

VILLAGE OF WOODVILLE
COMPREHENSIVE ZONING BY-LAW 1993-9
OFFICE CONSOLIDATION
APRIL 20, 2007



Prepared by: Victoria County
Planning Department

**Development Services -
Planning Division
City of Kawartha Lakes**

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VILLAGE OF WOODVILLE BY-LAW 1993-9
 HISTORY CHART

BY-LAW NO	DATE PASSED BY COUNCIL	APPROVAL OR CERTIFICATE DATE	LOCATION	ZONE CHANGED		FILE NO.	COMMENTS
				FROM	TO		
1993-9	Sept 7/93	Board Order R940115 Dec 6/94	Entire Village			P06-23-001	Comprehensive Zoning By-law
1994-14	Dec 20/94	N/A	RP 119 Block G	R1 (H)	R1	P06-23-002	Removal of (H) Symbol
1995-18	Dec 19/95	Jan 22/96	L 1-6 Pl 119	A1	R1-1	P06-23-003	Adds Section 8.3.1 and Amends Schedule A
1996-7	Jun 4/96	Jul 8/96	L 2 Block A Pl 119	A1-1	R1	P06-23-004	Amends Schedule A
1996-10	Dec 17/96	Jan 20/97	Lot 9 & 10 PL 199	C1-1	C1-2	P06-23-005	Adds Section 10.3.2 and Amends Schedule A
1997-10	Apr 15/97	May 19/97	Lots 10, 11 & 12 Pl 119	C1-1	C1-1	P06-23-006	Amends Section 10.3.1.2
1999-08	Jan 8/2000	OMB Jul 11/2000	Lot 2 Block A Plan 119	R1	R1-2 (F)	P06-23-007	Adds Section 8.3.2 and amends Schedule A
2002-139	Sept. 24, 2002	Oct. 29, 2002	Height of Accessory Buildings - all municipalities	Textual		D06-17-001	- Amends General Provisions of all municipal by-laws - Replaces Section 3.1.3.2

VILLAGE OF WOODVILLE
 COMPREHENSIVE ZONING BY-LAW 1993-9

OFFICE CONSOLIDATION
 APRIL 20, 2007

BY-LAW NO	DATE PASSED BY COUNCIL	APPROVAL OR CERTIFICATE DATE	LOCATION	ZONE CHANGED		FILE NO.	COMMENTS
				FROM	TO		
2004-30	March 9, 2004	April 5, 2004	106 King Street Lot 1, Plan, 119	C2	C2-1	D06-23-009	Adds Section 11.3.1 Amends Schedule "A"
2007-095	March 27, 2007	April 20, 2007	45-47 King Street East Pt. Lot 25, Plan 119	R1 & EP	R1-3 & EP	D06-23-010	Adds Section 8.3.3 Amends Schedule "A"

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THE CORPORATION OF THE
VILLAGE OF WOODVILLE
BY-LAW NUMBER: 1993-9
A ZONING BY-LAW

Being a By-law, pursuant to Section 34 of the Planning Act, R.S.O. 1990, 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 Village of Woodville.

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

NOW THEREFORE the Council of the Corporation of the VILLAGE OF WOODVILLE enacts the following By-law:

PART 1 - TITLE AND AREA RESTRICTED

1.1 **TITLE**

1.1.1 This By-law shall be known as the "Zoning By-law" of the Village of Woodville.

1.2 **AREA RESTRICTED**

1.2.1 Schedule A, 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".

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

PART 2 - DEFINITIONS

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

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

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

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

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

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

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

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

ALTER when used in reference to a lot means:

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

AMUSEMENT MACHINE means any mechanical, electronic or computerized machine or device or any combination thereof intended for use as a game, entertainment or amusement which is offered for use to the public by any person for profit or gain and shall include a pinball machine, television game, shooting gallery, video game or other similar device but shall not include billiard or pool tables, games of chance as defined by the Criminal Code or any machine used only for the purpose of vending merchandise or services or playing recorded music.

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

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

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

AUCTION BARN means a building, or part of a building in which the principal facilities provided are for the storage, display and subsequent sale of goods and articles, including antiques, by way of auction. A maximum of 1860 square metres of land adjacent to an auction barn and on the same lot, may be used for the storage, display and subsequent sale of motor vehicles, trailers and farm equipment by way of auction.

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

BASEMENT, WALK-OUT, means that portion of a building which is partly below grade but which has more than fifty percent of the

finished floor area not more than 0.6 metres below the average finished grade and which has an entrance at or above the adjacent finished grade.

BED AND BREAKFAST ESTABLISHMENT means a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are a maximum of 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 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.

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

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

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

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

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

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

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

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

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

CORPORATION means the Corporation of the Village of Woodville.

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

COUNCIL means the Municipal "Council" of the Corporation of the Village of Woodville.

COUNTY means the Corporation of the County of Victoria.

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

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

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

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.

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

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

DWELLING means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, including boarding,

lodging or rooming houses but not including motels, hotels, tents, truck campers, tourist trailers, or mobile camper trailers.

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

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

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

DWELLING, CONVERTED, means a dwelling existing at the time of the passing of this By-law which because of size or design can be converted by partition and the addition of sanitary facilities into 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 an independent entrance either directly or through a common vestibule.

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

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

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

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

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

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

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

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

FARM PRODUCE OUTLET means a use accessory to an agricultural use which consists of the retail sale of agricultural products, exclusive of meat or fish, produced by an agricultural operation conducted on the same lot.

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

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

FINISHED GRADE 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 road authority.

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

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

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

FLOOR AREA RATIO (F.A.R.) means a ratio which, when multiplied by lot coverage, yields the maximum gross floor area for all uses permissible on a lot.

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

GARAGE, PUBLIC, means a building or place other than a private garage where motor vehicles are kept or stored for remuneration or repair, or a building or place used as a motor vehicle repair

shop. This definition shall not include an automobile washing establishment, automobile sales establishment or service station.

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

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

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

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

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 six metres in height and do not occupy more than 30 percent of the area of the roof upon which they are located, and any ornamental roof construction such as towers, steeples or chimneys shall be disregarded.

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

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

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

HOME FOR THE AGED means a "home" within the meaning of the Homes for the Aged and Rest Homes Act, R.S.O. 1990, which is operated by the County or Municipality.

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

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

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

HOUSEHOLD means an individual person or 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 which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing 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 open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops, food processing facilities and bulk fuel storage facilities.

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

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

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

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

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

LOADING SPACE means an unencumbered area of land which is provided and maintained on the same lot upon which the principal use is located and which area is provided for the temporary

parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle.

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

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

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

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

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

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

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

LOT FRONTAGE means the horizontal distance, abutting an improved public street, between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the "lot frontage" is to be measured by a line equal to the minimum front yard

measured back from and parallel to the chord of the "lot frontage" and for the purpose of this paragraph, the chord of the "lot frontage" is a straight line joining the two points where the side lot lines intersect the front lot line, and a sight triangle shall be considered part of the lot for the purposes of calculating the "lot frontage". In the case of a corner lot the shorter of the frontages shall be deemed the "lot frontage".

LOT LINE means any boundary of a lot.

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

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

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

MEDICAL CLINIC means a building or portion thereof where members of the medical profession, dentists, chiropractors, osteopaths, physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and includes reception areas, offices, coffee shop, offices for consultation, laboratory, X-ray, minor operating rooms, and a

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

MOBILE HOME means a detached dwelling unit constructed to CSA standard Z240 and designed for transportation, after fabrication, on streets on its own wheels or on a flatbed or other trailer, arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy (except for minor and incidental unpacking and assembling operations) located on wheels, jacks or permanent foundations, and which may be connected to utilities and sanitary services, but shall not include a modular home.

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

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

MODULAR HOME means a single detached dwelling which has been constructed to CSA standard A277 and fabricated in two or more sections which cannot function independently from one another and are designed for transportation on streets on a flatbed or other trailer. Upon arrival at the site, the sections are placed on a foundation and are assembled to form one complete dwelling unit and generally are not intended to be dismantled and relocated.

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

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

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

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

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

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

MOTOR VEHICLE SALES ESTABLISHMENT means a building or part thereof and/or lot used for the display and sale of new and/or used motor vehicles, 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 MOBILE HOME means any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

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

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

MUNICIPALITY means the Corporation of the VILLAGE OF WOODVILLE.

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

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

NURSERY means the use of land as a tree, shrub or ornamental plant nursery where plants are propagated, grown and managed for the purpose of developing and supplying living plants for landscape design and management purposes and where plants so grown may be sold on a wholesale or retail basis.

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

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

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

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

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

and from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which is used for the temporary parking or storage of one or more motor vehicles.

PERMITTED means "permitted" by this By-law.

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

PIT means land or land under water from which earth, peat, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, manufacturing, commercial or industrial purposes. It shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

SCHOOL, SECONDARY, means an educational facility established under the jurisdiction of the Minister of Education for grade 9 or equivalent and above.

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

SENIOR CITIZENS' HOME means any residential accommodation for senior citizens sponsored and administered by any public agency or any service club, church or other non-profit organization either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof and such homes shall include accessory uses such as recreation and lounge facilities, usually associated with a senior citizens' development.

SERVICE SHOP means a building or part thereof used primarily for the repair of household articles and shall include radio, television and appliance repair shops but shall not include industrial, manufacturing or motor vehicle repair shops.

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

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

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

STORE, CONVENIENCE means a retail store supplying groceries or other daily household necessities to the immediately surrounding area.

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 and includes the renting or leasing of goods or articles used within a dwelling.

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

STOREY, FIRST, means the lowest storey of a building closest to finished grade having its ceiling 1.2 metres or more above average finished grade.

STOREY, HALF, means the portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished ceiling of at least 2.3 metres over a floor area equal to at least 50 percent of the area of the floor next below.

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

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

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

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

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

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

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

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

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

TOURIST TRAILER means a trailer that is used or intended to be used for recreational purposes and is not used for continuous habitation or as a permanent residence, notwithstanding that such trailer may be jacked up or its running gear may be removed.

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

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

TRUCK CAMPER means any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of

being utilized for the temporary recreational living, sleeping or eating accommodation of individuals.

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

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

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

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

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

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

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

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

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

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

WATER SETBACK means a yard extending the full width of a lot between the maintained summer water level of lakes or rivers and the nearest main wall of any building, structure, excavation or

open storage use on the lot and "minimum water setback" means the minimum depth of a "water setback" on a lot between the maintained summer water level and the nearest main wall of any building, structure, excavation or open storage use on the lot.

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

WAYSIDE PIT OR QUARRY means a "wayside pit or quarry" as defined by the Aggregate Resources Act, R.S.O. 1990.

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

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

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

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

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

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

YARD, SIDE, means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main

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

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

PART 3 - GENERAL PROVISIONS

3.1 **ACCESSORY BUILDINGS, STRUCTURES AND USES**

3.1.1 **PERMITTED USES**

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

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

3.1.2 **LOCATION**

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

3.1.2.2 An accessory building may be erected not closer than 1.2 metres from a rear lot line and 1.2 metres from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 1.25 metres to a residential building located on the same lot.

3.1.3 **LOT COVERAGE AND HEIGHT**

3.1.3.1 The total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, shall not exceed 40 percent of the required minimum floor area for a residential dwelling within the applicable zone or 40 percent of the main building gross floor area, whichever is greater but in no case shall it exceed 8% of the lot area.

3.1.3.2 The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured

as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. (B/L 2002-139)

3.1.3.3 A maximum of two accessory buildings or structures, excluding outdoor swimming pools, shall be permitted on a lot in any class of residential zone.

3.1.4 YARD REQUIREMENTS

3.1.4.1 Notwithstanding the minimum yard provisions of this By-law, the following accessory structures and setbacks may be permitted:

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

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

3.1.5 MUTUAL STRUCTURES

3.1.5.1 Notwithstanding subsections 3.1.2 and 3.1.5 of this By-law, a mutual private garage or a mutual boat house may be erected on the common lot line between two lots.

3.2 DAYLIGHTING TRIANGLE

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

3.3 ESTABLISHED BUILDING LINE

3.3.1 Notwithstanding the minimum front yard provisions of this By-law, in any residential zone where the established building line is closer to the street line than the applicable minimum front yard provision, then a permitted building or structure shall be erected such that the depth of the front yard is not closer to the street line than the establishing building line and in no case shall the depth of the front yard be further away from the street line than 1.5 metres from the establishing building line or the applicable minimum front yard provision whichever is greater.

3.3.2 Notwithstanding the front yard provisions of this by-law, in any residential zone where the established building line is further from the street than the applicable minimum front yard provision, then no permitted building or structure shall be erected such that the depth of the front yard is either farther away from the street line or closer to the street line by more than 1.5 metres from the established line; but in no case shall said building or structure project closer to the street line than the minimum front yard provision of the applicable zone.

3.3.3 Subsections 3.3.1 and 3.3.2 shall not apply to prevent the extension or enlargement of an existing permitted use, building or structure which is non-complying with respect to the provisions of subsections 3.3.1 and 3.3.2.

3.4 **EXISTING BUILDINGS, STRUCTURES AND USES**

3.4.1 NON-CONFORMING USES

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

3.4.2 NON-COMPLYING USES

3.4.2.1 Nothing in this By-law shall prevent the use, 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 applicable lot area, and setbacks and any extension, enlargement or change of the use of said building or structure meets the parking requirements of this By-law.

3.4.3 PERMITTED EXTERIOR EXTENSION

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

3.4.4 RESTORATION TO A SAFE CONDITION

3.4.4.1 Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or

structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure, except such minor changes as may be expressly required for the restoration of the building or structure to a safe condition.

3.4.5 BUILDING PERMIT ISSUED

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

3.4.6 DISCONTINUED USE

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

3.4.7 DAMAGED BUILDINGS

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

3.5 FENCES

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

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

3.6 **FLOOD PLAIN SYMBOL (F)**

3.6.1 Unless otherwise specified within the applicable zone provisions, where the zone symbol shown on Schedule A to this By-law is followed by the flood plain symbol "(F)" the use of lands so zoned shall be limited to existing uses. New buildings, structures or additions shall only be permitted where a permit has been issued by the Lake Simcoe Conservation Authority under Ontario Regulation 153/90 as amended by Regulation 534/91, or any other subsequent regulation established by the Authority under Section 28 of the Conservation Authorities Act R.S.O. 1990.

3.7 **FRONTAGE ON PUBLIC STREET**

3.7.1 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 and obtains direct access onto an improved public street and which is maintained to provide year-round access.

3.7.2 Notwithstanding the above, any 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 by the Municipality as stated within a subdivision agreement shall be exempt from this provision.

3.8 **HEIGHT EXCEPTION**

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

3.9 **HOLDING SYMBOL (H)**

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

3.10 **HOME OCCUPATIONS**

3.10.1 The following requirements shall apply to any zone wherein a home occupation is permitted.

3.10.1.1 The home occupation shall be clearly secondary to the main use of the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located;

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

3.10.1.3 The home occupation shall not interfere with television or radio reception on adjacent lots;

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

- 3.10.1.5 The home occupation shall not occupy more than 25 percent of the gross floor area of the dwelling unit whether or not such home occupation is located within the dwelling or within an accessory structure;
- 3.10.1.6 Parking shall be provided in accordance with subsection 3.14 of this By-law;
- 3.10.1.7 There shall be no outside storage of goods or materials associated with the home occupation.

3.11 **LANDSCAPING**

- 3.11.1 In any zone, all landscaping shall be in accordance with the definition of landscaping and shall be maintained in a healthy condition and shall be neat and orderly in appearance.
- 3.11.2 Where a commercial or industrial zone abuts any zone, other than any class of commercial or industrial zone, a landscaped buffer not less than 6 metres in width shall be provided within the commercial or industrial zone boundary. In addition to any other provision of this By-law, such landscaping shall provide high and low level visual screening and consist of both evergreen and deciduous planting. Notwithstanding the above, a landscaped buffer in a commercial zone may be reduced in width to 3 metres where a coniferous planting strip or opaque fence, 1.8 metres in height is provided in conjunction with the landscaping.
- 3.11.3 A 1.5 metre landscaped buffer shall be provided between any public street and parking or outside display areas.

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

- 3.12.1 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 14 metres and a minimum lot area of 800 square metres.

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

3.13 **MULTIPLE USES**

- 3.13.1 Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with. Where a multiple use is located within or adjacent to any class of Residential Zone, landscaping will be provided in accordance with Section 3.10.

3.14 **MULTIPLE ZONES ON A LOT**

- 3.14.1 Where a lot which existed at the date of passing of this By-law is located within two or more zones the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each portion of such lot provided the lot as a whole has a minimum frontage of 15 metres. In such instances, the zone boundary shall be considered a lot line for the purposes of interpreting and applying the "zone" and "general" provisions of this By-law.
- 3.14.2 Notwithstanding article 3.13.1 no lot shall be created within any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone.

3.15 **PARKING AND LOADING FACILITIES**

3.15.1 OFF-STREET PARKING

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

- (a) Handicapped parking spaces shall be provided where ten or more parking spaces are required on a lot and, unless otherwise specified, shall be provided on the basis of 1.0 percent of all required parking spaces. Such spaces shall be sized, signed and reserved for handicapped parking.
- (b) Where the calculation of the parking space requirement does not result in a whole number the requirement shall always be rounded up to the next whole number.

3.15.1.2	<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
	Animal Hospital, or Veterinarian	5 per Veterinarian
	Bank, Financial Institution	1 per 20 sq. m of g.f.a.
	Business, Professional or Other Office	1 per 30 sq. m of g.f.a.
	Bowling Alley, Curling Rink	3 per lane or curling sheet plus 1 per 9 sq. m of g.f.a. devoted to a restaurant, or liquor licenced premises
	Day Nursery, Day Care Centre	1.5 per classroom or teaching area
	Dry Cleaning Establishment, Laundry	1 per 20 sq. m of g.f.a. or 1 per washing machine whichever is greater
	Home for the Aged	0.75 per bed of which 5% shall be handicapped

Home Occupation	1 per 30 sq. m of g.f.a. of dwelling devoted to home occupation
Hospital	1 for every 4 beds or 1 per 100 sq. m of g.f.a., whichever is greater, of which 5% shall be handicapped
Hotel, Motel, Motor Hotel, Tourist Home, Lodge, Tourist Establishment	1.25 per guest room, or cottage plus 1 per 9 sq. m of g.f.a. devoted to a restaurant or liquor licenced premises
Industrial, Manufacturing Processing, Fabricating Warehousing, Wholesaling, Storage	1 per 40 sq. m of g.f.a. for "light" or "dry-light" industries 1 per 100 sq. m of g.f.a. for all others
Library, Museum	1 per 30 sq. m of g.f.a.
Liquor Licenced Premises	1 per 9 sq. m of g.f.a.
Marina, Dry-land	1 per 20 sq. m of g.f.a.
Medical Clinic or Offices for Health Care Professionals	5 per practitioner, of which 5% shall be handicapped
Motor Vehicle Sales Establishment, Motor Vehicle Service Station, Public Storage	1 per 20 sq. m of g.f.a. with a minimum of 5 spaces
Nursing Home	0.5 per bed of which 5% shall be handicapped
Place of Assembly, Place of Worship, Funeral Home	1 per 5 fixed seats, 1 per 3 m of bench seating or 1 per 7.5 sq. m of g.f.a. whichever is greater, of which 5% shall be handicapped
Residential Apartment, Fourplex,	1.5 per dwelling unit

Triplex, Town House or Converted Dwelling	of which 25% shall be for visitor parking
Dwelling in a non-residential building	2 per unit
Boarding or Lodging House	1 per guest room
Senior Citizens' Home	0.5 per unit of which 5% shall be handicapped
Residential other than specified herein	2 per unit
Restaurant	1 per 9 sq. m of g.f.a.
Restaurant, Drive-In	1 per 5 sq. m of g.f.a. with a minimum of 10 spaces
Retail Commercial Establishment, Dry Cleaning Depot	1 per 30 sq. m of g.f.a.
Schools, Elementary	1.5 per classroom or teaching area
Schools, Secondary or Commercial or Community College	4 per classroom or teaching area
Service Shop, Personal Service Shop	1 per 15 sq. m of g.f.a.
Shopping Centre	1 per 20 sq. m of g.l.f.a.
Supermarket, Food Store	1 per 20 sq. m of g.f.a.
Uses other than those specified	1 per 30 sq. m of g.f.a.

3.15.1.3 The parking lot shall have visible boundaries and the parking spaces clearly defined with the layout of spaces appropriately marked on the ground or signed.

3.15.1.4 Parking spaces, parking lots and driveways connecting the parking spaces to a street shall be maintained with a stable surface which is treated so as to prevent the

raising of dust. Such parking spaces, parking lots and driveways shall, before being used, be constructed of crushed stone, gravel, asphalt, brick, concrete or similar material.

- 3.15.1.5 A parking space shall be rectangular in shape having a minimum width of 2.8 metres and a minimum length of 6 metres and a minimum area of 17 square metres.
- 3.15.1.6 Notwithstanding article 3.14.1.5 parking spaces for the handicapped shall be rectangular in shape having a minimum width of 4 metres unless adjacent to another designated handicapped space in which case a width of 3.5 metres shall be permitted. Handicapped parking spaces shall be located in proximity to building entrances and handicapped access ramps, walkways or elevators.
- 3.15.1.7 Notwithstanding article 3.14.1.5, a parking space used for parallel parking shall have a minimum width of 2.4 metres and a minimum length of 7 metres.
- 3.15.1.8 Each parking space shall have adequate access to the street as described within the definitions of parking space. Notwithstanding this provision, where a dwelling unit has exclusive use of a private garage and/or driveway and 2 parking spaces are required for the said dwelling unit for the use by the one household, then the two parking spaces can abut end to end, so that one motor vehicle must be moved to enable the second one to have access to the street.
- 3.15.1.9 Unless otherwise provided for elsewhere in this By-law, all parking shall be located on the same lot as the use for which it is intended to serve.
- 3.15.1.10 If the use of a lot is for a place of assembly, the parking lot may be located on a separate lot not more than 150 metres from the location it is intended to serve.
- 3.15.1.11 The width of the aisle in a parking lot shall be based on the angle of the parking spaces to the aisle. If the angle of parking is different on each side of the aisle, then the aisle width shall be based on the parking spaces requiring the widest aisle width. The aisle requirements are as follows:

<u>Angle of Parking Space to Aisle</u>	<u>Minimum Aisle Width</u>
Parallel parking or less than 30 degrees	3.5 metres
Equal to or greater than 30 degrees but less than 50 degrees	4.0 metres
Equal to or greater than 50 degrees but less than 70 degrees	5.5 metres
Equal to or greater than 70 degrees but less than or equal to 90 degrees	7.0 metres

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

3.15.1.13 No driveway shall be located closer than 10 metres from the limits of the right-of-way at the street intersection.

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

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

3.15.2 OFF-STREET LOADING SPACE REQUIREMENTS

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

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

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

- 3.15.2.2 In addition, no loading space or platform or loading door shall be located in any yard or wall of any building or structure which adjoins or faces a street. In addition to automobile parking lots, parking lot(s) for the use of commercial and industrial traffic shall be provided but shall not be located in any yard flanking a street.
- 3.15.2.3 Where an addition to an existing building has the effect of increasing total floor area to 301 square metres or greater, the provisions herein shall apply.
- 3.15.2.4 The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, they shall be constructed of one or more of the following: crushed stone, slab, gravel, crushed brick (or tile) cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 0.15 metres and with provisions for drainage facilities.

3.16 **PUBLIC USES PERMITTED**

3.16.1 **STREETS AND INSTALLATIONS**

- 3.16.1.1 Except as provided for in articles 3.16.3.1 and 3.16.3.2, nothing in this By-law shall prevent the use of land for a street or prevent the installation,

within such street, of municipal works, gas mains, pipelines, or overhead or underground electrical or telephone lines provided that the location of such work or lines has been approved by the municipal authority having jurisdiction over, or ownership of, the affected streets.

3.16.2 BY-LAW REQUIREMENTS

3.16.2.1 Every public use shall comply with the general provisions of this By-law as contained in Section 3 hereof as well as the applicable zone provisions for the lot upon which such use is located.

3.16.3 ZONES WHERE PERMITTED

3.16.3.1 The provisions of this By-law shall not apply to prevent the use of land or the use or erection of a building or structure, in any zone classification save and except the environmental classification, for the purposes of a public service provided by the Municipality, the County or any Board thereof, provided that it is in conformity with the general character of the area. For the purposes of this article a public service shall include fire halls and works depots or yards but shall exclude community centres, recreational facilities, administrative facilities or land fill sites.

3.16.3.2 The provisions of this By-law shall not apply to prevent the use of land or the use or erection of a building or structure for the purposes of a public service provided under the authority of any Department or Ministry of the Government of Canada or Ontario, any Conservation Authority or any School Board, provided it is in conformity with the general character of the area. For the purposes of this article a public service shall include Ontario Hydro, any telephone, cable television, radio communications or natural gas distribution company which possesses all necessary powers, rights, licences or franchises but shall exclude administrative offices or schools.

3.16.4 PROVISIONS IN RESIDENTIAL ZONES

3.16.4.1 Any above ground non-recreational public use which is located in a Residential zone shall be enclosed in a

building designed, located and maintained in general harmony with the permitted residential buildings in such zone.

3.17 **REDUCTION OF REQUIREMENTS**

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

3.18 **RELOCATED BUILDINGS**

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

3.19 **SPECIAL SETBACKS OR RESTRICTIONS**

3.19.1 **ENVIRONMENTAL PROTECTION ZONE SETBACKS AND RESTRICTIONS**

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

- (a) from the boundary of any class of Environmental zone located on the same lot shall be 3 metres;
- (b) from any class of Environmental zone, not located on the same lot, shall be the applicable yard requirement for the zone or a water setback of 15 metres whichever is greater.

3.19.2 **DWELLING UNIT RESTRICTION**

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

3.19.3 THROUGH LOTS

3.19.3.1 A through lot shall be subject to the front yard setback and other requirements contained herein on each

street in accordance with the provisions of the zone or zones in which such lot is located.

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

3.19.4 INDUSTRIAL AND RESIDENTIAL SETBACKS AND RESTRICTIONS

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

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

(i) light industry	30 m
(ii) medium industry	90 m
(iii) heavy industry	300 m

3.20 TEMPORARY USES PERMITTED

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

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

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

3.21 UNENCLOSED STORAGE OF UNLICENCED MOTOR VEHICLES

- 3.21.1 No lot or part of a lot except a private garage shall be used for the storage of motor vehicles or parts of motor vehicles that have not been licenced for one year.

PART 4 - ZONES AND ZONING MAPS

4.1 **ZONES**

4.1.1 For the purpose of this By-law, the following zones shall be and the same are established within the defined areas on Schedule A to this By-law:

Part	Zone Symbol	Zone Title	Zone Classification
5	EP	Environmental Protection	Environmental
6	CF	Community Facility	Community
7	A1	Rural General	Agricultural
8	R1	Residential Type One	Residential
9	R2	Residential Type Two	Residential
10	C1	General Commercial	Commercial
11	C2	Highway Commercial	Commercial
12	M1	Restricted Industrial	Industrial
13	M2	General Industrial	Industrial

4.2 **ZONING MAPS**

4.2.1 The extent and boundaries of the said zones are shown on Schedule A attached hereto and may be cited as the "Zoning Map" and is declared hereby to form part of this By-law. Such zones may be referred to by the appropriate Zone symbols.

4.3 **SPECIAL EXCEPTIONS**

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

4.4 **ZONE AND GENERAL PROVISIONS**

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

PART 5 - ENVIRONMENTAL PROTECTION (EP) ZONE

5.1 **USES PERMITTED**

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

5.1.1.1 Conservation uses

5.1.1.2 Bird or Wildlife Sanctuaries

5.1.1.3 Flood and Erosion Control Works

5.2 **PROHIBITION OF BUILDING CONSTRUCTION**

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

5.3 **ENVIRONMENTAL PROTECTION EXCEPTION ZONES**

5.3.1 ENVIRONMENTAL PROTECTION EXCEPTION ONE (EP-1) ZONE

5.3.1.1 In addition to the uses permitted in Section 5.1 and notwithstanding Section 5.2, land zoned "EP-1" may be used for a public water supply system and associated facilities.

PART 6 - COMMUNITY FACILITY (CF) ZONE

6.1 **USES PERMITTED**

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

6.1.1.1 Public Parks, Private Parks

6.1.1.2 Cemeteries

6.1.1.3 Municipal Buildings, Structures, Community Centres, Arenas, Libraries, Museums, Curling Rink

6.1.1.4 Hospitals, Health or Medical Centres

6.1.1.5 Places of Worship

6.1.1.6 Elementary Schools, Secondary Schools

6.1.1.7 Day nurseries

6.1.1.8 Charitable and Private Clubs

6.1.1.9 Public uses exclusive of outside storage

6.2 **ZONE PROVISIONS**

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

6.2.1.1 Lot Area (min.) 650 sq. m

6.2.1.2 Lot Frontage (min.) 15 m

6.2.1.3 Yard Requirements (min.)

(a) front 9 m

(b) interior side 7.5 m

(c) exterior side 7.5 m

(d) rear 9 m

6.2.1.4 Lot Coverage (max.) 50%

6.2.1.5 Building Height (max.) 11 m

- | | | |
|---------|--|------------|
| 6.2.1.6 | Gross Floor Area | no minimum |
| 6.2.1.7 | Landscaped Open Space (min.) | 30% |
| 6.3 | <u>COMMUNITY FACILITY EXCEPTION ZONES</u> | |
| | "Reserved" | |

PART 7 - RURAL GENERAL (A1) ZONE

7.1 **USES PERMITTED**

- 7.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A1) Zone, except for the following uses:
- 7.1.1.1 Agricultural use involving cropping only or an existing livestock operation, Nursery or Commercial Greenhouse
 - 7.1.1.2 Agricultural produce storage facility or seasonal fruit flower or farm produce outlet for goods grown or produced on the property.
 - 7.1.1.3 Bed and Breakfast Establishment
 - 7.1.1.4 Cemeteries
 - 7.1.1.5 Farm Equipment Sales and Service, Feed Mill, Grain Drying and Storage
 - 7.1.1.6 Home Occupation
 - 7.1.1.7 Kennels
 - 7.1.1.8 Single Detached Dwelling
 - 7.1.1.9 Riding or Boarding Stables, Tack Shop
 - 7.1.1.10 Wayside Pit

7.2 **ZONE PROVISIONS**

- 7.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A1) Zone, except in conformity with the following zone provisions:
- 7.2.1.1 Lot Area (min.) 8 ha
 - 7.2.1.2 Lot Frontage (min.) 120 m
 - 7.2.1.3 Yard Requirements (min.)
 - (a) front 30 m

- (b) interior side 9 m
 - (c) exterior side 15 m
 - (d) rear 25 m
 - (e) kennel setback 45 m from a lot line or 150 m from an existing dwelling on an abutting lot whichever is greater.
 - (f) building for animal husbandry 100 m from a lot line or 300 m from an existing dwelling on an abutting lot whichever is greater.
- 7.2.1.4 Lot Coverage (max.) 5 %
- 7.2.1.5 Building Height (max.)
- (a) building accessory to a farm - No restriction
 - (b) all others 10 m
- 7.2.1.6 Gross Floor Area per dwelling (min.) 102 sq. m
- 7.2.1.7 Notwithstanding subsections 7.1.1 and 7.2.1 where a lot is created by consent such lot shall only be used in accordance with Sections 8.1 and 8.2 of this By-law but shall not exceed a lot area of 1.0 hectares.
- 7.2.1.8 In the case of an accessory building being used for the parking or storage of school buses or commercial motor vehicles on a lot in an agricultural zone, the maximum height of such building shall be 5 metres and the total floor area for all accessory buildings on the lot shall not exceed 150 square metres.
- 7.2.1.9 Where an existing lot having less lot area or frontage than required is located in any agricultural zone, subsection 3.11.1 shall not apply to permit the establishment of agricultural use, on a lot having an area of less than 2 hectares.
- 7.2.1.10 Where a lot is created by consent in an agricultural zone the retained lot shall be deemed to be an existing non-complying lot and the provisions of subsections 3.4.1 and 3.4.2 shall apply.
- 7.2.1.11 Notwithstanding article 7.2.1.1 of this By-law, a specialized agricultural use is only permitted on a lot having a minimum lot area of 10 hectares.

7.3 **RURAL GENERAL EXCEPTION ZONES**

7.3.1 RURAL GENERAL EXCEPTION ONE (A1-1) ZONE

7.3.1.1 Notwithstanding subsection 7.1.1, land zoned "A1-1" may only be used for those uses, buildings and structures existing on the day this By-law was passed.

7.3.1.2 Notwithstanding article 7.2.1.1, land zoned "A1-1" shall have a minimum lot area of 9.125 hectares.

PART 8 - RESIDENTIAL TYPE ONE (R1) ZONE

8.1 USES PERMITTED

8.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Residential Type One (R1) Zone, except for the following uses:

8.1.1.1 Single Detached Dwelling

8.1.1.2 Converted Dwelling

8.1.1.3 Duplex

8.1.1.4 Home Occupation

8.1.1.5 Park

8.1.1.6 School

8.2 ZONE PROVISIONS

8.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Residential Type One (R1) Zone, except in conformity with the following zone provisions:

8.2.1.1 Lot Area (min. per d.u.)
(a) Communal or municipal water supply 1400 sq. m
(b) Individual water supply and sewage disposal 2000 sq. m

8.2.1.2 Lot Frontage (min.)
(a) Communal or municipal water supply 22 m
(b) Individual water supply and sewage disposal 30 m

8.2.1.3 Yard Requirements (min.)
(a) front 9 m
(b) interior side 3 m one side, 1.8 m one side plus 0.6 m for each additional storey or partial storey above the first
(c) exterior side 7.5 m

- (d) rear 7.5 m
- (e) the provisions of Section 3.3. shall also apply
- 8.2.1.4 Lot Coverage (max.) 30 %
- 8.2.1.5 Building Height (max.) 11 m
- 8.2.1.6 Gross Floor Area (min.per d.u.)
 - (a) single detached dwelling 93 sq. m
 - (b) converted dwelling or duplex 65 sq. m
- 8.2.1.7 Landscaped Open Space (min.) 25 %
- 8.2.1.8 Density (max. per lot) 2 d.u.
- 8.2.1.9 Notwithstanding subsections 8.1.1 and 8.2.1, an elementary or secondary school shall only be permitted in accordance with the zone provisions of Section 6.2.

8.3 **RESIDENTIAL TYPE ONE EXCEPTION ZONES**

8.3.1 RESIDENTIAL TYPE ONE EXCEPTION ZONE (R1-1) ZONE

8.3.1.1 Notwithstanding articles 8.2.1.1, 8.2.1.2, 8.2.1.4, 8.2.1.6 and 8.2.1.8 and in addition to any other provision of subsection 8.2.1, land zoned "R1-1" shall be subject to the following zone provisions:

- (a) lot area (min.) 1000 sq.m
 - (b) lot frontage (min.) 18 m
 - (c) floor area (min.) 75 sq.m
 - (d) floor area (max.) 105 sq.m
 - (e) lot coverage(max.) 15 %
 - (f) dwelling units (max.) 1
- (B/L 1995-18)

8.3.2 RESIDENTIAL TYPE ONE EXCEPTION TWO (R1-2) ZONE

8.3.2.1 Notwithstanding article 8.1.1, land zoned "R1-2" may also be used for a home industry.

8.3.2.2 Notwithstanding article 8.2.1, land zoned "R1-2" shall also be subject to the following zone provisions:

- (a) floor area (max.) for a use permitted under article 8.3.2.1 150 sq.m
- (b) maximum number of parking spaces 15
- (c) front yard for a non-residential

- | | |
|--|------|
| use (min.) | 15 m |
| (d) side yard for a non-residential use
west side (min.) | 20 m |
| (e) maximum number of non-residential
uses, as permitted under
article 8.3.2.1 | 1 |
| (f) outdoor storage and display | none |

8.3.2.3 For the purpose of the R1-2 Zone the following definitions shall apply:

- (a) A home industry means an accessory use which is carried out in part of a dwelling or a wholly enclosed building accessory to a residential use, for the gainful employment of members of the household residing in the dwelling and a maximum of two non-resident employees, for a motor vehicle repair shop, a building trades or contractors shop, a custom workshop, or a small engine repair shop, with no outside storage and display of parts, products or derelict or unlicensed vehicles.
- (b) A Motor Vehicle Repair Shop means a wholly enclosed building for a motor vehicle diagnostic center and the maintenance, repair or replacement of motor vehicle engines; brakes; tires; electrical, cooling, hydraulic and drive train systems; and such repairs as are critical to the operation of a motor vehicle but shall not include a Motor Vehicle Body Repair Shop, a Motor Vehicle Fuel Bar, a Motor Vehicle Washing Establishment or the repair of heavy equipment such as bulldozers, dump trucks, caterpillar tractors, graders, farm equipment, or commercial vehicles other than light trucks and vans.
(B/L 1999-08)

8.3.3 RESIDENTIAL TYPE ONE EXCEPTION THREE (R1-3) ZONE

- 8.3.3.1 Notwithstanding the minimum lot area requirement set out in Section 8.2.1.1 (b), on land zoned R1-3, the minimum lot area requirement per dwelling unit shall be 1,565 sq.m.

All other provisions of the R1 Zone shall apply.
(B/L 2007-095)

PART 9 - RESIDENTIAL TYPE TWO (R2) ZONE

9.1 **USES PERMITTED**

9.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Residential Type Two (R2) Zone, except for the following uses:

9.1.1.1 All uses permitted in the R1 Zone subject to the requirements of subsection 8.2.1

9.1.1.2 Semi-detached, Triplex, Fourplex, Home for the Aged, Senior Citizens' Home

9.1.1.3 Public Park

9.1.1.3 Elementary or Secondary School

9.2 **ZONE PROVISIONS**

9.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Residential Type Two (R2) Zone, except in conformity with the following zone provisions:

9.2.1.1 Lot Area (min. per d.u.) 750 sq. m

9.2.1.2 Lot Frontage (min. per d.u.) 12 m

9.2.1.3 Yard Requirements (min.)

(a) front 9 m

(b) interior side 3 m

(c) exterior side 9 m

(d) rear 9 m

(e) the provisions of Section 3.3. shall also apply

9.2.1.4 Lot Coverage (max.) 30 %

9.2.1.5 Building Height (max.) 11 m

9.2.1.6 Gross Floor Area (min. per d.u.)

(a) bachelor apartment 38 sq. m

(b) all other uses 55 sq. m

9.2.1.7 Landscaped Open Space (min.) 30 %

- 9.2.1.8 Density (max. per lot)
- | | |
|----------------------------------|--------|
| (a) duplex or converted dwelling | 2 d.u. |
| (b) semi-detached dwelling | 1 d.u. |
| (c) triplex | 3 d.u. |
| (d) fourplex | 4 d.u. |
| (e) all others no maximum | |
- 9.2.1.9 Notwithstanding article 9.2.1.3, clause (b), an interior side yard shall not be required for the common wall of a semi-detached dwelling.
- 9.2.1.10 Notwithstanding subsections 9.1.1 and 9.2.1 an elementary or secondary school shall only be permitted in accordance with the zone provisions of Section 6.2.
- 9.2.1.11 No main building or structure may be erected and no use may be established in the Residential Type Two (R2) Zone unless the lot upon which it is to be situated is serviced by a municipal water system.

9.3 **RESIDENTIAL TYPE TWO EXCEPTION ZONES**

9.3.1 RESIDENTIAL TYPE TWO EXCEPTION ONE (R2-1) ZONE

- 9.3.1.1 Notwithstanding articles 9.2.1.1 and 9.2.1.8, on land zoned "R2-1" the minimum lot area per dwelling unit shall be 500 square metres and the maximum number of dwelling units shall be 2.

9.3.2 RESIDENTIAL TYPE TWO EXCEPTION TWO (R2-2) ZONE

- 9.3.2.1 Notwithstanding articles 3.14.1.1, 9.2.1.1 and 9.2.1.8, land zoned "R2-2" shall be subject to the following zone provisions:
- | | |
|---------------------------|--------------|
| (a) parking spaces (min.) | 7 |
| (b) lot area (min.) | 2346.4 sq. m |
| (c) d.u. per lot (max.) | 4 |

PART 10 - GENERAL COMMERCIAL (C1) ZONE

10.1 **USES PERMITTED**

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

10.1.1.1 Veterinary Clinic

10.1.1.2 Banks, Financial Institutions

10.1.1.3 Bed and Breakfast Establishment

10.1.1.4 Business or Professional Offices

10.1.1.5 Commercial Schools

10.1.1.6 Clubs

10.1.1.7 Dry Cleaning and Laundry Depot

10.1.1.8 Funeral Parlor

10.1.1.9 Medical Clinic

10.1.1.10 Museum, Library

10.1.1.11 Recreational Establishment

10.1.1.12 Restaurant

10.1.1.13 Retail Stores, service shops, personal service shops and custom workshop

10.1.1.14 Upholstering and furniture repair

10.1.1.15 Dwelling units as part of a building containing a permitted non-residential use.

10.2 **ZONE PROVISIONS**

10.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Commercial (C1)

Zone, except in conformity with the following zone provisions:

10.2.1.1	Lot Area (min.)	1115 sq. m
10.2.1.2	Lot Frontage (min.)	15 m
10.2.1.3	Yard Requirements (min.)	
	(a) front	nil
	(b) interior side	
	(i) nil for an interior side yard where the building has a common wall with the building on an adjacent lot.	
	(ii) All others	1.5 m
	(c) exterior side	6 m
	(d) rear	5 m
10.2.1.4	Lot Coverage (max.)	60 %
10.2.1.5	Building Height (max.)	11 m
10.2.1.6	Gross Floor Area (min.)	
	(a) bachelor apartment	35 sq. m
	(b) all other residential	units 55 sq. m plus 14 sq. m for each habitable room, in excess of 4
	(c) all other uses	no minimum
10.2.1.7	Landscaped Open Space (min.)	10 %
10.2.1.8	Density (max. per lot)	
	(a) residential	2 d.u.
	(b) all other uses (max. F.A.R.)	1.0
10.2.2	No building or structure may be erected and no use may be established in the General Commercial (C1) Zone unless the lot upon which it is to be situated is serviced by a municipal water system.	

10.3 **GENERAL COMMERCIAL EXCEPTION ZONES**

10.3.1 GENERAL COMMERCIAL EXCEPTION ONE (C1-1) ZONE

10.3.1.1 Notwithstanding the definition of the term "lot" all land zoned "C1-1" shall be one lot.

10.3.1.2 Notwithstanding articles 13.4.1.1, 10.1.1.12, 10.2.1.1, 10.2.1.2, land zoned "C1-1" shall be subject to the following zone provisions:

- (a) parking spaces (min)
 - i) residential 7
 - ii) Commercial 9
- (b) dwelling units (max.) 5
- (c) number of premises (max.) 7
- (d) lot area (min.) 1500 sq. m
- (e) lot frontage (min.) 30 m
- (f) a restaurant is not permitted
- (g) except for entrances, storage areas or laundry facilities, no portion of a dwelling unit shall be located on or below the first storey.

(B/L 1997-10)

10.3.2 GENERAL COMMERCIAL EXCEPTION TWO (C1-2) ZONE

10.3.2.1 Notwithstanding clause 10.2.1.8 (a), in the 'C1-2' Zone there shall be a maximum of one dwelling unit.

10.3.2.2 Except for entrances, storage areas or laundry facilities, no portion of a dwelling unit shall be located on or below the first storey.

(B/L 1996-10)

PART 11 - HIGHWAY COMMERCIAL (C2) ZONE

11.1 USES PERMITTED

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

11.1.1.1 Animal Hospital or Veterinary Clinic

11.1.1.2 Bed and Breakfast Establishment

11.1.1.3 Hotels, Motels, or Motor hotels

11.1.1.4 Motor vehicle sales establishment, motor vehicle service station, motor vehicle fuel bar

11.1.1.5 Recreational establishment

11.1.1.6 Restaurant, drive-in restaurant

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

- (a) furniture, home furnishings and home decorating supplies
- (b) major appliances
- (c) motor vehicle, marine and recreational vehicle accessories, trailers, boats and motorized snow vehicles

11.1.1.8 Retail sales establishment, with accessory outside storage and display for:

- (a) building or home improvement supplies
- (b) construction and trades equipment, supplies and machinery
- (c) dry-land marina
- (d) farm implements and machinery
- (e) garden and nursery supplies
- (f) recreational and sports equipment
- (g) trailers, mobile camper trailers, motorized mobile home, motorized snow vehicles and truck campers

11.1.1.9 Tourist Information Centre

11.1.1.10 One dwelling unit as part of a building containing another permitted use

11.2 **ZONE PROVISIONS**

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

11.2.1.1 Lot Area (min.)
(a) with municipal water supply 2000 sq. m
(b) without municipal water supply 4000 sq. m

11.2.1.2 Lot Frontage (min.) 45 m

11.2.1.3 Yard Requirements (min.)
(a) front 9 m
(b) interior side 9 m
(c) exterior side 9 m
(d) rear 12 m

11.2.1.4 Lot Coverage (max.) 35 %

11.2.1.5 Building Height (max.) 11 m

11.2.1.6 Gross Floor Area (min.)
(a) Residential units 55 sq. m plus 14 sq. m for each habitable room in excess of 4
(b) All other uses no minimum

11.2.1.7 Landscaped Open Space (min.) 20 %

11.2.1.8 Density (max. per lot)
(a) Residential 1 d.u.
(b) All other uses (max. F.A.R.) 0.5

11.2.1.9 Setback for Outside Storage and Display (min.) 1.5 m

- 11.2.1.10 Lot Coverage Including Outside Storage and Display (max.)
- (a) with municipal water 60 %
 - (b) without municipal water 50 %
- 11.2.2 Motor Vehicle Service Stations and Fuel Bars
- 11.2.2.1 Distance between a fuel pump island or a fuel pump canopy and any street line, daylighting triangle or a lot line abutting a residential zone (min.) 6 m
- 11.2.2.2 Distance between a fuel pump or a fuel pump canopy and a dwelling unit (min.) 15 m
- 11.2.2.3 Distance between access ramps or driveways (min.) 9 m
- 11.2.2.4 Distance between access ramps and a side lot line or the intersection of two street lines (min.) 9 m
- 11.2.2.5 The interior angle of an access ramp shall not be less than forty-five degrees or greater than ninety degrees.
- 11.2.2.6 All repair or servicing of motor vehicles shall be carried out within a wholly enclosed building.
- 11.2.3 No building or structure may be erected and no use may be established in the Highway Commercial (C2) Zone unless the lot upon which it is to be situated is serviced by a municipal water system.

11.3 **HIGHWAY COMMERCIAL EXCEPTION ZONES**

- 11.3.1 HIGHWAY COMMERCIAL EXCEPTION ONE (C2-1) ZONE
(Lot 1, Plan 119 - 106 King Street)
- a. Land zoned C2-1 shall, in addition to the uses permitted under Section 11.1, permit a blacksmith operation, subject to the operation being carried out in a wholly-enclosed building.
 - b. Outside storage shall be limited to the area shown on Schedule "A" attached to this By-Law, and excluded from the area shown on Schedule "A" attached to this By-Law.

- c. Accessory storage shall be limited to a height not exceeding 1.8 metres and located in the area shown on Schedule "A" attached to this By-Law.
- d. Close board decorative wooden fences, no less than 2.0 metres in height, shall be located as shown on Schedule "A" attached to this By-Law.
- e. For the purposes of Section 11.3. 1 a., a blacksmith operation shall be defined as an operation which makes and repairs objects made of metal, using a forge and may include the welding of objects.

(B/L 2004-30)

PART 12 - RESTRICTED INDUSTRIAL (M1) ZONE

12.1 USES PERMITTED

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

12.1.1.1 Light industry, Dry-light industry

12.1.1.2 Sales or service of motor vehicles, motor vehicle parts or motor vehicle accessories exclusive of a motor vehicle scrap or salvage yard.

12.1.1.3 Custom workshop

12.1.1.4 Public garage, motor vehicle body shop

12.1.1.5 Contractor's yard

12.1.1.6 Laundry or dry cleaning establishment

12.1.1.7 Business or Professional Office accessory to a permitted use.

12.2 ZONE PROVISIONS

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

12.2.1.1 Lot Area (min.)
(a) with municipal water supply 3000 sq. m
(b) without municipal water supply 4000 sq. m

12.2.1.2 Lot Frontage (min.)
(a) with municipal water supply 30 m
(b) without municipal water supply 45 m

12.2.1.3 Yard Requirements (min.)
(a) front 9 m
(b) interior side 6 m
(c) exterior side 6 m
(d) rear 9 m

(e) the provisions of Section 3.18 shall also apply.

- | | | |
|----------|---|---------------|
| 12.2.1.4 | Lot Coverage (max.) | 50 % |
| 12.2.1.5 | Building Height (max.) | 11 m |
| 12.2.1.6 | Gross Floor Area | no minimum |
| 12.2.1.7 | Landscaped Open Space (min.) | 10 % |
| 12.2.1.8 | Density (max. F.A.R.) | 0.5 |
| 12.2.1.9 | Outside storage | not permitted |
| 12.2.2 | Except for a dry-light industry, no building or structure may be erected and no use may be established in the Restricted Industrial (M1) Zone unless the lot upon which it is to be situated is serviced by a municipal sewer system. | |

12.3 **RESTRICTED INDUSTRIAL EXCEPTION ZONES**

"Reserved"

PART 13 - GENERAL INDUSTRIAL (M2) ZONE

13.1 USES PERMITTED

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

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

13.1.1.2 Building supply and equipment depots and sales

13.1.1.3 Bulk fuel storage

13.1.1.4 Dry-land Marina

13.1.1.5 Factory outlet

13.1.1.6 Farm implement sales and service, feed mills and associated sales

13.1.1.7 Agricultural produce storage facilities, seed cleaning

13.1.1.9 Medium Industry

13.1.1.10 Truck, Transport or Bus terminals

13.1.1.11 Outside storage accessory to a permitted use

13.2 ZONE PROVISIONS

13.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Industrial (M2) Zone, except in conformity with the following zone provisions:

13.2.1.1 Lot Area (min.) 3000 sq. m

13.2.1.2 Lot Frontage (min.) 35 m

13.2.1.3 Yard Requirements (min.)

(a) front	9 m
(b) interior side	6 m
(c) exterior side	6 m
(d) rear	12 m

(e) the provisions of Section 3.18 shall also apply.

- | | | |
|----------|---|------------|
| 13.2.1.4 | Lot Coverage (max.) | 50 % |
| 13.2.1.5 | Building Height (max.) | 11 m |
| 13.2.1.6 | Gross Floor Area | no minimum |
| 13.2.1.7 | Landscaped Open Space (min.) | 10 % |
| 13.2.1.8 | Density (max. F.A.R.) | 0.5 |
| 13.2.1.9 | Outside storage accessory to a permitted use, shall be permitted within a fenced, rear yard only, shall not be permitted within two metres of a lot line and the lot coverage of all buildings and outside storage combined shall not exceed 60%. | |
| 13.2.2 | No building or structure may be erected and no use may be established in the General Industrial (M2) Zone unless the lot upon which it is to be situated is serviced by a municipal water system. | |

13.3 **GENERAL INDUSTRIAL EXCEPTION ZONES**

"Reserved"

PART 14 - INTERPRETATION

14.1 **SCOPE**

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

14.2 **SYMBOLS**

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

14.3 **DEFINED**

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

14.4 **INTERPRETATION OF ZONE BOUNDARIES**

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

- (a) Where a zone boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane.
- (b) Where a zone boundary is indicated as approximately following lot lines shown on a registered plan of subdivision or lots registered in the appropriate Registry Office or Land Titles Office, the boundary shall follow such lot lines.
- (c) Where a street, lane, railroad or railway right-of-way, or watercourse is included on the zoning map, they shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof.
- (d) Where a street, lane, railroad or railway right-of-way, electrical transmission line

right-of-way, or watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such street, lane, right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.

- (e) Where a zone boundary is indicated as following the limits of the Municipality, the limits shall be the boundary.
- (f) Where none of the above provisions apply, the said zone boundary shall be scaled from the attached Schedules at the scale indicated.

14.5 **CERTAIN WORDS**

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

14.6 **MEASUREMENT**

14.6.1 The Metric system of measurement shall be the only standard to be applied in this By-law. The non-metric equivalents are included as Appendix "A" as a general guide for reference purposes only and does not form part of this By-law.

14.7 **ABBREVIATIONS**

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

d.u.	-	dwelling unit
ha	-	hectare
sq. m	-	square metre
m	-	metre
min.	-	minimum
max.	-	maximum
g.f.a.	-	gross floor area

g.l.f.a. - gross leaseable floor area
F.A.R. - Floor Area Ratio
G.S.C. - Geodetic Survey of Canada
C.G.D. - Canadian Geodetic Datum

14.8 **COMPLIANCE WITH OTHER LAWS**

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

PART 15 - ADMINISTRATION AND VALIDITY

15.1 **ENFORCEMENT**

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

15.2 **INSPECTION OF PREMISES**

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

15.3 **CONTINUATION OF EXISTING REGULATIONS**

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

15.4 **VIOLATION PENALTY**

15.4.1 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;

15.4.1.1 on a first conviction to a fine of not more than \$20,000.00 and;

15.4.1.2 on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the

contravention has continued after the day on which such person was first convicted.

15.4.2 Pursuant to Section 67 of the Planning Act, R.S.O. 1990, a corporation convicted of the contravention of any of the provisions of this By-law is guilty of an offence for which the maximum penalty that may be imposed is;

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

15.4.2.2 on a subsequent conviction a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

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

15.4.4 Where a conviction is entered in respect of any contravention of this By-law, in addition to any other remedy or any penalty provided by this By-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or corporation.

15.5 **REPEAL OF EXISTING ZONING BY-LAWS**

Restricted Area By-law 481, as amended, of the Corporation of the VILLAGE OF WOODVILLE is hereby repealed.

15.6 **VALIDITY**

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

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

READ a first time this 7th day of September, 1993

READ a second time this 6th day of September, 1993

READ a third time and passed this 7th day of September, 1993

"William Pethick"
Reeve

"Greer Thornbury"
Clerk

**APPENDIX "A" -
 METRIC CONVERSION**

1) Linear Measurements (rounded)

Metres		Feet		Metres		Feet
0.15	-	0.5		7.5	-	24.6
0.50	-	1.6		9.0	-	29.5
0.60	-	2.0		10.0	-	32.8
0.75	-	2.5		11.0	-	36.0
1.0	-	3.3		12.0	-	39.4
1.2	-	4.0		15.0	-	49.2
1.5	-	5.0		18.0	-	59.0
1.8	-	6.0		20.0	-	65.6
2.0	-	6.6		24.0	-	78.7
2.5	-	8.2		25.0	-	82.0
3.0	-	9.9		30.0	-	89.4
3.5	-	11.5		35.0	-	114.9
4.0	-	13.1		40.0	-	131.2
4.5	-	14.8		45.0	-	147.6
5.0	-	16.4		50.0	-	164.0
5.5	-	18		0100.0	-	328.1
6.0	-	19		7200.0	-	656.2
6.5	-	21		3230.0	-	754.6
7.0	-	23		0300.0	-	984.3

2) Area Measurements

sq.m		sq.ft		Hectares		Acres
5	-	53.8		1		2.5
7.5	-	80.7		2	-	4.9
9	-	96.9		4	-	9.9
20	-	215.3		25	-	61.8
34	-	366.0		40	-	98.8
35	-	376.8				
55	-	592.0				
65	-	699.7				
92	-	990.3				
93	-	1001.1				
100	-	1076.4				
150	-	1614.6				
460	-	4951.6				
550	-	5920.3				
650	-	6996.8				
690	-	7427.3				
830	-	8934.3				
1390	-	14962.3				
1650	-	17761.0				
1860	-	20021.5				
2000	-	21528.5				
5000	-	53821.3				