

THE CORPORATION OF THE
TOWNSHIP OF SOMERVILLE

BY-LAW NUMBER: 78-45

A ZONING BY-LAW

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

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

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

SECTION 1

1.1 TITLE AND AREA RESTRICTED

- 1.1.1 This By-law shall be known as the "Zoning By-law" of the TOWNSHIP OF SOMERVILLE.
- 1.1.2 Schedules "A", "A1", "A2" and "A3" attached hereto, with the notations, zone boundaries, symbols and references shown thereon, illustrates the area to which this By-law applies and is hereby declared to be part of this By-law. The lands affected by this By-law may hereinafter be referred to as the "area zoned".
- 1.1.3 Schedule 'B' attached hereto, shows expected flooding elevations during a Regulatory Flood (FDR Elev) for lots along the Burnt River and is part of this By-law.
- 1.1.4 Schedules 'C' and 'D' attached hereto comprise Form 1 and Form 2 for the purpose of determining the M.D.S. calculations and are hereby declared to be part of this By-law.
- 1.1.5 No building or structure shall hereafter be erected or altered, no lot shall hereafter be created, and the use of any building, structure or lot shall not hereafter be changed in whole or in part except in conformity with the provisions of this By-law.

1.2 ZONES AND ZONING MAPS

1.2.1 ZONES

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

RR1	RURAL RESIDENTIAL TYPE ONE ZONE
RR2	RURAL RESIDENTIAL TYPE TWO ZONE
RR3	RURAL RESIDENTIAL TYPE THREE ZONE
LSR	LIMITED SERVICE RESIDENTIAL ZONE
RMH	RESIDENTIAL MOBILE HOME PARK ZONE
EP	ENVIRONMENTAL PROTECTION ZONE
CF	COMMUNITY FACILITY ZONE
RG	RURAL GENERAL ZONE
C1	GENERAL COMMERCIAL ZONE
C2	HIGHWAY COMMERCIAL ZONE
C3	RECREATION COMMERCIAL ZONE
C4	CAMPGROUND COMMERCIAL ZONE
M1	RESTRICTED INDUSTRIAL ZONE
M2	GENERAL INDUSTRIAL ZONE
M3	EXTRACTIVE INDUSTRIAL ZONE
M4	DISPOSAL INDUSTRIAL ZONE

1.2.2 ZONING MAPS

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

1.2.3 Where the zone symbol designating certain lands as shown on Schedule "A" is followed by a dash and a number, for example, (RR1-1) then special provision or limitations apply to such lands. The special provisions will be found by reference to that section of the By-law which deals with the particular zone. Lands designated in this manner shall be subject to all of the restrictions of the zone in addition to or except as otherwise provided by the special provisions.

SECTION 2

RURAL RESIDENTIAL TYPE ONE (RR1) ZONE

2.1 RR1 USES PERMITTED

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

- a. Single detached dwelling
- b. Home Occupation
- c. Park

2.2 RR1 ZONE REQUIREMENTS

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

- | | | | |
|----|-------------------------------------|------------|----------------|
| a. | Minimum lot area | 2,800 sq.m | (30,120 sq.ft) |
| b. | Minimum lot frontage | 38 m | (125 ft) |
| c. | Minimum front yard | 7.5 m | (25 ft) |
| d. | Minimum rear yard | 7.5 m | (25 ft) |
| e. | Minimum flankage yard | 7.5 m | (25 ft) |
| f. | Minimum water setback | 15 m | (50 ft) |
| g. | Maximum lot coverage | 30 % | |
| h. | Minimum dwelling unit floor area | 60 sq.m | (645 sq.ft) |
| i. | Maximum height | 11 m | (36 ft) |
| j. | Minimum Side Yard | 3 m | (9.8 ft) |
| k. | Maximum number of dwellings per lot | 1 | |

2.3 RR1 EXCEPTION ZONES

2.3.1 RURAL RESIDENTIAL TYPE ONE EXCEPTION ONE (RR1-1) ZONE (Lots 26 & 27, Front Range)

- a. Notwithstanding articles 2.2 a., b., c., d., e. and j., and the definition of the term "front lot line," land zoned "RR1-1" shall be subject to the following zone requirements:

- | | | | |
|------|---|--------|----------|
| i. | Minimum lot area | 3.6 ha | (8.9 ac) |
| ii. | Minimum lot frontage | 140 m | (460 ft) |
| iii. | Minimum front yard | 15 m | (50 ft) |
| iv. | Minimum rear yard | 15 m | (50 ft) |
| v. | Minimum flankage yard | 15 m | (50 ft) |
| vi. | Minimum southern side yard | 15 m | (50 ft) |
| vii. | The eastern lot line shall be the front lot line. | | |

2.3.2 RURAL RESIDENTIAL TYPE ONE EXCEPTION TWO (RR1-2) ZONE
 (Lots 27 & 28, Front Range)

a. Notwithstanding articles 2.2 a., b., c., d. and e. and the definition of the term "front lot line", land zoned "RR1-2" shall be subject to the following zone requirements:

- | | | | |
|------|--|--------|----------|
| i. | Minimum lot area | 1.5 ha | (3.7 ac) |
| ii. | Minimum lot frontage | 140 m | (460 ft) |
| iii. | Minimum front yard | 15 m | (50 ft) |
| iv. | Minimum rear yard | 15 m | (50 ft) |
| v. | Minimum flankage yard | 15 m | (50 ft) |
| vi. | The northern lot line shall be the front lot line. | | |

2.3.3 RURAL RESIDENTIAL TYPE ONE EXCEPTION THREE (RR1-3) ZONE
 (Lots 26 & 27, Front Range)

a. Notwithstanding articles 2.2 a., c., d. and e. and the definition of the term "rear lot line", land zoned "RR1-3" shall be subject to the following zone requirements:

- | | | | |
|------|--|------------|---------|
| i. | Minimum lot area | 8,000 sq.m | (2 ac) |
| ii. | Minimum front yard | 15 m | (50 ft) |
| iii. | Minimum rear yard | 15 m | (50 ft) |
| iv. | Minimum flankage yard | 15 m | (50 ft) |
| v. | Any lot line opposite the front lot line is a rear lot line. | | |

2.3.4 RURAL RESIDENTIAL TYPE ONE EXCEPTION FOUR (RR1-4) ZONE
 (Lots 27, 28 & 29, Front Range)

a. Notwithstanding subsection 2.1, the only permitted use on land zoned "RR1-4" is a single detached dwelling. The parking or storage of travel trailers, park model trailers, mobile homes, motorized mobile homes, mobile camper trailers or truck campers is prohibited.

b. Notwithstanding articles 2.2 a. through 2.2 e., 2.2 g. and 2.2 j., land zoned "RR1-4" shall be subject to the following zone requirements:

- | | | | |
|------|-----------------------|--------|----------|
| i. | Minimum lot area | 2.5 ha | (6.2 ac) |
| ii. | Minimum lot frontage | 135 m | (443 ft) |
| iii. | Minimum front yard | 15 m | (50 ft) |
| iv. | Minimum side yard | 6 m | (20 ft) |
| v. | Minimum flankage yard | 15 m | (50 ft) |
| vi. | Minimum rear yard | 15 m | (50 ft) |
| vii. | Maximum lot coverage | 5 % | |

* By-law Includes Major Update Amendment (By-Law 96-14)

2.3.5 RURAL RESIDENTIAL TYPE ONE EXCEPTION FIVE (RR1-5) ZONE
 (Lots 26 & 27, Front Range)

- a. Notwithstanding subsection 2.1, the only permitted use on land zoned "RR1-5" is a single detached dwelling.
- b. Notwithstanding articles 2.2 a. through 2.2 e., 2.2 g., 2.2 h. and 2.2 j., land zoned "RR1-5" shall be subject to the following zone requirements:

i.	Minimum lot area	1.2 ha	(3 ac)
ii.	Minimum lot frontage	90 m	(295 ft)
iii.	Minimum front yard	20 m	(66 ft)
iv.	Minimum side yard	20 m	(66 ft)
v.	Minimum rear yard	30 m	(100 ft)
vi.	Minimum floor area	125 sq.m	(1,345 sq.ft)
vii.	Maximum lot coverage	10 %	

2.3.6 RURAL RESIDENTIAL TYPE ONE EXCEPTION SIX (RR1-6) ZONE
 (Lots 5 & 6, Con 10)

- a. Notwithstanding subsection 2.2, clause 18.1.2 b. and the lot coverage provision of clause 18.1.3 a), land zoned "RR1-6" shall be subject to the following zone requirements.

i.	Minimum lot area	8,000 sq.m	(2 ac)
ii.	Minimum lot frontage	30 m	(100 ft)
iii.	Minimum front yard	9 m	(30 ft)
iv.	Minimum side yard	7.5 m	(25 ft)
v.	Minimum flankage yard	15 m	(50 ft)
vi.	Minimum rear yard	7.5 m	(25 ft)
vii.	Minimum floor area per dwelling unit	84 sq.m.	(905 sq.ft)
viii.	Minimum setback from top of river bank slope	30 m	(100 ft)
ix.	Minimum accessory building setbacks		
	a) from any property boundary	2 m	(6.6 ft)
	b) from a main building or structure	1.5 m	(5 ft)
x.	Maximum floor area for accessory uses	15 sq.m	
xi.	Maximum lot coverage for all structures	5 %	(160 sq.ft)
xii.	Maximum building height	11 m	(36 ft)

2.3.7 RURAL RESIDENTIAL TYPE ONE EXCEPTION SEVEN (RR1-7) ZONE
(Lot 17, Con 2)

a. Notwithstanding articles 2.2 a. and 2.2 b., land zoned "RR1-7" shall be subject to the following zone requirements:

- | | | | |
|-----|----------------------|--------|----------|
| i. | Minimum lot area | 1.0 ha | (2.5 ac) |
| ii. | Minimum lot frontage | 90 m | (295 ft) |

2.3.8 RURAL RESIDENTIAL TYPE ONE EXCEPTION EIGHT (RR1-8) ZONE
(Lot 14, Con 4)

a. Notwithstanding subsection 2.2, on land zoned "RR1-8" exterior openings in any habitable structure shall be above the 260.0 metre (853.0 ft) contour elevation C.G.S. Datum.

2.3.9 RURAL RESIDENTIAL TYPE ONE EXCEPTION NINE (RR1-9) ZONE
(Lot 13, Conc. 8)

a. Notwithstanding articles 2.2 a. and 2.2 b., land zoned "RR1-9" shall be subject to the following zone requirements:

- | | | |
|-----|----------------------|----------|
| i. | Minimum lot area | 2.75 ha. |
| ii. | Minimum lot frontage | 75 m. |

(By-Law 2002-45)

2.3.10 RURAL RESIDENTIAL TYPE ONE EXCEPTION TEN (RR1-10) ZONE
(Part Lot 30, Front Range)

a. Notwithstanding article 18.8, lot frontage and access to land zoned "RR1-10" may be via a common element (i.e. road) of a Condominium Corporation.

(By-Law 2002-164)

2.3.11 RURAL RESIDENTIAL TYPE ONE EXCEPTION ELEVEN (RR1-11) ZONE

a. In addition to the requirements of subsection 2.2, on land zoned "RR1-11", all exterior openings in any habitable building or structure shall be above the 100.6 metre (330 ft.) contour elevation C.G.S. datum.

(B/L 2005-158)

SECTION 3

RURAL RESIDENTIAL TYPE TWO (RR2) ZONE

3.1 RR2 USES PERMITTED

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

- a. Single detached dwelling
- b. Home occupation
- c. Park

3.2 RR2 ZONE REQUIREMENTS

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

- | | | | |
|----|--|------------|----------------|
| a. | Lot Area (min. per d.u.) | | |
| | i. Serviced with municipal sewers and a communal water system | 460 sq.m | (4,955 sq.ft) |
| | ii. Serviced with municipal sewers only | 830 sq. m | (8,935 sq.ft) |
| | iii. Serviced with a communal water system only | 1,700 sq.m | (18,300 sq.ft) |
| | iv. Serviced with a private well and private waste disposal system | 2,000 sq.m | (21,530 sq.ft) |
| b. | Lot Frontage (min.) | | |
| | i. Serviced with municipal sewers and communal water system | 15 m | (50 ft) |
| | ii. Serviced with municipal sewers only | 17 m | (55 ft) |
| | iii. Serviced with a communal water system only | 25 m | (82 ft) |
| | iv. Serviced with a private well and private waste disposal system | 30 m | (100 ft) |
| | v. Notwithstanding preceding clauses "i." through "iv.", any lot with a shore lot line | 30 m | (100 ft) |
| c. | Minimum front yard | 7.5 m | (25 ft) |
| d. | Minimum rear yard | 7.5 m | (25 ft) |
| e. | Minimum flankage yard | 7.5 m | (25 ft) |
| f. | Minimum water setback | 15 m | (50 ft) |
| g. | Maximum lot coverage | 30 % | |
| h. | Maximum height | 11 m | (36 ft) |
| i. | Minimum dwelling unit floor area | 60 sq.m | (645 sq.ft) |

- j. Minimum side yard: shall be 3 metres (9.8 ft) on one side, 1.2 metres (4 ft) on the other side plus 1 metre (3.3 ft) for each additional or partial storey above the first.
- k. Maximum number of dwelling units per lot 1

3.3 RR2 EXCEPTION ZONES

3.3.1 RURAL RESIDENTIAL TYPE TWO EXCEPTION ONE (RR2-1) ZONE (Lot 36, Front Range)

- a. Notwithstanding articles 3.2 a., b. and j., land zoned "RR2-1" shall be subject to the following zone requirements:
 - i. Minimum lot area 3,000 sq.m (32,295 sq.ft)
 - ii. Minimum lot frontage 80 m (263 ft)
 - iii. Minimum eastern side yard 12 m (40 ft)
 - iv. Minimum western side yard 22.9 m (75 ft)

3.3.2 RURAL RESIDENTIAL TYPE TWO EXCEPTION TWO (RR2-2) ZONE (Lot 7, Con B)

- a. Notwithstanding articles 3.2 a. and b., land zoned "RR2-2" shall be subject to the following zone requirements:
 - i. Minimum lot area 1,951 sq.m (21,000 sq.ft)
 - ii. Minimum lot frontage 27 m (90 ft)

3.3.3 RURAL RESIDENTIAL TYPE TWO EXCEPTION THREE (RR2-3) ZONE (Lot 39, Front Range)

- a. Notwithstanding articles 3.2 a., c. and e., land zoned "RR2-3" shall be subject to the following zone requirements:
 - i. Minimum lot area 1,850 sq.m (19,915 sq.ft)
 - ii. Minimum front yard 9 m (30 ft)
 - iii. Minimum flankage yard 9 m (30 ft)

3.3.4 RURAL RESIDENTIAL TYPE TWO EXCEPTION FOUR (RR2-4) ZONE (Lot 2, Con 14)

- a. Notwithstanding articles 3.2 a., b., i. and j., land zoned "RR2-4" shall be subject to the following zone requirements:
 - i. Minimum lot area 3,344 sq.m (36,000 sq.ft)
 - ii. Minimum lot frontage 55 m (180 ft)
 - iii. Minimum side yard 4.5 m (15 ft)
 - iv. Minimum dwelling unit area 59 sq.m (635 sq.ft)

3.3.5 RURAL RESIDENTIAL TYPE TWO EXCEPTION FIVE (RR2-5) ZONE
(Lot 1, Con 14)

a. Notwithstanding articles 3.2 a., b. and g., land zoned "RR2-5" shall be subject to the following zone requirements:

i.	Minimum lot area	700 sq.m	(7,535 sq.ft)
ii.	Minimum lot frontage	24 m	(80 ft)
iii.	Maximum lot coverage	20 %	
iv.	Maximum dwelling unit floor area	100 sq.m	1,080 sq.ft)

3.3.6 RURAL RESIDENTIAL TYPE TWO EXCEPTION SIX (RR2-6) ZONE.
(Lot 13, Con 6)

a. Notwithstanding article 3.2 a., on land zoned "RR2-6" the minimum lot area shall be 1,100 sq.m. (11,840 sq.ft).

3.3.7 RURAL RESIDENTIAL TYPE TWO EXCEPTION SEVEN (RR2-7) ZONE
(Lot 1, Con 14)

a. Notwithstanding subsection 3.1 on land zoned "RR2-7" a motion picture theatre and motion picture museum shall also be permitted.

i. RURAL RESIDENTIAL TYPE TWO EXCEPTION EIGHT (RR2-8) ZONE
(Lot 3, Registered Plan 77)

a. Notwithstanding articles 3.2 a. iii and 3.2 b. iii the minimum lot area shall be 900 sq. m. (9,687 sq. ft.) and the minimum lot frontage shall be 15 m. (49 ft.). (B/L 2004-18)

ii. RURAL RESIDENTIAL TYPE TWO EXCEPTION NINE (RR2-9) ZONE

a. Notwithstanding subsection 3.1, on land zoned RR2-9, the use of a converted dwelling containing 4 residential dwelling units shall be permitted.

b. Notwithstanding the zone requirements, land zoned RR2-9 shall be subject to the following:

i	Minimum lot area	768 sq.m.
ii	Minimum lot frontage	15 m.
iii	Minimum front yard	3 m.
iv	Minimum dwelling unit floor area for the first unit	42.7 sq.m.
v	Minimum dwelling unit floor area for additional units	46.5 sq.m.
vi	Minimum parking spaces	6

All other provisions for the RR2 Zone shall apply.
(B/L 2007-168)

SECTION 4

RURAL RESIDENTIAL TYPE THREE (RR3) ZONE

4.1 RR3 USES PERMITTED

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

- a. Vacation dwelling
- b. Single Detached Dwelling
- c. Park
- d. Home occupation

4.2 RR3 ZONE REQUIREMENTS

In a Rural Residential Type Three (RR3) zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

	Communal or Municipal Water Supply Provided	Individual Water Supply & Sewage Disposal
a. Minimum lot area	1700 sq.m (18,298 sq.ft)	2000 sq.m (21,527 sq.ft)
b. Minimum lot frontage		
i. No shore lot line	25 sq.m (82 ft)	30 m (98 ft)
ii. With shore lot lines	30 m (98 ft)	30 m (98 ft)
c. Minimum front yard	7.5 m (25 ft)	7.5 m (25 ft)
d. Minimum rear yard	7.5 m (25 ft)	7.5 m (25 ft)
e. Minimum flankage yard	7.5 m (25 ft)	7.5 m (25 ft)
f. Minimum water setback	15 m (50 ft)	15 m (50 ft)
g. Maximum lot coverage	30 %	30 %
h. Maximum height	11 m (36 ft)	11 m (36 ft)
i. Minimum dwelling unit floor area	60 sq.m (645 sq.ft)	60 sq.m (645 sq.ft)
j. Minimum side yard: shall be 3 metres (9.8 ft) on one side, 1.2 metres (4 ft) on the other side plus 1 metre (3.3 ft) for each additional or partial storey above the first.		
k. Maximum number of dwelling units per lot		1

* By-law Includes Major Update Amendment (By-Law 96-14)

4.3 RR3 EXCEPTION ZONES

4.3.1 RURAL RESIDENTIAL TYPE THREE EXCEPTION ONE (RR3-1) ZONE
 (Lots 3 & 4, Con B)

- a. Notwithstanding subsection 4.1, a recreational and educational camp for children and youth operated on a non-profit basis or for charitable purposes is also permitted on land zoned "RR3-1".

4.3.2 RURAL RESIDENTIAL TYPE THREE EXCEPTION TWO (RR3-2) ZONE
 (Lot 13 & 14, Con 9)

- a. Notwithstanding any requirement of subsection 4.2 to the contrary, land zoned "RR3-2" shall be subject to the following zone requirements:

i.	Minimum lot area	6,400 sq.m	(1.6 ac)
ii.	Minimum lot frontage	70 m	(230 ft)
iii.	Minimum front yard	8 m	(26 ft)
iv.	Minimum side yard	3 m	(10 ft)
v.	Minimum rear yard	15 m	(50 ft)
vi.	Minimum water setback	30 m	(100 ft)
vii.	Minimum dwelling unit floor area	56 sq.m	(605 sq.ft)

4.3.3 RURAL RESIDENTIAL TYPE THREE EXCEPTION THREE (RR3-3) ZONE
 (Lot 19, Front Range)

- a. Notwithstanding articles 4.2 a., b. and k., land zoned "RR3-3" shall be subject to the following zone requirements:

i.	A second dwelling unit shall be permitted		
ii.	Minimum lot area	1 ha	(2.5 ac)
iii.	Minimum frontage on an improved public street	100 m	(330 ft)

4.3.4 RURAL RESIDENTIAL TYPE THREE EXCEPTION FOUR (RR3-4) ZONE
 (Lot 22, Con 1)

- a. Notwithstanding articles 4.2 f. and i., land zoned "RR3-4" shall be subject to the following zone requirements:

i.	Minimum elevation for exterior openings in habitable structures	257.7 m C.G.S.Datum	(845 ft) C.G.S. Datum
ii.	Minimum water setback	20 m	(66 ft)
iii.	Minimum dwelling unit floor area	89 sq.m	(960 sq.ft)

* By-law Includes Major Update Amendment (By-Law 96-14)

4.3.5 RURAL RESIDENTIAL TYPE THREE EXCEPTION FIVE (RR3-5) ZONE
(Lot 6, Con B)

a. Notwithstanding articles 4.2 a. and b., land zoned "RR3-5" shall be subject to the following zone requirements:

- | | | | |
|-----|----------------------|------------|----------------|
| i. | Minimum lot area | 1,250 sq.m | (13,455 sq.ft) |
| ii. | Minimum lot frontage | 38 m | (125 ft) |

4.3.6 RURAL RESIDENTIAL TYPE THREE EXCEPTION SIX (RR3-6) ZONE
(Lot 14, Con 9)

a. Notwithstanding articles 4.2 a., d., i. and j., land zoned "RR3-6" shall be subject to the following zone requirements:

- | | | | |
|------|----------------------------------|------------|-------------|
| i. | Minimum lot area | 4,000 sq.m | (1 ac) |
| ii. | Minimum rear yard | 45 m | (150 ft) |
| iii. | Minimum side yard | 3 m | (10 ft) |
| iv. | Minimum dwelling unit floor area | 55 sq.m | (595 sq.ft) |

4.3.7 RURAL RESIDENTIAL TYPE THREE EXCEPTION SEVEN (RR3-7) ZONE
(Lot 13 & 14, Con 9)

a. Notwithstanding articles 4.2 a., d., i. and j., land zoned "RR3-7" shall be subject to the following zone requirements:

- | | | | |
|------|----------------------------------|------------|-------------|
| i. | Minimum lot area | 4,000 sq.m | (1 ac) |
| ii. | Minimum rear yard | 30 m | (100 ft) |
| iii. | Minimum side yard | 3 m | (10 ft) |
| iv. | Minimum dwelling unit floor area | 55 sq.m | (595 sq.ft) |

4.3.8 RURAL RESIDENTIAL TYPE THREE EXCEPTION EIGHT (RR3-8) ZONE
(Lot 4, Con 11)

a. Notwithstanding article 4.2 d., on land zoned "RR3-8" the minimum setback from the "EP-3" Zone shall be 30.5 metres (100 ft).

4.3.9 RURAL RESIDENTIAL TYPE THREE EXCEPTION NINE (RR3-9) ZONE
(Lot 21, Con 1)

a. Notwithstanding subsection 18.18, where a lot is partially zoned RR3-9, the requirements of 4.2 shall apply as if the whole lot was zoned RR3.
(By-Law 2003-175 deletes and adds this section)

4.3.10 RURAL RESIDENTIAL TYPE THREE EXCEPTION TEN (RR3-10) ZONE
(Lot 21, Con 1)

- a. Notwithstanding subsection 18.18, where a lot is partially zoned RR3-10, the requirements of 4.2 shall apply as if the whole lot was zoned RR3. In addition to the requirements of subsection 4.2, on land zoned RR3-10, all buildings and structures shall be flood proofed to 0.3 metres above the maximum flood elevation at the building site and no building opening should be below the elevation of 258.0 metres C.G.S. Datum.
(By-Law 2003-175 deletes and adds this section)

4.3.11 RURAL RESIDENTIAL TYPE THREE EXCEPTION ELEVEN (RR3-11) ZONE
(Lot 12, Con 6)

- a. In addition to the requirements of subsection 4.2, on land zoned "RR3-11" exterior openings in any habitable structure shall be above the 261.18 m (857 ft) contour elevation C.G.S. Datum.

SECTION 5

LIMITED SERVICE RESIDENTIAL (LSR) ZONE

5.1 LSR USES PERMITTED

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

- a. Vacation dwelling
- b. Single detached dwelling

5.2 LSR ZONE REQUIREMENTS

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

	Communal or Municipal Water Supply Provided	Individual Water Supply & Sewage Disposal
a. Minimum lot area	1,700 sq.m (18,300 sq.ft)	2,000 sq.m (21,530 sq.ft)
b. Minimum lot frontage		
i. No shore lot line	25 sq.m (82 ft)	30 m (100 ft)
ii. With shore lot lines	30 m (100 ft)	30 m (100 ft)
c. Minimum front yard	7.5 m (25 ft)	7.5 m (25 ft)
d. Minimum rear yard	7.5 m (25 ft)	7.5 m (25 ft)
e. Minimum flankage yard	7.5 m (25 ft)	25 m (7.5 ft)
f. Minimum water setback	15 m (50 ft)	15 m (50 ft)
g. Maximum lot coverage	30 %	30 %
h. Maximum height	11 m (36 ft)	11 m (36 ft)
i. Minimum dwelling unit floor area	60 sq.m (645 sq.ft)	60 sq.m (645 sq.ft)
j. Minimum side yard: shall be 3 metres (9 ft) on one side, 1.2 metres (4 ft) on the other side plus 1 metre (3.3 ft) for each additional or partial storey above the first.		
k. Maximum number of dwelling units per lot		1

* By-law Includes Major Update Amendment (By-Law 96-14)

5.3 LSR EXCEPTION ZONES

5.3.1 LIMITED SERVICE RESIDENTIAL EXCEPTION ONE (LSR-1) ZONE
(Islands and Various Shoreline Areas)

- a. Notwithstanding subsection 5.1, land zoned "LSR-1" may only be used for a vacation dwelling.

5.3.2 LIMITED SERVICE RESIDENTIAL EXCEPTION TWO (LSR-2) ZONE
(Lot 21, Front Range)

- a. Notwithstanding article 5.2 f., and in addition to the other requirements of subsection 5.2, land zoned "LSR-2" shall be subject to the following zone requirements:
 - i. All buildings shall be constructed not more than either
 - (a) 30 m (100 ft) from the shore lot line; or
 - (b) 50 m (165 ft) from the street
 - ii. A contiguous area of not less than 1,920 sq.m (20,670 sq.ft) shall be maintained free and clear of any structures or buildings other than such structures and works as may be necessary for sewage disposal purposes.

5.3.3 Reserved

5.3.4 LIMITED SERVICE RESIDENTIAL EXCEPTION FOUR (LSR-4) ZONE
(Part Lot 2, Front Range)

In addition to the requirements of subsection 5.2, land zoned "LSR-4", the minimum exterior opening elevation in any building shall be 256.5 m CGD, plus 0.3 m freeboard.
(By-law 2000-10)

5.3.5 LIMITED SERVICE RESIDENTIAL EXEMPTION FIVE (LSR-5) ZONE
(Lot 6, 7 and 8 Front Range)

- a. Notwithstanding subsection 5.2, the following zone provisions shall apply to land zoned LSR-5 when development proceeds with communal water supply and communal sewage disposal systems:
 - i. Minimum lot area 275 sq. m
 - ii. Minimum lot frontage 12 m
 - iii. Minimum front yard 7 m
 - iv. Minimum rear yard 4 m
 - v. Minimum flankage yard 3 m
 - vi. Minimum side yard 1.2 m
 - vii. Minimum setback from a dwelling on an abutting lot 3 m
 - viii. Minimum dwelling unit floor area 60 sq. m
 - ix. Minimum elevation for any exterior opening in a habitable building 256.8 m CGD
 - x. Minimum setback from the boundary of any EP Zone category 15 m

* By-law Includes Major Update Amendment (By-Law 96-14)

- xi. Maximum lot coverage 40 %
- xii. Maximum building height 11 m
- xiii. Maximum number of dwelling units per lot or condominium unit 1
- xiv. Maximum total number of dwelling units in the LSR-5 Zone 13.
- xv. No new buildings or structures shall be located within 30 metres of the high water mark of Balsam Lake.
 (B/L 2000-15)

5.3.6 LIMITED SERVICE RESIDENTIAL EXEMPTION SIX (LSR-6) ZONE
 (Lots 6, 7 and 8 Front Range)

a. Notwithstanding subsection 5.2 and the definition of “Front Lot Line”, land zoned “LSR-6” shall be subject to the provisions of the LSR-5 Zone (clause 5.3.5 a.) when development proceeds with communal water supply and communal sewage disposal systems with the following exceptions:

- i. Minimum lot frontage 11 m
- ii. Minimum front yard 5.5 m
- iii. Maximum lot coverage 45%
 (excluding unenclosed decks and porches provided that the aggregate area of same does not exceed 5% of the lot area)
- iv. Maximum total number of dwelling units in the LSR-6 Zone 5
- v. The front lot line shall be the lot line farthest from and approximately parallel to the shoreline of Balsam Lake.
- vi. No window or door openings shall be permitted in the building wall which is closest to and approximately parallel with the north limit of the LSR-6 Zone.
 (B/L 2000-15)

5.3.7 LIMITED SERVICE RESIDENTIAL EXCEPTION SEVEN (LSR-7) ZONE
 (Lots 6, 7 and 8 Front Range)

a. Notwithstanding sub-section 5.2, land zoned “LSR-7” shall be subject to the provisions of the LSR-5 Zone (Clause 5.3.5 a) when development proceeds with communal water supply and communal sewage disposal systems with the following exceptions:

- i. Minimum lot frontage 15 m
- ii. Maximum total number of dwelling Units in the LSR-7 Zone 12

(B/L 2000-15)

5.3.8 (Part of Lot A, Front Range (Bridge Street, Rosedale))

On land zoned LSR (H-1) the H-1 holding provision will limit the uses to existing as of the day of passing of this by-law. No buildings or structures are permitted on the

* By-law Includes Major Update Amendment (By-Law 96-14)

property. Prior to the removal of the holding provision, a detailed archaeological study is required and a letter of approval is received from the Ministry of Culture stating that they have reviewed the archaeological study and that they approve of the removal of the holding provision to permit the land to be build upon.

(B/L 2006-067)

5.3.9 LIMITED SERVICE RESIDENTIAL EXCEPTION EIGHT (LSR-8) ZONE
(Part Lot 22, Con. 1, 29 and 31 Aspen Drive)

a. Notwithstanding the articles 5.2.a and 5.2.b. ii, land zoned LSR-8(F) shall be subject to the following:

- i. Minimum lot area 1,522 sq.m.
- ii. Minimum lot frontage 6 m.

All other provisions of the LSR zone shall apply.

(B/L 2007-049)

5.3.10 LIMITED SERVICE RESIDENTIAL EXCEPTION NINE (LSR-9) ZONE
(22 Shadow Lake Road #24)

a. Notwithstanding the articles 5.2.a and 5.2.b ii, land zoned "LSR-9", shall be subject to the following minimum lot area and lot frontage requirements:

- i. Minimum lot area 6,800 sq.m.
- ii. Minimum lot frontage 7.95 m.

(B/L 2008-010)

5.3.11 LIMITED SERVICE RESIDENTIAL EXCEPTION TEN (LSR-10) ZONE
(22 Shadow Lake Road #24)

a. Notwithstanding the article 5.2.a, land zoned "LSR-10", shall be subject to the following minimum lot area requirement:

- i. Minimum lot area 6,200 sq.m.

(B/L 2008-010)

5.3.12 LIMITED SERVICE RESIDENTIAL EXCEPTION ELEVEN (LSR-11) ZONE
(D06-34-138 – Reserved)

5.3.13 LIMITED SERVICE RESIDENTIAL EXCEPTION TWELVE (LSR-12) ZONE
(D06-34-134 – Reserved)

5.3.14 LIMITED SERVICE RESIDENTIAL EXCEPTION THIRTEEN (LSR-13) ZONE

(D06-34-134 – Reserved)

5.3.15 LIMITED SERVICE RESIDENTIAL EXCEPTION FOURTEEN (LSR-14)
ZONE
(D06-34-134 – Reserved)

SECTION 6

RESIDENTIAL MOBILE HOME PARK (RMH) ZONE

6.1 RMH USES PERMITTED

No person shall hereafter change the use of any building structure or land, or erect or use any building or structure in a Residential Mobile Home Park Zone, except for the following uses.

- a. Mobile Home Park
- b. Recreational and retail facilities accessory to a Mobile Home Park

6.2 RMH ZONE REQUIREMENTS

No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Residential Mobile Home Park (RMH) Zone, except in conformity with the following zone requirements:

- | | | | |
|-------|--|------------------------------------|---------------|
| a. | Minimum lot area | 4 ha | (10 ac) |
| b. | Minimum lot frontage | 100 m | (330 ft) |
| c. | Minimum front yard | 15 m | (50 ft) |
| d. | Minimum rear yard | 8 m | (26 ft) |
| e. | Minimum flankage yard | 15 m | (50 ft) |
| f. | Minimum side yard | 8 m | (26 ft) |
| g. | Minimum water setback | 15 m | (50 ft) |
| h. | Maximum height | 11 m | (36 ft) |
| i. | Mobile Home site requirements | | |
| i. | Minimum site area | 460 sq.m | (4,952 sq.ft) |
| ii. | Minimum front yard | 5 m | (17 ft) |
| iii. | Minimum rear yard | 5 m | (17 ft) |
| iv. | Minimum flankage yard | 5 m | (17 ft) |
| v. | Minimum side yard | 1.2 m | (4 ft) |
| | | one side 3 m (10 ft) on other side | |
| vi. | Minimum Separation between Mobile Home Units | 3 m | (10 ft) |
| vii. | Maximum site coverage | 30 % | |
| viii. | Maximum accessory structures | 1 | |
| xi. | Maximum accessory structure coverage | 5 % | |
| j. | Each mobile home site shall be permanently delineated by stakes, fencing or hedges. | | |
| k. | Each mobile or modular home shall be erected on a concrete slab on grade or a concrete or concrete block foundation. Where located on a concrete slab skirting shall be installed to screen the undercarriage. | | |
| l. | Accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory prefabricated or constructed to an equivalent standard to maintain or enhance the character of the mobile or modular home. | | |
| m. | A mobile home park shall be landscaped in accordance with Section 18.15 with the appropriate zone reference modifications. | | |

6.3 RMH EXCEPTION ZONES

6.3.1 RESIDENTIAL MOBILE HOME PARK EXCEPTION ONE (RMH-1) ZONE (Lot 17, Con 2)

- a. Notwithstanding subsection 6.1, land zoned "RMH-1" may also be used for a convenience store.
- b. Notwithstanding articles 6.2 b., through 6.2 f. and clauses 6.2 i. i. through 6.2 i. v., land zoned RMH-1 shall be subject to the following zone requirements:

i.	Minimum lot frontage	10 m	(33 ft)
ii.	Minimum setback, all yards	7.5 m	(25 ft)
iii.	Minimum mobile home site frontage	18 m	(59 ft)
iv.	Minimum mobile home site area	764 sq.m	(8,223 ft)
v.	Minimum mobile home site setback, all yards and except minimum side yard setback which shall be 2.5m (8 ft)	7.5 m	(25 ft) save
vi.	Maximum convenience store floor area	93 sq.m	(1,000 sq.ft)
vii.	Maximum number of mobile homes	50	

SECTION 7

ENVIRONMENTAL PROTECTION (EP) ZONE

7.1 EP USES PERMITTED

No person shall hereafter change the use of any building, structure or land, or use any building, structure or land in an Environmental Protection Zone except for the following uses.

- a. Conservation and Forestry uses
- b. Bird or wildlife sanctuaries
- c. Flood and erosion control works and docks
- d. Agricultural uses exclusive of buildings or structures

7.2 EP ZONE REQUIREMENTS

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

7.3 ENVIRONMENTAL PROTECTION EXCEPTION ZONES

7.3.1 ENVIRONMENTAL PROTECTION EXCEPTION ONE (EP-1) ZONE (Lots 21, Con 1)

- a. Notwithstanding article 7.2.1, on land zoned "EP-1" a pump house may be erected and used.

7.3.2 ENVIRONMENTAL PROTECTION EXCEPTION TWO (EP-2) ZONE (County Forest)

- a. Notwithstanding subsection 7.1.1 land zoned "EP-2" may also be used for the following uses:
 - i. Forestry
 - ii. Recreational Uses
 - iii. A public use authorized or carried out by the County of Victoria

7.3.3 ENVIRONMENTAL PROTECTION EXCEPTION THREE (EP-3) ZONE (Lot 4, Con 11)

- a. Notwithstanding subsection 7.1, land zoned "EP-3" shall be maintained as a natural vegetative buffer area wherein only the uses listed in articles 7.1 a. through c. and one stairway per lot for water access purposes shall be permitted.

- 7.3.4 ENVIRONMENTAL PROTECTION EXCEPTION FOUR (EP-4) ZONE
(Lot 20 & 21, Con 1)
- a. In addition to the requirements of 7.2, driveways will be permitted to be installed provided its entire length is raised to the flood elevation of 257.68, the regulatory flood elevation, to ensure dry access to these lots.
(By-Law 2003-175 deletes and adds this section)
- i. ENVIRONMENTAL PROTECTION EXCEPTION FIVE (EP-5) ZONE
(Part Lot 30, Front Range, Plan 57R-8957, Part 6)
- a. Notwithstanding subsections 7.1 and 7.2, on land zoned “EP-5” no soil disturbance by any means nor the erection of any structures shall be permitted on Part 6, Plan 57R-8957, as this land has been identified as containing a significant archaeological site, identified and registered by the Province as site BdGq-6.
(BL 2004-94)
- 7.3.6 ENVIRONMENTAL PROTECTION EXCEPTION SIX (EP-6) ZONE
(Lots 6, 7 and 8, Front Range)
- a. Notwithstanding subsection 7.1, land zoned “EP-6” may only be used for conservation uses, wildlife habitat and flood and erosion control works necessary to maintain, stabilize or restore existing drainage courses.
(BL 2000-15)
- 7.3.7 ENVIRONMENTAL PROTECTION EXCEPTION SEVEN (EP-7) ZONE
(Part Lot 27, Front Range)
- a. Notwithstanding subsection 7.2, on lands zoned “EP-7” a boathouse may be created and used.
- All other provisions for the EP Zone shall apply.
(B/L 2006-307)
- 7.3.8 ENVIRONMENTAL PROTECTION EXCEPTION EIGHT (EP-8) ZONE
(Lot A, Front Range)
- a) Notwithstanding subsections 7.1 and 7.2, land zoned ‘EP-8’ shall be maintained as a 30 m. natural vegetative buffer area; however, one regulated boathouse, a marine railway, a walkway and a well and/or waterline shall be permitted.
- b) That the minimum side yard setback on the south limit of the proposed lot identified as D03-05-080 shall be 20 m.
(B/L 2008-051)

7.3.9 ENVIRONMENTAL PROTECTION EXCEPTION NINE (EP-9) ZONE
(Lot A, Front Range)

- a) Notwithstanding subsections 7.1 and 7.2, land zoned 'EP-9' shall be maintained as a natural vegetative area.
(B/L 2008-051)

SECTION 8

COMMUNITY FACILITY (CF) ZONE

8.1 CF USES PERMITTED

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

- a. Uses permitted by Section 7.1
- b. Cemeteries
- c. Municipal Buildings and Structures, Community Centres, Arenas, Libraries, Museums, Curling Rinks
- d. Hospitals, Health or Medical Centres
- e. Places of Worship
- f. Elementary Schools, Secondary Schools, Day nurseries
- g. Nursing Home
- h. Charitable or Non-profit Camps or service clubs
- i. Public uses exclusive of outside storage
- j. Public or Private Park

8.2 ZONE PROVISIONS

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

a.	Minimum lot area	650 sq.m	(7,000 sq.ft)
b.	Minimum lot frontage	15 m	(50 ft)
c.	Minimum front yard	7.5 m	(25 ft)
d.	Minimum lot frontage on Provincial Highway	31.5 m(105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone	
e.	Minimum side yard	4.5 m	(15 ft)
f.	Minimum rear yard	7.5 m	(25 ft)
g.	Minimum landscaped open space	30 %	
h.	Gross Floor Area	no minimum	
i.	Maximum lot coverage	50 %	
j.	Maximum building height	11 m	(36 m)

8.3 COMMUNITY FACILITY EXCEPTION ZONES

**8.3.1 COMMUNITY FACILITY EXCEPTION ONE (CF-1) ZONE
 (Lot 17, Con 2)**

- a. Notwithstanding subsection 8.1, land zoned “CF-1” shall only be used for a private park
- b. Notwithstanding article 8.2 a., land zoned “CF-1” shall have a minimum lot area of 4,000 square metres (1 ac).

* By-law Includes Major Update Amendment (By-Law 96-14)

8.3.2 COMMUNITY FACILITY EXCEPTION TWO (CF-2) ZONE
(Lots 25 & 26, Front Range)

- a. Notwithstanding articles 8.2 c., d. and e., land zoned “CF-2” shall be subject to the following zone provisions:

i.	Minimum front yard	30 m	(100 ft)
ii.	Minimum rear yard	30 m	(100 ft)
iii.	Minimum side yard	30 m	(100 ft)
iv.	Minimum side yard adjacent a CF zone	3 m	(10 ft)

8.3.3 COMMUNITY FACILITY EXCEPTION THREE (CF-3) ZONE
(Lots 5 & 6, Con 10)

- a. Notwithstanding subsection 8.1, land zoned “CF-3” shall only be used for the following uses:

- i. Agriculture
- ii. Forestry
- iii. Place of Assembly
- iv. Park
- v. Miniature golf
- vi. Any use permitted in the EP zone
- vii. One dwelling in conjunction with another permitted use.

8.3.4 COMMUNITY FACILITY EXCEPTION FOUR (CF-4) ZONE
(Lot 1, Con 14)

- a. Notwithstanding subsection 8.1, land zoned “CF-4” shall only be used for the following uses:

- i. any use in subsection 7.1
- ii. Municipal buildings or structures
- iii. Library
- iv. Museum
- v. Public utilities excluding outside storage
- vi. A business office in an existing building.

8.3.5 COMMUNITY FACILITY EXCEPTION FIVE (CF-5) ZONE
(Lots 6, 7 and 8 Front Range)

- (a) Notwithstanding subsection 8.1, land zoned “CF-5” shall only be used for a private park, inclusive of picnicking and barbecue facilities and storage facilities for maintenance and recreational equipment, and publicly owned or private infrastructure.
- (b) Notwithstanding any provision of subsection 8.2 or article 18.8.1 to the contrary, land zoned “CF-5” shall be subject to the following zone provisions:
 - i. Minimum lot frontage shall be 10 m on a private road or right-of-way.

- ii. Minimum side or rear yard for all buildings and structures 4.5 m.
 - iii. Maximum lot coverage 5 %.
 - iv. Save and except for the existing boathouse and docking facilities and passive recreational enhancements approved by Kawartha Conservation and the Trent Severn Waterway, a buffer area of undisturbed natural vegetation 10 metres wide shall be maintained along the natural shoreline of Balsam Lake.
 - v. A 6 metre wide buffer area comprised of natural vegetation that is to remain undisturbed shall be maintained along the northern limit of the CF-5 Zone from the high water mark to the westerly limit of the EP-6 Zone.
- (B/L 2000-15)

8.3.6 COMMUNITY FACILITY EXCEPTION SIX (CF-6) ZONE
(Lots 6, 7 and 8 Front Range)

- (a) Notwithstanding subsection 8.1, 8.2 or article 18.8.1 land zoned “CF-6” shall be subject to the provisions of the CF-5 Zone (Clauses 8.3.5 (a) and (b)) with the following exceptions:

8.3.9 Conservation and wildlife habitat uses are permitted

8.3.10 Parking areas save and except that which is accessory to infrastructure and outside storage shall not be permitted

8.3.11 The 32 metre wide strip of land adjacent to the RG Zone located along the southerly limit of the CF-6 Zone shall be used for no other purpose than underground infrastructure and a buffer zone comprised of natural vegetation

8.3.12 Maximum lot coverage and setback provisions shall apply to buildings, structures and paved areas save and except roadways

(B/L 2000-15)

8.3.7 COMMUNITY FACILITY EXCEPTION SEVEN (CF-7) ZONE
(Lots 6, 7 and 8 Front Range)

- 9 Notwithstanding subsection 8.1, land zoned “CF-7” shall only be used for a communal sanitary sewage system.
- 10 Notwithstanding any provision of subsection 8.2 or article 18.8.1 to the contrary, land zoned “CF-7” shall be subject to the following zone provisions:

10.3.9.1.1 Minimum lot frontage shall be 10 m on a private road

10.3.9.1.2 Minimum setback for any structural component of a sewage disposal system shall be 3 metres from the south and west limits of the CF-7 Zone and 15 metres from the north and east limits of the CF-7 Zone

(B/L 2000-15)

8.3.8 COMMUNITY FACILITY EXCEPTION EIGHT (CF-8) ZONE
(Lots 6, 7 and 8 Front Range)

- (a) Notwithstanding subsection 8.1, land zoned “CF-8” shall only be used for a man-made boat channel and mooring basin.
(B/L 2000-15)

8.3.9 COMMUNITY FACILITY EXCEPTION NINE (CF-9) ZONE
(Lots 20 and 21, Concession 1)

- a. Notwithstanding subsection 8.1, land zoned CF-9 shall only be used for the following use:
- i. Private Park.
(B/L 2003-158)

8.3.10 COMMUNITY FACILITY EXCEPTION TEN (CF-10) ZONE
(Lot 3, Registered Plan 77)

- a. Notwithstanding articles 8.2 a. and 8.2 e., the minimum lot area shall be 1,099 sq. m. (11,840 sq. ft.) and the minimum west side yard shall be 2.4 m. (8 ft.) from the west wall of the Church, and 1.2 m. (4 ft.) from the enclosed stairs.
(B/L 2004-18)

SECTION 9

RURAL GENERAL (RG) ZONE

9.1 RG USES PERMITTED

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

- 9.3.2 Agricultural or forestry uses
- 9.3.3 Agricultural produce storage facilities
- 9.3.4 Riding and/or boarding stables
- 9.3.5 Farm Implement Dealer
- 9.3.6 Cemeteries
- 9.3.7 Market garden farms
- 9.3.8 Nurseries or commercial greenhouses,
- 9.3.9 Seasonal fruit, vegetable, flower or farm produce outlet
- 9.3.10 Home Occupation
- 9.3.11 Dog Kennel
- 9.3.12 Single detached dwelling
- 9.3.13 Second Single Detached Dwelling is subject to Section 18.27 of the General Provisions. B/L 2007-289
- 9.3.14 Seasonal Farm Residential Use is subject to Section 18.28 of the General Provisions. B/L 2007-289

9.2 RG ZONE REQUIREMENTS

In a Rural General RG zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- a. Minimum lot area 10 ha (25 ac)
- b. Minimum lot frontage 230 m (755 ft)
- c. Minimum front yard 30 m (100 ft)
- d. Minimum side yard 9 m (30 ft)
- e. Minimum rear yard 25 m (82 ft)
- f. Minimum dwelling unit floor area 60 sq.m (646 sq.ft)
- g. Dwelling units shall have a front yard of 30 metres (100 ft) but in all other respects shall be subject to the provisions of subsection 2.2 and subsection 18.16.
- h. Maximum lot coverage 5 %
- i. Maximum number of dwelling units per lot 1
- j. Notwithstanding subsection 9.1 and articles 9.2 a. through g., an existing lot, or a lot which was or is created by consent, which has a lot area of 1 hectare (2.5 ac) or less, shall only be used in accordance with subsections 2.1 and 2.2 of this By-law.
- k. Where an existing lot having less lot area or frontage than required is located in any agricultural zone, subsection 18.5 shall not apply to permit the establishment of an agricultural use on a lot having an area of less than 1 hectare (2.5 ac).

- I. Notwithstanding article 18.18 b. where a lot is created by consent in an agricultural zone, the retained lot shall be deemed to be an existing non-complying lot and the provisions of article 9.2 j. and subsection 18.6 shall apply to such lot.
- m. Notwithstanding article 9.2 j. and subsection 18.5, an existing lot which has a lot area of 1 hectare (2.5 ac) or less and fronts upon an unassumed road or a road which is not maintained on a year round basis by the Township, the County or the Province, shall only be used in accordance with subsections 5.1 and 5.2 of this By-law.
- n. A building or structure for animal husbandry, housing livestock or manure storage shall be subject to the provisions of article 18.16 b.

9.3 RURAL GENERAL EXCEPTION ZONES

9.3.1 RURAL GENERAL EXCEPTION ONE (RG-1) ZONE

(Lot 45, Front Range)

- a. Notwithstanding subsection 9.1, land zoned "RG-1" may also be used for a custom workshop or a carpentry shop.
- b. In addition to the provisions of subsection 9.2, a custom workshop or woodworking and carpentry shop shall be subject to the following zone requirements:
 - i. Minimum front yard 40 m (130 ft)
 - ii. Minimum side yard 25 m (82 ft)
 - iii. Minimum separation distance to a dwelling on a separate lot 60 m (200 ft)
 - iv. Maximum floor area 140 sq.m (1507 sq.ft)
 - v. A landscaped buffer comprised of existing vegetation and consistent with the provisions of subsection 18.15 shall be maintained along the northern lot line within 45 metres (150 ft.) of a custom workshop or a woodworking and carpentry shop.

9.3.2 RURAL GENERAL EXCEPTION TWO (RG-2) ZONE

(Lots 35 & 36, Front Range)

- a. Notwithstanding articles 9.2 a., c., d., and e., land zoned "RG-2" shall be subject to the following zone requirements:
 - i. Minimum lot area 4 ha 10 ac.
 - ii. Minimum setback from an industrial zone 60 m 200 ft
 - iii. no exterior opening in any dwelling unit shall be permitted below a minimum contour elevation of 256.8 m C.G.S. (842.5 ft.)

(Note: By-law 96-18, creating the RG-1 zone, did not include the imperial units of measurement. These have been included in this office consolidation for consistency and convenience.)

9.3.3 RURAL GENERAL EXCEPTION THREE (RG-3) ZONE
(Part of Lots 17 and 18, Concession 8)

- a. Notwithstanding articles 9.2 a. and 9.2 b., the minimum lot area for lands zoned RG-3 shall be 6 ha. and the minimum frontage for lands zoned RG-3 shall be 20 m.
- b. Notwithstanding article 18.23 a., the minimum water setback for lands zoned RG-3 shall be 30 m.

(By-Law 2001-159)

9.3.4 RURAL GENERAL EXCEPTION FOUR (RG-4) ZONE
(Part of Lot 10, Lot 11 and Part of Lot 12, Conc. 4, Somerville)

- a. Notwithstanding the list of permitted uses in Section 9.1, on land zoned RG-4, an off-road motorcycle facility with accessory camping facilities is a permitted use.
- b. Notwithstanding any zone requirements in Section 9.2 to the contrary, on land zoned RG-4, the following requirements apply:
 - A minimum distance of 200m must be maintained between any trail facility and the wetland located to the south in Concession 3.
 - The use of off-road vehicles on the site is restricted to the daytime period (7:00am to 7:00 pm)
 - The number of vehicles operating at the facility is restricted to:
 1. 40 motorcycles on the closed course (20 if professional riders)
 2. 15 motorcycles on the hare scramble course
 3. 15 ATVs on the ATV course
 - All motorcycles using the facility must have of sound emission level of 99dBA or less (as tested using the procedures of SAEJ1287)
- c. On land zoned RG-4, Site Plan Approval is required for the development of an off-road motorcycle facility.

(B/L 2004-17)

- d. Notwithstanding the list of permitted uses in Section 9.1, on land zoned RG-4, an automobile racing facility which includes rallies, testing, tuning, and schooling is a permitted use.
- e. Notwithstanding any zone requirements in Section 9.2 to the contrary, on land zoned RG-4, the following requirements apply:
 - A minimum distance of 200 m must be maintained between any of the above noted permitted uses and the wetland located to the south in Concession 3.
 - That the hours of operation for the automobile racing facility be 9:00 a.m. to 7:00 p.m. from May 1 to October 15 and 9:00 a.m. to 11:00 p.m. from October 16 to April 30, with events after 7:00 p.m. being restricted to one per month between October 16 and April 30.
 - All automobile vehicles using the automobile racing facility shall be deemed street legal in accordance with the Highway Traffic Act.
 - All automobile vehicles using the automobile racing facility must have a sound emission level of 86dbA or less in accordance with the Rally

Regulations of the Canadian Association of Rallysport (the maximum permitted noise level from the exhaust system shall be 86 dbA with the engine idling at 3500 RPM, measured from a distance of 15 m.)

- f. On land zoned RG-4, site plan approval is required for the development of an automobile racing facility.

(B/L 2008-187)

9.3.5 RURAL GENERAL EXCEPTION FIVE (RG-5) ZONE
(Part of Lot A, Front Range (Bridge Street, Rosedale)

- a. Notwithstanding subsection 9.2 a. on land zoned RG-5 the minimum lot area shall be .5.6 ha. All other provisions and requirements of the by-law shall continue to apply.

(B/L 2006-067)

9.3.6 RURAL GENERAL EXCEPTION SIX (RG-6) ZONE
(Part of Lot 1, Conc. 10, Somerville – 3613 Kawartha Lakes Road 121)

In addition to the uses permitted in Section 9.1, on lands zoned RG-6 a garden suite is also permitted and is subject to the following provisions:

- a. A “Garden Suite” means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.
- b. A “Garden Suite” shall not exceed a gross floor area of 80 square metres and shall be permitted for a period of ten (10) years commencing on the date that the RG-6 Zone is in effect.

(B/L 2006-192)

9.3.7 RURAL GENERAL EXCEPTION SIX (RG-7) ZONE
(Lots 3 & 4, Front Range, 57R-9954, Part 1 – 5819 Highway 35)

In addition to the uses permitted in Section 9.1, on lands zoned RG-7, a Garden Suite is also permitted and is subject to the following provisions:

- a. The Garden Suite shall be the existing dwelling on the subject land and shall be permitted for a period of ten (10) years commencing on the date that the RG-7 Zone is in effect.
- b. The Garden Suite shall be permitted without a principal dwelling for a period of no more than two (2) years, commencing on the date that the RG-7 Zone is in effect.

Notwithstanding Section 9.2 h., the maximum lot coverage shall be 20%.

On land zoned RG-7 (H-1), the removal of the (H-1) holding symbol shall be in accordance with the following:

- i) the owner shall enter into a development agreement with the City which will detail control measures related to the Garden Suite. (B/L 2012-193)

SECTION 10

GENERAL COMMERCIAL (C1) ZONE

a. C1 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in a General Commercial (C1) zone, except for one or a maximum of three (3) of the following uses:

- b. Automobile service stations, subject to the requirements of Section 11.2 I.
- c. Art or antique shops
- d. Bakeries
- e. Banks, financial institutions or money lending agencies
- f. Business or professional offices
- g. Commercial schools
- h. Clubs whether fraternal or operated for profit
- i. Dressmaking or tailoring
- j. Hotel, Motel
- k. Dry cleaning and laundry depot
- l. Medical clinics
- m. Museum or library
- n. Photography studios
- o. Public and private parking lots
- p. Recreational establishments including premises for billiards, bowling, curling, dancing, roller and ice skating, theatre or cinema.
- q. Restaurants, soda fountains and lunch counter, but not including drive-in restaurants
- r. Retail stores, service shops, personal service and repair shops
- s. Taxi stands
- t. Upholstering and furniture repair establishments
- u. Funeral parlours
- v. a dwelling unit as a secondary use to the above-noted permitted uses.

10.2 C1 ZONE REQUIREMENTS

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

	Communal or Municipal Sanitary Sewer	Private Sewage Disposal
a. Minimum lot area	550 sq.m (5,920 sq.ft)	4,000 sq.m (1 ac)
b. Minimum lot frontage	25 m (82 ft)	30 m (100 ft)
c. Minimum front yard	2 m (6.6 ft)	2 m (6.6 ft)
d. Minimum side yard		
i. with common walls	nil	nil
ii. separate structure	1.5 m (5 ft)	1.5 m (5 ft)
e. Minimum flankage yard	2 m (6.6 ft)	2 m (6.6 ft)
f. Minimum rear yard	9 m (30 ft)	9 m (30 ft)
g. Minimum landscaped open space	10 %	30 %
h. Maximum lot coverage	50 %	30 %
i. Maximum building height	11 m (36 m)	11 m (36 m)
j. Maximum dwelling unit per lot	2	1
k. Maximum premises per lot	4	3
l. Minimum gross floor area regardless of servicing		
i. bachelor apt.	35 sq.m	(380 sq.ft)
ii. other dwelling unit	55 sq.m (595 sq.ft) plus 14 sq.m (150 sq.ft) for each habitable room in excess of 4	
iii. all other uses	48 sq.m	(515 sq.ft)
m. Minimum lot frontage on Provincial Highway	31.5 m (105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone.	

10.3 C1 EXCEPTION ZONES

10.3.1 GENERAL COMMERCIAL EXCEPTION ONE (C1-1) ZONE

RESERVED

10.3.2 GENERAL COMMERCIAL EXCEPTION TWO (C1-2) ZONE (Lot 1, Con 13 & 14)

- a. Notwithstanding subsection 10.1, land zoned "C1-2" may only be used for the following uses:
 - i. business or professional office
 - ii. snack bar or coffee shop
 - iii. personal service shop

* By-law Includes Major Update Amendment (By-Law 96-14)

- iv. retail store
- v. one dwelling unit as part of a building containing another permitted use

10.3.3 GENERAL COMMERCIAL EXCEPTION THREE (C1-3) ZONE
(Lot 37, Front Range)

- a. Notwithstanding subsection 10.1, land zoned “C1-3” may only be used for the following uses:

- i. art or antique shop
- ii. business or professional office
- iii. dressmaking or tailoring
- iv. furniture and appliance repair shop
- v. photography studio
- vi. retail store

- a. Notwithstanding subsection 18.13 and articles 18.15 a., 10.2 a. and 10.2 b. land zoned “C1-3” shall be subject to the following zone provisions:

i. Minimum lot area	985 sq.m	(10,605 sq.ft)
ii. Minimum lot frontage	15 m	(50 ft)
iii. Minimum parking spaces	6	
iv. Minimum landscaped buffer width	1.5 m	(5 ft)
v. landscaped buffer to include an unpierced evergreen hedge with a minimum height of	1.2 m	(4 ft)

10.3.4 GENERAL COMMERCIAL EXCEPTION FOUR (C1-4) ZONE

- a. Notwithstanding subsection 10.1, land zoned “C1-4” may only be used for the following uses:

- i. business or professional office
- ii. one dwelling unit

- b. Notwithstanding subsections 10.2 a., 10.2 f., 10.2 h. and 18.15 on land zoned “C1-4” the following zone provisions shall apply in addition to all other applicable requirements in the zoning by-law:

i. Minimum lot area	550 sq.m.
ii. Minimum rear yard	1.7 m.
iii. Maximum lot coverage	22%
iv. Minimum side yard abutting a residential zone	4 m.

(B/L 2005-119)

SECTION 11

HIGHWAY COMMERCIAL (C2) ZONE

11.1 C2 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Highway Commercial (C2) zone, except for one or a maximum of two (2) of the following uses:

- a. Animal hospitals or veterinary establishments
- b. Automobile sales establishments
- c. Automobile service stations and motor vehicle gasoline bar
- d. Tourist information centre
- e. Hotels, motels or motor hotels
- f. Indoor recreational establishments including premises used for billiards, bowling, curling, dancing, roller and ice skating, theatre or cinema
- g. Restaurants, including drive-in
- h. Retail sales within wholly enclosed buildings of the following:
 - i. Major electrical appliances
 - j. Art and craft objects and antiques
 - k. Broadloom and draperies
 - l. Furniture, lamps and mirrors
 - m. Gymnasium equipment and sporting goods
- n. Retail sales of the following where outdoor storage and display is permitted:
- o. Automobiles, trailers, motorized snow vehicles, boats and accessories
- p. Equipment and machinery for farming
- q. Retail lumber and home improvement supplies
- r. A dwelling unit accessory to the above-noted permitted uses

11.2 C2 ZONE REQUIREMENTS

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

	Communal or Municipal Sanitary Sewage System	Private Sewage Disposal
a. Minimum lot area	2,000 sq.m (21,530 sq.ft)	4,000 sq.m (1 ac)
b. Minimum lot frontage	30 m (100 ft)	45 m (150 ft)
c. Minimum front yard	6 m (20 ft)	6 m (20 ft)
d. Minimum side yard	6 m (20 ft)	12 m (40 ft)
e. Minimum rear yard	6 m (20 ft)	12 m (40 ft)
f. Minimum landscaped open space	20 %	30 %
g. Maximum lot coverage	30 %	30 %

* By-law Includes Major Update Amendment (By-Law 96-14)

h.	Maximum building height	11 m (36 ft)	11 m (36 ft)
i.	Maximum dwellings per lot	1	1
j.	Maximum premises per lot	4	3
k.	Minimum Gross floor area regardless of servicing		
	i. bachelor apt.	35 sq.m (380 sq.ft)	
	ii. dwelling units	55 sq.m (595 sq.ft) plus 14 sq.m (150 sq.ft) for each habitable room in excess of 4	
	iii. all other uses	No minimum	
l.	Minimum lot frontage on Provincial Highway	31.5 m (105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone	
m.	Motor vehicle service stations and fuel bar requirements		
	i. Minimum distance between a fuel pump island or fuel pump canopy and a street line, daylighting triangle or residential zone	6 m	(20 ft)
	ii. minimum distance between a fuel pump island or fuel pump canopy and a dwelling unit	15 m	(50 ft)
	iii. Minimum distance between access driveways	9 m	(30 ft)
	iv. Minimum distance between the intersection of a side lot line with a street line and an access driveway or ramp	9 m	(30 ft)
	v. The interior angle of an access driveway or ramp to a street line shall not be less than 45 degrees nor greater than 90 degrees.		
	vi. All repair and service of motor vehicles shall be carried out within a wholly enclosed building.		

11.3 C2 EXCEPTION ZONES

11.3.1 HIGHWAY COMMERCIAL EXCEPTION ONE (C2-1) ZONE
 (Lot 1, Con 8)

- a. Notwithstanding subsection 11.1 on land zoned "C2-1" the only permitted uses shall be a drive-in restaurant and a dwelling unit accessory to the permitted commercial use.
- b. Notwithstanding article 11.2 a. and in addition to the other provisions of subsection 11.2 land zoned "C2-1" shall be subject to the following zone requirements:

i.	Minimum lot area	1.0 ha	(2.5 ac)
ii.	Maximum gross floor area for commercial use	95 sq.m	(1,020 sq.ft)

11.3.2 HIGHWAY COMMERCIAL EXCEPTION TWO (C2-2) ZONE
 (Lot 1, Con 14)

* By-law Includes Major Update Amendment (By-Law 96-14)

- a. Notwithstanding articles 11.2 a. and b. lands zoned "C2-2" shall be subject to the following zone requirements:

i.	Minimum lot area	2,000 sq.m	(21,530 sq.ft)
ii.	Minimum lot frontage	32 m	(105 ft)

11.3.3 HIGHWAY COMMERCIAL EXCEPTION THREE (C2-3) ZONE
(Lot 12, Con 5)

- a. Notwithstanding subsection 11.1, land zoned "C2-3" shall only be used for a maximum of two of the following uses:

- i. Animal hospital or veterinary establishment
- ii. Automobile service station and/or motor vehicle gasoline bar
- iii. Drive in restaurant
- iv. Retail store for the sale of arts, crafts and antiques
- v. A dwelling accessory to one of the above uses.

11.3.4 HIGHWAY COMMERCIAL EXCEPTION FOUR (C2-4) ZONE
(Lot 1, Concession 12)

- a. Notwithstanding Section 11.1, on land zoned "C2-4" a maximum of 3 uses, including a flea market, are permitted.
- b. Notwithstanding the definition of "Flea Market", on land zoned C2-4 a Flea Market may also be a single vendor establishment.
- c. Notwithstanding the definition of "Premises", in the C2-4 Zone all retail areas, spaces or stalls used as part of a "Flea Market" shall constitute one premises and shall be subject to the floor space limits set out below.
- d. Notwithstanding articles 11.2 e. and g. land zoned "C2-4" shall be subject to the following provisions:
 - i. Maximum lot coverage
for all buildings or structures 800 sq.m (8,611 sq.ft.)
 - ii. Maximum area for unenclosed temporary vendor spaces 650 sq.m (7,000 sq.ft.)
 - iii. Only one retail area, space or stall in a flea market may exceed 65 sq.m (700 sq.ft)
 - iv. Each additional retail area, space or stall, in a wholly enclosed building, exceeding a floor area of 65 sq.m (700 sq.ft.) shall be deemed a separate premises.
 - v. Maximum of 10 unenclosed, temporary vendor spaces or stalls with a maximum stall area of 65 m (700 sq.ft.)
- e. For the purpose of the C2-4 Zone, a retail area, space or stall means an area in an enclosed building which is rented, leased or occupied for the purpose of

* By-law Includes Major Update Amendment (By-Law 96-14)

selling goods or wares and which may be physically distinguished by walls, screens, curtains or signage.

- f. For the purpose of the C2-4 Zone a "temporary vendor space or stall" means an outdoor area, leased, rented or occupied, for the purpose of permitted retail sales, only on a weekend, statutory or civic holiday.

11.3.5 HIGHWAY COMMERCIAL EXCEPTION FIVE (C2-5) ZONE
(Part of Lots 6, 7 and 8, Front Range)

- (a) Notwithstanding Section 11.1, land zoned "C2-5" shall only be used for a hotel, motel or tourist accommodation units when development proceeds with a communal water supply and communal sewage system.
- (b) In addition to the Zone Requirements set out in sub-section 11.2, the following shall apply:
 - i. Maximum number of guest rooms and/or tourist accommodation units: 40
 - ii. Any parking area or traffic aisle and any accessory building or appurtenance shall be set back a minimum of 6 metres from the adjacent RG Zone located on the southerly limit of the C2-5 Zone. (B/L 2000-15)
 - iii. Maximum floor area per guest room or tourist accommodation unit: 93 m²
(OMB Decision/Order No. 0551 dated March 14, 2004)

SECTION 12

COMMERCIAL RECREATION (C3) ZONE

12.1 C3 USES PERMITTED

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

- a. Marina
- b. Boat and marine motor sales and service
- c. Restaurant
- d. Motorized snow vehicle sales and service
- e. Boat rentals
- f. Hotel
- g. Motel
- h. Cottage establishment
- i. Lodge
- j. Ancillary retail
- k. Dwelling Unit accessory to the above uses

12.2 C3 ZONE REQUIREMENTS

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

- | | | | |
|----|--|--------|----------|
| a. | Minimum lot area | 0.4 ha | (1 ac) |
| b. | Minimum lot frontage | 60 m | (197 ft) |
| c. | Minimum front yard | 25 m | (82 ft) |
| d. | Minimum rear yard | 7.5 m | (25 ft) |
| e. | Minimum side yard | 6 m | (20 ft) |
| f. | Minimum water setback | 15 m | (50 ft) |
| g. | Maximum lot coverage | 30 % | |
| h. | Maximum height | 11 m | (36 ft) |
| i. | Maximum number of dwelling units per lot | 1 | |
| j. | Maximum number of premises per lot | 3 | |

12.3 C3 EXCEPTION ZONES

12.3.1 "Reserved"

SECTION 13

RECREATIONAL CAMPGROUND (C4) ZONE

13.1 C4 USES PERMITTED

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

- a. Trailer camp or park
- b. Park
- c. Ancillary Retail
- d. A dwelling unit accessory to the above-noted permitted uses

13.2 C4 ZONE REQUIREMENTS

In a Recreational Campground (C4) zone, no person shall hereafter erect or use a building or structure except in conformity with the following requirements:

- a. Minimum lot area 0.8 ha (2 ac)
- b. Minimum lot frontage 60 m (197 ft)
- c. Minimum front yard 25 m (75 ft)
- d. Minimum rear yard 4.5 m (15 ft)
- e. Minimum side yard 4.5 m (15 m)
- f. Minimum water setback 15 m (50 ft)
- g. Maximum lot coverage 30 %
- h. Maximum height 11 m (36 ft)
- i. No habitable room shall be added on to any tourist trailer, mobile camper trailer or truck camper.
- j. Maximum number of dwelling units 1
- k. A dwelling unit shall be subject to the setback, yard and floor area requirements of subsection 2.2
- l. Camp lot requirements
 - i. Minimum area 200 sq.m (2,155 sq.ft)
 - ii. Minimum frontage 10 m (33 ft)
 - iii. Minimum depth 10 m (50 ft)
 - iv. Minimum front yard 5 m (17 ft)
 - v. Minimum side yard 1.5 m (5 ft)
 - vi. Minimum rear yard 3 m (10 ft)
 - vii. Maximum lot coverage 30 %
 - viii. Maximum number of accessory structures 1
 - ix. Minimum setback from dwelling on a separate lot or a residential zone 30 metres (100 ft)

13.3 C4 EXCEPTION ZONES

13.3.1 CAMPGROUND COMMERCIAL EXCEPTION ONE (C4-1) ZONE
(Lots 16 & 17, Con 2)

a. Notwithstanding any provision of subsection 13.2 to the contrary, land zoned "C4-1" shall be subject to the following zone requirements:

- | | | | |
|-----|--|-------|----------|
| i. | Minimum camping lot setback
from the front lot line | 200 m | (660 ft) |
| ii. | Minimum setback from a lot
in a residential zone | 60 m | (200 ft) |

13.3.2 CAMPGROUND COMMERCIAL EXCEPTION TWO (C4-2) ZONE
(Lot 5, Front Range)

a. Notwithstanding subsection 18.18 and the definitions of "front yard" and "lot frontage", for the purpose of the "C4-2" zone, the lot frontage shall be measured at the lot line along Highway 35 and the minimum front yard shall be measured from said lot line.

SECTION 14

RESTRICTED INDUSTRIAL (M1) ZONE

14.1 USES PERMITTED

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

- a. Dry-light industry
- b. Custom workshop
- c. Contractor's yard
- d. Motor vehicle sales establishment and motor vehicle service station excluding a motor vehicle scrap or salvage yard
- e. Printing establishment
- f. Public garage, motor vehicle body shop
- g. Business or Professional Office and commercial undertakings accessory to a permitted use.

14.2 ZONE PROVISIONS

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

- | | | | |
|----|---|---|----------|
| a. | Minimum lot area | 4,000 sq.m | (1 ac) |
| b. | Minimum lot frontage | 30 m | (100 ft) |
| c. | Minimum front yard | 15 m | (50 ft) |
| d. | Minimum lot frontage on Provincial Highway | 31.5 m (105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone | |
| e. | Minimum rear yard | 12 m | (40 ft) |
| f. | Minimum flankage yard | 15 m | (50 ft) |
| g. | Minimum side yard | | |
| | i. abutting any other industrial or commercial zone | 3 m | (10 ft) |
| | ii. abutting any other zone | 10 m | (33 ft) |
| h. | Minimum residential setback | 70 m (230 ft) from a dwelling on a separate lot or 60 m (200 ft) from a residential zone whichever is greater | |
| i. | Minimum landscaped open space | 20 % | |
| j. | Maximum lot coverage | 40 % | |
| k. | Maximum building height | 11 m | (36 ft) |
| l. | Outside storage | not permitted | |

14.3 M1 EXCEPTION ZONES

"Reserved"

SECTION 15

GENERAL INDUSTRIAL (M2) ZONE

15.1 M2 USES PERMITTED

No persons shall hereafter change the use of any building, structure or land or erect or use any building or structure in a General Industrial (M2) zone except for one or more of the following uses:

- a. All uses permitted in a Restricted Industrial (M1) Zone
- b. Animal hospital or veterinary clinic
- c. Auction barn, flea market or farmer's market
- d. Building supply and equipment depot and sales
- e. Bulk fuel storage facility
- f. Farm implement sales and service
- g. Medium industry which may include such uses as:
 - i. agricultural produce storage facility
 - ii. concrete mixing plant
 - iii. feed mills
 - iv. machine or welding shop
 - v. seed cleaning plant
 - vi. truck, transport or transportation depot
 - vii. works depots or yards
- h. Outside storage accessory to a permitted use

15.2 M2 ZONE REQUIREMENTS

In a General Industrial (M2) zone, no person shall hereafter erect or use a building except in conformity with the following requirements:

- | | | | |
|----|--|--------|----------|
| a. | Minimum lot area | 0.4 ha | (1 ac) |
| b. | Minimum lot frontage | 30 m | (100 ft) |
| c. | Minimum front yard | 15 m | (50 ft) |
| d. | Minimum rear yard | 11 m | (36 ft) |
| e. | Minimum side yard | | |
| | i. abutting any other industrial or commercial zone | 3 m | (10 ft) |
| | ii. abutting any other zone | 30 m | (100 ft) |
| f. | Notwithstanding article "e." above, the minimum residential setback shall be 100 m (330 ft) from a dwelling unit on a separate lot or 90 m (300 ft) from a residential zone whichever is greater except the setbacks for a heavy industry shall be 300 metres (985 ft) and 290 m (952 ft) respectively | | |
| g. | Minimum landscaped area | 10 % | |
| h. | Maximum lot coverage | 30 % | |
| i. | Maximum building height | 11 m | (36 ft) |

- j. Outdoor storage requirements
 - i. located only in a fenced rear yard
 - ii. located a minimum of 2 m (6.6 ft) from a lot line or 1 m (3 ft) where the abutting lot is within an industrial zone
 - iii. lot coverage inclusive of buildings and outdoor storage shall not exceed 60%.
- k. Minimum lot frontage on Provincial Highway 31.5 m (105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone

15.3 M2 EXCEPTION ZONES

15.3.1 GENERAL INDUSTRIAL EXCEPTION ONE (M2-1) ZONE (Lot 1, Con 14)

- a. Notwithstanding subsection 15.1, land zoned "M2-1" may only be used for the manufacture and sale of furniture and an accessory dwelling unit.

15.3.2 GENERAL INDUSTRIAL EXCEPTION TWO (M2-2) ZONE (Lot 36, Front Range)

- a. Notwithstanding subsection 15.1, on land zoned "M2-2" the following uses shall not be permitted: bulk fuel storage facility, feed mills, fertilizer mixing plant, food processing plant, a sawmill, a truck, transport or transportation depot.
- b. Notwithstanding the definition of the term "front lot line", articles 15.2 b. and e. and in addition to subsection 18.15 land zoned "M2-2" shall be subject to the following zone requirements:
 - i. The eastern lot line abutting Provincial Highway 35 shall be the front lot line
 - ii. Minimum lot frontage 250 m (820 ft)
 - iii. Minimum side yard 11 m (36 ft)
 - iv. A landscaped buffer a minimum of 2 metres (6.6 ft.) in width shall be maintained along that portion of the "M2-2" zone boundary abutting the "RR2-1" zone and shall consist of an opaque wooden fence not less than 2 metres (6.6 ft.) in height, constructed as a boundary fence, and a landscaped area comprised of grass, shrubs and trees.

15.3.3 GENERAL INDUSTRIAL EXCEPTION THREE (M2-3) ZONE
(Lot 7, Front Range)

a. Notwithstanding articles 15.2 a. and h., land zoned "M2-3" shall be subject to the following zone requirements:

i.	Minimum lot area	8,000 sq.m	(2 ac)
ii.	Maximum lot coverage		
	- for an auction barn	5 %	
	- for any other permitted use	15 %	
iii.	Maximum floor area for a snack bar	30 sq.m	(320 sq.ft)

SECTION 16

INDUSTRIAL EXTRACTIVE (M3) ZONE

16.1 M3 USES PERMITTED

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

- a. Pit

16.2 M3 ZONE REQUIREMENTS

In an Industrial Extractive (M3) zone, no persons shall hereafter erect or use a structure or building or establish a use except in conformity with the following requirements.

- | | | | |
|----|---|--|----------|
| a. | Minimum lot area | 10 ha | (25 ac) |
| b. | Minimum lot frontage | 180 m | (590 ft) |
| c. | Minimum front yard | 30 m | (100 ft) |
| d. | Minimum lot frontage on Provincial Highway | 31.5 m (105 ft) for 50 km/hr speed zone, 45 m (150 ft) for 80 km/hr speed zone | |
| e. | Minimum side yard | 15 m | (50 ft) |
| f. | Minimum flankage yard | 30 m | (100 ft) |
| g. | Minimum rear yard | 15 m | (50 ft) |
| h. | Minimum setback from a dwelling on a separate lot | 90 m | (300 ft) |

16.3 M3 EXCEPTION ZONES

16.3.1 EXTRACTIVE INDUSTRIAL EXCEPTION ONE (M3-1) ZONE (Lot 9, Con 6)

a. Notwithstanding articles 16.2 c. and 18.1.2, land zoned "M3-1" shall be subject to the following zone requirements:

- | | | | |
|-----|-------------------------------------|-------|------------|
| i. | Minimum front yard | 365 m | (1,200 ft) |
| ii. | Minimum accessory structure setback | 30 m | (100 ft) |

16.3.2 INDUSTRIAL EXTRACTIVE EXCEPTION TWO (M3-2) ZONE (Lot 2, Con 13)

a. In addition to the zone requirements established under subsection 16.2, on land zoned "M3-2" aggregate extraction shall not exceed a maximum annual production of 20,000 tonnes (22,046 tons).

* By-law Includes Major Update Amendment (By-Law 96-14)

16.3.3 INDUSTRIAL EXTRACTIVE EXCEPTION THREE (M3-3) ZONE
(Lot 12, Con 5)

a. Notwithstanding articles 16.1 a., and 16.2 a., d. and f., land zoned "M3-3" may be used for a quarry subject to the following zone requirements:

- | | | | |
|-----|--|-------|----------|
| i. | lot area (min.) | 10 ha | (25 ac) |
| ii. | setback from Highway 121 to excavation site (min.) | 200 m | (660 ft) |

16.3.4 INDUSTRIAL EXTRACTIVE EXCEPTION FOUR (M3-4) ZONE
(Lot 7 & 8, Con 6)

a. Notwithstanding articles 16.1., 16.2 b. and 18.18 a., land zoned "M3-4", may be used for a quarry, the lot frontage shall be the frontage within the M3-1 Zone and a minimum vertical separation of 2 metres (6.6 ft) shall be maintained between aggregate extraction and aggregate processing operations and the highest elevation of the ground water table as it is found at any given point.

16.3.5 INDUSTRIAL EXTRACTIVE EXCEPTION FIVE (M3-5) ZONE
(Part Lot 16, Con. 11)

a. In addition to the use permitted in article 16.1, on land zoned M3-5 a quarry for dimensional stone is also permitted; aggregate extraction shall not exceed a maximum annual production of 20,000 tonnes; and a minimum vertical separation of 2 metres shall be provided between aggregate extraction and the highest elevation of the groundwater as it is found at any given point on the property.

(B/L 2008-033)

SECTION 17

INDUSTRIAL DISPOSAL (M4) ZONE

17.1 M4 USES PERMITTED

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

- a. A scrap yard
- b. A sanitary landfill site
- c. A waste transfer site

17.2 M4 ZONE REQUIREMENTS

In an Industrial Disposal (M4) zone, no person shall hereafter erect or use a building or establish a use except in conformity with the following requirements:

- a. Minimum lot area
 - i. sanitary landfill site 10 ha (25 ac)
 - ii. other permitted use 1 ha (2.5 ac)
- b. Minimum lot frontage
 - i. sanitary landfill site 150 m (500 ft)
 - ii. other permitted use 60 m (200 ft)
- c. Minimum setback from property boundary
 - i. sanitary landfill site 30 m (100 ft)
 - ii. all other uses 15 m (50 ft)
- d. All permitted uses shall be enclosed by an opaque fence a minimum of 2 m (6.6 ft) in height or a landscaped buffer at least 6 metres (20 ft) wide with an unpierced hedgerow of evergreens at least 2 m (6.6 ft) in height.

17.3 M4 EXCEPTION ZONES

17.3.1 DISPOSAL INDUSTRIAL EXCEPTION ONE (M4-1) ZONE (Removed by By-law 2001-142)

17.3.2 DISPOSAL INDUSTRIAL EXCEPTION TWO (M4-2) ZONE (Lot 13, Con 4)

- a. Notwithstanding subsection 17.1, land zoned "M4-2" may only be used for the following:
 - i. automotive engine and body repair shop
 - ii. scrap yard
- b. Notwithstanding subsection 17.2, land zoned "M4-2" shall be subject to the following zone provisions:
 - i. Minimum lot area 9.9 ha (25 ac)

ii.	Minimum lot frontage	230 m	(755 ft)
iii.	Minimum front yard	30 m	(100 ft)
iv.	Minimum southern side yard	91.44 m	(300 ft)
v.	Minimum northern side yard	30 m	(100 ft)
vi.	Minimum rear yard	30 m	(100 ft)

SECTION 18

GENERAL PROVISIONS

18.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

18.1.1 PERMITTED USES

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

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

18.1.2 LOCATION

- a. Except as otherwise provided herein or within a specific zone, any accessory building which is not part of the main building shall only be erected in an interior side or rear yard.
- b. An accessory building may be erected not closer than 1.2 metres (4 ft) from a rear lot line and 1.2 metres (4 ft) from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 1.2 metres (4 ft) to a residential building located on the same lot.
- c. Notwithstanding clause 18.1.2. b., an unenclosed, detached deck may be constructed within 1.2 metres (4 ft) of a residential building. Any deck constructed within 0.5 metres (1.6 ft) of a residential building will be considered an extension of the main building for the purposes of determining yard or setbacks in any zone and shall not constitute a separate accessory structure with respect to the provisions of clause 18.1.3 c.
- d. Where a lot fronts on a navigable waterway, a private garage shall be permitted between the main building on the lot and the street line, provided such private garage complies with the yard provisions of the applicable zone.

18.1.3 LOT COVERAGE AND HEIGHT

- a. Except as otherwise provided for herein, the total lot coverage of all accessory buildings and structures, excluding private garages attached to the main building and outdoor swimming pools, shall not exceed 8 percent of the lot area or a maximum of 225 square metres (2,420 sq.ft) whichever is less.

- b. 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. **(By-Law 2002-139)**
- c. A maximum of three accessory buildings or structures, excluding outdoor swimming pools, shall be permitted on a lot in any class of residential zone.

18.1.4 YARD REQUIREMENTS

- a. Notwithstanding the minimum yard provisions of this By-law, the following accessory structures and setbacks may be permitted:
 - i. sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, pilasters or parapets may project into any yard a distance of not more than 0.6 metres (2 ft);
 - ii. eaves or gutters on a main building may project into any yard a distance of not more than 0.6 metres (2 ft);
 - iii. balconies, canopies, unenclosed porches or decks, steps or patios may project into any yard a distance of not more than 1.5 metres (5 ft) provided that a required side yard is not reduced to below 1.5 metres (5 ft) and further provided that a porch or deck which is, at any point, more than 1.2 metres (4 ft) above the adjacent finished grade shall comply with the yard requirements of the applicable zone for a main building;
 - iv. unenclosed fire escapes may project into any yard a distance of not more than 1.5 metres (5 ft);
 - v. ramps for handicapped access may project into any yard a distance of not more than 1.8 metres (6 ft); and
 - vi. free-standing walls less than 2 metres (6.6 ft) in height, fences subject to the provisions of Section 18.7, drop awnings, flag poles, clothes poles, diving boards, antennae, satellite dishes, light standards, garden trellises, retaining walls and similar accessory structures and appurtenances, hedges, shrubs and trees are permitted in any yard.
 - vii. notwithstanding clause 18.1.4 a. vi., no structure or vegetation that is more than 0.75 metres (2.5 ft) in height shall be permitted within 3 metres (10 ft) of any street line if such structure or vegetation will impede vision between a height of 0.75 metres (2.5 ft) and 2.5 metres (8.2 ft) above the centreline grade of an access from any street to a lot.

18.1.5 BOAT HOUSE, PUMP HOUSE OR DOCKING FACILITIES

- a. Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided that the approval of any other governmental authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.
- b. A boat house or dock located within the water setback, including any boat launching ramp or boat rail system, shall not be permitted to project beyond the shore lot line if such projection will obstruct or interfere with access to the water from an adjacent lot.
- c. A boat house shall be limited to one storey and shall not exceed a height of 4.5 metres (15 ft). For the purposes of this article, height shall be measured as the vertical distance from:
 - i. the normal water level for a building or structure constructed, in whole or in part, adjacent to or within 3 metres (10 ft) of a lake or river; or,
 - ii. the finished grade for a building or structure all of which is constructed more than 3 metres (10 ft) from a shore lot line.
- d. Notwithstanding the provisions of Section 18.1.5 b., a boathouse may not be erected so that any portion of it extends beyond the high water mark, on any lot fronting on Four Mile Lake.

(B/L 2001-155)

18.1.6 CABINS

- a. A maximum of 1 private cabin, having a maximum floor area of 30 square metres (320 ft), may be permitted as an accessory use to a permitted dwelling unit provided the lot conforms to the minimum lot area and frontage requirements of the zone.

18.2 CONSTRUCTION USES

A building or structure incidental to construction on the lot where such building or structure is situated, is permitted in all zones, but only for as long as it is necessary for the work in progress and until the work is completed, or abandoned for three (3) or more months.

18.3 DAYLIGHTING TRIANGLE

Notwithstanding any other provisions of this By-law, in a residential, commercial or industrial zone, on a corner lot, a fence, hedge, shrub, bush or tree or any other structure, vegetation or grade shall not be permitted to exceed a height greater than

seventy-five (75) centimetres (2.5 ft) above finished grade of the streets that abut the lot within the daylighting triangle for a distance of six (6) metres (20 ft) from their point of intersection. No sign shall be permitted within or to overhang the required daylighting triangle.

18.4 ESTABLISHED BUILDING LINE

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

18.4.2 Where a lot fronts onto a Provincial Highway or a County Road the provisions of subsection 18.4.1 shall not apply unless the lot is located within a General Commercial (C1) Zone.

18.5 EXISTING LOT EXEMPTION FROM LOT FRONTAGE AND AREA REQUIREMENTS

18.5.1 Notwithstanding the minimum lot area and/or the minimum lot frontage required herein, where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law or where such lot is created as a result of expropriation or a portion of a lot is acquired by a public authority, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that the use is permitted and the setback, yard, lot coverage, parking and landscaping requirements of the zone in which it is located are complied with, and that said lot has a minimum lot frontage of 15 metres (50 ft) and a minimum lot area of 930 square metres (10,010 sq.ft). If the lot is serviced by Municipal Sanitary Sewers, then the minimum lot area can be further reduced to 370 square metres (1,215 sq.ft).

18.5.2 Where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law and, as a result of a consent, is increased in size but continues to have less lot area and/or lot frontage than required herein, article 18.5.1 and subsection 18.6 shall continue to apply.

18.6 EXISTING USES, BUILDINGS AND STRUCTURES

18.6.1 NON-CONFORMING USES

No person shall use any land or erect or use any building or structure except for those uses permitted in the zone in which such land, building or structure is or is to be located. Uses existing prior to the date of passing of this by-law which were in conformity with and not forbidden by an existing by-law in force at the date of passage of this By-law may continue as an existing, legal, non-conforming use.

18.6.2 NON-COMPLYING USES

- a. Nothing in this By-law shall prevent the extension, enlargement, reconstruction or structural alteration of a building or structure that legally existed prior to the date of passing of this By-law and which does not comply with the zone provisions or requirements contained herein, provided that the extension, enlargement, reconstruction or structural alteration complies with the appropriate lot area, lot coverage, setback and parking requirements of this By-law except that lot area shall not apply with respect to lots exceeding 1 hectare (2.5 ac) in size.
- b. Where an existing building or structure or use is closer to a lot line than the required yard requirements, any extension to the building or structure or use shall comply with the minimum yard requirements of the applicable zone.

18.6.3 PERMITTED EXTERIOR EXTENSION

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

18.6.4 RESTORATION TO A SAFE CONDITION

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

18.6.5 BUILDING PERMIT ISSUED

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

18.6.6 DISCONTINUED USE

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

18.6.7 DAMAGED BUILDINGS

Nothing in this By-law shall prevent the rebuilding or repair of any building or structure that is damaged or destroyed by causes beyond the control of the owner subsequent to the date of passing of this By-law provided that the dimensions of the original building or structure are not increased and the use of the building or structure is not altered, provided such rebuilding or repair is conducted within two (2) years.

18.7 FENCES

18.7.1 No person shall construct a fence, exceeding 2 metres (6.6 ft) in height, in any zone, other than an Industrial zone or on a lot greater than 1 hectare (2.5 ac) in size in the Rural General zone.

18.7.2 Article 18.1.4.a, clause vii. shall apply to fences located within 3 metres (10 ft) of any street line.

18.8 FRONTAGE ON PUBLIC STREET

18.8.1 Except as provided for in this section, no persons shall erect any building or structure in any zone, unless the lot upon which such building or structure is to be erected has a lot line which abuts an improved public street, where access can be obtained off such street.

18.8.2 Notwithstanding subsection 18.8.1, a building or structure may be erected and used on the following lots which do not have frontage on an improved public street;

- a. an island lot in a residential zone category;
- b. a lot within a registered plan of subdivision in which the street has not been assumed by the Municipality but in which the street is to be assumed under the terms of a subdivision agreement; and
- c. a lot within the "Limited Service Residential" or a "Limited Service Residential Exception" Zone.

18.9 HEIGHT EXCEPTION

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

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

18.10 HOLDING SYMBOL (H)

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

18.11 HOME OCCUPATIONS

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

- a. The home occupation shall be clearly secondary to the main use of the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located;
- b. The home occupation shall not create or become a public nuisance due to noise, dust, traffic or parking;
- c. The home occupation shall not interfere with television or radio reception of adjacent uses;
- d. The home occupation shall not occupy more than 25 percent of the gross floor area of the dwelling unit whether or not such home occupation is located within the dwelling or within an accessory structure;
- e. Parking shall be provided in accordance with article 18.13 a. of this By-law;
- f. There shall be no outside storage of goods or materials associated with the home occupation.

18.12 DWELLING UNIT RESTRICTION

Except as specifically provided for in other sections of this By-law, a maximum of one (1) dwelling unit per lot shall be permitted.

18.13 PARKING REQUIREMENTS

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

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Apartment, Fourplex Triplex, Town house or Converted Dwelling	1.5 per dwelling with a minimum of 8 and 20 % reserved for visitor parking of all spaces reserved for visitor parking when more than 5 spaces are required
Auction Barn, Flea Market, Farmers Market	4 per 9 sq.m (97 sq.ft) of floor area and 2 for each outdoor stall or vendor space
Commercial, Uses	1 per 30 sq.m (323 sq.ft) of floor area
Home Occupation	1 per 30 sq.m (323 sq.ft) of floor area
Home for the Aged Nursing Home	0.5 per bed of which 5% shall be handicapped
Hotel, Motel, Tourist Establishment	1 per guest room plus additional spaces as required for restaurants, liquor licenced premises, similar uses, but excluding lobbies, hallways and similar areas
Industrial and Warehouse	. For the first 2,800 sq.m (30,138 sq.ft) of the premises, 1 per 40 sq.m (430 sq.ft) of floor area or portion thereof and for any additional floor area, 1 per 100 sq.m (1,076 sq.ft) of floor area or portion thereof.
Laundry and Dry Cleaners, Cleaners, Coin Operated Laundry	. 1 per 2 cleaning units.
Liquor Licensed Premises	1 per 4 persons accommodated plus 1 per 2 employees
Museums and Libraries	1 per 65 sq.m (700 sq.ft) of floor area, minimum 5.
Office-Business	1 per 30 sq.m (323 sq.ft) of floor
Professional or Government	area or portion thereof
Place of Assembly, Place of Worship, Funeral Home	1 per 6 fixed seats, 1 per 3 m (10 ft) of bench seating, or 1 per 7.5 sq.m (80 sq.ft) of floor area whichever is greater, of which 5% shall be handicapped
Residential	2 per dwelling unit.
Restaurant	1 per 5 sq.m (51 sq.ft) of floor area devoted to

* By-law Includes Major Update Amendment (By-Law 96-14)

patron use.

Schools - Nursery, Public or Separate	1.5 per teaching classroom or equivalent
Service Shop	1 per 15 sq.m (161 sq.ft) of floor area.
Trailer Camp	1.5 per camping lot.
Any Other Use	1 per 100 sq.m (1076 sq.ft) of floor area

b. Standards for Parking Lots

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

- i. the parking lot shall have visible boundaries and shall be suitably drained;
- ii. except as provided elsewhere in this By-law, the parking lot shall be located on the same lot as the use for which it is intended to serve;
- iii. when a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, however, any addition shall provide the necessary parking required under this By-law;
- iv. no driveway shall be located closer than 15 metres (50 ft) from the limits of the right-of-way at the street intersection;
- v. where a building or structure accommodates more than one type of use, the parking requirements shall be the sum of the requirement of the separate uses;
- vi. if the use of a lot is for a place of assembly, the parking lot may be located on a separate lot not more than 100 metres (328 ft) from the location it is intended to serve.
- vii. A parking space shall be rectangular in shape with a minimum width of 2.8 metres (9 ft) and a minimum length of 6 metres (20 ft) except that a handicapped parking space shall have a minimum width of 4 metres (13 ft) and a space used for parallel parking shall have a minimum width of 2.4 metres (8 ft) and a minimum length of 7 metres (23 ft).
- viii. A parking area for one or more commercial uses which has 20 or more parking spaces shall include 5% handicapped parking spaces.

18.14 OFF STREET LOADING SPACE REQUIREMENTS

- a. For every building or structure hereafter erected, or for every addition to an existing building, in a Commercial or Industrial zone involving the frequent shipping loading or unloading of persons, animals, goods, wares or merchandise there shall be provided and maintained by the owner of the building at the premises, loading facilities on land that is not part of a highway, parking lot, or required driveway, comprised of 1 or more loading spaces 17 metres (56 ft) long, 4 metres (13 ft) wide and having a vertical clearance of at

least 4.5 metres (14.5 ft) with access to a street and according to the floor area of the building or structure as follows:

<u>FLOOR AREA OF BUILDINGS</u>	<u>NUMBER OF LOADING SPACES</u>
less than 280 sq.m (3,013 sq.ft)	no loading spaces
280 sq.m (3,013 sq.ft) up to and including 2,300 sq.m (24,756 sq.ft)	1 loading space
Over 2,300 sq.m (24,756 sq.ft)	2 loading spaces

- b. In addition, no loading space or platform or loading door shall be located in any yard or wall of any building or structure which adjoins or faces a street. With the exception of automobile parking lots, parking lot(s) for the use of commercial and industrial traffic shall be provided but shall not be located in any yard flanking a street.
- c. Where an addition to an existing building has the effect of increasing total floor area to 281 square metres (3,017 sq.ft) or greater, the provisions herein shall apply.

18.15 LANDSCAPING

- a. In any zone, all landscaping shall be in accordance with the definition of 'landscaping' as per Section 19 herein and shall be maintained in a healthy condition and shall be neat and orderly in appearance.
- b. Where a Commercial or Industrial zone abuts a residential or open space special use (O2) zone, a landscaped buffer not less than six (6) metres (20 ft) in width within the Commercial or Industrial zone boundary shall be provided. In addition to any other provision of this By-law, such landscaping shall provide high and low level visual screening and consist of evergreen planting. Notwithstanding the above, a landscaped buffer may be reduced in width to three (3) metres (9.8 ft) where a berm or opaque fence, two (2) metres (6.6 ft) in height is constructed in conjunction with the landscaping.

18.16 MINIMUM DISTANCE SEPARATION

- a. Notwithstanding any other yard or setback provisions of this By-law to the contrary, no non-farm residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted by a CF, RR1, RR2, RR3, LSR, RMH, C2, C3, C4, M1, M2, RG or A2 Zone, shall be erected or altered unless it complies with the minimum distance separation calculated using Form 1 being Schedule 'C' to this By-law.

- b. Notwithstanding any other yard or setback provisions of this By-law to the contrary, no livestock or manure storage facility shall be erected or altered unless it complies with the minimum distance separation calculated using Form 2 being Schedule 'D' to this By-law.
- c. The provisions of article 18.16 a. shall not apply to lots existing as of the date of the passing of this By-law which are less than 4 hectares (10 ac) in area.

18.17 MULTIPLE USES

Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with. Where a multiple use is located within or adjacent to a Residential zone, landscaping provisions shall be provided in accordance with subsection 18.15.

18.18 MULTIPLE ZONES ON A LOT

- a. Where a lot which existed at the date of passing of this By-law is located within two or more zones, the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each portion of such lot provided the lot as a whole has a minimum frontage of 15 metres (50 ft). In such instances, zone boundaries shall be considered a lot line for the purposes of interpreting and applying the "zone" and "general" provisions of this By-law.
- b. Notwithstanding article 18.18 a., no lot shall be created in any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone except as specifically provided for herein.

18.19 OBNOXIOUS AND PROHIBITED USES

No use shall be permitted which, from its nature or the materials uses therein, is declared to be an offensive trade, business or manufacturing concern under the Public Health Act or regulations thereunder.

18.20 PUBLIC USES PERMITTED

- a. 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 except that a communications relay tower shall only be permitted in the RG Zone.

- b. By-law Requirements

Notwithstanding article 18.20 a., any building appurtenant to infrastructure shall comply with the general provisions of this By-law as contained in Section

18 hereof as well as the applicable zone provisions for the lot upon which such use is located.

c. Infrastructure in Residential Zones

Notwithstanding article 18.20 a., 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.

18.21 REDUCTION OF REQUIREMENTS

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

18.22 RELOCATED BUILDINGS

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

18.23 WATER SETBACK REQUIREMENT

- a. The minimum water setback, applicable in all zones, shall be 15 metres (50 ft) from the normal high water mark.
- b. Except as provided for in article 18.1.5, the minimum water setback shall supersede any other yard or setback requirement.
- c. No opening to any dwelling unit shall be permitted below a minimum opening elevation equal to the high water level for an adjacent body of water, watercourse or lake, plus 0.3 metre (1 ft) freeboard.
- d. For the purpose of establishing minimum opening elevations the following high water levels shall apply:
 - i. Balsam Lake 256.5 m (842 ft) C.G.S. Datum

18.24 SPECIAL USES PERMITTED

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

18.25 THROUGH LOTS

Where a lot other than a corner lot has frontage on more than one (1) street, the front yard setback and other requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is located.

In the case of a through lot having boundaries dividing the lot from the streets of equal length, accessory buildings may be located in one or the other yard adjoining a street, but no closer to the street line than the minimum front yard requirement.

18.26 FLOOD PLAIN

18.26.1 Where the zone symbols on Schedules A and A1 are followed by an (F), the land has been identified as being susceptible to flooding during a Regulatory Flood.

18.26.2 A Regulatory Flood is based on lands that would be flooded as a result of a storm event equivalent to the Timmins Storm of 1961.

18.26.3 The level of flooding for each lot affected is identified on Schedule 'B' and is shown as the 'FDR Elev.'. Schedule 'B' attached hereto and forming part of this By-law identifies each lot by poll and assessment number utilizing the 1993 Assessment Roll and the expected Level of Flooding (FDR Elev) during a Regulatory Flood expressed in metres above sea level based on the Canadian Geodetic Datum.

Schedule 'B' also provides a spot elevation (Spot Elev) where a building is presently situated or where one may be erected. Due to the variation in topography, this elevation will vary on the lot. The estimated flood level (Est Fld Lev) is an estimate of the extent of flooding during a Regulatory Flood at the spot elevation. The Est. Fld. Lev. and Spot Elev. are provided for reference purposes only. To determine the exact elevation, reference must be made to the Flood Risk Maps.

18.26.4 Where the zone symbol shown on Schedules A and A1 is followed by the flood plain symbol (F) new buildings or structures with habitable rooms and enlargements or extensions to existing ones with habitable rooms shall only be permitted if the following special provisions are adhered to:

- a. No new building or structure shall be erected with building openings, being windows or doors, below the Level of Flooding identified for each lot as shown on Schedule 'B' plus 0.3 metres (1 ft).
- b. No new buildings or structure shall be erected where any building wall or building foundation will be subject to more than 0.3 metres (1 ft) of flooding above finished grade at the building or structure based upon the level of flooding identified on Schedule 'B' unless the building or structure is designed by a Professional Engineer or Architect and certified as being capable of withstanding the hydrostatic pressures created by Level of Flooding identified for each lot on Schedule 'B'. The Ministry of Natural Resources must issue a letter confirming that they concur with the Engineer or Architect before a building permit will be issued. If the Ministry does not respond in writing within

30 days from being requested to respond, then it will be taken that the Ministry concurs with the Engineer's or Architect's opinion.

- c. Finished grade used within subsection 18.26 refers to the grade as shown on the Flood Risk Maps for the Burnt River as prepared by MacLaren Plansearch at a scale of 1:2000 and signed and stamped by D.B. Hodgins, P.Eng. on April 4, 1990.
- d. Accessory buildings or structures shall be secured to a concrete pad or footing.
- e. The extension or enlargement of existing buildings or structures is permitted provided that such extensions or enlargements are not over 18 square metres (194 sq.ft) in floor area. In addition, such enlargements or extensions shall be located on the downstream side (based on the flow of the Burnt River) of the existing building or structure unless such location contravenes any other applicable zone requirement and no building openings, being windows or doors, shall be installed below the Level of Flooding identified for each lot as shown on Schedule 'B' plus 0.3 metres (1 ft). Such extensions or enlargements are based on the building or structure as it existed on June 27, 1994.
- f. Buildings, structures and access roads that are subject to flooding by the Regulatory Flood should be floodproofed including, but not limited to, the recommendations set out in Appendix '1'.

If a new building or structure or enlargement or extension can take place based on the above provisions, the only permitted uses shall be those permitted within the zone. The zone requirements shall apply in addition to the special provisions noted above.

18.27 SECOND SINGLE DETACHED DWELLINGS

In the Rural General (RG) 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

18.28 SEASONAL FARM RESIDENTIAL USE

In the Rural General (RG) 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

SECTION 19

DEFINITIONS

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

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

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

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

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

AIRSTRIP means any land used for the purpose of landing, parking, storing, taxiing or taking off of a maximum of three private aircraft.

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

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

ALTER when used in reference to a lot means:

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

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

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

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

AUCTION BARN means a building, in which the principal facilities provided are for the storage, display and subsequent sale of goods and articles, including antiques, by way of auction. A snack bar for the provision of food and refreshments to the general public shall be permitted in an auction barn. Ten percent of the land adjacent to the auction barn and on the same lot may be used for the storage, display and subsequent sale of boats, motorized snow vehicles, trailers, tourist trailers and farm equipment by way of auction.

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

BASEMENT means that portion of a building between two floor levels which is partly underground but which has more than one half (1/2) of its height from finished floor to underside of floor joists storey next above, above the average finished grade level adjacent to the exterior walls of the building.

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

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

BOARDING, LODGING OR ROOMING HOUSE means a dwelling licenced pursuant to a by-law passed under the Municipal Act, R.S.O. 1990, as amended in which the proprietor supplies either room or room and board for monetary gain, to more than two but not more than six persons exclusive of the lessee owner thereof or members of the household and which is not open to the general public and is not defined or licenced as a group home under any statutes or regulations of the Provincial or Federal governments.

BOAT HOUSE, PRIVATE means a detached accessory building, or structure which is designed or used for the sheltering of a boat or other form of water transportation and/or accessory use for storage of household equipment incidental to the residential occupancy but shall not include habitable rooms.

BUILDING means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, materials or equipment. Any tent, awning, bin, bunk or platform, vessel or vehicle used for any of the said purposes shall be deemed a "building".

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

BUILDING BY-LAW means any "building by-law" within the meaning of the Planning Act, R.S.O. 1990, as amended and shall include the Building Code Act, R.S.O. 1992, as amended.

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 or materials.

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

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

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

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

CEMETERY means a cemetery or columbarium within the meaning of the Cemeteries Act R.S.O 1990, as amended.

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

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

COMMUNAL SANITARY SEWAGE SYSTEM means a sanitary sewage disposal system that is designed to treat more than 10,000 litres per day and/or is not entirely located on the same lot as the unit generating the sewage and/or serves five or more dwelling units. (B/L 2000-15)

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

- (i) the individual unit comprises not only the space enclosed by the physical components of the unit but all material parts of the land within the space that is held as a legally conveyable parcel;
- (ii) the common element means all the property except the individual units; and
- (iii) the common element is owned by all of the owners as tenants in common.

(B/L 2000-15)

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

CONSTRUCT means to do anything in the erection, installation, extension, material alteration or repair of a building or structure and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning.

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

COTTAGE ESTABLISHMENT means a tourist establishment containing 2 or more vacation dwelling units designed for human habitation.

COUNCIL means the Municipal "Council" of the Corporation of the TOWNSHIP OF SOMERVILLE

COUNTY means the Corporation of the County of Victoria.

CUSTOM WORKSHOP means a building or part thereof used by a person or persons for the manufacture in small quantities of made to measure clothes or articles and shall include upholstering, repair, refinishing of antiques and other art objects, but shall not include metal spinning, furniture manufacturing and the like.

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

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

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.

DEMOLITION means the doing of anything in the removal of a building or structure or any material part thereof.

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

DRUGLESS PRACTITIONER means a person who practices the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or

electro-therapy or by a similar method within the meaning of the Drugless Practitioners Act, R.S.O. 1990, as amended.

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

DWELLING means a dwelling Unit.

DWELLING UNIT means one or more habitable rooms designed or intended for use by one (1) household exclusively as an independent and separate living quarters in which separate kitchen and sanitary facilities are provided for the exclusive use of the household with a private entrance from outside the building or from a common hallway or stairway inside the building but not including motels, hotels, tents, park model trailers, travel trailers, mobile camper trailers, cottage establishments, lodges, cabins, mobile homes or motor homes.

DWELLING, APARTMENT means a building containing three (3) or more dwelling units which have a common entrance from the street level and the occupants of which have the right to use in common, halls and/or stairs and/or elevators and yards.

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

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

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

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

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

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

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

DWELLING, TOWN HOUSE means a building that is divided vertically into three or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

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

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

ERECT, means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

ESTABLISHED BUILDING LINE means the average distance from the street line to existing main buildings, located on the same side of the street and within 150 metres (492 ft) of a lot where a minimum of three main buildings have been built prior to the passage of this By-law.

EXISTING means legally "existing" as of the date of the passing of this by-law or any amendment hereto.

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

FARMERS MARKET means an enclosed and/or open air market place wherein individual stalls, spaces or areas are provided, generally on a rental or pay-for-use basis, to more than one vendor, for the purpose of retailing farm produce but does not include the sale of canned goods or household, non-food items.

FLEA MARKET means an enclosed and/or open air market place, wherein individual stalls, spaces or areas are provided, generally on a rental or pay-for use, primarily for the retail display and sale of antiques, art, handicrafts and sundry, second hand goods, articles or merchandise, by more than one vendor. For the purposes of this definition a flea market may also include a single snack bar, the sale directly by the producer of fresh baked goods and preserves and the sale of bulk foods, factory seconds or factory production remnants or end of line goods.

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

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

FOOD VENDING VEHICLE means any motor vehicle, trailer, cart or bicycle used or designed for the storage, or preparation, and display of food for the purpose of retail sale notwithstanding that the vehicle is jacked up and the running gear removed.

FORESTRY means the management, development, cultivation and harvesting of timber resources exclusive of the actual processing of such resources.

GARAGE means an enclosed structure for the storage of one (1) or more motor vehicles in which no business, occupation, or service is conducted for profit.

GARDEN AND NURSERY SUPPLY OUTLET, means a building, structure or lot for the growing or displaying of flowers, fruits, vegetables, plants, shrubs, trees or other vegetation which are sold to the public at retail and shall also include the sale or rental of such goods, products or equipment normally associated with gardening or landscaping.

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

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

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

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

- a) the highest point of the roof surface, or the parapet, whichever is the greater, of a flat roof; or
- b) the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. In calculating the "height" of a building or structure, roof constructions such as bulkheads, penthouses, and similar construction enclosing equipment or stairs and which are less than 6 metres (20 ft) in height and do not occupy more than 30 percent of the area of the roof upon which they are located, and any ornamental roof construction such as towers, steeples or chimneys shall be disregarded.

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

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

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

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.

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

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

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

HOUSEHOLD means an individual person or 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.

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

INDUSTRY, HEAVY, means an industry, assembly, manufacturing, or processing plant, exclusive of a sand or gravel pit or quarry, which is land intensive, or predominantly conducted in an open or unenclosed space, or which by their nature, generates large volumes of truck traffic; uses and/or stores bulk quantities of hazardous or flammable materials; usually or commonly discharges noise, odours, smoke or particulate matter, or vibrations beyond the property boundaries; and require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing and refineries.

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

INDUSTRY, MEDIUM, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve a limited amount of open storage and the discharge of noise, odour, smoke or particulate matter, or vibration which is detectable beyond the property boundaries. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities.

INFRASTRUCTURE means physical structures which form the foundation for development and include sewage and water lines and pumping stations, electric power transmission lines and transformers, communication transmission lines and relay towers, transit or transportation corridors and appurtenant facilities, oil and gas pipelines and appurtenant facilities and recycling drop off 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.

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

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

LANDSCAPED OPEN SPACE means the open, unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and used exclusively for landscaping.

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

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

LAUNDRY means a building or part thereof in which the business of a laundry is conducted by means of washers and dryers and in which only water and detergents or soaps are or can be used.

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

LODGE means a tourist establishment catering to the vacationing public by providing meals and sleeping accommodation containing guest rooms or cottages, but shall not include any establishment otherwise defined or classified herein.

LOT means a parcel of land, described in a deed or other document legally capable of conveying title or shown as an individual unit on a Registered Plan of Condominium or shown as a lot or block on a Registered Plan of Subdivision or part thereof, save and except a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 50(4) of The Planning Act, R.S.O. 1990, as amended. (B/L 2000-15)

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

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

LOT COVERAGE, MAXIMUM means that percentage of the lot area covered by all buildings above ground level and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition, the "maximum lot coverage" in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.

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

means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

LOT FRONTAGE means the horizontal distance measured back from and parallel to the chord of the "lot frontage" a distance equivalent to the minimum front yard requirement for the zone. For the purposes of this paragraph, the chord of the "lot frontage" is a straight line joining the two points where the side lot lines intersect the front lot line. Where the front lot line and side lot line are joined by one or more curves, then the point of intersection of the straight line projection of the side and front lot lines shall be used as the point where the side lot line joins the front lot line. In the case of a corner lot, the shorter of the frontages shall be deemed the "lot frontage".

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

LOT LINE means any boundary of a lot.

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

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

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

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

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

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

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

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

MEDICAL CLINIC or HEALTH CENTRE means a building or portion thereof where Health professionals, specified by the Regulated Health Professions Act, S.O. 1991, as amended, provide diagnosis and treatment to the general public, without overnight accommodation, and includes reception areas, offices, snack bar, laboratory, x-ray, minor operating and rehabilitation

rooms, and a pharmaceutical dispensary, provided that all such uses have access only from the interior of the building.

MOBILE HOME means a dwelling unit, built to C.S.A. Standard Z240, designed for transportation, after fabrication, on public roads on its own wheels, or on a flatbed or other trailer which is used or designed such that it:

- arrives at the site where it is to be occupied as a permanent residential dwelling unit which is complete and ready for occupancy save for minor and incidental unpacking and assembly and may be located on wheels, jacks or a permanent foundation;
- has a width greater than 2.6 metres (8.5 ft) when in transit mode;
- has a floor area greater than 50 square metres (535 sq.ft) and width of 4 metres (13 ft) or more when in set up mode;
- generally requires connection to permanent utilities for the operation of installed fixtures and appliances.

MOBILE HOME PARK means an establishment comprising land or premises under single ownership designed and intended for residential use where residence is exclusively for two (2) or more mobile homes, or modular homes but does not include a trailer camp or park.

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

MODULAR HOME means a single detached dwelling which has been fabricated in two (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.

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

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

MOTOR VEHICLE means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, selfpropelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act, R.S.O. 1990, as amended.

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

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

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

MOTOR VEHICLE FUEL BAR means one or more pump islands, each consisting of one or more fuel pumps, and a shelter having a floor area of not more than 12 square metres (130 sq.ft) which shall not be used for sale of any products other than required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.

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

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

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

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

MUNICIPALITY or CORPORATION, means the Corporation of the TOWNSHIP OF SOMERVILLE

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

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

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

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

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

OBNOXIOUS means a use which from its nature or operation creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration; the emission of gas, fumes, dust or objectionable odour; or the unsightly storage of goods, wares, salvage, refuse matter, waste or other material. Without limiting the generality of the foregoing Obnoxious shall include any uses which under the Health Protection and Promotion Act R.S.O. 1990 or regulations thereunder may be declared by the local Board of Health or Council to be a noxious or offensive trade, business or manufacturing concern.

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

PARK, PRIVATE means a park which is located on private property and is for the exclusive use of the owners, clients, or members of a business, club or organization.

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

PARKING SPACE means an area exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles which has adequate access to permit ingress or egress of a motor vehicle to and from a street. Each parking space shall be not less than 2.5 metres (8.2 ft) in width and not less than 17 square meters (182 sq.ft) in area.

PERMITTED means "permitted" by this by-law.

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

PIT means a "pit" as defined by the "Aggregate Resources Act" R.S.O. 1990, as amended.

PLACE OF ASSEMBLY means a building, or part thereof, in which facilities are provided for such purposes as meeting for civic, educational, political, religious, social, recreational or athletic purposes and shall include a banquet hall, private club or charitable service club.

PLACE OF WORSHIP means a building dedicated to religious worship and may include a Synagogue, a Church Hall, Church Auditorium, Sunday School, Convent, Monastery or Parish Hall.

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

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

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

QUARRY means a "quarry" as defined by the Aggregate Resources Act, R.S.O. 1990, as amended.

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

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

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.

REGIONAL STORM FLOOD ELEVATION means the contour elevation, based on Canadian Geodetic Survey Datum, to which a water body will rise during a Regional Storm as defined by the Province.

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

RESTAURANT, DRIVE-IN, means a restaurant, exclusive of any food vending vehicle, where facilities are available to serve food to the customer for consumption in the customer's motor vehicle parked in an area located on the same lot or at another location not on the same lot.

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

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

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 May 1 to October 30, in any calendar year, and for occasional weekend or holiday occupancy in December and weekends only in January, February or March.

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

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

SHOPPING CENTRE means a group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished from a business area comprising unrelated individual uses.

SNACK BAR, COFFEE SHOP means a building, structure or part thereof, exclusive of any food vending vehicle, wherein prepackaged convenience or confection food is retailed and which may also involve the preparation and sale of convenience foods such as soup, sandwiches, hamburgers, french fries and donuts.

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

STOREY means that portion of a building other than a cellar, attic or half storey, included between the surface of any floor and the surface of the floor or roof above and shall include a basement.

STOREY, FIRST means the lowest storey of a building closest to finished grade having its ceiling 2 metres (6.6 ft) or more above average finished grade.

STREET, ROAD, or HIGHWAY means a "highway" within the meaning of The Highway Traffic Act, R.S.O. 1990, as amended and shall also include private rights-of-way including private roads in a registered Plans of Condominium and roads in registered Plans of Subdivision that are to be assumed under a subdivision agreement. (B/L 2000-15)

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

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

STREET LINE means a boundary line of a street.

STRUCTURE means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground but does not include fences which do not exceed 2 metres (6.6 ft) in height.

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

SWIMMING POOL means a structure which creates an artificial body of water of more than 10 square metres (108 sq.ft) in area, used for bathing, swimming or diving but shall not include ponds.

TOURIST ACCOMMODATION UNIT means one room or a group of rooms in a Tourist Establishment used or designed as a separate housekeeping establishment:

- i. in which food preparation and sanitary facilities are provided, and
- ii. which has a private entrance either from a common hallway inside the building or from the outside, and
- iii. which has been established to provide accommodation for gain or profit, but does not mean or include a dwelling unit or guest room; and
- iv. which is or can be owned separately from the other units in the Tourist Establishment through a Registered Plan of Condominium, so long as regardless of the form of tenure, no permanent occupancy of any unit is permitted; for the purposes of this sub-paragraph only, "permanent occupancy" means the establishment of occupancy on a year round basis or that the unit is not available for use by the touring public for a minimum of twelve (12) weeks of the year." (OMB Board Decision/Order No. 0551 dated March 10, 2004)

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

TOURIST HOME means a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are a maximum of 3 rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

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

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

TRAILER CAMP OR PARK means land used or maintained as grounds for the camping or parking of recreational vehicles and tents, comprised of camp lots and associated open space and recreational facilities, for seasonal, recreational or vacation use and which are not used as a principal or permanent residence.

TRAILER, PARK MODEL means a recreational vehicle built to CSA standard Z241, constructed on a single chassis and designed for temporary, seasonal, recreational living accommodation with a gross floor area, including lofts, not exceeding 50 square metres (535 sq.ft) and having a width greater than 2.6 metres (8.5 ft) in the transit mode.

TRAILER, TRAVEL means a recreational vehicle, not more than 2.6 metres (8.5 ft) wide when in transit mode and a gross floor area not exceeding 37.2 square metres (400 sq.ft) when in set up mode, which is designed and normally intended to function with running gear attached, that

is used, or intended to be used, for temporary, or seasonal, recreational living, sleeping or eating accommodation of persons and is not designed or constructed to be used for year round habitation as a permanent residence, notwithstanding that such trailer may have its running gear removed and be jacked up or otherwise supported and shall not include a mobile home or a modular home.

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 or tent.

TRANSFER STATION, AGGREGATE means the importation of aggregate material into an exhausted aggregate excavation site for the purpose of storage, or for crushing and storage while awaiting transfer to the market or another aggregate site.

TRANSFER STATION, WASTE 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.

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

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

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

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

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

WATER LEVEL, HIGH means the flood plain elevation of the surface of a body of water or a watercourse based upon Canadian Geodetic Survey Datum, and the Regional Storm Flood Elevation or, in the absence of such information, the highest 100 year water level, as determined by the Conservation Authority with jurisdiction or the Ministry of Natural Resources (refer to Section 18.23 herein), or in the absence of a Regional Storm Elevation or a 100 year water level, the high water mark.

WATER LEVEL, NORMAL, means the usual or average summer elevation of the water surface of a body of water or a watercourse as maintained for navigational purposes, as specified by a Conservation Authority with jurisdiction or the Ministry of Natural Resources, or in the absence of a controlled elevation, the usual elevation of the water surface of a body of water or watercourse exclusive of seasonal flooding."

WATER SETBACK means a yard extending between the high water mark of Lakes or Rivers and the nearest main wall of any building, structure, excavation, or open storage use on the lot, and "minimum water setback" means the minimum distance between the high water mark and the nearest main wall of any building, structure, excavation or open storage use on the lot.

WATER SYSTEM, COMMUNAL means a system of water supply municipally or privately owned which serves a minimum of 6 dwelling units.

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

YARD means an open, uncovered space on a lot appurtenant to a building (except a court) or main use or nearest point of excavation and unoccupied by buildings or structures or any use except as specifically permitted elsewhere in this by-law. In determining "yard" measurements, the minimum horizontal distance from the respective lot lines shall be used. Where a daylighting triangle is provided for on a corner lot, the minimum "yard" requirement from the hypotenuse of the daylighting triangle shall be the lesser of the "yards" required along the exterior lot lines.

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

YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest main wall of any building or structure on the lot and "minimum front yard" means the minimum depth of a "front yard" on a lot between the front lot line and the nearest main wall of the main building(s) or structure on the lot. In the M3 Zone the "Minimum Front Yard" means the minimum depth of a "front yard" on a lot between the front lot line and the nearest main wall of the main building(s) or structure on the lot or the nearest point of excavation on the lot.

YARD, REAR means a yard extending across the full width of a lot between the rear lot line and the nearest main wall of any building or structure on the lot; and the minimum rear yard means the minimum depth of a "rear yard" on a lot between the rear lot line and the nearest main wall of the main building(s) or structure on the lot. In the M3 Zone the "Minimum Rear Yard" means the minimum depth of a "rear yard" on a lot between the rear lot line and the nearest main wall of the main building(s) or structure on the lot or the nearest point of excavation on the lot.

YARD, SIDE means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot; and "minimum side yard" means the minimum width of a "side yard" on a lot between a side lot line and the nearest main wall of the main building(s) or structure on the lot. In the M3 Zone the "Minimum Side Yard" means the minimum width of a "side yard" on a lot between a side lot line and the nearest main wall of the main building(s) or structure on the lot or the nearest point of excavation on the lot.

ZONE means a designated area of land use shown on the schedules of this By-Law.

SECTION 20

INTERPRETATION

20.1 SCOPE

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

20.2 SYMBOLS

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

20.3 DEFINED

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

20.4 INTERPRETATION OF ZONE BOUNDARIES

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

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

20.5 CERTAIN WORDS

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

20.6 MEASUREMENT

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

20.7 EXCEPTION ZONES

The lot and concession or location descriptions in the exception zone titles are provided for information purposes only. For accurate zone location refer to the appropriate amending By-law.

20.8 ABBREVIATIONS

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

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

SECTION 21

ADMINISTRATION AND VALIDITY

21.1 ENFORCEMENT

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

21.2 INSPECTION OF PREMISES

- a. 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 21.2.a. except under the authority of a Search Warrant issued under Section 49(3) of the Planning Act, a By-law Enforcement Officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

21.3 CONTINUATION OF EXISTING REGULATIONS

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

21.4 VIOLATION PENALTY

- 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:
 - i. on a first conviction to a fine of not more than \$20,000.00 and;
 - ii. 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, a corporation which contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable:

- i. on a first conviction a fine of not more than \$50,000.00 and;
- ii. on a subsequent conviction of 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 provisions 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.

21.5 VALIDITY

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

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

READ a first time this 19th day of December 1978

READ a second time this 19th day of December 1978

READ a third time and passed this 19th day of December 1978

Maurice Watson
REEVE

Michael J. McBride
CLERK

Appendix '1' **Floodproofing Measures**

To floodproof a building or structure that is subject to flooding by a Regulatory Flood, the following should be undertaken.

- i. The building or structure should be built on piers, piles or posts so that the underside of the floor joists and sill plates supporting all habitable rooms of the building or structure are 0.3 metres (1 ft) above the Regulatory Flood. The support system for the building or structure must be able to resist all of the effects of load influences that are expected from the flood and be designed and certified by a professional engineer or architect to this effect.

Or, alternatively, if a basement is subject to more than 0.3 metres (1 ft) of flooding, the foundation should be cast-in-place concrete designed and constructed so that it will not collapse from the force of the water due to hydrostatic pressures. The basements should have at least two openable windows on opposite sides of the building to allow for the basement to be flooded. The top of the window sills should be no higher than 15 cm (6 in) below grade. The exterior insulation and finished materials must be impervious to water and easy to clean. The insulation should be installed on the exterior of the foundation. The foundation should be designed by a professional engineer or architect and certified by them that it can withstand the hydrostatic pressures.

- ii. Basements should not contain habitable space or be used for the storage of hazardous materials.
- iii. The underside of all floor joists and sill plates supporting habitable rooms should be 0.3 metres (1 ft) above the Regulatory Flood.
- iv. All central heating units including ductwork and water heaters should not be installed below the Regulatory Flood level.
- v. Electrical service panels should be located above the Regulatory Flood Level and any electrical circuits servicing areas below the Regulatory Flood Level must be on separate circuits and be capable of being disconnected.
- vi. The water supply should be safe from contamination and the well casing should extend 15 cm (6 in) above the Regulatory Flood Level, if the well is vented or have the well casing sealed at the top.
- vii. The building or structure should be adequately anchored to the foundation wall or support system.

SCHEDULE 'B' – REGULATORY FLOOD LEVELS

Poll	Roll No	Con	Lot	Plan	Lot1	FDR Elev	Spot Elev	Est Fld Lev
2	05500	4	15			259.58	259.5	0.08
2	05501	4	15			259.58	259.0	0.58
2	05502	4	15			259.58	259.0	0.58
2	05503	4	14			259.58	258.5	1.08
2	05504	4	14			259.58	258.5	1.08
2	05505	4	14			259.58	258.5	1.08
2	05506	4	15			259.53	258.5	1.03
2	05507	4	15			259.53	259.0	0.53
2	05508	4	15			259.53	258.0	1.53
2	05509	4	15			259.53	258.5	1.03
2	05510	4	15			259.53	258.5	1.03
2	05511	4	15			259.53	258.5	1.03
2	05512	4	15			259.53	258.5	1.03
2	05513	4	15			259.53	258.0	1.53
2	05514	4	15			259.53	258.5	1.03
2	05515	4	15			259.53	259.0	0.53
2	05516	4	15			259.53	258.0	1.53
2	05517	4	15			259.53	258.0	1.53
2	05518	4	15			259.53	258.5	1.03
2	05519	4	15			259.33	258.5	0.83
2	05520	4	15			259.33	258.5	0.83
2	05521	4	15			259.33	258.5	0.83
2	05522	4	15			259.33	258.0	1.33
2	05523	4	15			259.38	258.0	1.38
2	05524	4	15			259.38	258.0	1.38
2	05525	4	15			259.38	258.0	1.38
2	05526	4	15			259.38	258.0	1.38
2	05527	4	15			259.38	258.5	0.88
2	07801	5	12			260.50	260.5	0.00
2	07803	5	12			260.43	260.5	-0.07
2	07804	5	12			260.50	260.5	0.00
2	24300	1	20			258.00	257.0	1.00
2	24500	1	20			258.00	256.5	1.50
2	24600	1	20			258.00	256.5	1.50
2	24700	1	20			258.00	256.5	1.50
2	24800	1	20			258.00	256.5	1.50
2	24900	1	20			257.82	256.5	1.32
2	25000	1	20			257.82	257.0	0.82
2	25100	1	20			257.82	256.5	1.32
2	25200	1	20			257.82	256.5	1.32
2	25300	1	20			257.82	256.5	1.32
2	25500	1	20			257.68	256.5	1.18
2	25501	1	20			257.68	256.5	1.18
2	25600	1	19	340	A	258.00	256.0	2.00

* By-law Includes Major Update Amendment (By-Law 96-14)

SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

2	25800	1	19	340	1	258.00	257.0	1.00
2	25900	1	19	340	2	258.00	257.0	1.00
2	26000	1	19	340	3	258.00	257.0	1.00
2	26100	1	19	340	4	258.00	256.5	1.50
2	26200	1	19	340	5	258.00	257.0	1.00
2	26300	1	19	340	6	258.00	257.0	1.00
2	26400	1	19	340	7	258.00	257.0	1.00
2	26500	1	19	340	8	258.00	257.5	0.50
2	26600	1	19	340	9	258.16	257.0	1.16
2	26700	1	19	340	10	258.16	257.5	0.66
2	26800	1	19	340	12	258.16	257.5	0.66
2	26900	1	19	340	11	258.16	257.0	1.16
2	27000	1	19	340	13	258.16	257.0	1.16
2	27100	1	19	340	14	258.16	257.0	1.16
2	27200	1	19	340	15	258.16	257.0	1.16
2	27300	1	19	340	16	258.16	257.0	1.16
2	27301	1	19			258.16	256.5	1.66
2	27400	1	19	340	17	258.16	257.5	0.66
2	27500	1	19	340	18	258.16	257.5	0.66
2	27600	1	19	340	19	258.16	257.5	0.66
2	27700	1	19	340	20	258.16	257.5	0.66
2	27800	1	19	340	21	258.20	260.0	-1.80
2	27900	1	19	340	21	258.20	262.0	-3.80
2	28000	1	19	340	23	258.20	261.5	-3.30
2	28100	2	18	386	1	258.51	257.0	1.51
2	28200	2	18	386	2	258.51	257.5	1.01
2	28300	2	18	386	3	258.51	257.5	1.01
2	28400	2	18	386	4	258.51	257.5	1.01
2	28500	2	18	386	5	258.51	257.5	1.01
2	28600	2	18	386	6	258.51	257.5	1.01
2	28700	2	18	386	7	258.51	257.5	1.01
2	28800	2	18	386	8	258.51	258.0	0.51
2	28900	2	18	386	9	258.51	257.5	1.01
2	28901	2	18	386	9	258.51	257.5	1.01
2	29000	2	18	386	10	258.51	257.5	1.01
2	29100	2	18	386	11	258.51	257.5	1.01
2	29200	2	18	386	12	258.51	257.5	1.01
2	29300	2	18	386	13	258.51	257.5	1.01
2	29400	2	18	386	14	258.51	257.0	1.51
2	29500	2	18	386	15	258.51	257.0	1.51
2	29600	2	18	386	16	258.40	257.5	0.90
2	29700	2	18	386	17	258.40	257.5	0.90
2	29701	2	18	386	A	258.40	257.5	0.90
2	29800	2	18	386	18	258.40	257.0	1.40
2	29900	2	18	386	19	258.40	257.0	1.40
2	30000	2	18	386	20	258.40	257.0	1.40

* By-law Includes Major Update Amendment (By-Law 96-14)

SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

2	30100	2	18	386	21	258.40	257.0	1.40
2	30200	2	18	386	22	258.40	257.0	1.40
2	30300	2	18	386	23	258.40	257.0	1.40
2	30400	2	19	386	24	258.40	257.0	1.40
2	30500	2	19	386	24	258.40	257.5	0.90
2	30600	2	19	386	26	258.40	257.5	0.90
2	30601	2	18	386	D	258.40	257.0	1.40
2	30700	2	19	386	27	258.40	257.0	1.40
2	30800	2	19			258.40	257.5	0.90
2	31000	2	19	386	E	258.40	257.0	1.40
2	31100	2	18	386	28	258.40	257.5	0.90
2	31200	2	18	386	29	258.40	257.0	1.40
2	31300	2	18	386	30	258.40	257.0	1.40
2	31400	2	18	386	31	258.40	256.5	1.90
2	31500	2	18	386	32	258.40	256.5	1.90
2	31600	2	18	386	33	258.40	256.5	1.90
2	31700	2	18	386	34	258.40	256.5	1.90
2	31800	2	18	386	35	258.40	256.5	1.90
2	31900	2	18	386	36	258.40	256.5	1.90
2	32000	2	18	386	37	258.40	256.5	1.90
2	32100	2	18	386	38	258.40	257.0	1.40
2	32200	2	18	386	39	258.40	257.0	1.40
2	32300	2	18	386	40	258.40	257.0	1.40
2	32400	2	18	386	B	258.40	256.5	1.90
2	32500	2	18	386	41	258.51	256.0	2.51
2	32600	2	18	386	42	258.51	256.0	2.51
2	32700	2	18	386	43	258.51	257.0	1.51
2	32800	2	18	386	44	258.51	257.0	1.51
2	32900	2	18	386	45	258.51	257.0	1.51
2	33000	2	18	386	46	258.51	257.0	1.51
2	33100	2	18	386	47	258.51	258.0	0.51
2	33200	2	18	386	48	258.51	257.0	1.51
2	33300	2	18	386	49	258.51	258.0	0.51
2	33400	2	18	386	50	258.51	257.5	1.01
2	33500	2	18	386	51	258.51	257.5	1.01
2	33600	2	18	386	52	258.51	258.0	0.51
2	33700	2	18	386	53	258.51	257.5	1.01
2	33800	2	18	386	54	258.51	258.0	0.51
2	33900	2	18	386	55	258.51	258.0	0.51
2	34000	2	18	386	56	258.51	258.0	0.51
2	34100	2	18	386	57	258.51	257.5	1.01
2	34200	3	18			258.62	257.0	1.62
2	34300	3	18			258.62	257.0	1.62
2	34400	3	18			258.62	257.0	1.62
2	34401	3	18			258.62	257.0	1.62
2	34500	3	18			258.62	257.0	1.62

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SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

2	34600	3	18			258.62	257.0	1.62
2	34700	3	18			258.62	257.0	1.62
2	34800	3	18			258.62	257.0	1.62
2	34801	3	18			258.62	257.0	1.62
2	34900	3	18			258.62	257.0	1.62
2	35000	3	18			258.62	257.0	1.62
2	35200	3	18			258.62	257.5	1.12
2	35300	3	18			258.69	257.5	1.19
2	35400	3	18	281	41	258.69	257.5	1.19
2	35500	3	18	281	40	258.69	258.0	0.69
2	35600	3	18	281	39	258.69	258.0	0.69
2	35700	3	18	281	38	258.69	258.0	0.69
2	35800	3	18	281	38	258.69	258.0	0.69
2	35900	3	18	281	36	258.69	258.0	0.69
2	36000	3	18	281	35	258.69	258.0	0.69
2	36100	3	18	281	34	258.69	257.5	1.19
2	36200	3	18	281	33	258.69	258.0	0.69
2	36300	3	18	281	32	258.69	257.5	1.19
2	36400	3	18	281	31	258.69	258.0	0.69
2	36500	3	18	281	30	258.69	258.0	0.69
2	36600	3	18	281	29	258.69	258.0	0.69
2	36700	3	18	281	28	258.69	258.5	0.19
2	36800	3	18	281	27	258.69	258.5	0.19
2	36900	3	18	281	26	258.69	257.5	1.19
2	37000	3	18	281	25	258.69	258.0	0.69
2	37100	3	18	281	24	258.69	258.0	0.69
2	37200	3	18	281	23	258.74	258.0	0.74
2	37300	3	18	281	22	258.74	258.0	0.74
2	37400	3	18	281	21	258.74	258.0	0.74
2	37500	3	18	281	20	258.74	258.0	0.74
2	37600	3	18	281	19	258.74	258.0	0.74
2	37700	3	18	281	18	258.74	258.0	0.74
2	37800	3	8	281	17	258.74	258.0	0.74
2	37900	3	18	281	16	258.74	257.0	1.74
2	38000	3	18	281	15	258.74	258.5	0.24
2	38100	3	18	281	14	258.74	258.0	0.74
2	38101	3	18	281	13	258.74	258.0	0.74
2	38200	3	18	281	12	258.74	258.5	0.24
2	38300	3	18	281	11	258.74	258.5	0.24
2	38400	3	18	281	10	258.74	258.8	-0.06
2	38500	3	18	281	9	258.74	258.8	-0.06
2	38600	3	17	281	8	258.74	258.8	-0.06
2	38700	3	17	281	7	258.74	258.5	0.24
2	38800	3	17			258.74	257.5	1.24
2	38900	3	17	281	6	258.79	257.5	1.29
2	39000	3	17	281	5	258.79	258.5	0.29

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SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

2	39100	3	17	281	4	258.79	258.5	0.29
2	39200	3	17	281	1	258.79	258.0	0.79
2	39201	3	18			258.69	257.5	1.19
2	39300	3	18			258.69	258.0	0.69
2	39400	3	18			258.62	257.2	1.42
2	39500	3	18			258.62	257.5	1.12
2	39600	3	18			258.62	257.0	1.62
2	39700	3	18			258.62	257.5	1.12
2	39800	4	17	527	1	258.79	259.0	-0.21
2	39801	4	17			258.79	259.0	-0.21
2	39802	4	17	527	2	258.79	259.0	-0.21
2	39803	4	17	527	3	258.79	259.0	-0.21
2	39804	4	17	527	4	258.79	259.0	-0.21
2	39805	4	17	527	5	258.79	258.5	0.29
2	39807	4	17	527	A	258.79	258.0	0.79
2	39809	4	17			258.92	258.5	0.42
2	39900	4	16	399	1	259.14	257.5	1.64
2	40000	4	16	399	2	259.14	258.0	1.14
2	40100	4	16	399	3	259.14	258.0	1.14
2	40200	4	16	399	4	259.14	258.0	1.14
2	40300	4	16	399	5	259.14	257.5	1.64
2	40400	4	16	399	6	259.14	257.2	1.94
2	40500	4	16	399	7	259.14	258.5	0.64
2	40600	4	16	399	8	259.14	258.5	0.64
2	40700	4	16	399	9	259.14	258.5	0.64
2	40800	4	16	399	10	259.14	258.5	0.64
2	40900	4	16	399	11	259.14	258.5	0.64
2	41000	4	16	399	12	259.14	258.5	0.64
2	41100	4	16	399	13	259.14	257.5	1.64
2	41200	4	16	399	14	259.14	257.5	1.64
2	41300	4	16	399	15	259.14	257.0	2.14
2	41400	4	16	399	16	259.14	257.0	2.14
2	41500	4	16	399	17	259.14	257.5	1.64
2	41600	4	16	399	18	259.14	258.5	0.64
2	41700	4	16	399	19	259.14	258.0	1.14
2	41800	4	16	399	A	259.14	257.5	1.64
2	41900	4	16	399	20	259.14	258.0	1.14
2	42000	4	16	399	21	259.38	258.0	1.38
2	42100	4	16	399	22	259.38	258.5	0.88
2	42200	4	16	399	23	259.38	257.5	1.88
2	42300	4	16	399	24	259.38	257.5	1.88
2	42400	4	15	399	B	259.38	257.5	1.88
2	42500	4	15	399	B	259.38	257.5	1.88
2	42600	4	15	399	25	259.38	258.0	1.38
2	42700	4	15	399	26	259.38	258.0	1.38

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2	42800	4	15	399	27	259.38	258.0	1.38
2	42900	4	15	399	28	259.38	258.0	1.38
2	43000	4	15	399	29	259.38	258.5	0.88
2	43100	4	15	399	30	259.38	258.5	0.88
2	43200	4	15	399	31	259.38	258.5	0.88
2	43300	4	15	399	32	259.38	258.5	0.88
2	43400	4	15	399	D	259.38	257.5	1.88
2	43500	4	15	399	33	259.38	257.5	1.88
2	43600	4	15	399	34	259.38	258.0	1.38
2	43700	4	15	399	35	259.38	257.5	1.88
2	43900	4	15	399	36	259.38	257.5	1.88
2	44000	4	15	399	38	259.38	257.5	1.88
2	44100	4	15	399	39	259.38	258.0	1.38
2	44200	4	15	339	40	259.38	258.0	1.38
2	44300	4	15	399	41	259.38	258.5	0.88
2	44400	4	15	399	42	259.38	258.5	0.88
2	44500	4	15	399	43	259.53	258.5	1.03
2	44600	4	15	399	44	259.53	258.5	1.03
2	44700	4	15	399	E	259.53	258.0	1.53
2	44800	4	15	339	E	259.53	257.5	2.03
2	44900	4	15	399	46	259.53	258.0	1.53
2	45000	4	15	399	47	259.53	258.0	1.53
2	45100	4	15	399	48	259.53	258.0	1.53
2	45200	4	15	399	49	259.53	258.5	1.03
2	45300	4	15	399	50	259.53	258.5	1.03
2	45400	4	15	399	51	259.53	259.0	0.53
2	45500	4	15	399	52	259.53	259.0	0.53
2	45600	4	15	399	53	259.53	258.5	1.03
2	45700	4	15	399	54	259.53	259.0	0.53
2	45800	4	15	399	55	259.53	259.0	0.53
2	45900	4	15	399	56	259.53	259.0	0.53
2	46000	4	15	399	57	259.53	258.5	1.03
2	46100	4	15	399	58	259.53	258.5	1.03
2	46200	4	15	399	59	259.53	258.5	1.03
2	46700	5	12	370	1	260.21	260.2	0.01
2	46800	5	12	370	2	260.21	259.5	0.71
2	46900	5	12	370	3	260.23	259.5	0.73
2	47000	5	12	370	4	260.23	259.5	0.73
2	47100	5	12	370	5	260.23	259.0	1.23
2	47200	5	12	370	6	260.23	258.5	1.73
2	47300	5	12	370	7	260.23	259.0	1.23
2	47400	5	13	370	8	260.23	258.5	1.73
2	47500	5	13	370	9	260.23	258.0	2.23
2	47600	5	13	370	10	260.23	258.5	1.73
2	47700	5	13	370	11	260.23	259.0	1.23
2	47800	5	13	370	12	260.23	259.5	0.73

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2	47900	5	13	370	13	260.23	260.0	0.23
2	48100	5	13	370	14	260.23	258.5	1.73
2	48101	5	13	370	14	260.11	258.0	2.11
2	48200	5	13	370	15	260.11	260.0	0.11
2	48300	5	13	370	16	260.11	260.5	-0.39
2	48400	5	13	370	17	260.11	261.0	-0.89
2	48500	5	13	370	18	260.11	260.0	0.11
2	48600	5	13	370	19	260.11	260.0	0.11
2	48700	5	13	370	20	260.11	260.5	-0.39
2	48800	5	13	370	21	260.11	260.0	0.11
2	49300	6	12	310	1	260.80	259.0	1.80
2	49400	6	12	310	2	260.80	258.5	2.30
2	49500	6	12	310	3	260.80	258.5	2.30
2	49600	6	12	310	4	260.80	259.0	1.80
2	49700	6	12	310	4	260.80	259.0	1.80
2	49800	6	12	310	5	260.80	258.0	2.80
2	49900	6	12	310	6	260.80	259.0	1.80
2	50000	6	12	310	7	260.80	259.0	1.80
2	50100	6	12	310	8	260.80	259.0	1.80
2	50200	6	12	310	9	260.80	259.5	1.30
2	50400	6	12	310	10	260.80	259.0	1.80
2	50500	5	12	310	11	260.85	260.0	0.85
2	50600	6	12	310	12	260.85	260.0	0.85
2	50700	6	12	310	13	260.85	259.5	1.35
2	50800	6	12	310	14	260.85	260.0	0.85
2	50900	6	12	310	15	260.85	260.5	0.35
2	51000	6	12	310	16	260.85	262.5	-1.65
2	51100	6	12	310	17	260.85	262.0	-1.15
2	51200	6	12	310	18	260.85	262.0	-1.15
2	51400	6	12	412	1	260.85	261.5	-0.65
2	51500	6	12	412	2	260.85	261.5	-0.65
2	51600	6	12	412	3	260.91	261.5	-0.59
2	51700	6	12	412	4	260.91	261.5	-0.59
2	51800	6	12	412	B	260.91	258.0	2.91
2	51900	5	12	412	5	260.91	259.0	1.91
2	52000	6	12	412	6	260.91	259.5	1.41
2	52100	6	12	412	7	260.91	259.5	1.41
2	52200	6	12	412	8	261.00	260.0	1.00
2	52300	6	12	412	9	261.00	260.0	1.00
2	52400	6	12	412	10	261.00	260.0	1.00
2	52500	6	11	412	11	261.00	260.0	1.00
2	52600	6	11	412	12	261.00	259.5	1.50
2	52700	6	11	412	13	261.00	260.5	0.50
2	52800	6	11	412	14	261.00	260.5	0.50
2	52900	6	11	412	15	261.00	260.5	0.50

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2	53000	6	11	412	B	261.00	260.5	0.50
2	53100	6	11			261.00	260.5	0.50
2	53200	6	11	435	1	261.18	260.0	1.18
2	53300	6	11	435	2	261.18	261.2	-0.02
2	53400	6	11	435	3	261.18	261.2	-0.02
2	53500	6	11	435	4	261.18	261.2	-0.02
2	53600	6	11	435	5	261.18	261.0	0.18
2	53700	6	11	435	6	261.18	261.0	0.18
6	00401	1	22			257.15	256.0	1.15
6	01100	1	22			257.15	256.0	1.15
6	01300	1	22			257.15	256.0	1.15
6	01500	1	22			257.02	256.0	1.02
6	01600	1	22			257.02	256.5	0.52
6	01700	1	22			253.89	256.5	-2.61
6	01701	1	22			256.89	256.5	0.39
6	01800	1	22			256.89	256.5	0.39
6	01900	1	22			256.89	256.5	0.39
6	02000	1	22			256.79	256.5	0.29
6	02100	1	22			256.79	256.5	0.29
6	02600	1	24			256.22	255.5	0.72
6	03001	1	24			256.22	255.5	0.72
6	03002	1	24			256.22	256.0	0.22
6	03003	1	24			256.22	256.0	0.22
6	03004	1	24			256.22	255.5	0.72
6	03005	1	24			256.22	256.0	0.22
6	03006	1	24			256.22	255.5	0.72
6	03007	1	24			256.22	255.0	1.22
6	03008	1	24			256.22	256.0	0.22
6	03009	1	24			256.22	256.0	0.22
6	03010	1	24			256.22	256.0	0.22
6	03011	1	24			256.22	256.0	0.22
6	03300	1	24	486	10	256.22	256.0	0.22
6	03400	1	24	486	9	256.22	256.0	0.22
6	03500	1	24	486	8	256.22	256.0	0.22
6	03600	1	24	486	7	256.22	256.0	0.22
6	03700	1	24	486	6	256.22	256.0	0.22
6	03800	1	24	486	5	256.22	256.0	0.22
6	03900	1	24	486	4	256.22	256.0	0.22
6	04000	1	24	486	3	256.22	256.0	0.22
6	04100	1	24	486	2	256.22	256.0	0.22
6	04200	1	24	486	1	256.22	256.0	0.22
6	07400	1	23	446	24	256.79	256.5	0.29
6	07500	1	23	446	23	256.79	255.5	1.29
6	07600	1	23	446	22	256.79	255.5	1.29
6	07700	1	23	446	21	256.79	255.5	1.29

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6	07800	1	23	446	20	256.66	255.5	1.16
6	07900	1	23	446	19	256.66	255.5	1.16
6	08000	1	23	446	18	256.66	255.5	1.16
6	08100	1	23	446	17	256.66	256.0	0.66
6	08200	1	23	446	16	256.66	256.0	0.66
6	08300	1	23	446	15	256.66	256.0	0.66
6	08400	1	23	446	14	256.66	257.0	-0.34
6	08500	1	23	446	13	256.66	257.0	-0.34
6	08600	1	23	446	12	256.66	257.0	-0.34
6	08700	1	23	446	11	256.66	256.1	0.56
6	08800	1	23	446	10	256.66	256.0	0.66
6	08900	1	23	446	9	256.28	256.1	0.18
6	09000	1	23	446	8	256.28	256.0	0.28
6	09100	1	23	446	7	256.28	256.0	0.28
6	09200	1	23	446	6	256.28	256.7	-0.42
6	09300	1	23	446	5	256.28	256.5	-0.22
6	09400	1	23	446	4	256.28	256.5	-0.22
6	09500	6	23	446	3	256.28	256.5	-0.22
6	09600	1	23	446	2	256.28	256.5	-0.22
6	09700	1	23	446	1	256.28	255.5	0.78
6	09800	1	20	442	1	258.00	257.0	1.00
6	09900	1	20	442	2	258.16	257.0	1.16
6	10000	1	20	442	3	258.16	257.0	1.16
6	10100	1	19	442	4	258.16	257.5	0.66
6	10200	1	19	442	5	258.16	257.0	1.16
6	10300	1	19	442	6	258.16	257.0	1.16
6	10400	1	19	442	7	258.16	257.5	0.66
6	10500	1	19	442	8	258.16	257.0	1.16
6	10600	1	19	442	9	258.16	257.0	1.16
6	10700	1	19	442	10	258.16	257.5	0.66
6	10801	1	19			258.16	256.8	1.36
6	10900	1	20	452	1	258.00	257.0	1.00
6	11000	1	20	452	2	258.00	257.0	1.00
6	11100	1	20	452	3	258.00	257.0	1.00
6	11200	1	20	452	4	258.00	257.0	1.00
6	11201	1	20	452	5	258.00	257.0	1.00
6	11300	1	19	452	6	258.00	257.0	1.00
6	11400	1	19	452	7	258.00	257.5	0.50
6	11500	1	19	452	8	258.00	257.5	0.50
6	11700	1	19	452	9	258.00	257.5	0.50
6	11800	1	19	452	10	258.00	257.0	1.00
6	11900	1	20	452	11	258.00	256.5	1.50
6	12000	1	20	452	12	258.00	257.0	1.00
6	12100	1	20	452	13	258.00	257.0	1.00
6	12200	1	20	452	14	258.00	257.5	0.50

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6	12300	1	20	452	15	258.00	257.5	0.50
6	12400	1	20	452	16	258.00	257.5	0.50
6	12500	1	20	452	17	258.00	257.5	0.50
6	12600	2	18	434	1	258.51	257.5	1.01
6	12700	2	18	434	3	258.51	257.5	1.01
6	12800	2	18	434	4	258.51	257.5	1.01
6	12900	2	18	434	5	258.51	257.5	1.01
6	13000	2	18	434	6	258.51	257.5	1.01
6	13100	2	18	434	7	258.51	257.5	1.01
6	13200	2	18	434	8	258.51	257.5	1.01
6	13300	2	18	434	9	258.51	257.5	1.01
6	13400	2	18	434	10	258.51	257.5	1.01
6	13500	2	18	434	11	258.51	257.5	1.01
6	13600	2	18	434	12	258.21	258.0	0.21
6	13700	2	18	434	13	258.51	258.0	0.51
6	13800	2	18	434	14	258.40	257.0	1.40
6	13900	2	18	434	15	258.40	257.5	0.90
6	14000	2	18	434	16	258.40	257.5	0.90
6	14100	2	18	434	17	258.40	257.5	0.90
6	14200	2	18	434	18	258.40	257.5	0.90
6	14300	2	18	434	19	258.40	257.5	0.90
6	14400	2	19	434	20	258.40	257.5	0.90
6	14500	2	19	434	21	258.40	256.5	1.90
6	14600	2	19	434	22	258.40	257.0	1.40
6	14700	2	19	434	23	258.40	257.0	1.40
6	14800	2	19	434	24	258.40	257.0	1.40
6	14900	2	19	434	25	258.40	257.0	1.40
6	15000	2	19	434	26	258.40	257.0	1.40
6	15100	2	19	434	27	258.40	257.0	1.40
6	15200	2	19	434	28	258.40	257.0	1.40
6	15300	2	19	434	29	258.40	257.0	1.40
6	15400	2	19	434	30	258.40	257.0	1.40
6	15500	2	19	434	31	258.40	257.0	1.40
6	15501	2	19	471	32	258.30	257.5	0.80
6	15502	2	19	471	33	258.30	257.5	0.80
6	15503	2	19	471	34	258.30	257.5	0.80
6	15504	2	19	471	35	258.30	257.5	0.80
6	15505	2	19	471	36	258.30	257.0	1.30
6	15506	2	19	471	37	258.30	257.5	0.80
6	15507	2	19	471	38	258.30	257.5	0.80
6	15508	2	19	471	39	258.30	257.0	1.30
6	15509	2	19	471	40	258.30	257.0	1.30
6	15510	2	19	471	41	258.30	257.0	1.30
6	15511	2	19	471	42	258.30	257.3	1.00
6	15512	2	19	471	43	258.30	257.5	0.80

* By-law Includes Major Update Amendment (By-Law 96-14)

SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

6	15513	2	19	471	44	258.30	257.5	0.80
6	15514	2	19	471	45	258.30	257.0	1.30
6	15515	2	19	471	46	258.30	257.0	1.30
6	15516	2	19	471	47	258.30	257.0	1.30
6	15517	2	19	471	48	258.20	257.0	1.20
6	15518	2	19	471	49	258.20	257.0	1.20
6	15519	2	19	471	50	258.20	257.0	1.20
6	15520	2	19	471	51	258.20	257.0	1.20
6	15521	1	19	471	52	258.20	257.0	1.20
6	15522	1	19	471	53	258.20	257.0	1.20
6	15523	1	19	471	54	258.16	257.0	1.16
6	15524	1	19	471	55	258.16	257.0	1.16
6	15525	1	19	471	56	258.16	257.0	1.16
6	15600	3	18	417	1	258.62	257.0	1.62
6	15700	3	18	417	2	258.62	257.0	1.62
6	16000	3	18	417	3	258.62	257.0	1.62
6	16100	3	18	417	5	258.62	257.0	1.62
6	16200	3	18	417	6	258.62	257.5	1.12
6	16300	3	18	417	7	258.62	257.5	1.12
6	16400	3	18	417	8	258.62	257.5	1.12
6	16500	3	18	417	9	258.62	258.0	0.62
6	16600	3	18	417	10	258.62	258.0	0.62
6	16700	3	18	417	11	258.62	258.0	0.62
6	16800	3	18	417	12	258.62	258.0	0.62
6	16900	3	18	417	13	258.62	258.0	0.62
6	17000	3	18	417	14	258.62	257.5	1.12
6	17100	3	18	417	14	258.62	258.0	0.62
6	17200	3	18	417	16	258.69	258.5	0.19
6	17300	3	18	417	17	258.69	258.0	0.69
6	17400	3	18	417	18	258.69	258.0	0.69
6	17500	3	18	417	19	258.69	257.5	1.19
6	17600	3	18	417	20	258.69	257.5	1.19
6	17700	3	18	417	21	258.69	257.5	1.19
6	17800	3	18	417	22	258.69	257.5	1.19
6	17900	3	18	417	23	258.69	257.5	1.19
6	18000	3	18	417	24	258.69	257.5	1.19
6	18100	3	18	417	25	258.69	257.5	1.19
6	18200	3	18	417	26	258.69	257.5	1.19
6	18300	3	18	417	27	258.69	257.5	1.19
6	18400	3	18	417	28	258.69	257.5	1.19
6	18500	3	18	417	29	258.69	257.5	1.19
6	18600	3	18	417	30	258.69	257.5	1.19
6	18700	3	18	417	31	258.69	257.5	1.19
6	18800	3	18	417	32	258.69	257.5	1.19
6	18900	3	18	417	33	258.69	258.0	0.69

* By-law Includes Major Update Amendment (By-Law 96-14)

SCHEDULE 'B' - REGULATORY FLOOD LEVELS CONT'D.

6	19000	3	18	417	34	258.69	257.5	1.19
6	19100	3	18	417	35	258.69	257.5	1.19
6	19101	3	18			258.69	257.0	1.69

Count: 501

* By-law Includes Major Update Amendment (By-Law 96-14)

STEP 3 - CALCULATIONS

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

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

Actual distance as estimated from livestock facility = _____ m.

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

Actual distance as estimated from manure storage = _____ m.

STEP 4 - CONCLUSION

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

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

TABLE 1 ANIMAL GROUPS

ANIMAL GROUP 1	ANIMAL GROUP 2	ANIMAL GROUP 3	ANIMAL GROUP 4	ANIMALGROUP 5
1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals
200 Chicken Broilers 1 Dairy Cow ^{1,2} (tie stall) 1 Horse ³	4 Adult Sheep ³ 1 Beef Cow ^{confinement} 2 Heifers ^{confinement} 10 Feeder Lambs 100 Ducks 5 Emu 3 Ostrich 500 Pullets 50 Turkeys (>10 kg) 75 Turkeys (5-10 kg) 100 Turkeys(<5kg)	1 Beef Cow ^{1 yard/Barn} 2 Beef Feeder ^{Yard/Barn} 1 Dairy Cow ^{1,2 (Free stall)} 2 Dairy Heifers ^{yard/Barn} 4 Adult Goats ³ 10 Feeder Goats 40 Adult Rabbits ⁴ 3 Red Veal <300 kg 125 Chicken Breeder Layers 75 Turkey Breeder Layers	50 Adult Mink ⁴ 10 Adult Fox ³ 125 Caged Layers	4 Feeder Hogs 4 Sows/Boars ⁵ 20 Weaners 4-30 kg 6 White Veal

¹ Includes calf to 150 kg, ² Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm,
³ Includes offspring until weaned, ⁴ Includes offspring to market size, ⁵ Includes offspring to 4 kg.

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

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

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

COLUMN 1	TYPE "A" LAND USE					TYPE "B" LAND USE				
	To permit:					To permit:				
	<ul style="list-style-type: none"> Up to 3 rural residential lots, either by consent or by plan of subdivision the severance of an existing dwelling passive recreational the building of a dwelling on an existing lot of record agriculturally related commercial industrial 					<ul style="list-style-type: none"> residential subdivision active recreational institutional commercial urban expansion multiple residential or result in a Rural Cluster 				
Greater of Livestock Units (a) or Potential Livestock Units (b)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345
75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	191	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

* By-law Includes Major Update Amendment (By-Law 96-14)

TABLE 3. MINIMUM DIDSTANCE SEPARATION FROM MANURE STORAGE

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

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

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

- Column 1: Roofed or covered manure storage. Includes covered concrete and steel tanks, storages under fully slatted floors, in-barn solid manure packs, and roofed manure storages.
- Column 2: Open solid manure pile on concrete slab including any associated runoff control and storage.
- Column 3: Open concrete or steel tank, silo or yard runoff storage.
- Column 4: Open, earth-sided storage OR earth-sided storage with concrete floor.

MANURE STORAGE DISTANCE

Distance for Livestock Facility from Table 2 (Step 3)	Column 1		Column 2		Column 3		Column 4	
	Covered Tank		Open Solid Storage		Open Liquid Tank Silo and Yard Runoff Storage		Earthen Manure Storage	
	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use	Type "A" Land Use	Type "B" Land Use
40	40	-	55	-	119	-	324	-
45	45	-	60	-	123	-	326	-
50	50	-	65	-	127	-	328	-
55	55	-	70	-	132	-	331	-
60	60	-	74	-	136	-	333	-
65	65	-	79	-	140	-	335	-
70	70	70	84	103	144	241	337	686
75	75	75	89	107	149	246	339	689
80	80	80	94	112	153	250	342	691
85	85	85	99	117	157	254	344	693
90	90	90	103	122	161	258	346	695
95	95	95	108	127	165	263	348	698
100	100	100	113	132	170	267	351	700
110	110	110	123	141	178	275	355	704
120	120	120	133	151	187	284	359	709
130	130	130	142	161	195	292	364	713
140	440	140	152	171	203	301	368	717
150	150	150	162	180	212	309	373	722
160	160	160	172	190	220	318	377	726
170	170	170	181	200	229	326	382	731
180	180	180	191	209	237	335	386	735
190	190	190	201	219	246	343	390	740
200	200	200	210	229	254	351	395	744
210	210	210	220	239	263	360	399	749
220	220	220	230	248	271	368	404	753
230	230	230	239	258	280	377	408	757
240	240	240	249	268	288	385	413	762
260	260	260	268	287	305	402	421	771
280	280	280	288	307	322	419	430	780
300	300	300	307	326	339	436	439	788
320	320	320	327	346	356	453	448	797
340	340	340	346	365	372	470	457	806
360	360	360	366	385	389	487	466	815
380	380	380	385	404	406	504	475	825
400	400	400	404	423	423	521	483	833
450	450	450	453	472	465	563	506	855
500	500	500	501	520	508	605	528	877
550	550	550	550	569	550	648	550	899

* By-law Includes Major Update Amendment (By-Law 96-14)

**MINIMUM DISTANCE SEPARATION (MDS)
CALCULATION FOR LIVESTOCK FACILITIES**

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

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

FARM NAME/OWNER: _____

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

ADDRESS: _____

TELEPHONE: (____) ____ - _____

FAX: (____) ____ - _____

This project consists of:

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

Step 1

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

		Equivalent		Equivalent		Equivalent
Type of Livestock/ Poultry	Existing Barn Capacity	Livestock Units from Table 1	Additional Barn Capacity	Livestock Units from Table 1	Total Barn Capacity	Livestock Units
Total 1			Total 2		Total 3	

Step 2

Calculation of Percentage Increase $\frac{\text{Total 2 [\quad]}}{\text{Total 1 [\quad]}} \times 100 = [\quad] \%$

Step 3

Factor A: Livestock/poultry to be added (0.65, 0.7, 0.8 or 1.0) (From Table 1)

FACTOR A: [_____]

Factor B: Total number of livestock units (Step 1 Total 3) (From Table 2)

FACTOR B: [_____]

Factor C: Percentage increase. (Step 2) (Table 3)

FACTOR C: [_____]

Factor D: Type of manure system
(Solid=0.7, Liquid=0.8)

FACTOR D: [_____]

Step 4Building Base Distance (From Step 3 -
A X B X C X D)Base Distance F: [_____]
(insert below)Step 5Manure Storage Base Distance (F from Step 4)
Table 4Base Distance S: [_____]
(insert below)Step 6MINIMUM DISTANCE
SEPARATION
SUMMARY:

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

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

Animals per Livestock Unit			Factor A	
BEEF	1	Beef Cow ¹	(barn confinement)	0.7
	1	" "	(barn with yard)	0.8
	2	Beef Feeders	(barn confinement)	0.7
	2	Beef Feeders	(barn with yard)	0.8
CHICKEN	125	Caged Layers	(manure stored in barn)	1.0
	125	Caged Layers	(daily manure removal)	0.8
	125	Chicken Breeder Layers		0.8
	200	Chicken Broilers/Roasters		0.65
	500	Pullets (replacement layers)		0.7
DAIRY	1	Milking Cow ^{1,2}	(tie-stall)	0.65
	1	" "	(free-stall)	0.7
	2	Dairy Heifers	(barn confinement)	0.7
	2	" "	(barn with yard)	0.8
DUCK	100	Ducks		0.7
EMU	5	Emu		0.7
FOX	40	Adult Fox ⁴		1.1
GOAT	4	Adult Goats ³		0.7
	10	Feeder Goats (>20 kg)		0.7
HORSE	1	Horse ³		0.65
MINK	80	Adult Mink ⁴		1.1
OSTRICH	3	Ostrich		0.7
RABBIT	40	Adult Rabbits ⁴		0.8
SHEEP	4	Adult Sheep ³		0.7
	10	Feeder Lambs (>20 kg)		0.7
SWINE	5	Sows/Boars		1.0
	4	Feeder Hogs (30-120 kg)		1.0
	20	Weaners (4-30 kg) ⁵		1.0
TURKEY	50	Meat Turkeys (>10 kg)		0.7
	75	Meat Turkeys (5-10 kg)		0.7
	75	Turkey Breeder Layers		0.8
	100	Meat Turkeys (<5 kg)		0.7
	500	Pullets (replacement breeders)		0.7
VEAL	6	White Veal		1.0
	3	Red Veal (<300 kg)		0.8

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

¹ Includes calf to 150 kg.

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

³ Includes offspring until weaned

⁴ Includes offspring to market size

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

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

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

TABLE 3: FACTOR 'C'
(Percentage Increase).

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

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

TABLE 4 SITING DISTANCES FOR MANURE STORAGE (metres).

- Column 1: Roofed or covered manure storage. Includes covered concrete and steel tanks, storages under fully slotted floors, in-barn solid manure packs, and roofed manure storages.
- Column 2: Open sided manure pile on concrete slab including any associated runoff control and storage.
- Column 3: Open concrete or steel tank, silo for liquid manure, milkhouse waste, or yard runoff storage.
- Column 4: Open liquid manure earth-sided storage or earth-sided storage with concrete floor.

Minimum Base Distance 'F' for the Building (m)	Column 1	Column 2	Column 3	Column 4
	Covered Tank or Storage (m)	Open Solid Storage (m)	Open Liquid Tank, Silo, Milkhouse Waste and Yard Runoff Storage (m)	Earthen Manure Storage (m)
40	40	55	119	324
45	45	60	123	326
50	50	65	128	328
55	55	70	132	331
60	60	74	136	333
65	65	79	140	335
70	70	84	144	337
75	75	89	149	340
80	80	94	153	342
85	85	99	157	344
90	90	104	161	346
95	95	108	166	348
100	100	113	170	351
105	105	118	174	353
110	110	123	178	355
115	115	128	182	357
120	120	133	187	360
125	125	138	191	362
130	130	142	195	364
135	135	147	199	366
140	140	152	204	368
145	145	157	208	371
150	150	162	212	373
160	160	172	220	377
170	170	181	229	382
180	180	191	237	386
190	190	201	246	391
200	200	210	254	395
210	210	220	263	399
220	220	230	271	404
230	230	239	280	408
240	240	249	288	413
260	260	269	305	422
280	280	288	322	430
300	300	307	339	439
320	320	327	356	448
340	340	346	373	457
360	360	366	389	466
380	380	385	406	475
400	400	404	423	484
420	420	424	440	492
440	440	443	457	501
460	460	463	474	510
480	480	482	491	519
500	500	502	508	528
550	550	550	550	550