No person shall erect any building or structure or use any lot in any zone unless access for vehicular traffic, in the form of an unobstructed driveway or passageway at least 3.5 metres in width, is provided from such lot to an improved street which abuts the said lot. This provision shall not apply to a lot on a registered plan of subdivision registered subsequent to the date of passing of this By-law.

5.12.2 EXEMPTION FOR ISLAND LOTS:

If a lot is located on an island and if such lot has no street access, then the said lot shall be exempt from the provisions of subsection 5.12.1, if such lot has water access on a navigable waterway.

5.12.3 MORE THAN ONE USE ON A LOT:

When a lot contains more than one use, each such use shall conform to the provisions of this By-law for such use in the zone where it is located.

5.12.4 MORE THAN ONE ZONE ON A LOT:

When a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zones.

5.12.5 AREA AND/OR LOT FRONTAGE AND/OR WATER FRONTAGE LESS THAN REQUIRED:

Where a lot having a lesser lot area and/or lot frontage and/or water frontage than that required herein, or where such a lot is created as a result of an expropriation or where a lot is reduced in size due to land being acquired by the County, Township or Province, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot, provided that all other requirements of this By-law are complied with. This requirement shall only apply to lots containing a single use or for one dwelling unit, if permitted.

5.13 NON-CONFORMING USES

5.13.1 REBUILDING OR REPAIR PERMITTED:

Nothing in this By-Law shall prevent the rebuilding or repair of any building or structure that is damaged or destroyed 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.

5.13.2 STRENGTHENING TO SAFE CONDITION PERMITTED:

Nothing in this By-law shall prevent the strengthening to a safe condition of an existing permitted building or structure, even though such building or structure does not conform to the

provisions of this By-law, provided that such alteration or repair does not increase the height, size or volume, or change the use of such building or structure.

5.13.3 EXTENSIONS PERMITTED:

Nothing in this By-law shall prevent an extension or an addition being made to an existing permitted use, even though such use does not conform to one or more of the provisions of this By-law, provided such extension or addition does not contravene any of the provisions of this By-law.

5.14 PARKING AREA REGULATIONS

5.14.1 REQUIREMENTS:

The owner or occupant of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, one or more parking spaces, each such parking space having a minimum area of 18.0 square metres, a minimum length of 6 metres and a minimum width of 3 metres, in accordance with the following:

TYPE OF USE

MINIMUM PARKING
SPACE REQUIREMENT

RESIDENTIAL USES:

Seasonal Dwelling

2 parking spaces per dwelling unit plus 1 parking space per private cabin.

Other Residential Uses permitted by this By-law

2 parking spaces per dwelling unit plus 1 parking space per guest room.

TYPE OF USE

**MINIMUM PARKING
SPACE REQUIREMENT**

NON-RESIDENTIAL USES:

Auditorium

The greater of:

- (a) 1 parking space per 6 fixed seats or fraction thereof, or
- (b) 1 parking space per 9 sq.m of gross floor area.

Beverage Room

1 parking space per 4 persons permitted capacity.

**Bowling Alley,
Curling Rink**

2 parking spaces per bowling lane or curling sheet

**Business Office,
Professional Office**

1 parking space per 18.5 square metres of gross floor area.

Church

1 parking space per 9 square metres of gross floor area.

Clinic

The greater of:

- (a) 3 parking spaces per practitioner, or
- (b) 1 parking space per 18.5 square metres of gross floor area.

Industrial Building

1 parking space per 38 square metres of gross floor area.

Nursing Home

0.75 parking spaces per bed.

TYPE OF USE	MINIMUM PARKING SPACE REQUIREMENT
Recreational Establishment (other than listed separately herein)	The greater of: (a) 1 parking space per 14 square metres of gross floor area, or (b) 1 parking space per 4 persons design capacity of the establishment.
Restaurant	The greater of: (a) parking space per 3 square metres of gross floor area, or (b) 1 parking space per 4 persons design capacity of the dining room.
Restaurant, Drive-in	20 parking spaces per lot.
Retail Store, Merchandise Service Shop, Personal Service Shop	1 parking space per 18.5 square metres of gross floor area.
School	The greater of: (a) 1.5 parking spaces per classroom, or (b) 1 parking space per 3 square metres of floor area in the gymnasium, or (c) 1 parking space per 3 square metres of floor area in the auditorium.
Shopping Centre	Parking area to be 3 times the gross floor area.
Tourist Establishment	1 parking space per guest room plus 1 parking space per 4 persons design capacity of each beverage room, dining room and meeting room.

TYPE OF USE

**MINIMUM PARKING
SPACE REQUIREMENT**

Other Non-Residential
Uses permitted by this
By-Law

1 parking space per 38
square metres of gross
floor area

5.14.2 MORE THAN ONE USE ON A LOT:

When a building, structure or lot accommodates more than one type of use as set out in subsection 5.14.1, the parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.

5.14.3 LOCATION:

The required parking area shall not form a part of any street or lane. The required parking area shall be provided on the lot occupied by the building, structure or use for which the said parking area is required, except:

- a. in the case of a lot in a Residential Zone which has water access and no street access;
or
- b. in the case of Non-Residential use, the required parking area may be provided on another lot if such parking area is not more than 4.5 metres from the lot requiring the parking area.

5.14.4 YARDS WHERE PERMITTED:

Notwithstanding any yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted as follows:

ZONE	YARDS WHERE PARKING AREA PERMITTED
Residential	All yards provided that no part of any parking area, other than a driveway, is located closer than the minimum required front yard depth of any street
Commercial, Open Space, Rural	All yards provided that no part of any parking area, other than a driveway, is located closer than 1 metre to any street line.
Industrial	Interior side yards and rear yards only, except for visitor parking covering not more than 15% of the yard area in which it is located, provided that no part of any parking area, other than a driveway, is located closer than 1 metre to any street line.

5.14.5 ACCESS:

Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3.5 metres in width for a lot where parking spaces are orientated at an angle to the driveway or passageway of 0° to 45° and 7.5 metres for an angle of 46° to 90°.

5.14.6 SURFACE:

Each parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

5.14.7 ADDITION TO EXISTING USE:

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, no addition may be built and no change of use may occur, the effect of which would be to increase that deficiency.

5.14.8 USE OF PARKING AREAS AND PARKING SPACES:

Where a parking area or parking space is permitted or required by this By-law in any Residential Zone, no person shall use such parking area or parking space for parking any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in respect of which such parking area or parking space is provided and bears a motor vehicle license plate or sticker which is currently valid.

5.14.9 RESTRICTIONS IN RESIDENTIAL ZONES:

No person shall use any parking area or parking space in a Residential Zone except in accordance with the following:

- a. Not more than one vehicle per dwelling unit shall be a commercial motor vehicle as defined in The Highway Traffic Act.
- b. The rated capacity of any such commercial motor vehicle shall not exceed one-half tonne capacity.
- c. Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in any Residential Zone may use any private

garage of which he is the owner or occupant, erected upon any such lot for the housing or storage of one commercial motor vehicle not exceeding one tonne capacity operated by himself.

5.15 PLANTING STRIPS

5.15.1 REQUIRED LOCATIONS:

Where a lot is used for a Non-Residential purpose and

- a. the interior side lot line or rear lot line abuts a Residential use or undeveloped land in a Residential zone or
- b. where such lot is in an Industrial Zone and the front, side or rear lot line abuts a street line and the opposite street line abuts a Residential use or undeveloped land in a Residential Zone,

then the land adjoining such abutting lot line shall be used for no purpose other than a planting strip in accordance with the provisions of this subsection.

5.15.2 WIDTH:

Where, in any zone, land is required to be used for no purpose other than a planting strip, it shall have a minimum width of 3 metres, measured perpendicularly to the lot line adjoining such planting strip.

5.15.3 VEGETATION HEIGHT IN SIGHT TRIANGLE:

No vegetation within a sight triangle shall exceed a height of 1 metre.

5.15.4 INTERRUPTION FOR DRIVEWAY OR WALK:

Where a driveway or walk extends through a planting strip, it shall be permissible to interrupt the planting strip within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walk.

5.15.5 LANDSCAPED OPEN SPACE:

A planting strip referred to in this subsection may form part of any landscaped open space required by this By-law.

5.15.6 FENCING:

A planting strip, as required in Section 5.15.1, may be reduced in width to 2 metres where an opaque fence, 1.5 metres in height is constructed in conjunction with the planting. In addition, fencing with a similar height shall be constructed in all yards which surround a swimming pool.

5.15.7 BUFFER AREAS

A buffer area comprised of natural vegetation shall not be disturbed by landscape management or horticultural activities save and except for the removal of dead trees which are in an unsafe condition and/or a program of selective control of noxious weeds, as identified pursuant to the Weed Control Act R.S.O. 1990, as amended or replaced, which is carried out in a manner that preserves existing vegetation which is not subject to the said Act.

(B/L 9-99)

5.16 PRIVATE CABINS

One private cabin, having a maximum dwelling unit area of 38 square metres, may be permitted as an accessory use to a permitted seasonal dwelling on a lot which conforms to the requirements of this By-law for lot area, lot frontage and water frontage. (B/L 24-96)

5.17 PUBLIC USES

5.17.1 Streets and Infrastructure

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

5.17.2 By-law Requirements

Notwithstanding article 5.17.1, any building appurtenant to infrastructure shall comply with the general provisions of this By-law as contained in Section 5 hereof as well as the applicable zone provisions for the lot upon which such use is located. (B/L 24-96)

5.17.3 Infrastructure in Residential Zones

Notwithstanding article 5.17.1, any electric power transformer station or water or sewage pumping station, which is located in a residential zone, shall be enclosed in a building designed, located and maintained in general harmony with the permitted residential buildings in such zone. (B/L 24-96)

5.17.4 PROVISIONS IN RESIDENTIAL ZONES:

Any above ground non-recreational public use which is located in a Residential Zone shall be enclosed in a building designed, located and maintained in general harmony with the permitted Residential buildings in such zone. (B/L 24-96)

5.18 SETBACKS

No person shall erect any building or structure in any zone unless such building or structure conforms to the following setback requirements from the centre of the road allowance:

- 5.18.1 Provincial Highway - 18 metres, plus the minimum exterior side or front yard depth required for such use in the zone where it is located.

5.18.2 County Road - 15 metres, plus the minimum exterior side or front yard depth required for such use in the zone where it is located.

5.18.3 Other Street - 10 metres, plus the minimum exterior side or front yard depth required for such use in the zone where it is located.

5.19 SIGHT TRIANGLES

Within any area defined as a sight triangle, the following uses shall be prohibited:

5.19.1 a building, structure or use which would obstruct the vision of drivers of motor vehicles;

5.19.2 a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1.0 metre in height above the elevation of the street line;

5.19.3 a finished grade which exceeds the elevation of the street line by more than 0.6 metre.

5.20 SIGNS

Nothing in this By-law shall apply to prevent the erection, alteration or use of any sign, provided such sign complies with the by-laws of the Corporation regulating signs and provided such sign complies with the provisions of this By-law regarding sight triangles.

5.21 THROUGH LOTS

In the case of a through lot, the front yard requirements of the zone or zones in which such lot is located shall apply to each yard which abuts a street.

5.22 YARD ENCROACHMENTS

5.22.1 ORNAMENTAL STRUCTURES:

Notwithstanding any provisions of this By-law to the contrary, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or similar ornamental structures may project into any required yard a maximum distance of 0.6 metre.

5.22.2 UNENCLOSED PORCHES, BALCONIES AND STEPS:

Notwithstanding any provisions of this By-law to the contrary, unenclosed porches, balconies and steps may project into any required yard a maximum distance of 1.5 metres provided that in the case of porches or steps, such uses are not more than 1.8 metres above grade.

5.22.3 DECKS:

Notwithstanding any provision of this by-law to the contrary, an unenclosed deck attached to a single detached dwelling shall be permitted to encroach into the water setback, provided such encroachment does not exceed 5 metres and the floor of the deck is no greater than 1.0 metre above the finished grade around the perimeter of the deck.

5.22.4 PATIOS:

Notwithstanding any provisions of this By-law to the contrary, patios may project into any required rear yard provided they are not more than 0.6 metre above finished grade and provided no patio shall be located closer than 1.5 metres to any lot line.
(B/L 24-96)

5.22.5 BUILDING IN BUILT-UP AREA:

Notwithstanding any provisions of this By-law to the contrary, where a building is to be erected within a built-up area where there is an established building line, such building may be erected closer to the street line than required by this By-law provided such building is not erected closer to the street line than the established building line on the date of passing of this By-law.

5.23 HOLDING ZONE

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

5.24 SPECIAL EVENTS

- 5.24.1 A lot may be used for a special event subject to the provisions of the zone in which it is permitted and issuance of a licence by the Township of Verulam pursuant to By-law 19-95, as amended, or any successor thereto.
- 5.24.2 Except for a parade or a special event for 100 people or less, or a special event located on publicly owned land, parking for a special event shall be provided on the same lot or a separate lot within 100 metres of the special event site on the basis of one parking space for every four people in attendance.
(B/L 24-96)

5.25 SECOND SINGLE DETACHED DWELLINGS

In the General Rural (A1) Zone, a second single detached dwelling shall be permitted subject to the following:

- a) The property on which the second single detached dwelling use is located has to be classed as a farm by MPAC, and shall be on a lot of at least 20 hectares.
- b) A maximum of one second single detached dwelling per lot.
- c) A covenant be registered on title that residence will be used for full-time farm help only.
B/L 2007-289

5.26 SEASONAL FARM RESIDENTIAL USE

In the General Rural (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 uses 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

5.27 ADDITIONAL RESIDENTIAL DWELLING UNITS - B/L 2020-160

Notwithstanding the permitted uses, maximum densities and minimum gross floor areas listed elsewhere in this By-law, additional residential dwelling units are permitted in all zones that permit single detached, semi-detached, or town house dwelling units, subject to the following provisions:

- i. A maximum of two (2) additional residential dwelling units, one (1) within the same building as the primary residential dwelling unit and one (1) within an accessory building or structure to the primary residential dwelling unit.
- ii. Notwithstanding subsection 5.26, a lot may have an additional residential dwelling unit in addition to a garden suite, approved through a Temporary Use By-law, or a second single detached dwelling in accordance with subsection 5.25.
- iii. Unless otherwise stated, all zone provisions continue to apply to an additional residential dwelling unit.
- iv. An additional residential dwelling unit located in an accessory building or structure shall be in accordance with the provisions in subsection 5.1. An accessory building or structure containing an accessory residential dwelling unit located on an upper storey shall have a maximum height of 10 m and minimum yard setback of 1.2 m.
- v. A lot has frontage on an improved street, maintained year round.
- vi. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.
- vii. The floor area of the additional residential dwelling unit is equal to, or less than, the gross floor area,

- excluding attached garage floor area of the primary residential dwelling unit without any modification to the building's bulk or massing.
- viii. Where applicable, an additional residential dwelling unit shall not be permitted on a lot which contains a bed and breakfast establishment.
 - ix. At a minimum, on-site parking shall be provided in accordance with the requirements for the primary residential dwelling unit. Where there is a home occupation in an additional residential dwelling unit, parking shall be in accordance with section 5.14.
 - x. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.
 - xi. An additional residential dwelling unit or part thereof shall not be within the OS Zone, floodplain or water setback.
 - xii. Compliance with the provisions of the Ontario Building Code, Fire Code and all other relevant municipal and provincial standards.
 - xiii. Registration of the additional residential dwelling unit in accordance with the City's Additional Residential Unit Registration By-law.

5.28 SOURCE WATER PROTECTION - B/L 2020-124

5.28.1 All development will comply with the Clean Water Act through the applicable Source Protection Plans, as amended from time to time.

5.28.2 For all applicable terms, refer to the Definitions Section of this By-law. Refer to the applicable Source Protection Plans for terms not defined herein.

5.28.3 Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) are identified as an overlay layer on Schedule "A" and include all levels of vulnerability for municipal water sources serving the City.

5.28.3.1 In the case of WHPAs the extent of the vulnerable area encompasses WHPA-A through WHPA-E.

5.28.3.2 In the case of IPZs the extent of the vulnerable area encompasses subzones IPZ-1 and IPZ-2.

- 5.28.4 Notwithstanding the uses permitted by the underlying zone category in this By-law, the following land use activities shall be prohibited in the vulnerable areas identified on Schedule 'A' to this By-law where they would constitute a future significant drinking water threat under the Clean Water Act, unless stated otherwise in the applicable Source Protection Plans:
- 5.28.4.1 Waste disposal sites
 - 5.28.4.2 On-site sewage systems (in excess of 10,000 L)
 - 5.28.4.3 The application, storage or management of agricultural source material
 - 5.28.4.4 The application, handling or storage of non-agricultural source material
 - 5.28.4.5 The application, handling or storage of commercial fertilizer
 - 5.28.4.6 The application, handling or storage of pesticide
 - 5.28.4.7 The handling or storage of road salt
 - 5.28.4.8 The storage of snow
 - 5.28.4.9 The handling or storage of fuel
 - 5.28.4.10 The handling or storage of a dense non aqueous phase liquid
 - 5.28.4.11 The handling or storage of an organic solvent
 - 5.28.4.12 The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard
- 5.28.5 Notwithstanding the list of prohibited land use activities in Section 2.4, a Risk Management Official may issue a written decision enabling the City to determine that a site-specific land use activity is permitted in accordance with Section 58 and Section 59 of the Clean Water Act based on location, amount and extent of the threat.
- 5.28.6 Within the vulnerable area illustrated on Schedule 'A', as it applies to dense non aqueous phase liquids, Section 2.4 shall not apply to incidental volumes used as part of a residential use.
- 5.28.7 Where a conflict may arise between Source Water Protection provisions in this By-law and any other provisions herein, the provision(s) that afford the greatest protection to surface and groundwater shall

prevail to the extent necessary to resolve the conflict.

5.29 CANNABIS PRODUCTION AND PROCESSING FACILITIES -
B/L 2021-057

5.29.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

5.29.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

5.29.3 Notwithstanding 5.29.2:

- i. in the General Rural (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the General Rural (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.

SECTION 6

ZONES

6.1 ZONE CLASSIFICATION

For the purpose of this By-law, all lands within the Corporation are divided into zones and are classified as follows:

ZONES	SYMBOLS
<u>Residential Zones</u>	
Rural Residential Zone	RR
Residential Type One Zone	R1
Residential Type Two Zone	R2
Limited Service Residential Zone	LSR
<u>Commercial Zones</u>	
General Commercial Zone	C1
Highway Commercial Zone	C2
Recreational Commercial Zone	C3
<u>Industrial Zones</u>	
General Industrial Zone	M1
Extractive Industrial Zone	M2
Disposal Industrial Zone	M3
<u>Community Facility Zone</u>	CF
<u>Open Space Zone</u>	OS
<u>Rural Zone</u>	
General Rural Zone	A1
<u>Mobile Home Park Zone</u>	MHP

6.2 ZONE SYMBOLS

The symbols listed in Section 6.1 hereof may be used to refer to buildings and structures, the uses of lots, buildings and structures permitted by this By-law in the said zones, and whenever in this By-law the word "zone" is used, preceded by any of the said symbols, such reference shall mean any area within the Corporation within the scope

of this By-law, delineated on the Schedules and designated thereon by the said symbol.

6.3 ZONE PROVISIONS

The uses permitted, the minimum lot area, the minimum lot frontage, the minimum required yard dimensions, the maximum lot coverage, the minimum landscaped open space, and all other zone provisions are set out herein for the respective zones.

6.4 SPECIAL ZONES AND PROVISIONS

Where a zone symbol is followed by a dash and a number (for example "R1-1"), the lands so designated shall be subject to all the provisions of the zone represented by such symbol except as otherwise provided by the special provisions of the special zone.

6.5 BUILDING, STRUCTURE AND USE CLASSIFICATION

For the purpose of reference, all buildings, structures and uses named as permitted uses and classified under the headings "Residential Uses" or "Non-Residential Uses" may be referred to as Residential or Non-Residential buildings, structures or uses, respectively.

SECTION 7

RURAL RESIDENTIAL (RR) ZONE

7.1 RR USES PERMITTED

No person shall within any RR Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RR uses, namely:

- a. single detached dwelling
- b. home occupation
- c. neighbourhood park or parkette. (B/L 24-96)

7.2 RR ZONE PROVISIONS

No person shall within any RR Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot area 4000 sq.m
- b. Minimum Lot Frontage 45 m
- c. Minimum Water Frontage 30 m
- d. Minimum Front Yard Depth 7.5 m
(see also Section 5.18)
- e. Minimum Exterior Side Yard Width 7.5 m
(see also Section 5.18)
- f. Minimum Interior Side Yard Width 3 m
- g. Minimum Rear Yard Depth 7.5 m
- h. Minimum Dwelling Unit Area 85 sq.m
- i. Minimum Landscaped Open Space 30 %
- j. Maximum Lot Coverage 33 %
- k. Maximum Height of Building 10.5 m
- l. Maximum Dwelling Units Per lot 1 only
- m. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.
- n. Minimum Water Setback 15 m

7.3 RR SPECIAL REQUIREMENTS

7.3.1 Notwithstanding Section 7.1, land zoned "RR-1" may also be used for a kennel. Notwithstanding subsections 7.2 a. and b. and in addition to the other provisions of Section 7.2, land zoned RR-1 shall be subject to the following provisions:

- a. Minimum lot area 2900 sq. m
- b. Minimum lot frontage 24 m
- c. Minimum front yard for a kennel 65 m
- d. Minimum interior side yard
for a kennel - south side 10 m
- north side 3 m
- e. Maximum floor area for a kennel 115 sq. m

All other requirements of the RR Zone shall continue to apply. (B/L 13-91)

7.3.2 Notwithstanding article 5.12.4 or any provision of subsection 7.2 to the contrary, land zoned "RR-2" shall be subject to the following zone requirements:

- a. Minimum lot frontage 35 m
- b. Minimum setback from an existing barn on a separate lot 92 m
- d. lot area shall be measured including land zoned "OS-8". (B/L 4-96)

7.3.3 Notwithstanding Subsection 7.2 b., land zoned "RR-3" shall be subject to the following zone requirements:

- a. Minimum lot frontage 32 m
(B/L 2001-156)

7.3.4 Notwithstanding Article 5.12.4 lands zoned "RR-4" shall be subject to the requirements in 7.1 and 7.2 in addition to the following zone requirements:

- a. Minimum setback from an existing barn on a separate lot 240 m
- b. Lot area shall be measured including land zoned "OS-12"

Development of the lands zoned RR-4(H) Zone shall not proceed until such time as the Holding (H)

symbol has been removed by way of an amendment to this by-law in accordance with the provisions of Section 36 of The Planning Act, R.S.O. 1990.

The holding provision shall only be removed on a lot by lot or multiple lot basis when City Council is satisfied that each lot has a well that has been constructed utilizing a well certification program and all other requirements with respect to hydrogeology and site servicing as set out in the conditions of draft approval of the subdivision as incorporated into the subdivision agreement have been met.

(B/L 2005-327)

7.3.5 "RR-5"

SECTION 8

RESIDENTIAL TYPE ONE (R1) ZONE

8.1 R1 USES PERMITTED

No person shall within any R1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. single detached dwelling
- b. seasonal dwelling
- c. home occupation
- d. neighbourhood park or parkette (B/L 24-96)

8.2 R1 ZONE PROVISIONS

No person shall within any R1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot Area 2050 sq.m
- b. Minimum Lot Frontage 36 m
- c. Minimum Water Frontage 36 m
- d. Minimum Front Yard Depth 7.5 m
(see also Section 5.18)
- e. Minimum Exterior Side Yard Width 7.5 m
(see also Section 5.18)
- f. Minimum Interior Side Yard Width 3 metres on one side, 1.8 metres on the other side.
- g. Minimum Rear Yard Depth 7.5 m
- h. Minimum Dwelling Unit Area 85 sq.m
- i. Minimum Landscaped Open Space 30%
- j. Maximum Lot Coverage 33%
- k. Maximum Height of Building 10.5 m
- l. Maximum Dwelling Units Per Lot 1 only unless a converted dwelling (B/L 24-96)
- m. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.
- n. Minimum Water Setback 15 m

8.3 R1 SPECIAL REQUIREMENTS

8.3.1 On land zoned R1-1, the following requirements shall supersede the requirements of the R1 Zone:

- a. Minimum Lot Area 8000 sq.m
- b. Minimum Lot Frontage 45 m
- c. Minimum Front Yard Depth 21 m
- d. Minimum Side Yard Width 6 m
- e. Minimum Dwelling Unit Area 100 sq.m
- f. Maximum Lot Coverage 10%
- g. Maximum Height of Building 9 m
- h. Accessory Uses, Parking, Etc.:

In accordance with the provisions of Section 5 hereof.

All other requirements of the R1 Zone shall continue to apply.

8.3.2 On land zoned R1-2, the following requirements shall supersede the requirements of the R1 zone:

- a. Minimum Lot Area 3800 sq.m
- b. Minimum Lot Frontage 35 m
- c. Minimum Front Yard Depth 6 m
- d. Minimum Side Yard Width 3 m
- e. Minimum Rear Yard Depth 7 m
- f. Maximum Lot Coverage 20%
- g. Minimum Dwelling Unit Area 93 sq.m

All other requirements of the R1 zone shall continue to apply.

8.3.3 On land zoned R1-3, the following requirements shall supersede the requirements of the R1 zone:

- a. Minimum Lot Area 1735 sq.m
- b. Minimum Lot Frontage 30 m

All other requirements of the R1 Zone shall continue to apply.

8.3.4 Notwithstanding Sections 8.2 a. and 8.2 n., on land zoned R1-4 the minimum lot area shall be 1600 square metres and the minimum water setback shall be 7.5 metres. In addition to the requirements of the R1 Zone, all exterior openings, including windows and doors, of the dwelling shall be above

the elevation of 249.0 metres CGD. All other requirements of the R1 Zone shall continue to apply. (B/L 16-87)

8.3.5 Notwithstanding Sections 8.2 a. and 8.2 b., on land zoned the Residential Type One Special (R1-5) Zone the minimum lot area shall be 1.6 hectares and the minimum lot frontage shall be 152 metres. All other provisions of Section 5 and Section 8 shall apply to land zoned R1-5, save and except for Sections 8.2 a. and 8.2 b.. (B/L 20-88)

8.3.6 Notwithstanding Sections 8.2 a., and 8.2 b., on land zoned the Residential Type One Special (R1-6) Zone the minimum lot area shall be 0.7 hectares and the minimum lot frontage shall be 75 metres. All other provisions of Section 5 and Section 8 shall apply to land zoned R1-6, save and except for Sections 8.2 a. and 8.2 b. (B/L 20-88)

8.3.7 In addition to the R1 Zone Provisions of Section 8.2, on land zoned R1-7 the minimum exterior opening elevation of a vacation dwelling or a single detached dwelling shall be a minimum of 247.2 metres CGD. All other provisions of this By-law shall apply to land zoned R1-7. (B/L 20-89) (B/L 24-96)

8.3.8 Notwithstanding Sections 8.2 a., 8.2 b. and 8.2 c. or any other requirement of the R1 Zone to the contrary, on land zoned the Residential Type One Special (R1-8) Zone the following requirements shall apply:

- a. Minimum Lot Area..... 1.2 ha
- b. Minimum Lot Frontage..... 28 m
- c. Minimum Water Frontage..... 28 m
- d. Minimum frontage onto a public street, maintained by a public authority..... 20 m

All other provisions of the R1 Zone and this By-law shall apply to land zoned R1-7. (B/L 25-89)

8.3.9 Notwithstanding Sections 8.2 a., 8.2 b., 8.2 g. and 8.2 n. or any other requirement of the R1 Zone to the contrary, on land zoned the Residential Type

One Special (R1-9) Zone, the following requirements shall apply:

- a. Minimum Lot Area..... 0.9 ha
- b. Minimum Lot Frontage..... 47 m
- c. Minimum Water Setback..... 30 m
- d. Minimum Exterior Opening Elevation of any dwelling unit shall be a minimum of 248.7 metres CGD

All other provisions of the R1 Zone and this By-law shall apply to land zoned R1-9.
(B/L 8-90)

8.3.10 On land zoned the Residential Type One Special (R1-10) Zone, development shall have a minimum water setback of 15 metres from the shoreline based on the lake water surface elevation of 247.8 metres CGD. The minimum for exterior openings in any habitable structure shall be 248.7 metres CGD. (B/L 8-91)

8.3.11 On land zoned "R1-11" the minimum lot area shall be 1,600 square metres. (B/L 22-93)

8.3.12 Notwithstanding Section 8.2, on land zoned "R1-12" all buidlings and structures shall be setback 15 metres from the boundary of the Open Space (OS) Zone. (B/L 11-94)

8.3.13 Notwithstanding subsections 8.2 a. and b., land zoned "R1-13" shall be subject to the following zone requirements:

- a. Minimum Lot Area 2200 sq.m
 - b. Minimum Lot Frontage 30 m.
- (B/L 16-94)

8.3.14 Notwithstanding subsections 8.2 a., b., g. and n., land zoned "R1-14" shall be subject to the following zone requirements:

- a. Minimum Lot Area 4,000 sq.m
- b. Minimum Lot Frontage 25 m
- c. Minimum setback from the OS-6 Zone 3 m
- d. Minimum Exterior Opening Elevation for

any habitable structure shall be 248.7 m C.G.D.
(B/L 17-96)

- 8.3.15 Notwithstanding articles 8.2 a., b. and n., land zoned 'R1-15' shall be subject to the following zone provisions:
- a. Minimum Lot Frontage 35 m
 - b. Minimum Water Frontage 35 m
 - c. New habitable development shall have a minimum water setback of 15 metres based on a lake water surface elevation of 247.8 metres CGD.
 - d. Notwithstanding the minimum water setback, where a new dwelling is proposed, and an existing dwelling on an immediately abutting lot has a water setback of 30 metres or greater, the proposed dwelling shall be setback from the shore lot line that distance necessary to ensure that it does not extend, by more than 5%, beyond a sight line projected, from the nearest corner, at a 135 degree angle from the plane of the main wall of the existing dwelling, nearest to the shore lot line. This provision shall not apply to additions to existing dwellings. For the purposes of this subsection the reference to 5% shall mean 5% of the main wall of the dwelling nearest to the mutual side lot line separating the two lots.
 - e. The minimum exterior opening elevation for new habitable structures shall be 248.7 metres CGD. (B/L 28-97)
- 8.3.16 Reserved for P06-35-053 File Closed
- 8.3.17 Notwithstanding article 5.12.1 and the definition of the term "lot line, front", on land zoned "R1-17" frontage on a public street shall include a public street separated from the lot by a 0.3 metre reserve and the front lot line is the shortest lot line abutting a private right-of-way or a Township road allowance. (B/L 13-98)
- 8.3.18 In addition to the R1 Zone requirements set out in Section 8.2, on land zoned R1-18, the maximum gross floor area for each dwelling unit shall be 200 square metres exclusive of a basement with only one

dwelling unit per lot permitted. All other provisions of the by-law shall apply except for 8.2 1. (B/L 2004-12)

8.3.19 In addition to the R1 Zone requirements set out in Section 8.2, on land zoned R1-19, the maximum gross floor area for each dwelling unit shall be 200 square metres exclusive of a basement. Notwithstanding any other provision to the contrary, on land zoned R1-19 no main or accessory buildings or structures shall be permitted within 15 metres of the rear lot line except for a fence adjacent to or on the lot line and only one dwelling unit per lot is permitted. Within the 15 metres from the rear lot line, the area shall be planted and maintained with native species of vegetation. A walkway or path is permitted within the 15 metre buffer. The minimum lot frontage shall be 30 metres. (B/L 2004-12)

8.3.20 Notwithstanding any other provision to the contrary, on land zoned R1-20, no main or accessory buildings or structures shall be permitted within 15 metres of the lot line that abuts the OS-10 zone except for a fence adjacent to or on the lot line and only one dwelling unit per lot is permitted. Within the 15 metres from the lot line that abuts the OS-10 zone, the area shall be planted and maintained with native species of vegetation. A walkway or path is permitted within the 15 metre buffer. The minimum lot area shall be 1.8 hectares and the minimum length of the lot line that abuts the road allowance shall be 65 metres. (B/L 2001-149)

(note: the following section was passed as 8.3.18)

8.3.21 Notwithstanding the definition of "Accessory" and Section 5.1 Accessory Uses, on land zoned Residential Type On Exception Twenty One "(R1-21)", a detached dwelling is not a permitted use; buildings and structures accessory to adjacent developed residential lots are permitted and the following zone provisions shall apply:

- | | | |
|-----|---------------------|-----------|
| (a) | Lot area (max.) | 817 sq.m. |
| (b) | Lot frontage (max.) | 24 m. |

- (c) Maximum number of accessory Buildings 2
 - (d) Lot coverage for all buildings shall not exceed 10 percent of the lot, to a maximum of 81 sq.m
 - (e) Building height (max.) 4 m.
- (B/L 2002-04)

8.3.22 Residential Type One (R1-22) Zone

On land zoned Residential Type One Special (R1-22) the following requirements shall supercede the respective provisions of Sections 8.1 and 8.2. Further, the minimum exterior opening elevation for all habitable buildings or structures which abut Sturgeon Lake/Little Bob Channel shall be 248.7 metres CGD.

R1-22 USES PERMITTED

- a. Single-detached dwelling
- b. A home occupation

Zone Provisions

Municipal Water and Sanitary Sewers		
a.	Minimum lot area	440 sq. m. (4736 sq. ft.)
b.	Minimum lot frontage	15 m (50 ft.)
c.	Minimum front yard	7.5 m (25 ft.)
d.	The Minimum side yard shall be 1.2 metres (4 ft.) plus one metre (3.3 ft.) for each additional full storey above the first.	
e.	Minimum rear yard	7.5 m (25 ft.)
f.	Maximum lot coverage	40%
g.	Maximum height	11 m (36 ft.)
h.	Minimum flankage yard	4.5 m (15 ft.)
i.	Minimum shoreline natural vegetative buffer	4 m (13.2 ft.) in which a boathouse, path/walkway, direct sight-line from the dwelling, dock and marine railway, not exceeding a cumulative width of 12.2 m., may be maintained
j.	Minimum floor area per dwelling unit	74 sq. m. (796 sq. ft.)
k.	Minimum water	15 m (50 ft.)

--	--	--

All other requirements of the R1 Zone shall continue to apply. (By-Law 2002-79)

8.3.23 Residential Type One (R1-23) Zone

On land zoned Residential Type One Special (R1-23) the requirements of the R1-22 Zone shall apply with the exception of the following:

- a. Minimum water setback 20 m (66 ft.)

All other requirements of the R1 Zone shall continue to apply. (By-Law 2002-79)

8.3.24 Residential Type One (R1-24) Zone

Reserved for File D06-35-074 (Comhold)

8.3.25 Residential Type One (R1-25) Zone

Notwithstanding Section 8.2 b. on land zoned R1-25 the minimum lot frontage shall be 32 m. (B/L 2008-142)

8.3.26 On land zoned R1-26, the following requirements shall superseded the requirements of the R1 zone:

- a. Minimum Lot Area 4000 sq. m.
- b. Minimum Lot Frontage 29 m.

8.3.27 Residential Type One (R1-27) Zone

Notwithstanding the definition of Accessory, General Provisions Sections 5.1.2, 5.1.3, 5.1.4, and R1 Zone Sections 8.1 and 8.2, the following definitions, uses and provisions apply:

8.3.27.1 R1-27 DEFINITIONS

"Accessory", when used to describe a use, building or structure, means a use, a building or a structure that is incidental subordinate and exclusively devoted to a main use, building or

structure located on an adjacent developed residential lot with water frontage.

8.3.27.2 R1-27 USES PERMITTED

- a. Accessory uses
- b. Neighbourhood park or parkette

8.3.27.3 R1-27 PROVISIONS

- a. Minimum Lot Area 700 square metres
- b. Minimum Lot Frontage 22 metres
- c. Minimum Front Yard Depth 12 metres
- d. Minimum Interior Side Yard Depth 1.2 metres
- e. Minimum Rear Yard Depth 1.2 metres
- f. Minimum Landscaped Open Space 30%
- g. Maximum Lot Coverage 22.5 %
- h. Maximum Number of Accessory Buildings 2
- i. Minimum Spatial Separation Between Accessory Buildings 1.2 metres

SECTION 9

RESIDENTIAL TYPE TWO (R2) ZONE

9.1 R2 USES PERMITTED

No person shall within any R2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following R2 uses:

- a. semi-detached dwelling (B/L 24-96)
- b. duplex dwelling (B/L 24-96)
- c. triplex dwelling (B/L 24-96)
- d. all uses permitted in the R1 zone subject to the provisions therein
- e. neighbourhood park or parkette. (B/L 24-96)

9.2 R2 ZONE PROVISIONS

No person shall within any R2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- | | Communal or
Municipal Water
Supply Provided |
|--|---|
| a. Minimum Lot Area | 2000 sq.m plus 500 sq.m for each additional dwelling unit over 2. |
| b. Minimum Lot Frontage | 45 m |
| c. Minimum Water Frontage | 36 m |
| d. Minimum Front Yard Depth
(see also Section 5.18) | 7.5 m |
| e. Minimum Exterior Side
Yard Width
(see also Section 5.18) | 7.5 m |
| f. Minimum Interior Side Yard Width shall be 3 metres on one side of the lot and 1.8 metres on the other side. | |
| g. Minimum Water Setback | 15 m |
| h. Minimum Rear Yard Depth | 7.5 m |
| i. Minimum Dwelling Unit Area shall be 85 sq.m for each dwelling unit. | |
| j. Minimum Landscaped Open Space | 30% |
| k. Maximum Lot Coverage | 33% |
| l. Maximum Height of Building | 11 m |
| m. Accessory Uses, Parking, Etc.: | |

SECITON 10

LIMITED SERVICE RESIDENTIAL (LSR) ZONE

10.1 LSR USES PERMITTED

No person shall within any LSR Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. single-detached dwelling
- b. seasonal dwelling
- c. neighbourhood park or parkette.
(B/L 24-96)

10.2 LSR ZONE PROVISIONS

No person shall within any LSR Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot Area 2050 sq.m
- b. Minimum Lot Frontage 36 m
- c. Minimum Water Frontage 36 m
- d. Minimum Front Yard Depth 7.5 m
(See also Section 5.18)
- e. Minimum Exterior Side Yard Width 7.5 m
(See also Section 5.18)
- f. Minimum Interior Side Yard Width 3 metres on one side,
1.8 metres on the
other side.
- g. Minimum Rear Yard Depth 7.5 m
- h. Minimum Water Setback 15 m
- i. Minimum Dwelling Unit Area 85 sq.m
- j. Minimum Landscaped Open Space 30%
- k. Maximum Height of Building 10.5 m
- l. Maximum Dwelling Units Per Lot 1 only
- m. Maximum Lot Coverage 33%
- n. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.

10.3 LSR SPECIAL REQUIREMENTS

10.3.1 On land zoned LSR-S, the only permitted use shall be a seasonal dwelling. All other requirements of the LSR Zone shall continue to apply.

10.3.2 Notwithstanding Sections 10.2 a. and 10.2 b., on land zoned the Limited Service Residential Special (LSR-S2) Zone the minimum lot area requirement shall be 2,000 square metres and the minimum lot frontage requirement shall be 33 metres. In addition, the minimum exterior opening elevation of any habitable building on land zoned LSR-S2 shall be 248.7 metres CGD. (B/L 21-89)

10.3.3 Notwithstanding any provision of this By-law to the contrary, on land zoned the Limited Service Residential Special (LSR-S3) Zone, the minimum exterior opening elevation of any habitable building or structure shall be 248.7 metres CGD.

All other provisions of the LSR Zone and the By-law shall apply to land zoned LSR-S3. (B/L 12-90)

10.3.4 Notwithstanding articles 10.2 a. and b. and in addition to the other provisions of subsection 10.2, land zoned "LSR-4" shall be subject to the following zone provisions:

a.	Minimum Lot Area	1750 sq. m
b.	Minimum Lot Frontage	13 m
c.	Minimum elevation for exterior openings in any habitable structure	248.8 m C.G.D. (B/L 9-92)

SECTION 11

GENERAL COMMERCIAL (C1) ZONE

11.1 C1 USES PERMITTED

No person shall within any C1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. one dwelling unit
- b. auditorium
- c. automobile service station
- d. beverage room
- e. business office
- f. clinic
- g. drive-in restaurant
- h. feed or flour dealer
- i. laundromat
- j. merchandise service shop
- k. motel
- l. park
- m. parking lot
- n. personal service shop
- o. professional office
- p. public use
- q. recreational establishment
- r. restaurant
- s. retail store
- t. take-out restaurant
- u. vehicle agency
- v. hotel
- w. lodge

11.2 C1 ZONE PROVISIONS

No person shall within any C1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a. Minimum Lot Area	
i. Tourist establishment	2800 sq.m plus an additional 185 sq.m for each guest room in excess of 4
ii. Other uses	2050 sq.m
b. Minimum Lot Frontage	37 m
c. Minimum Lot Depth	30 m
d. Minimum Front Yard Depth	
(See also Section 5.18)	
i. Automobile service station	15 m
ii. Other uses	7.5 m
e. Minimum Exterior Side Yard Width	
i. Automobile service station	15 m
ii. Other uses	7.5 m
(See also Section 5.18)	
f. Minimum Interior Side Yard Width	
i. Automobile service station	6 m
provided that where the interior side lot line abuts a Residential Zone, the minimum interior side yard width shall be increased to 9 m	
ii. Other uses	9 m
provided that where the interior side lot line abuts another lot in a Commercial Zone, no interior side yard shall be required.	
g. Minimum Rear Yard Depth	7.5 m
h. Minimum Dwelling Unit Area	85 sq.m
i. Minimum Landscaped Open Space	
i. Automobile service station	5 %
ii. Other uses	10 %
j. Maximum Lot Coverage	
i. Automobile service station	20 %
ii. Other uses	40 %
k. Maximum Height of Building	10.5 m
l. Maximum Dwelling Units Per Lot	1 only

m. Habitable Room Window:

Where the exterior wall of a tourist establishment building contains a habitable room window, such wall shall be located no less than 7.5 metres from any interior side lot line or rear lot line.

n. Distance Between Buildings:

Where more than one tourist establishment building is erected on the same lot, the minimum distance between buildings shall not be less than 15 metres or, in the case of a tourist or trailer camp 10 metres, provided that where two external walls facing and parallel to each other contain no openings or windows to habitable rooms, the distance between such two walls may be reduced to 3 metres. For the purpose of the foregoing, such external walls having an angle of divergence not more than 85 degrees shall be deemed to face and be parallel to each other. In the above paragraph, "angle of divergence" means the interior acute angle formed by and lying between such two external walls or their projection.

o. Courts:

Where a tourist establishment building erected on a lot is in a court form, the distance between the portions of the building forming the court shall not be less than 20 metres.

p. Gasoline Pump Island Location:

Notwithstanding any other provisions of this By-law to the contrary, a gasoline pump island accessory to a permitted use may be located within any front yard or exterior side yard provided:

i. The minimum distance between any portion of the gasoline pump island and any lot line shall be 4.5 metres.

ii. Where the lot is a corner lot, no portion of any gasoline pump island shall be located closer than 3 metres to a sight triangle.

q. Accessory Uses, Parking, Etc.:

In accordance with the provisions of Section 5 hereof.

r. Minimum Water Setback

15 m

11.3 C1 SPECIAL REQUIREMENT

11.3.1 Notwithstanding Section 11.1, on land zoned "C1-1" shall only be used for one or both of the following uses.

- a. a clinic
- b. a dwelling unit
- aa. a business or professional office
- bb. a personal service shop

Notwithstanding Section 11.2, land zoned "C1-1" shall be subject to the following zone provisions:

- a. Minimum Front Yard 15 metres or the setback provided for under Section 5.18 whichever is greater
 - b. Maximum Lot Coverage 33%
 - c. Minimum Landscaped Open Space 30%
 - d. Maximum Commercial Premises 2
- (B/L 22-94 & 2004-226)

11.3.2 Notwithstanding subsection 11.1, on land zoned C1-2 only the following uses are permitted:

- a. private recreational facility
- b. real estate office/showroom for the sale of properties for lands zoned Residential Type One (R1-22), Residential Type One (R1-23) and General Commercial (C1-2) as shown on Schedule 'A' attached to this By-Law

All other requirements of the C1 Zone shall continue to apply.
(By-Law 2002-79)

SECTION 12

HIGHWAY COMMERCIAL (C2) ZONE

12.1 USES PERMITTED

No person shall within any C2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or a maximum of three of the following uses:

- a. one dwelling unit
- b. automobile service station
- c. drive-in restaurant
- d. motel, hotel or motor-hotel
- e. restaurant
- f. take-out restaurant
- g. vehicle agency
- h. boat and marine sales and service
- i. farm machinery and heavy equipment sales and service
- j. retail lumber and building supply
- k. neighbourhood or community park. (B/L 24-96)

12.2 C2 ZONE PROVISIONS

No person shall within any C2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|----|---|------------|
| a. | Minimum Lot Area | 4000 sq. m |
| b. | Minimum Lot Frontage | 45 m |
| c. | Minimum Lot Depth | 30 m |
| d. | Minimum Front Yard Depth | 15 m |
| | (See also Section 5.18) | |
| e. | Minimum Exterior Side Yard Width | 15 m |
| | (See also Section 5.18) | |
| f. | Minimum Interior Side Yard Width | 3 m |
| | provided that where the interior side lot line abuts a Residential Zone, the minimum interior side yard width shall be increased to 9 m | |
| g. | Minimum Rear Yard Depth | 7.5 m |
| h. | Minimum Dwelling Unit Area | 85 sq. m |
| i. | Minimum Landscaped Open Space | 10% |
| j. | Maximum Lot Coverage | 40% |
| k. | Maximum Height of Building | 10.5 m |

- l. Maximum Dwelling Units Per Lot 1 only
- m. Accessory Uses, Parking, Etc.: In accordance with the provisions of Section 5 hereof.
- n. Minimum Water Setback 15 m

12.3 C2 SPECIAL REQUIREMENTS

12.3.1 On land zoned C2-1, the only permitted uses shall be:

- a. bakery
- b. retail outlet for baked goods produced on the premises
- c. one dwelling unit

All other requirements for the C2 Zone shall continue to apply.

12.3.2 On land zoned C2-2, the only permitted uses shall be:

- a. Automobile service station
- b. Restaurant, including drive-in
- c. Hotel, Motel or Motor-Hotel
- d. Retail sales within a wholly enclosed building of art and craft objects and/or antiques
- e. Retail sales with outdoor storage and display of automobiles, trailers, motorized snow vehicles, boats and farm equipment subject to the following requirements:
 - a. Minimum lot area 7600 sq. m
 - b. Minimum lot frontage 115 m
 - c. Minimum front, side and rear yards 10 m
 - d. Maximum height 11 m
 - e. Maximum lot coverage 30%
 - f. For the purposes of this section, the front lot line shall be deemed to be the lot line which abuts the boundary road allowance between the Townships of Fenelon and Verulam.

All other zone requirements of the C2 Zone shall continue to apply to land zoned C2-2.

12.3.3 Highway Commercial Exception Three (C2-3) Zone

12.3.3.1 Notwithstanding Section 12.1 the only uses permitted on lands zoned C2-3 shall be the following:

- a. single detached dwelling
- b. restaurant
- c. take-out restaurant
- d. contractor's yard
- e. golf driving range and miniature golf course

12.3.3.2 C2-3 Zone Provisions

- a. Minimum Front Yard Depth 24 m
- b. Minimum Exterior Side Yard Width 40 m
- c. For the golf driving range and miniature golf course use, a minimum of one (1) parking space shall be provided per four (4) persons design capacity of the establishment with a minimum of twenty (20) parking spaces to be provided.

All other requirements of the C2 Zone shall continue to apply to land zoned C2-3. (B/L 2018-110)

12.3.4 On lands zoned C2-4 the only permitted uses shall be the following: Automobile Service Station with no outdoor storage; Restaurant, including drive-in and take-out with no outdoor storage; Hotel, Motel or Motor-Hotel with no outdoor storage; Retail sales within a wholly enclosed building of art and craft objects and/or antiques and used furniture with no outdoor storage; Retail sales with outdoor display of automobiles, trailers, motorized snow vehicles, boats and farm equipment subject to the following:

- a. Minimum Lot Area 1 ha
- b. Minimum Lot Frontage 167.5 m
- c. Minimum Lot Depth 46 m
- d. Minimum Front Yard Depth 33.5 m
- e. Minimum Exterior Side Yard Width 13.7 m
- f. Minimum distance between any portion of the gasoline pump island and any lot line 13.7 m
- g. No portion of any gasoline pump island shall be located

- closer than 13.7 metres to
the sight triangle.
- h. Minimum front, side
and rear yards 10 m
 - i. Maximum height 11 m
 - j. Maximum lot coverage 30 %

All other requirements of the C2 Zone shall
continue to apply to land zoned C2-4.
(B/L 2001-160)

12.3.5 Notwithstanding the permitted uses in subsection
12.1, the only permitted uses on lands zoned C2-5
shall be:

- a. motel
- b. boat and marine sales, service and repairs
- c. mini-storage within wholly enclosed buildings
- d. model home display and sales, and sales of
lumber and building supplies
- e. real estate office
- f. one dwelling unit

In addition to the requirements under subsection
12.2 on land zoned C2-5 the following shall also
apply:

- a. a landscaped buffer shall be established by
maintaining the existing trees with additional
trees as required to create a visual barrier.
The buffer shall be 8 metres wide and abut
the frontage along Highway 36 save and except
the access points.
- b. The northern lot shall gain access directly
onto Highway 36 provided the entrance is
established within 23 metres of the northerly
property line or within the existing reduced
speed zone, whichever is greater.
- c. All outside storage of finished products such
as boats and model homes may be situated in
the exterior side, front yard, rear yard or
interior side yard provided that they are not
within the required buffer.

- d. All outside storage of raw materials such as lumber and building materials shall only be permitted in the rear or interior side yards. (B/L 19-87)

12.3.6 Notwithstanding the permitted uses in subsection 12.1 the only permitted uses on lands zoned C2-6 shall be a Vehicle Agency, a Motor Vehicle Repair Shop, as defined in article 12.3.8, or any use permitted within the C2-5 Zone. (B/L 8-99)

In addition to the provisions of subsection 12.2 on lands zoned C2-6 the following shall also apply:

- a) all outside storage of raw materials such as lumber and building materials shall only be permitted in the rear or interior side yard.
- b) The maximum number of uses shall be one motel; one dwelling together with one permitted commercial use; or two permitted commercial uses other than a motel. (B/L 8-99)

All other provisions of the C2 Zone and the By-law shall apply to lands zoned C2-6. (B/L 19-89)

12.3.7 Notwithstanding Section 12.1, land zoned C2-7 shall only be used for one or more of the following uses:

- a. boat and marine sales and service
- b. farm machinery sales and service
- c. retail establishment that carries only furniture, major appliances, carpet, flooring and/or window coverings
- d. retail lumber and building supply
- e. vehicle agency

Notwithstanding article 12.2 j., and in addition to the other provisions of subsection 12.2, land zoned "C2-7" shall be subject to the following zone provisions:

- a. Maximum floor area for all uses other than enclosed storage or warehousing 930 sq.m
- b. Maximum lot coverage for buildings and structures 20%
- c. Maximum lot coverage for outdoor storage 30%
- d. Minimum setback for outdoor storage 15 m

(B/L 16-97)

- 12.3.8 Notwithstanding Section 12.1, land zoned "C2-8" may only be used for a motor vehicle repair shop and/or a farm machinery repair shop.

Notwithstanding subsection 12.2 f. on land zoned "C2-8" the minimum side yard shall be 6 metres.

Notwithstanding any provision of subsections 5.11.1 and 5.11.3 to the contrary, on land zoned "C2-8" there shall be 2 loading spaces. One loading space shall be located in a side yard and one service bay and entrance area for the Motor Vehicle Repair Shop, located in the front yard, may be used as the second loading space.

For the purpose of the "C2-8" Zone, a Motor Vehicle Repair Shop means a building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair and installation of the electrical systems, transmissions, engines, brakes, radiators, tires as well as rustproofing, motor vehicle diagnostic centre, other major and minor mechanical repairs or similar uses and in conjunction with which there may be a towing service, but shall not include autobody repairs, the retail sale of motor vehicle fuels, any exterior storage of parts or materials or other uses or activities otherwise defined or classified in this By-law. (B/L 13-94)

- 12.3.9 Notwithstanding subsection 5.12.5 and Section 12.1, land zoned "C2-9" may only be used for a maximum of four of the following uses:

- a. automobile service station;
- b. boat and marine sales and service
- c. body shop in a wholly enclosed building'
- d. contractor's shop;
- e. mini-storage facility.

Notwithstanding section 12.2, land zoned C2-9 shall also be subject to the following zone provisions:

- g. except for the storage and display of vehicles, there shall be no outdoor storage;
- h. minimum side yard 4.0 m

- i. minimum separation distance between a body shop or contractor's shop and a dwelling on a separate lot 30 m
- j. Maximum floor area for a body shop or a contractor's shop 93 sq.m.
- k. maximum lot coverage 25%

For the purpose of the "C2-9" Zone the following definitions apply:

CONTRACTOR'S SHOP means a wholly enclosed building or structure where the equipment and materials of a building trades contractor use are stored or where such a contractor performs repair services or assembly work, but does not include any other use or activity otherwise defined herein.

MINI-STORAGE FACILITY means a wholly enclosed building or structure comprised of individual storage units, each not more than 40 sq.m in size, each having an external access, which are leased or rented for the purpose of storing goods but does not include commercial or industrial warehousing for the bulk storage of hazardous, toxic or highly inflammable goods such as paints, solvents, ammonia, fertilizers, pesticides, herbicides, bottled gasses, fuels or cleaning products. (B/L 17-95).

12.3.10 Notwithstanding subsection 12.1, land zoned C2-10 may also be used for a retail and wholesale sporting goods establishment, an indoor driving range and light assembly/manufacturing facility accessory to a permitted use. (B/L 5-97)

12.3.11 C2-11 (D06-35-090 - not used)

12.3.12 Highway Commercial Special Twelve (C2-12) Zone:

Notwithstanding the permitted uses and zone provisions in the Highway Commercial (C2) zone, within the Highway Commercial Special Twelve (C2-12) Zone, the following shall apply:

Definition:

Storage and Moving Company: means a business that offers commercial vehicles and trailers for rental

purposes for the purposes of moving personal affects and household items and also offers facilities for the temporary storage of these goods.

Permitted Uses:

In addition to the permitted uses in subsection 12.1, on land zoned C2-12, the following uses are also permitted:

- a. A storage and moving company
- b. A candle retail shop
- c. The three dwelling units located within the existing permitted retail commercial building on the date of the passing of this by-law.

Zone Provisions:

Notwithstanding subsection 12.2 d and h., on land zoned C2-12, the following requirements shall apply:

- a. Minimum front yard setback shall be 9 m.
- b. Minimum gross floor area of a dwelling unit shall be 82 m² and;

On land zoned C2-12(H), removal of the holding symbol shall be in accordance with the following:

- a. The owner shall enter into a site plan agreement for the proposed development that addresses site servicing, stormwater management, traffic, landscaping, and illumination.

All the other requirements of the C2 zone shall apply.

12.3.13 C2-13 (D06-35-094 - file closed)

SECTION 13

RECREATIONAL COMMERCIAL (C3) ZONE

13.1 C3 USES PERMITTED

No person shall within any C3 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. one dwelling unit
- b. hotel
- c. lodge
- d. marina
- e. motel
- f. rental cabin
- g. restaurant
- h. take-out restaurant
- i. tourist camp
- j. trailer camp
- k. neighbourhood or community park. (B/L 24-96)

13.2 C3 ZONE PROVISIONS

No person shall within any C3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot Area
 - i. Tourist establishment 2800 sq.m. plus an additional 185 square metres for each guest room/unit in excess of 4.
 - ii. Other Uses 2050 sq.m
- b. Minimum Lot Frontage 45 m
- c. Minimum Water Frontage 75 m
- d. Minimum Lot Depth 30 m
- e. Minimum Front Yard Depth 7.5 m
(See also Section 5.18)
- f. Minimum Exterior Side Yard Width 7.5 m
(See also Section 5.18)
- g. Minimum Interior Side Yard Width 3 m
provided that where the interior side lot line abuts a Residential Zone, the minimum interior side yard width shall be increased to 10 metres.
- h. Minimum Rear Yard Depth 7.5 m

- i. Minimum Dwelling Unit Area 85 sq. m
- j. Minimum Landscaped Open Space 10%
- k. Maximum Lot Coverage 30%
- l. Maximum Height of Buildings 10.5 m
- m. Maximum Dwelling Units Per Lot 1 only
- n. Minimum Water Setback 15 m
- o. For tourist establishments, the provisions of Section 11.2 m., n. and o. shall also apply.
- p. Tourist and Trailer Camping Lot Provisions
 - i. only one (1) travel trailer, park model trailer or recreational vehicle shall be permitted on a camping lot;
 - ii. a camping lot shall have a minimum lot area of 200 square metres and shall not be less than 15 metres wide;
 - iii. no camping lot shall be closer than 10 metres to a lot line or 100 metres to an existing residence located on a separate lot;
 - iv. front yard (min.) 3 m
 - v. side yard (min.) 1.0 m on one side and 3.0 m other side
 - vi. lot coverage (max.) 35 %
 - vii. accessory structures (max.) 1
 - viii. structural additions to a recreational vehicle shall not exceed a maximum floor area of 30 square metres or 100% of the floor area of the existing recreational vehicle whichever is less.
 - ix. exclusive of land used for entrance or access lanes or driveways, an uninterrupted landscaped buffer, a minimum of 6 metres in width, and comprised of landscaped open space, headgerows, tree plantings, fencing, berms or any combination thereof which provides a visual screen a minimum of 2.0 metres in height shall be established in any yard of the "C3" zone which abuts an improved public street or any zone category other than a "C3" Zone, and a "C3" Special Zone or any Open Space Zone. (B/L 20-93)
 - x. Clause ix. above shall not apply to the C3-3 Zone.

13.3 C3 SPECIAL REQUIREMENTS

13.3.1 On lands zoned C3-1, the only permitted use shall be a Tourist Camp or trailer camp. On lands zoned C3-1 the minimum lot size for a trailer camp site is 18.29 metres by 15.24 metres and the minimum trailer camp lot area shall be 278.7 square metres. No trailer, camper or trailer camp lot shall be located closer than 60 metres from the lot line abutting County Road Number 17, 25.9 metres from the southern property line and 64 metres from the easterly property line. The maximum number of trailer sites to be located on land zoned C3-1 shall be 40.

13.3.2 Notwithstanding Section 13.1, land zoned C3-2 may only be used for the following uses:

- a) tourist camp or trailer camp
- b) tourist trailer sales establishment
- c) the retail sale of propane accessory to another permitted use
- d) a convenience store and/or snack bar accessory to another permitted use.

Notwithstanding subsections 13.2 a. and k. and in addition to the other provisions of Section 13.2, land zoned "C3-2" shall be subject to the following zone provisions:

- e) Minimum Lot area 1.0 ha
- f) Minimum Number of Parking Spaces
for a Tourist Trailer
Sales Establishment 1 per 30 sq.m
- g) Minimum Landscaped Area 15%
- h) Maximum Lot Coverage for all
Permanent Buildings 10%
- i) Maximum Lot Coverage for
Outdoor Display Area 20%
- j) Maximum Lot Coverage for
Outdoor Trailer Storage Area 20%
- k) Maximum Number of Trailers or
Vehicles in a Display Area 10
- l) An outdoor trailer storage area is only permitted
in a side or rear yard within 100 metres of the
easterly side lot line

- m) Maximum Floor Area for a convenience store and/or snack bar 115 sq.m
- n) For the purpose of the C3-2 zone, the following definitions shall also apply:

Convenience Store means a retail store supplying confectionery, prepackaged and canned foodstuffs, and daily household necessities to the seasonal residents of the trailer park;

Snack Bar means a building, structure or part thereof, with a maximum seating capacity of 10, where convenience foods such as soup, sandwiches, hamburgers, french fries, donuts, muffins and tarts are prepared and sold;

Recreational Vehicle Sales Establishment means a retail outlet for the sale of recreational vehicles and associated parts and accessories as well as the service, repair and storage of such recreational vehicles. (B/L 31-92)

13.3.3 Notwithstanding Section 13.1, land zoned Recreation Commercial Special (C3-3) may only be used for a tourist camp or trailer camp including park model trailers, one administration office building and one detached dwelling. (B/L 21-93)

Notwithstanding subsection 13.2 a., and e. and in addition to the other provisions of Section 13.2, land zoned "C3-3" shall be subject to the following zone provisions:

- a) Minimum lot area 8 ha
- b) Minimum front yard
 - i) administration building 30 m
 - ii) residence 7.5 m
 - iii) all other uses 100 m
- c) Minimum separation between a trailer camp lot and an existing residence on a separate lot 100 m
- d) Maximum floor area for an administration office building 46 sq.m
- e) The provisions of subsection 7.2, save and except for article 7.2 j.,

- shall apply to the detached dwelling
- f) Maximum lot coverage for a detached dwelling and associated accessory structures shall be 600 sq.m.
(B/L 21-93)

13.3.4 Notwithstanding Section 13.1, land zoned C3-4 shall only be used for a golf course, clubhouse, restaurant, lodge, single detached dwelling and tennis courts.

Notwithstanding the provisions set out in Section 13.2, land zoned C3-4 shall be subject to the following zone requirements:

- a) maximum gross floor area for a clubhouse 1858 sq.m.

All other provisions of the C3 Zone shall apply.

On land zoned C3-4(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.
- ii) the owner shall obtain a development permit from Kawartha Conservation.

On land zoned C3-4(H2), the removal of the (H2) holding symbol shall be in accordance with the following:

- i) the owners shall enter into a site plan agreement with the Municipality for any development.
- ii) satisfactory completion of an environmental impact study for any development.

(B/L 2007-117)

SECTION 14

GENERAL INDUSTRIAL (M1) ZONE

14.1 M1 USES PERMITTED

No person shall within any M1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following M1 uses:

- a. one dwelling unit
- b. a body shop
- c. fuel storage tank
- d. municipal or provincial garage and storage yard
- e. open storage use accessory to a permitted M1 use
- f. parking lot
- g. public use
- h. warehouse
- i. cannabis production and processing facility subject to Section 5.29 of the General Provisions (B/L 2021-057)

14.2 M1 ZONE PROVISIONS

No person shall within any M1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- | | | |
|----------------------------------|--------------------------------|-------------------------------|
| a. Minimum Lot Area | | 2050 sq.m |
| b. Minimum Lot Frontage | | 36 m |
| c. Minimum Required Yards | | |
| | abutting
Industrial
Zone | abutting
any other
Zone |
| i. Front yard depth | 15 m | 25 m |
| | (See also Section 5.18) | |
| ii. Exterior side | | |
| yard width | 15 m | 25 m |
| | (See also Section 5.18) | |
| iii. Interior side | | |
| yard width | 3 m | 12 m |
| iv. Rear yard width | 7.5 m | 20 m |
| d. Minimum Landscaped Open Space | | 10 % |
| e. Minimum Dwelling Unit Area | | 85 sq.m |

- f. Maximum Height of Building 12 m
except that if any portion of any building is erected above a height of 12 metres, the required yard dimensions shall be increased by 1 metre for each 1 metre by which such portion of the building exceeds a height of 12 metres.
- g. Maximum Dwelling Units Per Lot 1 only
- h. Open Storage:
No open storage of goods or materials shall be permitted, except in accordance with the following provisions:
- i. Every open storage use shall comply with the yard provisions of this By-law.
 - ii. No open storage use shall cover more than 35% of the lot area nor exceed twice the gross floor area of the main building on the lot.
 - iii. Open storage use shall be permitted only to the rear of the main building.
 - iv. Any portion of the area used for open storage use shall be concealed from view from the street by a fence or wall.
 - v. Every open storage use shall be accessory to the use of the main building on the lot.
- i. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.
- j. Minimum Water Setback 15 m

14.3 M1 SPECIAL REQUIREMENTS

14.3.1 M1-1 (Deleted by By-Law 2012-084)

14.3.2 On land zoned M1-2 the only permitted uses shall be a Cable T.V. operation including an office, maintenance shop and television signal receiving antenna and/or satellite dish subject to the following requirements:

- a. Minimum Lot Area 1.2 ha
- b. Minimum Lot Frontage 152 m
- c. Maximum Lot Coverage 10%

All other requirements of the M1 Zone shall continue to apply to land zoned M1-2.

14.3.3 Notwithstanding Section 14.1, on land zoned M1-3 the only permitted uses shall be:

- a. a woodworking shop;
- b. a showroom for the display and retail sale of the products manufactured on site; and
- c. a single detached dwelling. (B/L 24-96)

Notwithstanding Sections 5.18.3., 14.2 a., 14.2 b. and 14.2 c. the following requirements shall apply to land zoned M1-3:

- i. Minimum lot area 4.8 ha
- ii. Minimum lot frontage 255 m
- iii. Front yard depth 14 m
- iv. Maximum lot coverage 2%
- v. The showroom shall occupy a maximum of 15% of the total gross floor area devoted to the woodworking shop

All other provisions of Section 5 and Section 14 shall apply to land zoned M1-3. (B/L 18-88)

14.3.4 Notwithstanding Sections 14.1 and 14.2 d., on land zoned M1-4 the only permitted use shall be a bus storage and repair depot. All repairs and storage of all parts and materials except for the parking of motor vehicles including buses, shall be within an wholly enclosed building. All other provisions of the M1 Zone and the By-law shall apply to land zoned M1-4. (B/L 9-90)

14.3.5 Notwithstanding subsection 14.1, land zoned "M1-5" shall only be used for a maximum of four of the following uses:

- a. Body Shop
- b. Motor Vehicle Repair Shop
- c. Retail Tire Store
- d. Dwelling Unit

Notwithstanding article 14.2 a., clause 14.2 c., iv. or any other provision of subsection 14.2 to the contrary, land zoned M1-5 shall also be subject to the following zone provisions:

- e. Minimum lot area 1 ha
 - f. Minimum rear yard
 - for a non-residential use 60 m
 - for a residential use 7.5 m
 - g. Minimum setback for a non-residential use from a dwelling on a separate lot 60 m
 - h. Maximum lot coverage
 - i. buildings and structures 10%
 - i. Open Storage shall be located in a side or rear yard
 - j. for the purpose of the M1-5 Zone a "Motor Vehicle Repair Shop" shall be defined in accordance with article 12.3.8 herein and shall include a small engine repair service.
 - k. Maximum number of commercial uses 3
 - l. Maximum number of dwellings 1
- (B/L 23-95)

14.3.6 Notwithstanding the permitted uses and zone provisions in the General Industrial (M1) Zone to the contrary, within the General Industrial Exception Six (M1-6) Zone, the following shall apply;

Industrial Use shall mean the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.

Landscaped Area shall mean the open, unobstructed space at grade on a lot accessible by walking from the street on which the lot is located, and which is suitable for the growth and maintenance of grass, flowers, shrubs and other landscaping and includes any surfaced walk, patio or similar area, earth berming, and fencing but shall not include any driveway or ramp, any curb, retaining wall, parking space or any open space contained within any building or structure.

Motor Vehicle, Commercial shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways, or any other vehicle within the meaning of a "commercial motor vehicle" as defined within The Highway Traffic Act, R.S.O. 1990

Permitted Uses

Notwithstanding subsection 14.1, land zoned M1-6 shall only be used for an industrial use including manufacturing, processing and warehousing as well as a parking lot for commercial motor vehicles. Permitted ancillary uses include a retail store for the sale of goods produced on the premises.

Zone Provisions

Minimum Lot Area	10 ha
Minimum Lot Frontage	150 m
Minimum Front Yard	100m for an industrial use and 5 m for an ancillary retail store
Minimum Interior Side Yard (North Side)	15m for ancillary retail store, 50 m for a warehouse and 70 m for a manufacturing and processing facility
Minimum Interior Side Yard (South Side)	70 m, except 15 m for an ancillary retail store
Minimum Rear Yard	390 m
Maximum Building Height	15 m
Maximum Floorspace for Ancillary Retail Store	300 sq.m.
Minimum Landscaping Area (Front Yard)	5 m
Minimum Landscaping Area (Interior Side Yard)	15 m

No outdoor storage of goods or materials is permitted.

An industrial use consisting of a warehouse and an ancillary retail store may be serviced by private well and septic sewage disposal system. An industrial use consisting of a manufacturing and/or processing use shall be serviced on full municipal sanitary sewer and municipal water systems.

On land zoned M1-6(H), the Holding (H) symbol will be removed to permit the development of permitted uses in phases after the following requirements have been fulfilled:

- a) a septic design report, a stormwater management plan and lot grading and drainage plan, servicing plan, a traffic study update, and an illumination plan, as required, has been prepared and approved for each phase or phases to the satisfaction of the City of Kawartha Lakes;
- b) a noise study in accordance with Ministry of Environment sound level limits established by the Ministry of Environment Noise Guidelines and to the satisfaction of the City of Kawartha Lakes; and,

c) the applicant has received approval of all relevant plans, drawings and reports and entered into a Site Plan Agreement with full securities to the satisfaction of the City of Kawartha Lakes." (B/L2010-162)

SECTION 15

EXTRACTIVE INDUSTRIAL (M2) ZONE

15.1 M2 USES PERMITTED

No person shall within any M2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. gravel pit
- b. stone quarry
- c. aggregate screening operation
- d. crushing plant

15.2 M2 ZONE PROVISIONS

No person shall within any M2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a. Minimum Required Yards

	abutting Industrial Zone	abutting any other Zone
i. Front yard depth (See Section 5.18)	30 m	30 m
ii. Exterior side yard width (See also Section 5.18)	30 m	30 m
iii. Interior side yard width	15 m	30 m
iv. Rear yard width	15 m	30 m

provided that no interior side yard or rear yard is required along any portion of any lot line which abuts another M2 Zone.

b. Location of Stone Quarries and Processing Operations:

Notwithstanding any other provisions of this By-law to the contrary, no stone quarry shall be made or established and no crushing plant or aggregate screening operation shall be located within 90 metres of any lot line or portion thereof which abuts a residential zone.

c. Screen Planting:

No land in an M2 Zone shall be used for any other purpose than for planting grass, shrubs, trees, earth berms or similar uses within:

- i. 15 metres of any zone other than an Industrial Zone, or
- ii. 30 Metres of any street line.

d. Minimum Landscaped Open Space 5%

e. Maximum Height of Building 12 m
provided that if any portion of any building is erected above a height of 12 metres, the required yard dimensions shall be increased by 1 metre for each 1 metre by which such portion of the building exceeds a height of 12 metres.

f. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.

g. Minimum Water Setback 15 m

15.3 M2 SPECIAL REQUIREMENTS

15.3.1 Notwithstanding subsection 15.2 a. iii. and in addition to the other provision of Section 15.2, land zoned "M2-1" shall be subject to the following zone:

- i. Minimum side yard 15 metres
- ii. Maximum annual aggregate extraction 15,000 tonnes
- iii. A minimum vertical separation of 1 metre shall be maintained between aggregate extraction and processing operations and the highest elevation of the groundwater table as it is found at any given point within the "M2-1" Zone.

All other provisions of the By-law shall apply to land zoned M2-1. (B/L 32-92)

SECTION 16

DISPOSAL INDUSTRIAL (M3) ZONE

16.1 M3 USES PERMITTED

No person shall within any M3 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. salvage yard
- b. sanitary landfill site
- c. waste disposal area

16.2 M3 ZONE PROVISIONS

No person shall within any M3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a. Minimum Required Yards

	abutting Industrial Zone	abutting any other Zone
i. Front yard depth (See also Section 5.18)	20 m	30 m
ii. Exterior side yard width (See also Section 5.18)	20 m	30 m
iii. Interior side yard width	15 m	30 m
iv. Rear yard width	15 m	30 m

b. Minimum Landscaped Open Space 5 %

c. Maximum Height of Building 12 m
provided that if any portion of any building is erected above a height of 12 metres, the required yard dimensions shall be increased by 1 metre for each 1 metre by which such portion of the building exceeds a height of 12 metres.

d. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.

e. Minimum Water Setback

15 m

16.3 M3 SPECIAL REQUIREMENTS

16.3.1 OMB Order 0202 dated January 29, 1998 repealed By-Law 20-96 ("M3-1") - File No. P06-35-024.

SECTION 17

COMMUNITY FACILITY (CF) ZONE

17.1 CF USES PERMITTED

No person shall within any CF Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following CF uses:

- a. administrative offices of a public authority
- b. parks
- c. nursing home
- d. recreational establishment
- e. public use
- f. special events. (B/L 24-96)

17.2 CF ZONE PROVISIONS

No person shall within any CF Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Front Yard Depth 15 m
(See also Section 5.18)
- b. Minimum Exterior Side Yard Width 15 m
(See also Section 5.18)
- c. Minimum Interior Side Yard Width 7.5 m
- d. Minimum Rear Yard Depth 7.5 m
- e. Minimum Landscaped Open Space 50 %
- f. Maximum Lot Coverage 20 %
- g. Maximum Height of Building 12 m
- h. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.
- i. Minimum Water Setback 15 m

17.3 CF SPECIAL REQUIREMENTS

17.3.1 CF-1 Reserved for File D06-35-074 (Comhold)

SECTION 18

OPEN SPACE (OS) ZONE

18.1 OS USES PERMITTED

No person shall within any OS Zone use any lot or erect, alter or use any building or structure for any purpose except for the following uses:

- a. agricultural or forestry use
- b. public park
- c. public use

18.2 OS ZONE PROVISIONS

No person shall within an OS Zone erect, alter or use any building or structure except for:

- a. erosion or flood control
- b. boat dock or launching facility

18.3 OS SPECIAL REQUIREMENTS

18.3.1 Notwithstanding the requirements of Sections 18.1 and 18.2, on land zoned OS-1 the only permitted uses shall be a nature reserve. No building or structure shall be erected or used except for flood or erosion control and docking facilities. An unbroken vegetation buffer shall be maintained between the High Water Mark and the OS-2 Zone. The nature reserve is to be kept in its natural state with no dredging or filling permitted. Vegetation and tree cutting shall only be carried out to maintain the nature reserve in a healthy state. As part of the nature reserve, a path or hiking trail system will be permitted. (B/L 8-89)

18.3.2 Notwithstanding Sections 18.1 and 18.2, on land zoned OS-2 the only permitted use shall be a parking lot with an access road. The parking lot shall be limited to a maximum of six parking spaces for motor vehicles. No part of the parking lot or access road shall be located closer than 30 metres to the High Water Mark. (B/L 8-89)

18.3.3 Notwithstanding Sections 18.1 and 18.2 on land and water zoned OS-3 the only permitted uses shall be boat docking and mooring. The boat docking and mooring facility shall be of a floating type dock that is only permitted during the boating season. (B/L 8-89)

18.3.4 For the purposes of Sections 18.3.1 and 18.3.2 the following definitions shall apply.

a. "High Water Mark" means the maximum high water level of 247.76 metres CGD for Sturgeon Lake.

b. "Nature Reserve" means an area selected to represent distinctive natural habitats and landforms and are protected for interpretive, educational and research purposes. (B/L 8-89)

NOTE: OS-4 - Not Used

18.3.5 In addition to the uses permitted under subsection 18.1, on land zoned Open Space Special (OS-5), a private park is permitted. In addition to the buildings and structures permitted in accordance with subsection 18.2, land zoned "OS-5" may also be used for recreational structures which are not enclosed, such as tennis courts, picnic shelters and play ground equipment, and a maximum of 2 enclosed recreational structures, provided such structural development does not exceed a maximum lot coverage of 3% as determined by the zone boundaries and is setback a minimum of 15 metres from land zoned "OS". (B/L 21-93)

18.3.6 Notwithstanding Sections 18.1 and 18.2, land zoned "OS-6" shall only be used for conservation uses, Introduced Vegetation and maintenance of a buffer area comprised of natural vegetation along the shore lot line with a width of 15 metres from the high water mark on Sturgeon Lake on lots 3, 7 and 8 of Plan 57M739 and a width of 10 metres from the high water mark on Sturgeon Lake on lots 1, 2, 4, 5 and 6 of said Plan and in which no buildings or structures shall be erected except as follows:

(B/L 9-99)

a. flood and erosion control works;

- b. one walkway or stairway area per lot with a maximum width of 2 metres for shoreline access purposes on both sides of which there may be a one metre wide area of Introduced Vegetation;
(B/L 9-99)
 - c. a boat dock; (B/L 17-96)
- 18.3.7 OS-7 Reserved for File P06-35-019 (Comhold)
File Closed
- 18.3.8 Notwithstanding subsection 18.1, land zoned "OS-8" shall only be used for conservation uses and a landscaped open space area comprised only of natural or native vegetation. (B/L 4-96)
- 18.3.9 Notwithstanding subsection 18.1, land zoned OS-9 shall only be used for conservation uses, forestry and flood and erosion control works. (B/L 7-97)
- 18.3.10 Notwithstanding Sections 18.1 and 18.2, on land zoned OS-10, the only permitted uses shall be passive recreation uses and a beach. A walkway or path is permitted within this zone and the area shall be planted and maintained with native species of vegetation except in the beach area. No buildings or structures are permitted within this zone. (B/L 2001-149)
- 18.3.11 In addition to the OS Zone requirements set out in section 18.1 and 18.2, on land zoned OS-11, a passive recreational pathway/boardwalk system with appropriately located viewing platforms, which shall consist of a continuous and self-contained walking and cross-country ski trail is permitted. (B/L 2001-156)
- 18.3.12 Notwithstanding subsection 18.1 land zoned "OS-12" shall only be for uses accessory to residential uses save and except for any habitable buildings. (B/L 2005-327)

18.3.13 Notwithstanding Sections 18.1 and 18.2 on land and water zoned OS-13 the existing boathouse is permitted provided it does not exceed 8.4 m. x 5 m. (452 sq.m.) and 5.5 m. high. (B/L 2008-143)

18.3.14 Notwithstanding Sections 18.1 and 18.2 on land zoned OS-14, buildings, structures, wells and septic systems are prohibited and the land is to be maintained as open space. (B/L 2008-142)

18.3.15 OS-15 -OPEN SPACE EXCEPTION FIFTEEN (OS-15)
ZONE

Notwithstanding the provisions contained in Section 18.1 and Section 18.2, lands zoned OS-15 shall be subject to the following provisions:

(i) Permitted uses:

- a) floating type boat docking and mooring system to be operated during the boating season
- b) an unenclosed gazebo structure
- c) outdoor barbeque area

(ii) Building setbacks:

- a) Front yard (minimum) 21.0 m
- b) Side yard (minimum) 3.8 m
- c) Rear yard (minimum) 28.0 m

(iii) Building area (maximum) 52 sq.m.

(iv) Building height (maximum) 5.0 m

18.3.16 Notwithstanding subsections 18.1 and 18.2, on lands zoned OS-16, the single detached dwelling may be enlarged to a maximum gross floor area of 277 sq. m. and shall be subject to the provisions of subsection 19.2. (B/L2020-043)

18.3.17 Notwithstanding permitted uses in subsection 18.1, land zoned OS-17 may also include ancillary uses for the Live Action Role Play Facility-Use on lands zoned A1-18(H). Ancillary uses may include pathways, trails and temporary structures less than 10 sq.m.

which were existing at the time of passing of this by-law. No new structures, site alteration or tents are permitted in the OS-17 Zone.

All other provisions of subsection 18 shall apply. (B/L2020-077)

SECTION 19

GENERAL RURAL (A1) ZONE

19.1 A1 USES PERMITTED

No person shall within any A1 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. single detached dwelling
- b. seasonal dwelling
- c. cemetery
- d. farm
- e. farm produce outlet
- f. home occupation
- g. wayside pit or wayside quarry
- h. forestry use. (B/L 24-96)
- i. Second Single Detached Dwelling is subject to Section 5.25 of the General Provisions. B/L 2007-289
- j. Seasonal Farm Residential Use is subject to Section 5.26 of the General Provisions. B/L 2007-289
- k. cannabis production and processing facility subject to Section 5.29 of the General Provisions. (B/L 2021-057)

19.2 A1 ZONE PROVISIONS

No person shall within any A1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot Area
 - i. farm 25 ha
 - ii. other uses 2050 sq.m
with a maximum lot area of 1 hectare for residential uses.
- b. Minimum Lot Frontage
 - i. farm 180 m
 - ii. other uses 36 m
- c. Minimum Front Yard Depth
(See also Section 5.18)
 - i. farm 30 m
 - ii. other uses 10 m
- d. Minimum Exterior Side Yard Width
 - i. farm 30 m
 - ii. other uses 10 m

(See also Section 5.18)

- e. Minimum Interior Side Yard Width
 - i. farm 30 m
 - ii. other uses 3 m
- f. Minimum Rear Yard Depth 10 m
- g. Minimum Dwelling Unit Area 85 sq.m
- h. Maximum Lot Coverage 10 %
- i. Maximum Height of Building 10.5 m
- j. Maximum Dwelling Units Per Lot 1 only
- k. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.
- l. Minimum Water Setback 15 m

19.3 A1 SPECIAL REQUIREMENTS

- a. Notwithstanding Section 19.1, the only uses permitted on lands zoned A1 which do not have frontage or direct access onto a road assumed and maintained year round by the Township, County or Province shall be agricultural uses with no dwelling unit associated therewith.

19.3.1 Notwithstanding the requirements of Section 19.2 a. and 19.2 b., on land zoned A1-1 in the south half of Lot 12, Concession 19, the minimum lot area shall be 19 hectares and the minimum lot frontage shall be 20 metres. All other requirements of the A1 Zone shall continue to apply. (B/L 19-87)

19.3.2 Notwithstanding Section 19.2 a., on land zoned the General Rural Special (A1-2) Zone the minimum lot area shall be 10 hectares. All other provisions of the By-law shall apply to land zoned A1-2, save and except for Section 19.2 a. (B/L 20-89)

19.3.3 Notwithstanding Section 19.2 a., on land zoned the General Rural Special (A1-3) Zone the minimum lot area requirement shall be 19 hectares. All other provisions of the A1 Zone and this By-law shall apply to land zoned A1-3. (B/L 25-89)

19.3.4 Notwithstanding Sections 19.2 a.i and 19.2 b.i., on land zoned A1-4 the following provisions shall apply:

- a. Minimum lot area 16 ha
- b. Minimum lot frontage 120 m

All other requirements of the A1 Zone and the By-law shall apply to land zoned A1-4. (B/L 10-90)

19.3.5 OMB Order 0202 dated January 29, 1998 repealed By-Law 20-96 (A1-5).

19.3.6 Notwithstanding Section 19.1, land zoned "A1-6" may also be used for a custom woodworking or carpentry shop. Notwithstanding subsection 19.2 a. and article 19.2 e. ii, and in addition to the other provisions of Section 19.2, land zoned "A1-6" shall be subject to the following zone provisions:

- a. Minimum lot area 20 hectares
- b. Minimum side yard for a woodworking or carpentry shop 28 m
- c. Minimum separation distance between a woodworking or carpentry shop and a dwelling unit on a separate lot 90 m
- d. Maximum floor area for a woodworking or carpentry shop 350 sq.m
- e. A treed planting strip consistent with the provisions of Section 5.15 shall be maintained along any portion of the southern lot line within 45 metres of a woodworking or carpentry shop. (B/L 28-92)

19.3.7 Notwithstanding subsections 19.2 a. and b. and article 19.2 e. ii, and in addition to the other provisions of Sections 19.2, land zoned "A1-7" shall be subject to the following zone provisions:

- a. Minimum Lot Area 20 ha
- b. Minimum Lot frontage 155 m
- c. Minimum Side Yard 6 m

Notwithstanding Section 19.1, land zoned "A1-7" may also be used for a truck and commercial vehicle repair shop subject to the following zone provisions.

- d. Minimum Front Yard 100 m
- e. Minimum Distance to a dwelling unit on a separate lot 90 m
- f. Maximum Floor Area 110 sq.m

- g. Outdoor Storage shall be located in the rear yard immediately adjacent to the shop
- h. Maximum area for outdoor storage 200 sq.m
- i. Maximum of four outdoor parking spaces shall be provided for trucks or commercial vehicles.
- j. All trucks and commercial vehicles on site shall be licenced and no such vehicle shall be kept for the purpose of salvage
- k. A planting strip consistent with the provisions of Section 5.15 shall be maintained along any portion of the southern lot line within 45 metres of the shop.
(B/L 5-93)

19.3.8 Notwithstanding Section 19.1, land zoned A1-8 may also be used for access to a landfill site, an office associated with a landfill site, extraction of cover material for a landfill site and an animal control shelter, however, no residential use shall be permitted

Notwithstanding subsection 19.2 on land zoned A1-8, the minimum lot area shall be 10 hectares. (B/L 21-94)

19.3.9 File P06-35-051 - Application abandoned by Applicant.
"A1-9" Not Used.

19.3.10 Notwithstanding any provision of subsection 19.1 to the contrary, or articles 19.2 a. and b., land zoned "A1-10" shall be subject to the following zone provisions:

- a. Minimum lot area 15 ha
- b. Minimum lot frontage 60 m
- c. Minimum setback between a livestock structure and a lot zoned or used for residential purposes 70 m
- d. The only structures for housing livestock shall be two chicken coups with a maximum total floor area of 80 sq. m and the existing barn except that the barn may be replaced provided no exterior dimension is increased.
- e. The maximum animal housing capacity, of the existing barn, shall not exceed the existing 52 beef cows or an equivalent number of animal units as determined by the Province of Ontario Minimum Distance Separation Formula, with the exception of

mink, fox, caged layers, feeder hogs, sows/boars/weaners and white veal which shall not be permitted. (B/L 13-98)

19.3.11 Notwithstanding Subsection 19.1, land zoned "A1-11" may also be used for a body shop, a motor vehicle repair shop, as defined under article 12.3.8, and accessory motor vehicle sale. Notwithstanding article 5.12.4 or any provision of subsection 19.2 to the contrary, uses in the A1-11 zone shall be subject to the following zone provisions:

- a. Maximum combined floor area for a body shop, motor vehicle repair shop and motor vehicle sales office 235 sq. m
- b. No building, or parking area associated with a motor vehicle repair shop or body shop shall be located more than 140 m. from the front lot line.
- c. Maximum number of motor vehicles
 - i. for retail sales 10
 - ii. unlicensed or derelict vehicles 10
 - iii. for all uses combined 30
- d. Minimum front yard, building and parking areas 30 m.
- e. Minimum side yard, south side, building and parking areas 60 m.
- f. An unsafe vehicle shall only be stored in a wholly enclosed building with a floor designed to prevent spillage onto the soil surface.
- g. For the purpose of determining lot area, lot frontage and the number of permitted uses, the entire property within the A1 and A1-11 zones shall be considered one lot and article 5.12.5 shall continue to apply.
- h. Other than maintaining the existing driveway at a width of 10 m., a buffer area 60 m. wide shall be maintained along the south lot line for a distance of 140 m from the south west corner. Within the buffer area all existing vegetation shall be maintained so as to provide a visual barrier with vegetation and tree removal only carried out insofar as necessary to maintain the vegetation in the buffer in a healthy and safe condition and at its present density.

For the purpose of the A1-11 zone, a "derelict vehicle" shall be a vehicle that is stored for the purpose of parts recovery which is comprised of assembled and attached parts consisting of not less than 50 % of the original vehicle by volume and shall not constitute an unsafe vehicle.

For the purpose of the A1-11 zone, an "unsafe vehicle" shall be a vehicle which is leaking gas, oils, lubricants, antifreeze or cleaning agents by virtue of a puncture, failed seal, removed parts or a corroded container or tank.

(B/L 15-98 & B/L 5-99)

- 19.3.12 Notwithstanding any provision of subsections 19.1 or 19.2 to the contrary, on land zoned "A1-12" an existing barn within 50 metres of a lot used for residential purposes shall only be used for the storage of farm equipment and animal feed, storage accessory to a residential use and / or the housing of a maximum of 3 horses, and shall not be extended or enlarged for the purpose of housing any additional livestock or any other type of livestock or animal. Any new building or structure for the housing of livestock shall be located not less than 130 metres from a lot used for residential purposes or 135 metres from a dwelling on a separate lot whichever is greater.
(B/L 15-99)
- 19.3.13 Notwithstanding any other provision of the By-law to the contrary, on land zoned A1-13, the minimum setback between a livestock building and manure storage facility, and a dwelling on a separate lot shall be 300 metres.
(B/L 6-87-01)
- 19.3.14 Notwithstanding Subsection 19.1, land zoned "A1-14" may also be used for an antique store with a maximum total gross floor area of 585 sq.m. (20.59 sq.ft.) and no outside storage.
(B/L2003-114)
- 19.3.15 Despite Subsection 19.1 a., on land zoned the General Rural Exception Fifteen (A1-15) Zone a single detached dwelling is not permitted.
(B/L 2005-141)

19.3.16 Notwithstanding the provisions of subsection 5.8, land zoned A1-16 may also be used for a motor vehicle repair shop, including an associated auto body repair and restoration uses, as home occupation within an accessory building not to exceed 134 sq. m. subject to the following:

- i) priming, painting, and spray painting is prohibited;
- ii) outside storage of motor vehicles and motor vehicle parts is prohibited;
- iii) a maximum of one vehicle not registered to the property owner may be stored outside for a 24 hour period prior to being repaired or after having been repaired.

19.3.17 Notwithstanding Section 19.1, land zoned A1-17 may also be used for a kennel. In addition to the provisions of Section 19.2, the kennel shall not exceed 112 sq. m. within the existing detached dwelling. Additionally, accessory outdoor kennel use shall be restricted to the exterior side yard.

All other requirements of the A1 Zone shall continue to apply. (B/L 2015-063)

19.3.18 Notwithstanding permitted uses in subsection 19.1, land zoned A1-18(H) may also be used for the following:

- a) A Live Action Role Play Facility-Use, to be defined as a facility-use intended for organized outdoor recreation activity by persons engaged in a structured role-playing game.
- b) One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- c) A maximum of 100 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the total gross floor area of all structures (including permanent and temporary structures) combined is not to exceed 600 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the minimum yard setback for all structures, a recreational vehicle and tents shall be 50 m. save and except the parking area with surface treatment existing at the time of passing of this by-law.

On land zoned A1-18(H), the removal of the (H) symbol shall be in accordance with the following:

- i) The owners shall enter into a site plan agreement with the City to be registered on title for any development or redevelopment on the property.
- ii) The owners shall file an Archaeological Assessment prior to any soil disturbance to satisfy the Ministry of Heritage, Sport, Tourism and Culture (MHSTC) and Curve Lake First Nation requirements.

All other provisions of subsection 19.1 and 19.2 shall apply.

Until the Holding (H) symbol is removed, being the continued use scenario, for lands zoned A1-18(H), the Live Action Role Play Facility-Use shall only permit:

- A maximum of 30 moveable structures each to be less than 10 sq.m. gross floor area with no human habitation, no plumbing or kitchen facilities and requiring no soil surface disturbance;
- One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- A maximum of 60 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.;
- Parking area with surface treatment existing at the time of passing of this by-law; and,
- A minimum yard setback of 50 metres for all structures, a recreational vehicle and tents.

On land zoned A1-18(H), should the (H) symbol not be removed three (3) years from the passing of this by-law, then the above noted provisions regarding the

continued use scenario shall not permitted. (B/L2020-077)

19.3.19 On land zoned A1-19, the following requirements shall supercede the requirements of the A1 zone:

- a. Minimum Lot Area
 - i) farm 8.0 ha
 - ii) other uses 4000 sq. m. with a maximum lot area of 1 hectare used for residential purposes
- b. Minimum Lot Frontage
 - i) Farm 26 m.
 - ii) Other uses 26 m.

(B/L 2018-058)

19.3.20 Notwithstanding Section 19.2(1), on land zoned A1-20 the minimum water setback is 30 metres. The minimum water setback shall be measured from the high water mark elevation of 248.4 metres above sea level (MASL). The boundary between the A1-20 and OS Zone categories is the 248.4 MASL contour line. (B/L 2019-050)

19.3.21 Notwithstanding subsection 19.1 and 19.2. a. ii., lands zoned A1-21 may only be used for a single detached dwelling and shall be subject to the following zone provision:

- a. Maximum lot area 1.8 ha

All other requirements of the A1 Zone and the By-law shall continue to apply to land zoned A1-21. (B/L 2020-043)

19.3.22 Despite subsections 19.1 a. and b., on lands zoned A1-22, a dwelling is not permitted. Notwithstanding subsections 19.2 a.i. and b.i., lands zoned A1-22 shall be subject to the following zone provisions:

- a. Minimum lot area 1.5 ha
- b. Minimum lot frontage 90 m (B/L 2020-043)

SECTION 20

"RESERVED"

SECTION 21

MOBILE HOME PARK (MHP) ZONE

21.1 MHP USES PERMITTED

No person shall within any MHP Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a. mobile home
- b. modular home

21.2 MHP ZONE PROVISIONS

No person shall within any MHP Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a. Minimum Lot Area per Mobile Home Park 5 ha
- b. Minimum Lot Frontage 152 m
- c. Minimum Front Yard Depth 15 m
(See also Section 5.18)
- d. Minimum Exterior Side Yard Width 15 m
(See also Section 5.18)
- e. Minimum Interior Side Yard Width 15 m
- f. Minimum Rear Yard Depth 18 m
- g. Maximum number of Mobile/Modular Homesites per gross hectare of Mobile Home Park 6
- h. Minimum Landscaped Open Space per each 20 Mobile/Modular homes or portion thereof 186 sq.m
- i. Minimum Lot Area per Mobile/Modular Homesite 1400 sq.m
- j. Minimum Lot Frontage per Mobile/Modular Homesite 30 m
- k. Minimum Yard Between Mobile/Modular Homes 9 m
- l. Minimum Dwelling Unit Area 56 sq.m
- m. Maximum Height of Building 10.5 m
- n. Maximum Dwelling Units per Home Site 1
- o. Minimum Water Setback 15 m
- p. Accessory Uses, Parking, Etc.:
In accordance with the provisions of Section 5 hereof.

21.3 MHP SPECIAL REQUIREMENTS

"RESERVED"

SECTION 22

ADMINISTRATION

22.1 ZONING ADMINISTRATOR

This By-law shall be administered by the Zoning Administrator.

22.2 ISSUANCE OF BUILDING PERMITS

Notwithstanding the provisions of the Corporation's Building By-law or any other by-law of the Corporation, no building permit shall be issued where the proposed building, structure or use would be in violation of any of the provisions of this By-law.

22.3 REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be accompanied by 3 copies of the Corporation's "Application for Amendment to Zoning By-law".

22.4 INSPECTION OF PREMISES

- a. Where a By-law Enforcement Officer, believes, on reasonable grounds, that this By-law is being contravened, the By-law Enforcement Officer or any person acting under his or her instructions may, upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.
- b. Notwithstanding article 22.4 a., except under the authority of a Search Warrant issued under Section 49(3) of the Planning Act, R.S.O. 1990, as amended, a By-law Enforcement Officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a Search Warrant.

22.5 REPEAL OF COMPREHENSIVE BY-LAW 4-75 AS AMENDED

By-law 4-75 as amended is hereby repealed, effective when this By-law is in full force and effect.

22.6 VIOLATIONS AND PENALTIES

- a. Pursuant to Section 67 of the Planning Act, R.S.O. 1990, every person or persons who contravenes any of the provisions of this By-law is guilty of an offence, 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.

- b. Pursuant to Section 67 of the Planning Act, R.S.O. 1990, 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.

- c. Each day that the person, persons or corporation contravenes any provision of this By-law, shall constitute a separate offence.
- d. Where a conviction is entered in respect of any contravention of this By-law, in addition to any other remedy or any penalty provided by this By-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or corporation. (B/L 24-96)

22.7 REMEDIES

In case any building or structure is to be erected, altered, reconstructed, extended or part thereof is to be used, or any lot is to be used, in contravention of any requirements of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of The Planning Act or The Municipal Act in that behalf.

22.8 VALIDITY

If any section, clause or provision of this By-law, including anything contained in Schedule "A" attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

SECTION 23

APPROVAL

This By-law shall come into force on the date of passage, subject to the provisions of Section 34 of the Planning Act, S.O. 1983.

THIS BY-LAW given its first reading this 2nd day of March, A.D., 1987

THIS BY-LAW given its second reading this 2nd day of March, A.D., 1987

THIS BY-LAW read a third time and finally passed this 2nd day of March, A.D., 1987

signed: Neil D. Oliver

(Reeve)

signed: B. Meacham

(Clerk)