

SECTION 1: ADMINISTRATION

1.1 Title

This By-law may be referred to as “The Zoning By-law of the Township of Ops.”

1.2 Area Affected by This By-law

This By-law applies to all lands, and lands under water within the Township of Ops, except for those lands shown on Schedule A as lands not subject to this By-law.

1.3 Building Permits

The requirements of this By-law must be met before a Building Permit is issued for the erection or alteration of any building or structure.

1.4 Enforcement

Any person convicted of a violation of this By-law is liable on first conviction to a fine of not more than \$25,000. and on a subsequent conviction to a fine of not more than \$10,000. for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted in accordance with Section 67 of the Planning Act RSO 1990.

1.5 Severability Provision

A decision of a Court that one or more of the provisions of this By-law are invalid in whole or part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.6 Repeal of Existing By-laws

By-law 78-14, By-law 81-9, By-law 91-20 and all amendments thereto are hereby repealed except as they apply to lands which are shown on Schedule A as not being subject to this By-law.

1.7 Effective Date

This By-law shall be deemed to come into force the day that it was passed where there are no appeals filed or where appeals are filed, where all of the appeals are finally disposed of by the Ontario Municipal Board.

1.8 Application of By-law

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

(B-L 93-42)

SECTION 2: GENERAL PROVISIONS

These provisions apply throughout the entire Township.

2.1 Accessory Uses

Any use, building or structure which is accessory to a permitted use in a zone shall be permitted in such zone provided that the principal use exists on the lot or a valid permit for the principal use has been issued. However, none of the following accessory uses shall be permitted in any zone unless such accessory use is listed as a permitted use in such zone:

- an accessory manufacturing use;
- a building or portion thereof used for human habitation;
- an extractive processing operation;
- a gasoline pump island;
- a home industry;
- a livestock building;
- any occupation for gain or profit conducted within or accessory to a dwelling unit; or
- an open storage area.

Accessory Structures (Residential Zone/Use)

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).

2.2 Access Regulations

2.2.1 Access Required

Unless otherwise specified herein, no person shall construct any residential building or structure in any portion of the Zoned Area unless the lot upon which such building or structure is to be constructed abuts an Improved Street as defined herein. This provision shall not apply to a lot on a registered plan of subdivision registered subsequent to the date of passing of this By-law.

2.2.2 Exemption For Private Rights-Of-Way

The provisions of this subsection shall not apply to any lot which abuts a private right-of-way provided that such a right-of-way existed as of the date of passing of this By-law.

2.3 Construction Uses

2.3.1 Temporary Uses

In any portion of the Zoned Area, a building or structure incidental to lawful construction on the lot where such building or structure is situated shall be permitted but only for as long as it is necessary for the work in progress and until the work is completed or abandoned and while a valid building permit for such construction remains in force.

2.3.2 Definition Of Abandoned

"Abandoned" in this subsection means the failure to proceed expeditiously with the construction work or the failure to undertake any construction work during any continuous twelve month period.

2.4. Dwelling Units

2.4.1 Number on Lot

Unless otherwise specified in this By-law, no more than one dwelling unit shall be located on a lot.

2.4.2 Minimum Areas

Unless otherwise specified in this By-law, the following are the minimum gross floor areas for dwelling units constructed in the Township.

- | | | |
|----|--|---|
| a) | 1 storey house | 84 sq. m. |
| b) | 1 1/2 storey house | 93 sq. m. |
| c) | 2.0 storey house | 110 sq. m. |
| d) | Second dwelling unit in a converted house, accessory apartment | 55 sq. metres |
| e) | apartment dwelling | 60 sq. metres plus
15 sq. metres for
each bedroom in excess
of one |
| f) | mobile home | 60 sq. metres |

2.4.3 Location Adjacent To Railroad

No part of any dwelling unit shall be located closer than:

- 9 metres to any abandoned railroad right-of-way; or
- 30 metres to any other railroad right-of-way.

;

Notwithstanding the setback provisions of this By-law to the contrary, where a permitted building or structure is to be constructed on a lot with an established building line, such permitted building or structure may be constructed closer to the street line or the centreline of the street, as the case may be, than required by this By-law provided such permitted building or structure is not constructed closer to the street line or the centreline of the street, as the case may be, than the existing established building line.

2.6 Gravel Pits And Stone Quarries

No gravel pit or stone quarry shall be established or made in any portion of the Zoned Area except in a zone where listed as a permitted use. No gravel pit or stone quarry shall be established or made in any landscaping area or planting strip required by this By-law.

2.7 Height Exceptions

The building height provisions of this By-law shall not apply to the following uses except within the Airport Height Restrictive Areas.

- a barn;
- a belfry;
- a bridge;
- a bulk storage tank;
- a chimney;
- a church spire;
- a clock tower;
- a communications tower;
- a corn crib;
- a drying elevator;
- an electric power facility other than a building;
- a farm implement shed;
- a feed, grain or bedding storage use;
- a flag pole;
- a grain elevator;
- a hose tower;
- a power transmission tower;
- a radio antenna;
- a railroad signal;
- a railroad switching tower;
- a silo;
- a stack;
- a television antenna;
- a ventilator;
- a water storage tank;
- a windmill.

2.8 Height Restrictions - Lindsay Airport

Notwithstanding any of the provisions of this By-law to the contrary, within the take-off/approach surface and transitional surface surrounding the Lindsay Airport as shown on Schedule B attached and forming part of this By-law, the following height restrictions shall apply:

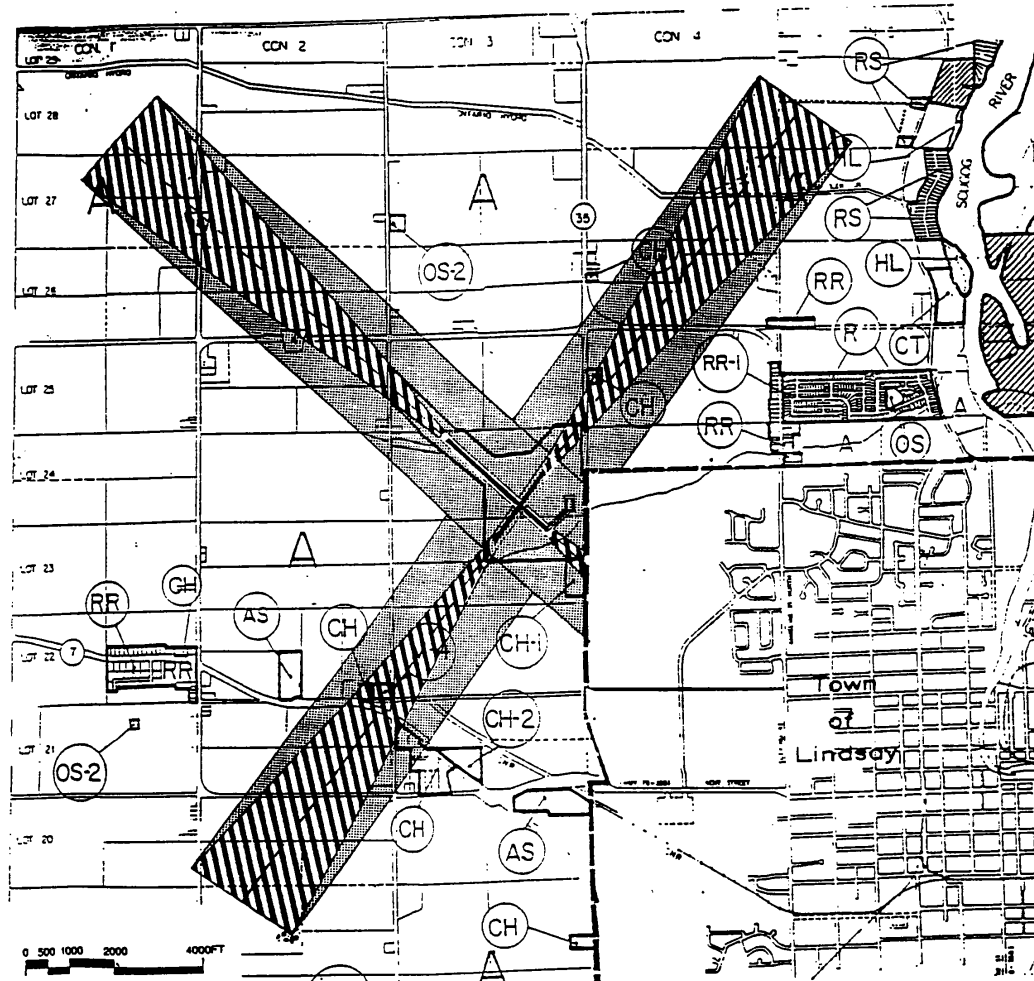
i) Take-Off/Approach Surface

No building or structure shall exceed the height determined by increasing the elevation at a rate of 2% from the edge of the runway through the take-off approach surface at a rate of 1 to 50 (2%) for a distance of 3,000 metres from the edge of the runway.

ii) Transitional Surface

No building or structure shall be erected in the transitional surface which exceeds a height determined by a line increasing in elevation from the runway through the transitional surface at a rate of 1 to 7 (14.3%).

Schedule 'B'
Township of Ops
By-Law 93-__



Transitional Surface
Slope (1:7)



Take - Off / Approach
Surface Slope (1:50)



Runway

2.9 Home Industries

No home industry shall be permitted in any portion of the Zoned Area unless such home industry complies with the following provisions:

2.9.1 Size

Not more than 100 square metres of floor area in all accessory buildings on any lot shall be devoted to a home industry use.

2.9.2 Advertising

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the lot is being used for home industry purposes.

2.9.3 Lot Requirements

The home industry shall only be permitted on a lot with the following minimum lot area, yard and setback provisions:

- | | | |
|------|--|--------------|
| i) | Minimum lot area requirement | 0.5 hectares |
| ii) | Minimum yard dimensions for accessory home industry building (all yards) | 20.0 metres |
| iii) | Minimum separation from a Residential Zone | 60.0 metres |
| iv) | Minimum separation from a dwelling house in existence on another lot. | 30.0 metres |

2.10 Home Occupations

No home occupation shall be permitted in any portion of the Zoned Area unless such home occupation complies with the following provisions:

2.10.1 Size

Not more than 25% of the dwelling unit area shall be used for the purpose of home occupation uses.

2.10.2 Occupancy

Any dwelling unit containing a home occupation shall be occupied as a residence by the user.

2.10.3 Advertising

There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the house, dwelling unit or lot is being used for a purpose other than residential.

2.10.4 Sales Or Rentals

On any lot containing a home occupation, there shall be no goods, wares or merchandise, other than those produced on the premises, offered or exposed for sale or rent on such premises.

2.10.5 Open Storage Area

No part of any lot containing a home occupation or home profession shall be used as an open storage area accessory to that home occupation.

2.11 Loading Space Regulations

2.11.1 Size

Each loading space shall be at least 14 metres long, 3.5 metres wide and have a vertical clearance of at least 4.5 metres.

2.11.2 Location

The required loading spaces shall be provided on the lot occupied by the building, structure or use for which such loading spaces are required and shall not form a part of any street, lane, parking space or delivery space. No portion of any loading space shall be located closer to any street line than the minimum front building setback for such building, structure or use in the zone where it is located.

2.11.3 Access

Access to loading spaces shall be by means of a driveway at least 3.5 metres wide contained within the lot on which the loading spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

2.11.4 Surface

The loading spaces and their associated driveways and entrances shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

2.11.5 Addition To Or Change Of Existing Use

When a building or structure has insufficient loading spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up until an addition or change of use is proposed. No addition may be built and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency.

2.11.6 Requirements

Loading spaces are required under this By-law in accordance with the following table.

LOADING SPACE REQUIREMENT TABLE

Gross Floor Area of Building	Loading Spaces Required
280 square metres or less	1 space
Exceeding 280 square metres but not exceeding 2,300 square metres	2 spaces
Exceeding 2,300 square metres	3 spaces

2.12 Lots Containing More Than One Use

2.12.1 Lot Area And Lot Frontage Requirements:

Where a lot contains more than one use which is not an accessory use, the lot area requirement shall be the sum of the requirements for each separate use. The lot frontage requirement shall be the greatest of the lot frontage requirements for each separate use in the zone where such lot is located.

2.12.2 Delivery, Loading And Parking Requirements

When a building, structure or lot contains more than one use, the delivery space requirement, loading space requirement and parking space requirement for such building, structure or lot shall be the sum of the requirements for each separate use.

2.13 Lots Divided Into More Than One Zone

Where a lot is divided into more than one zone, each such portion of the lot shall be used in accordance with the permitted uses of this By-law for the zone where such portion of the lot is located. However, for the purposes of determining zone provisions such as minimum lot area, minimum lot frontage and yard requirements, the entire lot shall be considered.

2.14 Non-Complying Buildings, Structures And Lots

2.14.1 Alterations To Non-Complying Buildings And Structures:

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation or repair of an existing, non-complying building or structure or the enlargement, reconstruction, renovation or repair of an existing building or structure on an existing, non-complying lot provided such enlargement, reconstruction, renovation or repair shall not:

- (a) increase the portion of the lot area covered by buildings if such coverage exceeds the applicable maximum building area permitted herein;
- (b) reduce the size of any yard adjoining that portion of such building or structure which is less than the applicable minimum building setback required herein;
- (c) reduce the distance between two buildings if such distance is less than the applicable minimum building separation required herein;

- (d) increase the overall vertical dimension of such building or structure if such dimension exceeds the applicable maximum building height permitted herein;
- (e) reduce the dwelling unit area of any dwelling unit if it is less than the applicable minimum dwelling unit area required herein;
- (f) reduce the gross floor area of any building or structure if it is less than the applicable minimum gross floor area required herein;
- (g) increase the net floor area of any building or structure if it exceeds the applicable maximum net floor area permitted herein;
- (h) reduce the portion of the lot used for landscaping purposes if such portion is less than the applicable minimum landscaping area required herein;
- (i) reduce the size of any planting strip required herein; or
- (j) contravene any other zone provisions.

2.14.2 Use Of Undersized Lots

Nothing in this By-law shall prevent the use of a lot which has a lesser lot area or lot frontage than the applicable minimum lot area or minimum lot frontage required herein provided:

- (a) such lot is an existing lot as defined herein, is the remnant parcel of a lot which has been divided by a consent granted by the Land Division Committee or such lot is created by an expropriation or other land acquisition by an agency of the Corporation, the County, the Province of Ontario or Canada;
- (b) the proposed use of such lot is a permitted use; and
- (c) the proposed use shall not contravene any other zone provisions.

2.15 Non-Conforming Buildings And Structures

2.15.1 Rebuilding Or Repair Permitted

Nothing in this By-law shall prevent the rebuilding or repair of an existing non-conforming building or structure that is damaged or destroyed subsequent to the date of passing of this By-law, provided that the external dimensions of the original building or structure are not increased and the use of the building or structure is not altered, unless altered to a permitted use.

2.15.2 Strengthening Permitted

Nothing in this By-law shall prevent the strengthening to a safe condition of an existing non-conforming building or structure, provided that the external dimensions of the original building or structure are not increased and the use of the building or structure is not altered, unless altered to a permitted use.

2.16 Obnoxious Uses

Within the Zoned Area, no person shall use any land or construct, alter or use any building or structure for any of the following purposes:

- an animal or fish glue manufacturing use;
- a blood boiling use;
- a chemical processing use;
- a noxious use;
- a tannery.

2.17 Parking Area Regulations

2.17.1 Size

Each parking space shall be at least 6 metres long, 2.8 metres wide, have an area of at least 17 square metres and a vertical clearance of at least 2 metres.

2.17.2 Location

The required parking area shall not form a part of any street, lane, delivery space or loading space. Unless otherwise specified herein, the required parking area shall be provided on the lot occupied by the building, structure or use for which such parking area is required.

2.17.3 Access

Access to parking spaces shall be by means of a driveway at least 2.8 metres wide contained within the lot on which the parking spaces are located and leading to a street or lane located within or adjoining the zone in which the use is located.

2.17.4 Surface

The parking spaces and their associated driveways and entrances shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

2.17.5 Addition To Or Change Of Existing Use

When a building or structure has insufficient parking spaces on the date of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up until an addition or change of use is proposed. No addition may be built and no change of use may occur if the effect of an addition or change of use would be to increase such deficiency.

2.17.6 Restrictions In Residential Zones

In a Residential Zone, no person shall park more than one vehicle per dwelling unit which is a commercial motor vehicle having a maximum wheelbase of 5.0 metres as defined in the Highway Traffic Act. School buses are exempted from this requirement.

2.17.7 Restrictions In Other Zones

In any Residential zone, no person shall park any automobile or commercial motor vehicle unless such vehicle bears a motor vehicle licence plate or sticker which is currently valid.

2.17.8 Requirements

Parking spaces are required under this By-law in accordance with the Parking Space Table.

PARKING SPACE REQUIREMENT TABLE

TYPE OR NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Assembly Hall, Auditorium, Auction Barn Arena, Community Centre, Place of Worship, Private Club, Farmers Market or other similar places of assembly not otherwise specified herein.	1 parking space for each four persons that may be legally accommodated at any one time.
Automobile Service Station Commercial Garage or Motor Vehicle Service Station or Gasoline Pump Island	10 spaces
Bowling Alley 3 parking spaces for each	bowling lane.
Business and/or Professional Office, Financial Establishment, Retail Commercial Establish- ment, Commercial Greenhouse or Nursery, Personal Service Shop including a Home Occupation or Home Industry.	1 parking space for each 20 square metres of gross floor area of the building directly related to the specified permitted use.
Curling Rink 4 parking spaces for each	curling sheet plus 1 parking space for each 4 persons that may be accommodated at any one time.

TYPE OR NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Dry Cleaners Establishment	1 parking space for each 9 square metres or fraction thereof of gross floor area with a minimum requirement of four spaces.
Eating Establishment or Tavern	1 parking space for each 15 square metres or fraction thereof, or 1 parking space for each 4 persons or fraction thereof, or legal capacity, whichever is greater.
Eating Establishment, Drive-In	1 parking space for each 2 square metres or fraction thereof of gross floor area.
Farm Implement Sales and Service Motor Vehicle Dealership	1 parking space for each 5 square metres net floor area.
Golf Course	24 parking spaces for each 9 holes of golfing facilities.
Home for the Aged, Nursing Home	1 parking space for each four beds or fraction thereof.
Hotel, Motel, Resort, College or Cabin Establishment, Tourist Establishment or Camping Establishment	1.5 parking spaces for each guest room, cottage, cabin or camp site.
Liquor Licensed Premises, exclusive of an eating establishment, but including an entertainment lounge, public house or lounge licensed in accordance with The Liquor Licence Act, as amended, and the Regulations thereunder.	1 parking space for each 4 persons that may be legally accommodated at any one time.
Manufacturing, Processing, Assembling or Fabricating Plant, Wholesale Establishment or Warehouse.	1 parking space per 37 square metres of gross floor area or portion thereof.

TYPE OR NATURE OF USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Marina	1.5 parking spaces for every 1 boat slip and 1 parking space for every 8 square metres of gross floor area devoted to commercial use, exclusive of storage area.
Medical, Veterinary or Dental Clinic, or Offices of a Drugless Practitioner space for each examination	5 parking spaces per practitioner, plus 1 parking room exceeding 5 such rooms per office.
Post Office, Museum, Art Gallery, Public Library	1 parking space for each 35 square metres of gross floor area.
Residential 2 parking spaces per	dwelling unit.
Schools	
(i) Elementary	The greater of: (a) 1.5 parking spaces per classroom; or (b) 1 parking space per 9 square metres of gross floor area in the gymnasium; or (c) 1 parking space per 9 square metres of gross floor area in the auditorium.
(ii) Secondary	The greater of: (a) 4 parking spaces per classroom; or (b) 1 parking space per 9 square metres of gross floor area in the auditorium
Undertaking Establishment	1 parking space for each five seating spaces or fraction thereof with a minimum of ten parking spaces.
Workshop 1 parking space per 35 square metres of gross floor area.	
Uses Permitted by this By-law other than those listed in this Table	1 parking space per 35 square metres of gross floor area.

2.18 Planting Strips

2.18.1 Landscaping Area

A planting strip referred to in this subsection may form part of any landscaping area required by this By-law.

2.18.2 Interruption For Driveway Or Walkway

Where a driveway or a walkway crosses a planting strip, the planting strip may be interrupted within 3 metres of the edge of such driveway or within 1.5 metres of the edge of such walkway.

2.19 Public Uses

2.19.1 Streets And Installations

Nothing in this By-law shall prevent the use of land for a street or prevent the installation of a watermain, sanitary sewer main, storm drainage works, flood control works, gas main, pipeline, lighting fixture, or overhead or underground electrical, telephone or other supply or communication line, distribution station or structure clearly ancillary to the foregoing, provided that the location of such street, main, line, fixture or structure has been approved by the Corporation. Notwithstanding the preceding sentence, this approval by the Corporation shall not be required for any public works project where the location of the facilities which make up such project have been authorized pursuant to the Environmental Assessment Act.

2.19.2 Zones Where Permitted

Except as provided in clause 1 of this subsection, the only public uses permitted in a specific zone shall be those public uses listed as permitted uses in such zone.

2.19.3 Requirements In Residential Zones

Any above-ground, non-recreational public use which is located in a Residential zone shall, where practical be enclosed in a building designed, located and maintained in general harmony with the Residential buildings permitted in such zone.

2.19.4 Reduction of Requirements

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

2.20 Sight Triangles

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

- (a) a building, structure or use which would obstruct the vision of drivers of vehicles;
- (b) a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street;
- (c) any portion of a parking space;

- (d) a berm or other ground surface which exceeds the elevation of the street by more than 0.5 metres;
- (e) a sign, the body of which is less than 4 metres above the elevation of the street.

The provisions of this clause shall not apply at any intersection controlled by traffic signal lights.

2.21 Signs

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

2.22 Street Setbacks

No person shall construct any building in any portion of the Zoned Area unless such building complies with the following street setback requirements:

2.22.1 County Road (allowance wider than 30 metres):

- 6 metres from the lot line abutting the County Road.

2.22.2 County Road (allowance 21 to 30 metres wide):

- 12.5 metres

2.22.3 County Road (allowance less than 21 metres wide):

- 10 metres

2.22.4 Township Road:

- 10 metres,

2.23 Swimming Pools

Swimming pools shall meet the yard and setback requirements for accessory buildings in the zone in which they are located.

2.24 Tourist Trailers And Mobile Homes

2.24.1 Location Of Tourist Trailers

No tourist trailer shall be constructed, altered or used in any portion of the Zoned Area except in a permitted tourist camp.

2.24.2 Location Of Mobile Homes

No mobile home shall be constructed, altered or used in any portion of the Zoned Area except in a permitted mobile home park.

2.24.3 Temporary Accommodation

On a lot where a building permit for a house has been issued, a mobile home or tourist trailer may be used for habitation until the sooner of:

- (a) completion of construction; or
- (b) expiration of the building permit; or
- (c) 9 months from the issuance of the building permit.

2.25 Water Setbacks

2.25.1 Requirements By Zones

Unless otherwise specified in this By-law, no building or structure, other than a marine facility, shall be located closer to the high water mark of a waterbody than:

- (a) in any MX, MD or A zone • 30 metres
- (b) in any other zone • 15 metres

2.25.2 Scugog River

On lands adjacent to the Scugog River, no building or structure shall be located below the 250.9 metre C.G.D. contour. All buildings and structures adjacent to the Scugog River must have a minimum opening elevation of 251.2 metres C.G.D.

2.26 Waste Disposal Area Setbacks

Notwithstanding the provisions of this By-law to the contrary, no building or structure shall be located closer than 500 metres to licensed fill area on lands zoned Disposal Industrial (MD).

2.27 Seasonal Farm Residential Use

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

- a) The property on which the seasonal farm residential use is located has to be classed as a farm by MPAC and be on a lot of at least 20 hectares.
 - b) The seasonal farm residential use cannot exceed 250 square metres in area and may be contained in more than one building.
 - c) A covenant be registered on title that the residence will be used only for seasonal farm residential use.
 - d) That the seasonal farm residential use shall not exceed eight months per seasonal worker in each calendar year.
- B/L 2007-289

2.28 Source Water Protection (B/L 2020-124)

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

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

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

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

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

2.28.4 Notwithstanding the uses permitted by the underlying zone category in this By-law, the following land use activities shall be prohibited in the vulnerable areas identified on Schedule ‘A’ to this By-law where they would constitute a future significant drinking water threat under the Clean Water Act, unless stated otherwise in the applicable Source Protection Plans:

2.28.4.1 Waste disposal sites

2.28.4.2 On-site sewage systems (in excess of 10,000 L)

2.28.4.3 The application, storage or management of agricultural source material

2.28.4.4 The application, handling or storage of non-agricultural source material

2.28.4.5 The application, handling or storage of commercial fertilizer

2.28.4.6 The application, handling or storage of pesticide

2.28.4.7 The handling or storage of road salt

2.28.4.8 The storage of snow

2.28.4.9 The handling or storage of fuel

2.28.4.10 The handling or storage of a dense non aqueous phase liquid

2.28.4.11 The handling or storage of an organic solvent

2.28.4.12 The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard

2.28.5 Notwithstanding the list of prohibited land use activities in Section 2.4, a Risk Management Official may issue a written decision enabling the City to determine that a site-specific land use activity is permitted in accordance with Section 58 and Section 59 of the Clean Water Act based on location, amount and extent of the threat.

2.28.6 Within the vulnerable area illustrated on Schedule ‘A’, as it applies to dense non aqueous phase liquids, Section 2.4 shall not apply to incidental volumes used as part of a residential use.

2.28.7 Where a conflict may arise between Source Water Protection provisions in this By-law and any other provisions herein, the provision(s) that afford the greatest protection to surface and groundwater shall prevail to the extent necessary to resolve the conflict.

2.29 Additional Residential Dwelling Units (B/L 2020-160)

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

- i. A maximum of two (2) additional residential dwelling units, one (1) within the same building as the primary residential dwelling unit and one (1) within an accessory building or structure to the primary residential dwelling unit.
- ii. Notwithstanding subsection 19.27, a lot may have an additional residential dwelling unit in addition to a garden suite, approved through a Temporary Use By-law, or a second dwelling unit in accordance with the applicable zoning provisions.

- iii. Unless otherwise stated, all zone provisions continue to apply to an additional residential dwelling unit.
- iv. An additional residential dwelling unit located in an accessory building or structure shall be in accordance with the provisions in section 2.1. An accessory building or structure containing an accessory residential dwelling unit located on an upper storey shall have a maximum height of 10 m and minimum yard setback of 1.2 m.
- v. A lot has frontage on an improved street, maintained year round.
- vi. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.
- vii. The floor area of the additional residential dwelling unit is equal to, or less than, the gross floor area, excluding attached garage floor area of the primary residential dwelling unit without any modification to the building's bulk or massing.
- viii. Where applicable, an additional residential dwelling unit shall not be permitted on a lot which contains a bed and breakfast.
- ix. At a minimum, on-site parking shall be provided in accordance with the requirements for the primary residential dwelling unit. Where there is a home occupation in an additional residential dwelling unit, parking shall be in accordance with subsection 2.17.8 for a home occupation use.
- x. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.
- xi. An additional residential dwelling unit or part thereof shall not be within the HL Zone, floodplain or water setback.
- xii. Compliance with the provisions of the Ontario Building Code, Fire Code and all other relevant municipal and provincial standards.
- xiii. Registration of the additional residential dwelling unit in accordance with the City's Additional Residential Unit Registration By-law.

2.30 Cannabis Production and Processing Facilities (B/L 2021-057)

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

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

2.30.3 Notwithstanding 2.30.2:

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

SECTION 3: ZONES

3.1 Zone Classification

In this By-law, all lands within the Zoned Area are divided into zones and are classified as Residential, Institutional, Commercial, Industrial or Restricted zones. Following each zone name is a corresponding alpha-numeric symbol referred to in this By-law as a "zone symbol".

Residential Zones

Estate Residential Zone	RE
Rural Residential Zone	RR
Shoreline Residential Zone	RS
Residential Zone	R
Mobile Home Residential Zone	RMH
Limited Service Shoreline Residential Zone	LSSR

Institutional Zone I

Commercial Zones

Highway Commercial Zone	CH
Tourist Commercial Zone	CT

Industrial Zones

General Industrial Zone	M
Extractive Industrial Zone	MX
Disposal Industrial Zone	MD

Restricted Zones

Open Space Zone	OS
Agricultural Zone	A
Agricultural Support Zone	AS
Hazard Lands	HL

3.2 Zone Symbols

The zone symbols listed in subsection 1 may be used to refer to buildings and structures as well as the uses of lots, buildings and structures permitted by this By-law in the said zones. Wherever in this By-law the word "Zone" is used, preceded by any of the said zone symbols, such reference shall mean any portion of the Zoned Area delineated on Schedule A and designated thereon by the said zone symbol.

3.3 Zone Boundaries

The extent and boundaries of all zones and special zones are shown on Schedule A. When determining the location of a zone boundary on Schedule A or on any map which amends Schedule A, the following provisions shall apply:

3.3.1 Corporation Boundaries

All boundaries of the Corporation shall be zone boundaries.

3.3.2 Lot Lines Or Concession Lines

A zone boundary indicated as approximately following a lot line or concession line shall be deemed to follow such lot line or concession line.

3.3.3 Street Lines

A zone boundary indicated as approximately following a street line shall be deemed to follow such street line.

3.3.4 Rights-Of-Way

A zone boundary indicated as approximately following a right-of-way for a private road, railroad, power line, pipeline, etc., shall be deemed to follow such right-of-way.

3.3.5 Shorelines

A zone boundary indicated as approximately following a shoreline of a waterbody shall be deemed to follow the high water mark of such waterbody.

3.3.6 Subdivision Lot Lines

A zone boundary indicated as approximately following a lot line on a plan of subdivision shall be deemed to follow such lot line.

3.3.7 Other Property Lines

A zone boundary indicated as approximately following any other property line shall be deemed to follow such property line.

3.3.8 Dimensions And Measurements

If the location of a zone boundary cannot be determined using any of the preceding methods, its location shall be according to the dimensions shown on the Zone Map. If such dimensions are not shown, its location shall be as measured on the Zone Map at the original size and scale of such Zone Map.

3.3.9 Hazard Lands

The boundaries of the Hazard Lands Zone are intended to reflect the limits of the floodplain and/or wetlands identified by the Conservation Authority or Ministry of Natural Resources. Where uncertainty exists, the exact limits of this zone are to be determined in the field in consultation with the Conservation Authority and the Ministry of Natural Resources.

3.4 Permitted Uses And Zone Provisions

For each zone listed in subsection 1, there shall be a section of this By-law which sets out the permitted uses and the zone provisions for such zone.

3.5 Special Zones

Where a zone symbol is followed by a dash and a number (for example, "CH-1"), this denotes a special zone. The permitted uses and the zone provisions for such special zone shall be set out in subsections of the section of this By-law applicable to such zone symbol.

3.6 Holding Zones

Where a zone symbol is followed by a dash and the letter "H" (for example, M-H), the land shall only be used for existing uses and the expansion of those uses as of the date of adoption of this By-law.

Council may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the Zone Symbol when all of the applicable following requirements have been met.

- i) the appropriate sanitary services have been approved to service the land;
- ii) all conditions of consent or subdivision have been fulfilled;
- iii) a site plan agreement has been registered on the title of the lands; and,
- iv) the required permits from all other approval agencies have been issued.

SECTION 4: ESTATE RESIDENTIAL (RE) ZONE

4.1 Uses Permitted

In any Estate Residential (RE) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

4.1.1 Residential Uses

- a cottage
- a one-family house

4.1.2 Non-Residential Uses

- a home occupation

4.2 Zone Provisions

In any RE Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Area (minimum):	• 7,200 square metres
Lot Frontage (minimum):	• 60 metres
Houses Per Lot (maximum):	• 1 only
Building Area (maximum):	• 20%
Front Yard (minimum):	• 15 metres
Exterior Side Yard (minimum):	• 15 metres
Rear Yard (minimum):	
(a) main building	• 15 metres
(b) accessory building	• 3 metres
Side Yard (minimum):	
(a) main building	• 4.5 metres
(b) accessory building	• 3 metres
Building Separation (minimum):	• 2 metres
Building Heights (maximum):	
(a) main building	• 10.5 metres
(b) accessory building	• 5 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

4.3 Exceptions

SECTION 5: RURAL RESIDENTIAL (RR) ZONE

5.1 Uses Permitted

In any Rural Residential (RR) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

5.1.1 Residential Uses

- a converted house
- a one-family house

5.1.2 Non-Residential Uses

- a home occupation

5.2 Zone Provisions

In any RR Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Area (minimum): • 2,000 square metres

Lot Frontage (minimum): • 38 metres

Houses Per Lot (maximum): • 1 only

Building Area (maximum): • 25%

Front Yard
(minimum): • 9 metres

Exterior Side Yard
(minimum): • 6 metres

Rear Yard
(minimum):
(a) main building • 9 metres
(b) accessory building • 2 metres

Side Yard
(minimum):
(a) main building • 3 metres
(b) accessory building • 2 metres

Building Separation
(minimum): • 2 metres

Building Heights (maximum):
(a) main building • 10.5 metres
(b) accessory building • 5 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

5.3 Exceptions

5.3.1 Rural Residential Exception One (RR-1) Zone

Notwithstanding the permitted uses in the Rural Residential Zone to the contrary, within the Rural Residential Exception One (RR-1) Zone, the following shall apply:

Residential Uses:

- a converted house
- a one-family house

Non-Residential Uses

- a day care centre
- a home occupation

In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.2 Rural Residential Exception Two (RR-2) Zone

Notwithstanding the zone provisions of the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception Two (RR-2) Zone the following shall apply:

- | | |
|----------------------------|---------------|
| a) Lot Area (minimum) | • 15 hectares |
| b) Lot Frontage (minimum) | • 115 metres |

In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.3 Rural Residential Exception Three (RR-3) Zone

Notwithstanding the zone provisions of the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception Three (RR-3) Zone the following shall apply:

- | | |
|-----------------------|-------------|
| a) Lot Area (minimum) | • 3800 sq m |
|-----------------------|-------------|

In all other respects the provisions of the Rural Residential (RR) Zone shall apply.

5.3.4 Rural Residential Exception Four (RR-4) Zone

Notwithstanding the permitted uses in the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception Four (RR-4) Zone, a boarding house for up to and including 10 persons shall be a permitted use. In all other respects, the provisions of the Rural Residential (RR) Zone shall apply.
(B/L 97-06)

5.3.5 Rural Residential Exception Five (RR-5) Zone

Notwithstanding the zone provisions of the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception Five (RR-5) Zone the following shall apply:

- | | |
|---------------------------|--------------------|
| a) Residential Uses: | a one-family house |
| b) Lot Area (minimum) | 1,100 sq.m. |
| c) Lot Frontage (minimum) | 29 m |

- | | | |
|----|--|--------|
| d) | Front Yard (minimum) | 3.9 m |
| e) | Rear Yard (minimum) Accessory Building | 0.31 m |
| f) | Side Yard – North (minimum) Accessory Building | 0.00 m |

In all other respects the provisions of the Rural Residential (RR) Zone shall apply.
(B/L 2001-189)

5.3.6 Rural Residential Exception Six (RR-6) Zone

Notwithstanding the zone provisions of the Rural Residential (RR) Zone to the contrary, within the Rural Residential Exception Six (RR-6) Zone the following shall apply:

- | | | |
|----|--------------------|--------------------|
| a) | Residential Uses: | a one-family house |
| b) | Lot Area (minimum) | 3,000 sq. m. |

The holding (H) symbol will be removed in phases only when the developer has fully complied with the requirements of the subdivision agreement respecting the on-site water well monitoring program.

In all other respects the provisions of the Rural Residential (RR) Zone shall apply.
(B/L 2002-73)

5.3.7 Rural Residential Exception Seven (RR-7) Zone

In addition to the uses permitted in Section 5.1.1, on land zoned RR-7 a Group Home is also permitted subject to the following provisions:

- (a) The group home is permitted in the existing dwelling, on a lot having minimum area of 0.22 ha.

(B/L 2005-111)

5.3.8 Rural Residential Exception Eight (RR-8) Zone

- a Notwithstanding the permitted uses in subsection 5.1, on land zoned RR-8, the housing of livestock is prohibited.
- b. Notwithstanding subsection 5.2, on land zoned RR-8, the minimum side yard setback for an accessory building shall be 0.55 m.

(B/L 2016-046)

5.3.9 Rural Residential Exception Nine (RR-9) Zone

- a. Notwithstanding subsection 5.2, on land zoned RR-9, the minimum lot frontage shall be 22.4m.

(B/L 2016-046)

5.3.10 Rural Residential Exception Ten (RR-10) Zone

Notwithstanding subsection 5.2 Rear Yard requirement for a main building, on land zoned RR-10 the minimum rear yard shall be 8.2 m. for a main building.

(B/L 2016-243)

SECTION 6: SHORELINE RESIDENTIAL (RS) ZONE

6.1 Uses Permitted

In any Shoreline Residential (RS) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

6.1.1 Residential Uses

- a cottage
- a one-family house
- a private cabin

6.1.2 Non-Residential Uses

- a home occupation

6.2 Zone Provisions

In any RS Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Area (minimum):	• 2,000 square metres
Lot Frontage (minimum):	• 38 metres
Building Area (maximum):	• 25%
Front Yard (minimum):	• 9 metres
Exterior Side Yard (minimum):	• 6 metres (B/L 96-05)
Rear Yard (minimum):	
(a) main building	• 9 metres
(b) accessory building	• 6 metres
Side Yard (minimum):	
(a) main building	• 3 metres
(b) accessory building	• 2 metres
Building Separation (minimum):	• 2 metres
Building Heights (maximum):	
(a) main building	• 10.5 metres
(b) accessory building	• 5 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

6.3 Exceptions

6.3.1 Shoreline Residential Exception One (RS-1) Zone

Notwithstanding the provisions of the Shoreline Residential (RS) Zone, to the contrary, on lands within the shoreline Residential Exception (RS-1) Zone, the following shall apply:

Minimum frontage	22 metres
Minimum Lot Area	836 square metres (8,999.sq.ft.)

In all other respects, the provisions of Section 6, Shoreline Residential (RS) Zone, shall apply.
(B/L 2000-40)

6.3.2 Shoreline Residential Exception Two – Holding (RS-2(H)) Zone

Notwithstanding the provisions of the Shoreline Residential (RS) Zone, Section 2.1, Section 2.25.1(b), and Section 3.6 to the contrary, on lands within the Shoreline Residential Exception Two – Holding (RS-2(H)) Zone, the following shall apply:

- | | |
|--|--------------|
| a) Minimum lot area | 4,000 sq. m. |
| b) Minimum lot frontage | 30.0 m. |
| c) Minimum water setback | 30.0 m. |
| d) A marine facility is not a permitted accessory use. | |

On land zoned RS-2(H), the removal of the (H) shall be in accordance with the following:

- The owner has entered into a site plan agreement with the City.

In all other respects, the provisions of Section 6, Shoreline Residential (RS) Zone shall apply. (B/L 2017-231)

6.3.3 Shoreline Residential Exception Three – Holding (RS-3(H)) Zone

Notwithstanding the provisions of the Shoreline Residential (RS) Zone, Section 2.25.1(b), and Section 3.6 to the contrary, on lands within the Shoreline Residential Exception Three – Holding (RS-3(H)) Zone, the following shall apply:

- | | |
|--|--------------|
| a) Minimum lot area | 5,000 sq. m. |
| b) Minimum water setback | 30.0 m. |
| c) A marine facility is not a permitted accessory use. | |

On land zoned RS-3(H), the removal of the (H) shall be in accordance with the following:

- For Lot 6, 7 and 8, the developer has obtained clearance from the Ontario Ministry of Tourism, Culture and Sport indicating that the site is free of any artifacts of cultural significance; and
- The owner has entered into a site plan agreement with the City.

In all other respects, the provisions of Section 6, Shoreline Residential (RS) Zone shall apply. (B/L 2017-231)

SECTION 6a: LIMITED SERVICE SHORELINE RESIDENTIAL (LSSR) ZONE

6a.1 Uses Permitted

In any Limited Service Shoreline Residential (LSSR) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

- 6a.1.1 Residential Uses
- a cottage
 - a one-family house
- 6a.1.2 Non-Residential Uses
- none permitted

6a.2 Zone Provisions

In any LSSR Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Area (minimum):	2,000 square metres
Lot Frontage (minimum):	38 metres
Building Area (maximum):	25%
Front Yard (minimum):	9 metres
Exterior Side Yard (minimum):	6 metres
Rear Yard(minimum):	
(a) main building	9 metres
(b) accessory building	6 metres
Side Yard(minimum):	
(a) main building	3 metres
(b) accessory building	2 metres
Building Separation (minimum):	2 metres
Building Heights (maximum):	
(a) main building	10.5 metres
(b) accessory building	5 metres
General Provisions:	In addition to the above, the provisions of Sections 2 and 3 shall apply.

6a.3 Exceptions

- 6a.3.1 Limited Service Shoreline Residential Exception One (LSSR-1) Zone

Notwithstanding the provisions of the Limited Service Shoreline Residential Exception One (LSSR-1) Zone, to the contrary, on lands within the Limited Service Shoreline Residential Exception One (LSSR-1) Zone, the following shall apply:

Minimum Rear Yard (main building)	3 metres
Minimum Side Yard from the western side lot line (main building)	9 metres

For clarification purposes, the front lot line is the northerly lot line where the access to the property is obtained. The rear lot line is the southerly lot line. The side lot lines are the westerly and easterly lot lines. Section 2.25 requires a minimum water setback of 15 metres which overrides the side yard requirement. In all other respects, the provisions of Section 6a, Limited Service Shoreline Residential (LSSR) zone shall apply.

(B/L 2005-116)

SECTION 7: RESIDENTIAL (R) ZONE

7.1 Uses Permitted

In any Residential (R) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

7.1.1 Residential Uses

- a converted house
- a one-family house

7.1.2 Non-Residential Uses

- a home occupation

7.2 Zone Provisions

In any R Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

Lot Area (minimum): • 700 square metres

Lot Frontage (minimum): • 18 metres

Building Area (maximum): • 25%

Front Yard
(minimum): • 7.5 metres

Exterior Side Yard
(minimum): • 6.0 metres

Rear Yard
(minimum):

- (a) main building • 9 metres
- (b) accessory building • 2 metres

Side Yard
(minimum): • 2 metres

Building Separation
(minimum): • 2 metres

Minimum Floor Area

- a) 1 storey • 70 sq. metres
- b) 1 and 1/2 storey • 79 sq. metres
- c) 2 storey • 93 sq. metres

Building Heights

(maximum):

- | | | | |
|-----|--------------------|---|-------------|
| (a) | main building | • | 10.5 metres |
| (b) | accessory building | • | 5 metres |

Landscaping Area (minimum): • 30%

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

7.3 Exceptions

7.3.1 Residential Exception No. 1 (R-1) Zone

Notwithstanding the permitted uses and zone provisions in the Residential (R) Zone, within the Residential Exception NO. 1 (R-1) Zone, a day care for up to 10 children is to be considered as a home occupation and shall be a permitted use, provided the rear yard after 10:30 a.m. contains not more than 5 children at any one time. In all other respects, the provisions of the Residential (R) zone shall apply.

(B/L 95-07)

7.3.2 Residential Exception Two (R-2) Zone

Notwithstanding the zone provisions in the Residential (R) Zone, on lands zoned Residential Exception Two (R-2) Zone, the following shall apply:

Zone Provisions

Lot Area (minimum)	360 sq. m.
Lot Frontage (minimum)	12.0m
Min. Front Yard Setback	7.5m
Min. Exterior Side Yard Setback	3.0m
Min. Interior Side Yard Setback	1.25m
Min. Rear Yard Setback	7.5m
Maximum Building Height	10.5m
Maximum Lot Coverage for all Buildings	35%

In all other respects the provisions of the Residential (R) Zone shall apply.

On land zoned (R-2(H1)) and land zoned (R-2(H2)), the removal of the (H1) and (H2) Holding Symbols shall be in accordance with the following:

- An adequate supply of municipal water and sewer servicing must be available to service the subject land.

(B/L 2003-31)

7.3.3 Residential Exception Three (R-3) Zone

Notwithstanding subsection 7.1.1, land zoned R-3 may only be used for a single detached dwelling.

Notwithstanding subsection 7.2, land zoned R-3 shall be subject to the following zone provisions:

Minimum Lot Area	360 sq. m.
Minimum Lot Frontage	12.0 m.
Minimum Front Yard Setback	6.0 m.
Minimum Exterior Side Yard Setback	3.0 m.
Minimum Interior Side Yard Setback	1.25 m.
Minimum Rear Yard Setback	7.5 m.
Maximum Building Height	10.5 m.
Maximum Lot Coverage of all Buildings	45%

An open uncovered deck equal to or greater than 0.6 m. above average finished grade and not more than 3 m. in height may extend not more than 4.25 m. into a rear yard setback and in no case shall have a rear yard setback of less than 3.25 m.

Notwithstanding the minimum setback provisions of the By-law, steps, decks and/or porches, which are not covered or enclosed and less than 0.6 m. from average finished grade, may be permitted in the front, rear, side yard and exterior side yard setback areas, provided they comply with all other provisions of the By-law.

Notwithstanding any other provision of this By-Law to the contrary, the zone boundary between the R-3 Zone and the R2-S35 Zone (Town of Lindsay) does not constitute a lot line boundary for applying applicable zone provisions.

In all other respects, the provisions of the Residential (R) Zone shall apply.

(B/L 2018-037)

7.3.4 Residential Exception Four (R-4) Zone – D06-33-069 Whitetail GCC

7.3.5 Residential Exception Five (R-5) Zone

Notwithstanding the zone provisions in the Residential (R) Zone, on lands zoned Residential Exception Five (R-5) Zone, the following shall apply:

Zone Provisions

Lot Area (minimum)	360 sq. m.
Lot Frontage (minimum)	12.0m
Min. Front Yard Setback	6.0m
Min. Exterior Side Yard Setback	3.0m
Min. Interior Side Yard Setback	1.25m
Min. Rear Yard Setback	7.5m
Maximum Building Height	10.5m
Maximum Lot Coverage for all Buildings	45%

In all other respects the provisions of the Residential (R) Zone shall apply.
(B/L2021-037)

SECTION 8: MOBILE HOME RESIDENTIAL (RMH) ZONE

8.1 Uses Permitted

In any Mobile Home Residential (RMH) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

8.1.1 Residential Uses

- mobile homes
- an accessory house

8.1.2 Non-Residential Uses

- a mobile home park
- a mobile home park convenience store
- a mobile home park laundromat
- a mobile home park management office
- a mobile home park recreation building
- a visitor parking area

8.2 Zone Provisions

In any RMH Zone, no person shall use any lot or construct, alter or use any building or structure unless such lot is served by a communal water system and a communal sanitary sewer system and except in accordance with the following provisions:

Lot Area (minimum):	• 4 hectares
Lot Frontage (minimum):	• 100 metres
Mobile Homes Per Lot (maximum):	• 25 for each hectare of lot area
Building Area (maximum):	• 30%
Front Yard (minimum):	• 15 metres
Exterior Side Yard (minimum):	• 15 metres
Rear Yard (minimum):	• 8 metres
Side Yard (minimum):	• 8 metres

Building Separations
(minimum):

- | | | | |
|-----|--|---|------------|
| (a) | between mobile homes | • | 4 metres |
| (b) | between mobile home and management office | • | 9 metres |
| (c) | between mobile home and recreation building | • | 12 metres |
| (d) | between main building and accessory building | • | 1.5 metres |
| (e) | between detached accessory buildings | • | 1 metre |

Building Heights (maximum):

- | | | | |
|-----|----------------------------------|---|-------------|
| (a) | main building or accessory house | • | 10.5 metres |
| (b) | other accessory buildings | • | 5 metres |

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

8.3 Exceptions

8.3.1 Residential Mobile Home Exception One (RMH-1) Zone

Notwithstanding the permitted uses in the Mobile Home Residential (RMH) Zone to the contrary, on lands within the Mobile Home Residential Exception One (RMH-1) Zone the following shall apply:

- | | | | |
|----|-------------------------------------|---|---|
| a) | Dwelling Units Per Lot (maximum) | • | only those that existed on November 7, 1988 |
| b) | Mobile Home Sites Per Lot (maximum) | • | only those that existed on November 7, 1988 |

In all other respects, the provisions of the Mobile Home Residential (RMH) Zone shall apply.

SECTION 9: INSTITUTIONAL (I) ZONE

9.1 Uses Permitted

In any Institutional (I) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

9.1.1 Residential Uses

- a dwelling unit accessory to a place of worship
- a house accessory to a place of worship

9.1.2 Non-Residential Uses

- an auditorium
- a club
- a community centre
- a day care centre
- a fire hall
- a library
- a maintenance garage
- a municipal office
- a place of worship
- a park
- a parking lot
- a public works yard
- a school

9.2 Zone Provisions

In any I Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|---|-----------------------|
| Lot Area (minimum): | • 4,000 square metres |
| Lot Frontage (minimum): | • 45 metres |
| Dwelling Units Per Lot
(maximum): | • 1 only |
| Building Area (maximum): | • 30% |
| Front Yard
(minimum): | • 12 metres |
| Exterior Side Yard
(minimum): | • 12 metres |
| Rear Yard (minimum): | |
| (a) from a rear lot line abutting a
Residential zone or
a lot containing a Residential
use | • 10.5 metres |
| (b) from any other rear lot line | • 7.5 metres |

- Side Yard (minimum):
- 4.5 metres
- Building Separation (minimum):
- 3 metres
- Building Height (maximum):
- 10.5 metres
- Landscaping Area (minimum):
- 20%

Planting Strip Location:

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.

- Planting Strip Width (minimum):
- 3 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

9.3 Exceptions

9.3.1 Institutional Exception One (I-1) Zone

Notwithstanding the permitted uses and zone provisions in the Institutional (I) Zone to the contrary, within the Institutional Exception One (I-1) Zone, the following shall apply:

Permitted Uses

Residential Uses

- prohibited

Non-Residential Uses

- a library and audio-visual resource centre;
- a School Board administration building;
- a School Board maintenance shop

Zone Provisions

- Front Yard (minimum):
- 23 metres
- Exterior Side Yard (minimum):
- 15 metres
- Building Height (maximum):
- 10.5 metres
- Gross Floor Areas (maximum):
- (a) total for all buildings • 15%
 - (b) maintenance shop • 25% of total for all buildings

In all other respects, the provisions of the Institutional (I) Zone shall apply.

9.3.2 Institutional Exception Two (I-2) Zone

Notwithstanding the provisions of the Institutional (I) Zone, to the contrary, on lands within the Institutional Exception Two (I-2) Zone, a retirement home shall be permitted.

For the purpose of the Institutional Exception Two (I-2) Zone, a retirement home is defined as a residence providing accommodation primarily for retired persons or couples where each bedroom or living unit has a separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.

In all other respects the provisions of Section 9, the Institutional (I) Zone, shall apply.

(B/L 2000-32)

9.3.3 Institutional Exception Three “(I-3)” ZONE

Notwithstanding the permitted uses in Section 9.1 to the contrary, on land zoned I-3, only the following uses are permitted:

Non-Residential Uses

A place of worship and accessory uses including:

- a dwelling unit within a place of worship;
- an auditorium;
- a day care centre;
- a park;
- a parking lot; and
- a school”

In all other respects, the provisions of the Institutional (I) Zone shall apply.

(B/L 2003-41)

SECTION 10: HIGHWAY COMMERCIAL (CH) ZONE

10.1 Uses Permitted

In any Highway Commercial (CH) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

10.1.1 Residential Uses

- an accessory dwelling unit in a Non-Residential building, except in an automobile service station, a commercial garage or a vehicle agency

10.1.2 Non-Residential Uses

- a building supply outlet
- a business office related to sales
- a car wash
- a commercial garage
- a commercial greenhouse
- a convenience store (B/L 93-31)
- a farm implement sales and supply establishment
- a fuel depot
- a gasoline pump island
- a motel
- a motor vehicle dealership
- a nursery
- a parking lot
- a professional sales office
- a restaurant
- a small engines sales and service establishment.
- an automobile service station
- an automotive store
- an open storage area accessory to a CH use

10.2 Zone Provisions

In any CH Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Areas (minimum):	• 4,000 sq. metres
Lot Frontages (minimum):	• 60 metres
Building Area (maximum):	• 50%
Front Yard (minimum):	• 15 metres
Exterior Side Yard (minimum):	• 15 metres
Rear Yard (minimum):	• 15 metres

Side Yard (minimum):

- (a) from a side lot line abutting a Residential zone or a lot containing a Residential use • 10.5 metres
- (b) automobile service station from any other side lot line • 7.5 metres
- (c) any other use from any other side lot line • 4.5 metres

Building Separations (minimum):

- (a) between tourist establishment buildings • 10.5 metres
- (b) between other buildings • 3 metres

Building Height (maximum): • 10.5 metres

Landscaping Area (minimum): • 15%

Planting Strip Location

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.

Planting Strip Width (minimum): • 3 metres

Gasoline Pump Island Setbacks (minimum):

- (a) from any lot line • 6 metres
- (b) from any sight triangle • 3 metres

Open Storage Area Regulations

Except for an open storage area accessory to a farm implement sales and supply establishment or a vehicle agency, no open storage area shall be located:

- (a) closer than 7.5 metres to a rear lot line; or
- (b) in a rear yard unless that open storage area is enclosed by a wall or fence not less than 1.8 metres in height and constructed of uniform material; or
- (c) closer than 6 metres to any lot line if combustible materials are stored there.

General Provisions

In addition to the above, the provisions of Section 2.22, Street Setbacks shall apply

10.3 Exceptions

10.3.1 Highway Commercial Exception One (CH-1) Zone

Notwithstanding the permitted uses in the Highway Commercial (CH) Zone to the contrary, within the Highway Commercial Exception One (CH-1) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a store and office accessory to a CH-1 use which may sell tickets and refreshments to clientele of the track or tracks
- a maintenance shop accessory to a CH-1 use
- a track for go-karts
- a track for all-terrain vehicles
- a miniature golf course

In all other aspects the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.2 Highway Commercial Exception Two (CH-2) Zone

Notwithstanding the permitted uses and zone provisions in the Highway Commercial (CH) Zone to the contrary, within the Highway Commercial Exception Two (CH-2) Zone, the following shall apply:

Residential Uses:

- prohibited

Non-Residential Uses

- an automobile service station
- a commercial garage
- a parking area for automobiles, transport trucks, trailer and recreational vehicles, for use by the owners or occupants of the lot
- a restaurant
- a motor vehicle dealership

Lot Area (minimum): • 3 hectares

Lot Frontage (minimum): • 335.3 metres

Building Area (maximum): • 30%

In all other respects the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.3 Highway Commercial Exception Three (CH-3) Zone

Notwithstanding the permitted uses in the Highway Commercial (CH) Zone to the contrary within the following Highway Commercial Exception Three (CH-3) Zone the following shall apply:

Residential Uses:

- an accessory dwelling unit in a Non-Residential building

Non-Residential Uses:

- a drive-in theatre
- a snack bar

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.4 Highway Commercial Exception Four (CH-4) Zone

Notwithstanding the permitted uses and zone provisions in the Highway Commercial (CH) Zone to the contrary within the following Highway Commercial Exception Four (CH-4) Zone, the following shall apply:

Residential Uses

- an accessory dwelling unit in a Non-Residential building, except in a commercial garage;

Non-Residential Uses

- a building supply outlet
- a commercial garage
- a commercial nursery
- a convenience store
- a farm implement sales and supply establishment
- an open storage area accessory to a CH-4 use
- a parking lot
- a restaurant

Zone Provisions

- | | |
|----------------------|----------------|
| Minimum Lot Area | • 2,000 sq. m. |
| Minimum Lot Frontage | • 25 m |

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.5 Highway Commercial Exception Five (CH-5) Zone

Notwithstanding the permitted uses in the Highway Commercial (CH) Zone to the contrary, within the following Highway Commercial Exception Five (CH-5) Zone the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a motor vehicle repair garage which existed on October 21, 1991
- an open storage use accessory to an existing motor vehicle repair garage.

Zone Provisions

- | | |
|-------------------------|--|
| Minimum Lot Area | • 2000 sq. m. |
| Minimum Lot Frontage | • 25 metres |
| Building Area (maximum) | • 10% |
| Front Yard (minimum) | • the greater of:
the existing
setback or 15
metres |

- | | |
|---|---|
| Rear Yard (minimum) | • the greater of:
the existing building
setback or 15
metres |
| Side Yard (minimum) | |
| a) from a side lot line abutting
a Residential zone on a lot
containing a Residential use | • the greater of:
the existing building
setback; or 7.5
metres |
| b) from any other side lot line | • the greater of:
the existing building
setback; or
4.5 metres |

Open Storage Area Regulations

No open storage shall be located:

- a) closer than 4.5 metres to any lot line; or
- b) closer than 6 metres to any lot line if combustible materials are stored there.

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.6 Highway Commercial Exception Six (CH-6) Zone

In addition to the uses permitted in the Highway Commercial (CH) Zone, within the Highway Commercial Exception Six (CH-6) Zone a golf course or an outdoor recreational area is also permitted. (B/L 2000-19)

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply.

10.3.7 Highway Commercial Exception Seven (CH-7) Zone

Notwithstanding the permitted uses and zone provisions in the Highway Commercial Zone (CH) to the contrary, on lands within the Highway Commercial Exception Seven Holding (CH-7) Zone as shown on Schedule A to this By-law only the following uses are permitted:

- i) a building supply outlet
- ii) a business or professional office related to sales not exceeding 9 employees
- iii) a commercial greenhouse or nursery
- iv) a convenience store
- v) a farm implement sales and service establishment
- vi) a light equipment sales and service establishment
- vii) a miniature golf course and driving range
- viii) a motor vehicle service station
- ix) a motor vehicle dealership
- x) a retail establishment not exceeding 300 sq. metres gross floor area and limited to the following types of retail sales:
 - ☐ furniture, home furnishings and home decorating supplies
 - ☐ major appliances
 - ☐ motor vehicle, marine and recreational vehicle accessories
 - ☐ building or home improvements supplies
 - ☐ recreational equipment
 - ☐ garden and nursery supplies
 - ☐ farm business and institutional equipment or machinery
 - ☐ a car rental agency

- ⇒ an antique store
- ⇒ a farmers market
- xi) a small engine sales and service establishment
- xii) a tourist information center
- xiii) a trailer, mobile home or modular home sales establishment
- xiv) a veterinary clinic or animal hospital.

In all other respects the provisions of the Highway Commercial (CH) Zone shall apply.
(B/L 93-37) (Remove H B/L 2003-50)

10.3.8 Highway Commercial Exception Eight Holding (CH-8-H) Zone

Notwithstanding the permitted uses and zone provisions in the Highway Commercial Zone (CH) to the contrary, on lands within the Highway Commercial Exception Eight Holding (CH-8-H) Zone as shown on Schedule A to this By-law only the following uses are permitted:

- i) a building supply outlet
- ii) a business or professional office related to sale not exceeding 9 employees
- iii) a commercial greenhouse or nursery
- iv) a convenience store
- v) a farm implement sales and service establishment
- vi) a light equipment sales and service establishment
- vii) a miniature golf course and driving range
- viii) a motor vehicle service station
- ix) a motor vehicle dealership
- x) a retail establishment not exceeding 300 sq. metres gross floor area and limited to the following types of retail sales:
 - furniture, home furnishings and home decorating supplies
 - major appliances
 - motor vehicle, marine and recreational vehicle accessories
 - building or home improvement supplies
 - recreational equipment
 - garden and nursery supplies
 - farm, business and institutional equipment or machinery
 - a car rental agency
 - an antique store
 - a farmers market.
- xi) A tourist information center
- xii) A trailer, mobile home or modular home sales establishment
- xiii) A veterinary clinic or animal hospital.

In all other respects the provisions of the Highway Commercial (CH) Zone shall apply.
(B/L 93-39)

10.3.9 Highway Commercial Exception Nine (CH-9) Zone

Notwithstanding the permitted uses in the Highway commercial (CH) Zone to the contrary, within the Highway Commercial Exception Nine (CH-9) Zone, the following shall apply:

Residential Uses

- an accessory dwelling unit in a Non-Residential building, except in an automobile service station, a commercial garage or a vehicle agency

Non-Residential Uses

- a building supply outlet
- a business office related to sales
- a convenience store
- a farm implement sales and supply establishment
- a motor vehicle dealership
- a parking lot
- a professional sales office
- a restaurant
- a small engines sales and service establishment
- an automotive store
- an open storage area accessory to a CH use

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply.
(B/L 96-17)

10.3.10 Highway Commercial Exception Ten (CH-10) Zone

Notwithstanding any provision within the Highway Commercial (CH) Zone to the contrary, within Highway Commercial Exception Ten (CH-10) Zone, the following shall apply:

Residential uses:

- an accessory dwelling unit in a Non-Residential building

Non Residential Uses:

- a convenience store

Zone Provisions:

Lot Area (minimum)	3,800 square metres
Exterior side Yard (minimum)	7.49 metres
Interior Side Yard (minimum)	
(a) from a side lot line abutting a Residential Zone or a lot containing A Residential use.	5.54 metres
Planting Strip Width (minimum)	1.0 metres

In all other respects, the provisions of the Highway
Commercial Zone shall apply.
(B/L 97-08)

10.3.11 Highway Commercial Exception Eleven (CH-11) Zone

Reserved (D06-33-056)

10.3.12 Highway Commercial Exception Twelve (CH-12) Zone

In addition to uses permitted in Section 10.1, on land zoned CH-12 a hotel, retail sales associated with conferences and auctions within the existing building are also permitted.

In all other respects the provisions of the Highway Commercial (CH) Zone shall apply.
(B/L 2008-085)

10.3.13 Highway Commercial Exception Thirteen (CH-13) Zone

In addition to uses permitted in Section 10.3.7, on land zoned CH-13 retail sales and service of farm related supplies and materials, and a tack shop are also permitted.

In all other respects the provisions of the Highway Commercial (CH) Zone shall apply.
(B/L 2008-084)

10.3.14 Highway Commercial Holding (CH-H) Zone
(By-Law 2010-101 repealed by By-Law 2013-211)

10.3.15 Highway Commercial Exception Fourteen Holding (CH-14(H)) Zone

Notwithstanding the Section 10.1, on land zoned CH-14 a restaurant with a drive-through facility may also be permitted subject to the following provisions:

Definitions

A drive-through facility shall refer to a lane with a minimum width of 3.0 metres that provides dedicated access and stacking of vehicles for the purposes of obtaining prepared food and/or beverages at a restaurant pick-up window. Where the drive-through facility has parallel lanes, the combined minimum width shall be 6.5 metres and the lanes shall be delineated through painting or concrete barrier curbing until the point at which the two lanes join into a single lane.

Vehicle stacking shall refer to the number of vehicles that can be accommodated within a drive-through facility. Each vehicle shall be allotted a minimum length of 6.0 metres within the lane of a drive-through facility.

Regulations:

- | | |
|--|--------|
| a. Minimum number of vehicle stacking | 25 |
| b. Minimum front yard setback for a drive-through facility | 18.0 m |

On land zoned CH-14(H), the Holding (H) symbol will be removed to permit the development of permitted uses once the applicant has received site plan approval.
(By-Law 2014-201)

10.3.16 Highway Commercial Exception Fifteen (CH-15) Zone

Notwithstanding Section 10.1, on land zoned CH-15 two detached dwelling units are permitted but shall be removed once the property is developed for permitted non-residential uses. The following regulations shall apply:

Exterior Side Yard (minimum)	4.5 metres
Rear Yard (minimum)	0.7 metres

(By-Law 2014-202)

10.3.17 Highway Commercial Exception Sixteen (CH-16) Zone

In addition to the permitted non-residential uses listed in Section 10.1.2, a mini-storage establishment is also a permitted use. (B/L 2019-178)

10.3.18 Highway Commercial Exception Seventeen (CH-17) Zone

Notwithstanding the permitted uses for the Highway Commercial (CH) Zone to the contrary, on land zoned CH-17, the following shall also apply:

Non Residential Uses:

- an abattoir

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply (B/L2020-066)

SECTION 11: TOURIST COMMERCIAL (CT) ZONE

11.1 Uses Permitted

In any Tourist Commercial (CT) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

11.1.1 Residential Uses

- an accessory house
- an accessory dwelling unit

11.1.2 Non-Residential Uses

- an accessory convenience store
- a marina
- an open storage area for boats accessory to a permitted use
- a rental cabin
- a tourist camp
- a tourist camp management office
- a tourist camp recreation building
- a tourist establishment

11.2 Zone Provisions

In any CT Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Areas (minimum):

- | | |
|--------------------|-----------------------|
| (a) tourist camp | • 4 hectares |
| (b) all other uses | • 1,400 square metres |

Lot Frontage (minimum):

- 30 metres

Water Frontage (minimum):

- 30 metres, if any

Dwelling Units Per Lot
(maximum):

- 1 only

Tourist Camp Density (maximum):

The density of a tourist camp shall not exceed 15 sites per 4,000 square metres exclusive of interior roadways in the tourist camp.

Building Area (maximum):

- 35%

Front Yard (minimum):

- 12 metres

Exterior Side Yard (minimum):

- 12 metres

Rear Yard (minimum):

- 7.5 metres

Side Yard (minimum):

- 7.5 metres

Building Separations (Minimum):

- (a) between tourist vehicles • 6 metres
- (b) between tourist vehicle and any other building • 9 metres
- (c) between main building and detached accessory building • 2 metres
- (d) between detached accessory buildings • 1 metre

Building Height (maximum):

- 10.5 metres

Dwelling Unit Areas (minimum):

- (a) accessory house • 100 square metres
- (b) accessory dwelling unit • 60 square metres

Gross Floor Areas (Maximum):

- (a) convenience store • 180 square metres
- (b) tourist vehicle • 30 square metres

Landscaping Areas (minimum):

- (a) tourist camp • 40%
- (b) all other uses • 20%

Play Facility Area (minimum):

- 4%

Play Facility Location

No part of any play facility shall be located closer to any lot line than

- 6 metres

Planting Strip Location

A planting strip shall be required along every lot line except that no planting strip shall be required for a length of 15 metres along a front lot line between a tourist camp management office and a street.

Planting Strip Width (minimum):

- 6 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

11.3 Exceptions

11.3.1 Tourist Commercial Exception One (CT-1) Zone

Notwithstanding the permitted uses and zone provisions in the Tourist Commercial (CT) Zone to the contrary, within the Tourist Commercial Exception One (CT-1) Zone, the following shall apply:

Definitions

Tourist Trailer Site shall mean an area of land that is rented for exclusive use for the placement of a tourist trailer on lands zoned CT-1.

Permitted Uses

In the Tourist Commercial Exception One (CT-1) Zone, no person shall use the lot or construct, alter or use any building or structure for any purpose except for the following uses:

Residential Uses

- Two single detached dwellings each with a maximum floor area of 300 sq.m. may be permitted on the property for the residential use of site management employees required for the operation of the tourist camp.

Non-Residential Uses

- Tourist camp, with accessory uses permitted for use of the patrons of the tourist camp including a convenience store, laundry facility, marine facility, marina, tourist camp management office, and a tourist camp recreation building.

Zone Provisions

Tourist trailer sites (maximum)	300
Tourist trailer site area (minimum)	400 sq.m.
Tourist trailer site coverage (maximum)	40%
Number of tourist trailers per tourist trailer site (maximum)	1
Parking spaces for each tourist trailer (minimum)	2

Tourist trailers shall not be permitted for use as a permanent residence by their owners and/or occupants. The owner of the tourist camp shall ensure that in the site license and occupation agreement for each tourist trailer, as originally signed and subsequently renewed on an annual basis, each owner and/or occupant of a tourist trailer on lands zoned CT-1 shall be required to have a principal residence, as defined under the Income Tax Act, on lands other than those zoned CT-1. The owner shall provide to the satisfaction of the City's licensing officer, all necessary records on an annual basis in conjunction with the annual municipal trailer camp licensing process or otherwise, as required, to ensure that all tourist trailers are being occupied in accordance with these provisions.

Parking spaces within a CT-1 Zone shall have a minimum length of 6.0 metres and a minimum width of 2.8 metres.

Driveways within a CT-1 Zone shall have a minimum width of 7.0 metres for two-way traffic and a minimum width of 5.0 metres for one-way traffic.

In all other respects the provisions for the Tourist Commercial (CT) Zone shall apply.

On land zoned CT-1(H), the 45 tourist trailers shall be permitted to continue prior to the removal of the Holding symbol. The Holding (H) symbol will be removed to permit the development of a trailer camp of three phases, each containing a maximum of 100 tourist trailer sites, after the following requirements have been fulfilled:

- a) a hydrogeological study, environmental impact study, a stormwater management plan, a slope stabilization study, site servicing study, and lot grading and drainage plan, as required, has been prepared and approved for each phase or phases to the satisfaction of the City of Kawartha Lakes;

- b) the applicant shall implement appropriate water setbacks, shoreline naturalization, and fencing requirements to the satisfaction of the Kawartha Region Conservation Authority;
- c) the applicant has entered into a Municipal Responsibility Agreement, if required, to the satisfaction of the Council of the City of Kawartha Lakes;
- d) the applicant has entered into a Site Plan Agreement to the satisfaction of the City of Kawartha Lakes that includes provisions for phasing of the development; and,
- e) the applicant has obtained a municipal license for the trailer camp from the City of Kawartha Lakes.

11.3.2 Tourist Commercial Exception Two – Holding [CT-2 (H)] Zone

Notwithstanding the permitted uses and zone provisions in the Tourist Commercial (CT) Zone to the contrary, within the Tourist Commercial Exception Two - Holding [CT-2(H)] Zone, the following shall apply:

Residential Uses

- An accessory dwelling unit

Non-Residential Uses

- A tourist camp
- A tourist camp management office
- A tourist camp recreation facility
- An accessory convenience store
- An accessory laundry facility
- An accessory restaurant
- A golf driving range
- A 12-hole golf course
- A marine facility

Zone Provisions

Dwelling Units Per Lot (maximum):	1
Tourist Camp Lots (maximum):	102 camp sites
Front Yard (minimum):	75.0 metres
Exterior Side Yard (Minimum):	7.5 metres
Camp Site Area (minimum):	180 square metres
Planting Strip Width (minimum):	30 metres (front yard) 7.5 metres (other yards)

Planting Strip Location:

- A planting strip shall be required inside the perimeter of the land zoned CT-2, except for an 18 metre long strip abutting Elm Tree Road which shall be used for access to the property.
- The 30 metre front yard planting strip shall be required to be established through the decommissioning of the existing driving range prior to the development of the proposed second phase camp sites.

Open Storage Area Location	Prohibited in front yard
----------------------------	--------------------------

Tourist trailers shall not be permitted for use as a permanent residence by their owners and/or occupants. The owner of the tourist camp shall ensure that there is an annual mandatory minimum sixty (60) consecutive day shutdown period, the timing of which is to be implemented in the Site Plan Agreement. In addition, the owner of the tourist camp shall ensure that the annual mandatory 60 day shutdown is identified in the site license and occupation agreement for each tourist trailer, as originally signed and subsequently renewed on an annual basis.

In all other respects, the provisions for the Tourist Commercial (CT) Zone shall apply.

Until the holding (H) provision has been removed, the only permitted uses shall be those legally established commercial and residential uses existing as of the date of the passing of this By-law, and including the accessory restaurant and 12-hole golf course.

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

- The applicant has entered into a Site Plan Agreement with the City, and that the Agreement has been registered on title. (B/L 2019-098)

11.3.3 Tourist Commercial Exception Three (CT-3) Zone

Notwithstanding the permitted uses and zone provisions in the Tourist Commercial (CT) Zone, within the Tourist Commercial Exception Three (CT-3) Zone, the following shall apply:

11.13.3.1 Definitions

Restaurant shall mean a building or part of a building or structure, inclusive of an outdoor café, where food is offered for sale or sold to the public for immediate consumption and includes a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging home or a drive-in.

Vacation Dwelling Unit shall mean a dwelling unit, which is constructed and used as a secondary place of residence, for vacation and recreational purposes and not as the principal residence of the owner or occupant thereof and is not used for continuous habitation or as a permanent residence.

Vacation Dwelling Unit Site shall mean an area of land that is rented or leased for exclusive use for the placement of a vacation dwelling unit on lands zoned CT-3.

11.13.3.2 Permitted Uses

- a) club
- b) one detached dwelling unit
- c) golf course
- d) restaurant accessory to a club or golf course
- e) retail store accessory to a club or golf course
- f) vacation dwelling unit

11.13.3.3 Regulations

- a) Lot area (minimum) 40 ha
- b) Lot frontage (minimum) 25 m

c) Lot coverage (maximum)	10 %
d) Front yard setback (minimum)	5 m
e) Interior side yard setback (minimum)	5 m
f) Exterior yard setback (minimum)	5 m
g) Rear yard setback (minimum)	5 m
h) Landscaping area (minimum)	50%

- i) Parking spaces (minimum)
 - vacation dwelling unit and detached dwelling unit 2 per unit
 - all other uses combined 90
 - j) Vacation dwelling units (maximum) 100
 - k) Vacation dwelling unit site coverage (maximum) 40%
 - l) Vacation dwelling unit size (maximum) 140 sq.m.
 - m) Dwelling unit area (minimum) 100 sq.m.
 - n) Building height for dwelling units (maximum) 10.5 m
 - o) Building height for all other permitted uses (maximum) 2 storeys
 - p) Parking spaces within a CT-3 Zone shall have a minimum length of 6.0 metres and a minimum width of 2.8 metres.
 - q) Driveways within a CT-3 Zone shall have a minimum width of 7.0 metres for two-way traffic and a minimum width of 5.0 metres for one-way traffic.
 - r) For the purposes of a CT-3 Zone, a vacation dwelling unit may be developed in the form of a detached, semi-detached, or townhouse dwelling. A vacation dwelling unit may also be contained within a two storey building.
 - s) Vacation dwelling units shall not be permitted for use as a permanent residence by their owners and/or occupants. The owner of the development shall ensure that in the site license and occupation agreement for each vacation dwelling unit, as originally signed and subsequently renewed on an annual basis, each owner and/or occupant of a vacation dwelling unit on lands zoned CT-3 shall be required to have a principal residence, as defined under the Income Tax Act, on lands other than those zoned CT-3. The owner shall provide to the satisfaction of the City, all necessary records on an annual basis, as required, to ensure that all vacation dwelling units are being occupied in accordance with these provisions.
 - t) An outdoor play area and exercise facility with a minimum area of 1,000 sq.m. is required in a CT-3 zone.
 - u) On land zoned CT-3(H), the Holding (H) symbol will be removed to permit the development of permitted uses after the following requirements have been fulfilled:
 - i) submit a stormwater management plan and lot grading and drainage plan, servicing plan, noise study, and an illumination plan, as required, has been prepared and approved to the satisfaction of the City of Kawartha Lakes;
 - ii) receive approval for all necessary regulatory permits from the Kawartha Region Conservation Authority;
 - iii) receive approval from the Ministry of Environment for Certificates of Approval to install private water distribution and sewage collection and treatment facilities;
 - iv) the applicant has entered into a Municipal Responsibility Agreement, if required, to the satisfaction of the Council of the City of Kawartha Lakes; and,
 - v) the applicant has received approval of all relevant plans, drawings and reports and entered into a Site Plan Agreement with full securities to the satisfaction of the City of Kawartha Lakes.
- (OMB Approved B/L 2011-228)

SECTION 12. GENERAL INDUSTRIAL (M) ZONE

12.1 Uses Permitted

In any General Industrial (M) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

12.1.1 Residential Uses

- prohibited, except for accessory sleeping accommodation for security, medical or maintenance staff

12.1.2 Non-Residential Uses

Light Industrial

- an assembly plant
- an equipment storage building
- a printing or publishing establishment
- a warehouse
- a provincial correctional facility (B/L 96-29)

Medium Industrial

- a body shop
- a commercial garage
- a contractors yard
- a machine shop or welding shop
- a maintenance garage
- a manufacturing plant
- a private gasoline pump island
- a processing plant
- a recycling transfer centre
- a sawmill or planing mill
- a tradesman's shop
- a public works yard
- a truck terminal or depot
- an open storage area accessory to an M use
- a provincial correctional facility (B/L 96-29)
- a cannabis production and processing facility subject to General Provisions Section 2.30 (B/L 2021-057)

Heavy Industrial

- a bulk storage tank
- a concrete batching or mixing plant
- a railroad use
- a provincial correctional facility (B/L 96-29)

Other Industrial Uses

- a building supply outlet
 - a farm implement sales and supply establishment
 - a light or heavy equipment sales and rental outlet
 - a factory outlet
 - a merchandise service shop
 - a parking lot
 - a storage lot for recreational vehicles
- (B/L 93-42)

12.1.3 Servicing Requirements

Industrial uses permitted in Section 12.1.2 shall be restricted to uses that do not use water in the manufacturing, processing or other industrial purposes unless the use is serviced by a municipal sewage treatment and water supply.

12.2 Zone Provisions

In any M Zone, no person shall use any lot or construct, alter or use any building or structure, unless the use requires water only for the sanitary needs of staff and not for any other industrial process or activity and except in accordance with the following provisions:

Lot Area (minimum): • 4,000 square metres

Lot Frontage (minimum): • 45 metres

Building Area (maximum): • 50%

Front Yard
(minimum): • 12 metres

Exterior Side Yard
(minimum): • 12 metres

Rear Yard (minimum):

(a) from a rear lot line abutting
a Residential zone or
a lot containing a Residential
use • 7.5 metres

(b) any other use from any other
rear
lot line • 3 metres

Side Yard (minimum):

(a) from a side lot line abutting
a Residential zone or
a lot containing a Residential
use • 7.5 metres

(b) any other use from any other
side lot line • 4 metres

Building Setback Exemption

Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way.

Building Separation
(minimum): • 3 metres

Building Height (maximum): • 10.5 metres

Net Floor Area (maximum):

(a) factory outlet • 15% of the gross floor
area of the industrial
use to which it is accessory

Landscaping Area (minimum): • 20%

Planting Strip Location

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone or which abut a lot containing a Residential use.

Planting Strip Width (minimum): • 3 metres

Gasoline Pump Island Setbacks (minimum):

- (a) from any street line • 6 metres
- (b) from any other lot line • 4.5 metres

Open Storage Area Regulations

No open storage area shall be located:

- (a) in a front yard or a exterior yard; or
- (b) in a rear yard adjacent to a rear lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
- (c) in a side yard adjacent to a side lot line of such lot which abuts a Residential zone or abuts a lot containing a Residential use; or
- (d) closer than 6 metres to any lot line if combustible materials are stored there; or
- (e) closer than 6 metres to any lot line unless it is enclosed by a fence at least 1.8 metres high and of solid masonry, wood or plastic materials; or
- (f) closer than 30 metres to any watercourse or water body.

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

Setbacks from Residential Uses

The following minimum setbacks shall be required between the industrial uses permitted in Section 12.1 and a residential lot.

- light industries • 60 metres
- medium industries • 90 metres
- heavy industries • 300 metres

Existing industrial uses and / or lots and those industries listed as Other Industries in Section 12.1 are exempt from this requirement.

(B/L 93-42)

12.3 Exceptions

12.3.1 General Industrial Exception One (M-1) Zone

Notwithstanding the permitted uses in the General Industrial (M) Zone to the contrary, within the General Industrial Exception One (M-1) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- an aerodrome
- a restaurant

In all other respects the provisions for the General Industrial (M) Zone shall apply.

12.3.2 General Industrial Exception Two (M-2) Zone

Notwithstanding the permitted uses in the General Industrial (M) Zone to the contrary, within the General Industrial Exception Two (M-2) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- an automotive parts outlet
- a commercial garage
- a contractor's or tradesmen's shop
- a farm equipment and implement sales and service
- a farm supply or grain and feed establishment
- a glass, mirror and lighting supplies outlet
- a machinery, tools and equipment establishment for sales, service and rental
- a manufacturing or industrial use which is contained within a wholly-enclosed structure
- a printing shop or publishing house
- a storage of recreational trailers and recreational motor vehicles
- a truck terminal, forwarding depot or freight-handling establishment
- a warehouse, storage and mini-storage in a wholly-enclosed building
- a wholesale establishment

In all other respects the provisions for the General Industrial (M) Zone shall apply

12.3.3 General Industrial Exception Three (M-3) Zone

Notwithstanding the permitted uses in the General Industrial (M) Zone to the contrary, within the General Industrial Exception Three (M-3) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a salvage yard

In all other respects the provisions for the General Industrial (M) Zone shall apply.

12.3.4 General Industrial Exception Four (M-4) Zone

Notwithstanding the permitted uses in the General Industrial (M) Zone to the contrary, within the General Industrial Exception Four (M-4) Zone, the following shall apply:

Residential Uses

- prohibited, except for sleeping accommodation for security, medical or maintenance staff;

Non-Residential Uses

- self-service storage facilities within wholly enclosed buildings; and
- an accessory office.
- open storage of recreational vehicles and automobiles; and (B/L 98-22)
- a parking lot. (B/L 98-22)

In all other respects the provisions for the General Industrial (M) Zone shall apply.

12.3.5 General Industrial Exception Five (M-5) Zone

Notwithstanding the permitted uses and zone provisions in the General Industrial (M) Zone to the contrary, within the General Industrial Exception Five (M-5) Zone, the following shall apply:

Residential Uses

- an accessory house

Non-Residential Uses

- a commercial garage

Zone Provisions

Building Area (maximum)	• 40%
Front Yard	• 15 metres
Rear Yard	• 15 metres
Side Yard (minimum)	
a) from north lot line	• 11 metres
b) from all others	• 15 metres

In all other respects the provisions of the Industrial (M) Zone shall apply.

B/L 2000-13 – Temporary Use By-Law for Place of Worship expired February 14, 2003.

12.3.6 General Industrial Exception Six (M-6) Zone

Notwithstanding the permitted uses in the General Industrial (M) Zone, the only permitted uses shall be a salvage yard, a recycling transfer centre and a warehouse.

That prior to the establishment of any of the permitted uses, the land zoned M-6 shall be enclosed with the following:

- a 2 m. berm constructed of organic material. The berm shall be uniform in height and shall completely enclose the property except so as to allow driveways.
- a 2.4 m. fence constructed of metal cladding or wooden boards not less than 10 cm. in width and the spacing between such boards shall be no greater than 2.5 cm. The fence shall be uniform in height and shall completely enclose the property except so as to allow driveways.

- c) the combined maximum height of the berm and fence shall be 4.4 m.
- d) with the exception of height, construction and maintenance of the berm and fence shall be in accordance with the Salvage Yard Licencing By-law for the Municipality.

All driveways, that allow entrance to or egress from the property, shall have a gate that shall be closed and locked at all times the permitted uses are not open for business.

Where conflict occurs, this by-law shall supercede all municipal by-laws.

All other provisions for the General Industrial (M) Zone shall apply.
(B/L 2006-077)

12.3.7 General Industrial Exception Seven (M-7) Zone
(By-Law 2013-083)

- a. Notwithstanding subsection 12.1, on land zoned M-7 only the following uses are permitted:

Light Industrial

- an assembly plant
- an equipment storage building
- a printing or publishing establishment
- a warehouse
- a provincial correctional facility (B/L 96-29)
- a building supply outlet
- a farm implement sales and supply establishment
- a light or heavy equipment sales and rental outlet
- a factory outlet
- a merchandise service shop
- Indoor and Outdoor Storage

Medium industrial

- a body shop
- a commercial garage
- a contractors yard
- a machine shop or welding shop
- a maintenance garage
- a sawmill or planing mill

Agricultural support uses:

Residential Uses:

- an accessory dwelling unit

Non-Residential Uses:

- an animal hospital
- an auction barn
- an abattoir
- an artificial insemination facility
- a commercial greenhouse

- an egg hatchery
 - an excavating business
 - a farm implement and heavy equipment sales and supply establishment

 - a farm produce outlet
 - a feed mill
 - a fertilizer blending and supply outlet
 - a fencing contractor or supplier
 - a gunsmith shop
 - a ready mix concrete plant
 - a retail outlet for sale and service of farm related supplies and materials
 - a seed cleaning plant and seed broker's office
 - a tack shop
 - a warehouse for agricultural produce sales
 - a welding shop
- b. Notwithstanding subsection 12.2, on land zoned M-7 the following zoning provisions shall apply to the subject lands:
- | | |
|--|--------------------------|
| • Lot Area (minimum): | 4,000 square metres |
| • Lot Frontage (minimum): | 45 metres |
| • Dwelling Units Per Lot (maximum): | 1 for each establishment |
| • Building Area (maximum): | 30% |
| • Front Yard (minimum): | 15 metres |
| • Exterior Side Yard (minimum): | 15 metres |
| • Rear Yard (minimum): | 15 metres |
| • Side Yard (minimum): | 4.5 metres |
| • Building Separation (minimum): | 3 metres |
| • Building Height (maximum): | 10.5 metres |
| • Dwelling Unit Areas (minimum): | |
| (a) bachelor dwelling unit | 60 square metres |
| (b) other dwelling units | 60 square metres |
| plus an additional 15 square metres for each bedroom | |
| • Landscaping Area (minimum): | 20% |

Planting Strip Location:

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.

Planting Strip Widths (minimum):

- | | |
|-------------------------|------------|
| (a) along side lot line | 1.5 metres |
| (b) along rear lot line | 3 metres |

- General Provisions
In addition to the above, the provisions of Section 3 shall apply.

12.3.8 General Industrial Exception Eight (M-8) Zone
(By-Law 2017-133)

- a. Notwithstanding subsection 12.1.2, on land zoned M-8 a showroom and business offices are permitted ancillary uses.

12.3.9 General Industrial Exception Nine (M-9) Zone

Notwithstanding Subsection 2.22 or the permitted uses and zone provisions in the General Industrial (M) Zone to the contrary, within the General Industrial Exception Nine (M-9) Zone, the following shall apply:

- a. Notwithstanding subsection 12.1, on land zoned M-9 only the following uses are permitted:

Residential:

- prohibited

Non Residential Uses:

Light Industrial:

- an assembly plant
- an equipment storage building
- a printing or publishing establishment
- a warehouse

Medium Industrial:

- a body shop
- a commercial garage
- a contractors yard
- a machine shop or welding shop
- a maintenance garage
- a manufacturing plant
- a private gasoline pump island
- a processing plant
- a tradesman's shop
- a public works yard
- a truck terminal or depot
- an open storage area accessory to an M use

Heavy Industrial:

- a bulk storage tank

Other Industrial Uses:

- a building supply outlet
- a farm implement sales and supply establishment
- a light or heavy equipment sales and rental outlet
- a factory outlet
- a merchandise service shop
- a parking lot
- a storage lot for recreational vehicles

- b. Notwithstanding subsection 2.22 and 12.2, and the definition of 'Lot Line, Front' in subsection 19.116; on land zoned M-9 the following zoning provisions shall apply to the subject lands:

- Lot Area (minimum): 7,500 square metres
- Lot Frontage (minimum): 22 metres
- The easterly lot line along Little Britain Road shall be deemed to be the 'Lot Line, Front'
- Front Yard, East (minimum): 12 metres
- Exterior Side Yard, North (minimum): 14 metres for all new development; and 12

- Exterior Side Yard, South (minimum): metres for the existing development
9 metres or the existing, whichever is less
- Landscaped Area (minimum): 20% or the existing, whichever is less
- Open Storage Area: Shall be permitted in any yard other than the Exterior Side Yard, South (B/L2020-102)

SECTION 13: EXTRACTIVE INDUSTRIAL (MX) ZONE

13.1 Uses Permitted

In any Extractive Industrial (MX) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

13.1.1 Residential Uses

- prohibited

13.1.2 Non-Residential Uses

- a conservation use
- a farm
- a forestry use
- a gravel pit
- an open storage area accessory to a permitted MX use
- a portable processing plant
- a wayside pit

13.2 Zone Provisions

In any MX Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|--|-------------|
| Lot Area (minimum): | • 1 hectare |
| Lot Frontage (minimum): | • 10 metres |
| Building Area (maximum): | • 10% |
| Front Yard
(minimum): | • 30 metres |
| Exterior Side Yard
(minimum): | • 30 metres |
| Rear Yard (minimum): | |
| (a) from a rear lot line abutting a
Residential zone or use | • 90 metres |
| (b) from any other rear lot line | • 30 metres |
| Side Yard (minimum): | |
| (a) from a side lot line abutting
a Residential zone or use | • 90 metres |
| (b) from any other side lot line | • 30 metres |

Building Setback Exemption

Notwithstanding any building setback provisions to the contrary, no building setback shall be required from any portion of a lot line which abuts a railroad right-of-way or abuts another lot in an MX Zone.

- | | |
|--------------------------------|-------------|
| Building Separation (minimum): | • 3 metres |
| Building Height (maximum): | • 25 metres |

Landscaping Area (minimum): • 10%

Planting Strip Location

A planting strip shall be required along each front lot line. A planting strip shall also be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.

Planting Strip Width (minimum): • 15 metres

Excavation Setbacks (minimum):

- (a) from any lot line • 15 metres
- (b) from any street line • 30 metres

Open Storage Area Setbacks (Minimum):

- (a) from any lot line • 30 metres
- (b) from any lot line which abuts a Residential zone • 90 metres

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

13.3

Exceptions

SECTION 14: DISPOSAL INDUSTRIAL (MD) ZONE

14.1 Uses Permitted

In any Disposal Industrial (MD) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

14.1.1 Residential Uses

- prohibited

14.1.2 Non-Residential Uses

- a sanitary landfill site
- a sewage treatment facility
- a transfer station
- a waste processing facility (B/L 93-43)

14.2 Zone Provisions

In any MD Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Areas (Minimum):

- | | |
|--------------------------------|--------------|
| (a) sanitary landfill site | • 4 hectares |
| (b) other Non-Residential uses | • 1 hectare |

- | | |
|-------------------------|-------------|
| Lot Frontage (minimum): | • 10 metres |
|-------------------------|-------------|

Building Areas (maximum):

- | | |
|--------------------------------|---------------------|
| (a) sanitary landfill site | • 300 square metres |
| (b) other Non-Residential uses | • 30% |

Front Yard
(minimum):

- 30 metres

Exterior Side Yard
(minimum):

- 30 metres

Rear Yard
(minimum):

- | | |
|--|-------------|
| (a) from a rear lot line abutting a zone other than an MD or MX Zone | • 30 metres |
| (b) from any other lot line | • 3 metres |

Side Yard (Minimum):

- | | |
|--|-------------|
| (a) from a side lot line abutting a zone other than an MD or MX Zone | • 30 metres |
| (b) from any other lot line | • 3 metres |

Building Separation (minimum):	• 3 metres
Building Height (maximum):	• 10.5 metres
Landscaping Area (minimum):	• 20%

Planting Strip Location

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a zone other than an MD or MX Zone.

Planting Strip Width (minimum):	• 7.5 metres
---------------------------------	--------------

Landfill Area Setbacks (minimum):

No dumping or disposal of any waste material on a sanitary landfill site shall be permitted within:

- (a) 30 metres of any street line; or
- (b) 90 metres of any lot line which abuts a zone other than an MD or MX Zone.

General Provisions:

In addition to the above, the provisions of Section 2 shall apply.

14.3 Exceptions

14.3.1 Disposal Industrial Exception One (MD-1) Zone

Notwithstanding subsection 2.13 or the maximum building area specified under subsection 14.2, on land zoned MD-1 and/or MD-3 the maximum building area within both zones combined shall be 1,900 square metres of which not more than 100 square metres may be used for a household hazardous waste depot. (B/L 2000-42)

Notwithstanding article (b) of the Landfill Area Setbacks of subsection 14.2, on land zoned “MD-1” no dumping or disposal of any waste material on a sanitary landfill site shall be permitted within the following setbacks:

- (a) 30 metres of land within any industrial (M) Zone category.
 - (b) 65 metres of land within any zone category other than any category of Industrial (M) Zone or Disposal Industrial (MD) Zone.
 - (c) 240 metres of the northern property boundary.
 - (d) Nil from any category of disposal Industrial (MD) Zone.
- (B/L 2000-42)

In all other respects the provisions of the Disposal Industrial (MD) Zone shall apply.
(B/L 93-43)

14.3.2 Disposal Industrial Exception Two (MD-2) Zone

Notwithstanding clause 14.1.2, land zoned “MD-2” shall only be used for a sewage treatment facility and a storm water management facility, accessory to a landfill operation in the MD-1 Zone, that may occupy a maximum of 9 hectares. (B/L 2000-42)

Notwithstanding the front yard provisions of subsection 14.2, land zoned “MD-2” shall have a minimum front yard of 12 metres.

In all other respects, the provisions of the Disposal Industrial (MD) zone shall apply.
(B/L 93-44)

14.3.3 Disposal Industrial Exception Three (MD-3) Zone

Notwithstanding clause 14.1.2, land zoned “MD-3” may only be used for a waste transfer station, a waste processing facility or uses accessory to a landfill operation within the MD-1 Zone.

Notwithstanding subsection 2.13 or the maximum building area specified under subsection 14.2, on land zoned MD-3 and/or MD-1 the maximum building area within both zones combined shall be 1,900 square metres of which not more than 100 square metres may be used for a household hazardous waste depot.

Notwithstanding any provision of subsection 14.2 to the contrary, the minimum setback for a building in the MD-3 Zone shall be 65 metres from any zone category other than any category of MD Zone from which no setback will be required.
(B/L 2000-42)

SECTION 15: OPEN SPACE (OS) ZONE

15.1 Uses Permitted

In any Open Space (OS) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except 1 or more of the following uses:

15.1.1 Residential Uses:

- an accessory dwelling unit

15.1.2 Non-Residential Uses

- a beach
- a camping ground
- a cemetery
- a conservation use
- a fairground
- a forestry use
- a golf course
- a nursery
- a park
- a parking lot
- an outdoor recreation use
- a ski area

15.2 Zone Provisions

In any OS Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Areas (Minimum):

- | | |
|-----------------|--------------|
| (a) golf course | • 4 hectares |
| (b) other uses | • nil |

Lot Frontages (minimum):

- | | |
|-----------------|-------------|
| (a) golf course | • 60 metres |
| (b) other uses | • 9 metres |

Water Frontage (minimum):

- | | |
|-----------------------------------|---------------------|
| Dwelling Units Per Lot (maximum): | • 45 metres, if any |
| | • 1 only |

Building Area (maximum):

- the greater of:
10%; or
20 square metres

Front Yard (Minimum):

- 7.5 metres

Building Separation (minimum):

- 3 metres

Building Height (maximum):

- 10.5 metres

Dwelling Unit Area (minimum):

- 60 square metres

Landscaping Area (minimum):

- 50%

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

15.3 Exceptions

15.3.1 Open Space Exception One (OS-1)

Notwithstanding the permitted uses in the Open Space (OS) Zone to the contrary, within the Open Space Exception One (OS-1) the following shall apply:

Residential Uses

- an accessory house
- a cottage

Non-Residential Uses:

- an accessory convenience store
- a camping area
- a picnic area
- recreational or institutional facilities associated with the main use.

In all other respects, the provisions of the Open Space (OS) Zone shall apply.

15.3.2 Open Space Exception Two (OS-2) Zone

Notwithstanding the permitted uses in the Open Space (OS) Zone to the contrary, within the Open Space Exception Two (OS-2) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a cemetery
- a place of worship

In all other respects, the provisions of the Open Space (OS) Zone shall apply.

15.3.3 Open Space Exception Three (OS-3) Zone

Notwithstanding the permitted uses in the Open Space (OS) Zone within the Open Space Exception Three (OS-3) Zone, the following shall apply:

Permitted Uses

Residential Uses

- an accessory dwelling unit

Non-Residential Uses

- an accessory use
- a beach
- a beverage room
- a camping ground
- a cemetery
- a club
- a conservation use
- a dining room
- a fairground
- a forestry use
- a golf course
- a nursery
- a park
- a parking lot
- a recreational use including a bowling green, tennis court, swimming pool, open air skating rink, lacrosse box, public stable, sports field
- a ski area.

In all other respects the provisions of the Open Space (OS) Zone shall apply.

15.3.4 Open space Exception Four (OS-4) Zone

Notwithstanding the permitted uses in the Open Space (OS) Zone to the contrary, within the Open space Exception Four (OS-4) Zone, the following shall apply:

Residential uses:

- Prohibited

Non-Residential uses

- a beach
- a conservation use
- a park

Zone Provisions

Landscaping Area
(B/L 94-05)

25% (maximum)

15.3.5 Open Space Exception Five (OS-5) Zone
(By-Law 2001-97 passed as OS-3 under Section 15.3.3. in error (duplication)
– Text changed and mapping completed as OS-5 under Section 15.3.5)

Notwithstanding the provisions of the Open Space (OS) Zone, to the contrary, on lands within the Open Space Exception Three (OS-3) Zone, a Private Non-profit Recreation Centre shall be permitted.

Notwithstanding the provisions of this by-law, a maximum of three (3) sports fields shall be permitted

Notwithstanding the provisions of this by-law, no building or structure shall be located closer than 120 m to the Provincially Significant Wetland.

For the purpose of the Open Space Exception Three (OS-3) Zone, a Private Non-Profit Recreation Centre is defined as:

“A facility owned and operated by a non-profit organization with legal standing offering recreational facilities and services to the general public. Any of : a club house, community hall or facility, sport fields, recreation rooms, washrooms and medical care facilities may be provided.”

In all other respects the provisions of Section 15: Open Space (OS) Zone shall apply.
(B/L 2001-97)

15.3.6 Open Space Exception Six (OS-6)
BL 2009-011

Notwithstanding the permitted uses in the Open Space (OS) Zone to the contrary, within the Open Space Exception Six (OS-6) Zone the only permitted use shall be a 20 sq. m. dock. In addition, there shall be no vehicular parking and no storage on the property.

15.3.7 Open Space Exception Seven – Holding (OS-7(H)) Zone
B/L 2017-231

Notwithstanding the permitted uses of the Open Space (OS) Zone to the contrary, on lands within the Open Space Exception Seven – Holding (OS-7(H)) Zone, the following shall apply:

Residential uses:

- Prohibited

Non-Residential uses:

- Drainage purposes

On land zoned OS-7(H), the removal of the (H) shall be in accordance with the following:

- The developer has fully complied with the requirements of the subdivision agreement respecting the stormwater management.

In all other respects, the provisions of Section 15, Open Space (OS) Zone shall apply.

15.3.8 Open Space Exception Eight – Holding (OS-8(H)) Zone
B/L 2017-231

Notwithstanding the permitted uses of the Open Space (OS) Zone to the contrary, on lands within the Open Space Exception Eight – Holding (OS-8(H)) Zone, the following shall apply:

Residential uses:

- Prohibited

Non-Residential uses:

- A cemetery

On land zoned OS-7(H), the removal of the (H) shall be in accordance with the following:

- The developer has obtained clearance from the Ministry of Tourism, Culture and Sport indicating that the site is free of any artifacts of cultural significance.

In all other respects, the provisions of Section 15, Open Space (OS) Zone shall apply.

15.3.9 Open Space Exception Nine (OS-9)
(By-law 2019-027 passed as OS-7 under Section 15.3.7 in error (duplication – Text changed and mapping completed as OS-9 under Section 15.3.9))

Notwithstanding the permitted uses in the Open Space (OS) Zone to the contrary, within the Open Space Exception Nine (OS-9) Zone, being Part 1, Plan 57R-5147, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a cemetery

In all other respects, the provisions of the Open Space (OS) Zone shall apply. Furthermore, notwithstanding the Minimum Distance Separation (MDS) Formulae, a minimum MDS setback of 100 metres shall be permitted from the southwest corner of the subject land to the existing livestock barn located at 94 Hillhead Road.

SECTION 16: AGRICULTURAL (A) ZONE

16.1 Uses Permitted

In any Agricultural (A) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except for the following uses:

16.1.1 Residential Uses

- an accessory house
- a one-family house
- a group home but excluding any group home licensed under the Ministry of Correctional Services Act and the Charitable Institutions Act
- Seasonal Farm Residential Use is subject to Section 2.27 of the General Provisions. B/L 2007-289

16.1.2 Non-Residential Uses

- a bed and breakfast
- a bunkhouse
- a communications tower
- a conservation use
- a farm
- a farm equipment storage building
- a farm produce outlet excluding dairy products
- a forestry use
- a home industry
- a home occupation
- a livestock building
- a nursery
- a portable saw mill
- a private gasoline pump island
- a produce storage building
- a public park
- a wayside pit
- a woodlot
- a cannabis production and processing facility subject to General Provisions Section 2.30 (B/L 2021-057)

16.2 Zone Provisions

In any A Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

Lot Areas (Minimum):

- | | |
|----------------|---------------|
| (a) group home | • 4 hectares |
| (b) other uses | • 37 hectares |

Lot Frontage (minimum):

- 135 metres

Houses Per Lot (maximum):

- | | |
|------------------------|-----|
| (a) lot used as a farm | • 1 |
|------------------------|-----|

Building Area (maximum):

- 5%

- Front Yard (minimum): • 15 metres
- Exterior Side Yard (minimum): • 15 metres
- Rear Yard (minimum): • 15 metres
- Side Yard (minimum):
- (a) existing lots of less than 8 hectares • 3 metres
- (b) other lots • 15 metres
- Building Separations (minimum):
- (a) between main building and detached accessory building • 2 metres
- (b) between detached accessory buildings • 1.5 metres
- Building Heights (Maximum):
- (a) Residential uses • 10.5 metres
- (b) Non-Residential uses • 12.2 metres
- Landscaping Area (Minimum): • 10%

Farm Use Location

No part of any feedlot, any manure storage area of any livestock building shall be located closer than 300 metres to:

- a) Any Residential, Institutional or Commercial use on another lot or;
- b) any boundary of a Residential Zone, Institutional Zone, Commercial Zone or Agricultural Support Zone
- c) the centreline of any street than • 90 metres
- d) any rear lot line than • 18 metres
- e) any side lot line than • 15 metres

Group Home Location

For the purposes of group home location, the Zoned Area is divided into quadrants with the boundaries being the road allowance between Lots 15 and 16 and the Scugog River.

- Group Homes Per Quadrant (maximum): • 1 only

- Group Home Separation (minimum): • 1.5 kilometres

Communications Tower Location

No part of any communications tower or accessory antennae, building or structure shall be located closer to:

- (a) any Residential use or Residential zone

- | | | | |
|-----|------------------------------|---|------------|
| | than | • | 300 metres |
| (b) | any watercourse or waterbody | | |
| | than | • | 30 metres |
| (c) | any other lot line than | • | 10 metres |

- | | | |
|--|---|----------|
| Gasoline Pump Island Setback
(Minimum): | • | 9 metres |
|--|---|----------|

Consent For Residential Lot

Notwithstanding any provisions of subsection 2 to the contrary, where a consent is given by the Land Division Committee to create a Residential lot, such lot may be used for a one-family house, provided that the new lot complies with the provisions of the RR Zone.

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

16.3 Exceptions

16.3.1 Agricultural Exception One (A-1) Zone

Notwithstanding the permitted uses in the Agricultural (A) Zone to the contrary, within the Agricultural Exception One (A-1) Zone, the existing barn shall not be used for the housing of livestock.
(B/L 94-05)

16.3.2 Agricultural Exception Two (A-2) Zone

Notwithstanding the permitted uses in the Agricultural (A) Zone to the contrary, within the Agricultural Exception NO. 2 (A-2) Zone, a boarding house for up to and including 9 persons shall be a permitted use. In all other respects, the provisions of the Agricultural (A) one shall apply.
(B/L 95-21)

16.3.3 Agricultural Exception Three (A-3) Zone

Notwithstanding the permitted uses of Section 16.1.1 and 16.1.2, in the Agricultural Exception Three (A-3) Zone the only permitted use shall be a septic system and septic attenuation area.

In all other respects, the provisions of Section 16, the Agricultural (A) Zone shall apply.
(B/L 97-12)

16.3.4 Agricultural Exception Four (A-4) Zone

In addition to the zone provisions in Section 16.2, on lands within the Agricultural Exception Four (A-4) Zone, the minimum elevation of any openings in any habitable building shall be 0.5 metres above the elevation of the road surface located closest to the proposed building.

In all other respects the provisions of the Agricultural (A) Zone shall apply.
(B/L 98-21) (Note: This was passed as Section 16.3.1)`

16.3.5 Agricultural Exception (A-5) Zone

Notwithstanding the minimum area and frontage requirements, a garden suite is also a permitted temporary use on land zoned “A-5” subject to the following provisions:

- (a) Lot Area (min.) 4 ha
- (b) Lot Frontage (min.) 225 m.
- (c) Garden Suite” means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to the existing detached dwelling.
- (d) The Garden Suite shall be located in the side or rear yard and not more than 10 m. from the existing dwelling unit, and shall be connected to the water supply system serving the existing dwelling and shall not exceed a gross floor area of 93 sq.m. and shall be temporarily permitted for a period of ten (10) years commencing on the date the A-5 Zone is approved.

In all other respects, the provisions of the By-law shall continue to apply.
(B/L 2001-64) Expired May 28, 2011

16.3.6 Agricultural Exception Six (A-6) Zone

Notwithstanding the permitted uses in Section 16.1 to the contrary, on land zoned A-6, only the following uses are permitted:

Non-Residential Uses

- A sawmill – wholly enclosed
- Wood Storage – wholly enclosed
- Lumber and Wood Products Storage and Sales – wholly enclosed
- Woodworking Shop
- Retail Sales of Handicraft Works, Wood Products and Antiques only
- Outside Storage of Lumber enclosed within a 2.43m high wooden privacy fence, parallel to the north and easterly property lines, to be maintained at all times.

Residential Uses:

- A single detached dwelling

Notwithstanding any provision to the contrary and in addition to the performance standards of the Agricultural A Zone, the following performance standards apply to lands zoned Agricultural A-6 :

- a) The easterly lot line (dividing the lot from both the City of Kawartha Lakes Road 36 and Woodview Road) shall be deemed to be the front lot line.
- b) No buildings, structures and/or outside storage shall be permitted within a buffer strip, setback a minimum distance of 15m along the frontage of the property at the eastern property line.
- c) Maximum lot coverage (Building Area) for all buildings shall not exceed 12% of the lot area or a maximum of 3,000m² in total, whichever is the lesser. Any new buildings, constructed after April 15, 2004 shall be used for storage only.
- d) Minimum lot area shall be 2.68 ha (6.62 acres).

- e) Minimum lot frontage shall be 173m.
- f) Maximum one dwelling per lot
- g) New Accessory Buildings, constructed after April 15, 2004 shall be located in the side and/or rear yard only and shall be used for storage only.
- h) Minimum distance between a residential and non-residential building on the same lot shall be 15m.
- i) Maximum height of non-residential buildings shall be 15m.

In all other respects, the provisions of the Agricultural (A) Zone shall apply.
(B/L 2004-80)

16.3.7 Agricultural Exception Seven (A-7) Zone

In addition to the uses permitted in Section 16.1, on lands zoned A-7 a Garden Suite is also permitted subject to the following provisions:

- i. A “Garden Suite” means a temporary dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.
- iii. A “Garden Suite” shall be located in a side yard or rear yard and shall be connected to the water supply system serving the existing dwelling and shall not exceed a gross floor area of 84 sq. m. and shall be permitted for a period of ten (10) years commencing on the date the A-7 Zone is in effect.

(B/L 2005-53) Expired March 22, 2015

16.3.8 Agricultural Exception Eight (A-8) Zone

Notwithstanding subsection 16.1, on land zoned A-8 a private school is a permitted use.
(B/L 2005-115)

16.3.9 Agricultural Exception Nine (A-9) Zone

Despite the permitted uses in Section 16.1.1 and 16.1.2, in the A-9 zone, residential use is not permitted on the property.

(By-Law #'s 2010-006, 2012-259, 2012-260, 2012-261, 2014-149, 2014-282, 2018-030 and 2018-035)

16.3.10 Agricultural Exception Ten (A-10) Zone

Despite the zone provisions in Section 16.2, the minimum required lot area in the A-10 zone shall be 32 ha.

(By-Law # 2010-006)

16.3.11 Agricultural Exception Eleven (A-11) Zone

(By-Law # 2012-199)

Notwithstanding the permitted uses in the Agricultural (A) Zone, within the Agricultural Exception Eleven (A-11) Zone, the following shall apply:

Definition:

Grain Drying and Storage Facility: means buildings or structures that use drying devices to reduce moisture content in grains and cereals that are also stored on site. The facility may also include accessory buildings to support the use.

Permitted Uses:

Despite the permitted uses in subsection 16.1, on land zoned A-11, a grain drying and storage facility is a permitted use.

Zone Provisions:

Despite the zoning provisions in subsection 16.2, on land zoned A-11, the location of a grain drying and storage facility is restricted to the area identified on Schedule 'A' and the total zone area is restricted to a maximum of 5.8 ha.

Despite the zoning provisions in subsection 16.3.11, a weigh scale associated with a grain drying and storage facility may be permitted outside of the zone area within the driveway access to the operation, and setback a minimum of 350 m. from any public road.

16.3.12 Agricultural Exception Twelve (A-12) Zone
(By-Law 2014-058)

- a. Notwithstanding subsection 16.1, on land zoned A-12 only the following uses are permitted:
 - i. Single Detached Dwelling
 - ii. Kennel
 - iii. Ancillary uses to a kennel operation including: pet retail sales, grooming, training facilities, rehabilitation facility, pet transportation services and memorial services excluding burials.
- b. Notwithstanding subsection 16.2, on land zoned A-12 the following zoning provisions apply:
 - i. Minimum lot area shall be 2.6 hectares
 - ii. Minimum front yard setback from a single detached dwelling shall be 13.5 m.
 - iii. Minimum front yard setback from a porch on a single detached dwelling shall be 10 m.
- c. Notwithstanding the loading space regulations in subsection 2.11.6, on land zoned A-12 loading spaces are not required.
- d. Notwithstanding the street setbacks in subsection 2.22, on land zoned A-12 additional street setbacks do not apply to a single detached dwelling.

16.3.13 Agricultural Exception Thirteen (A-13) Zone
(By-Law 2014-139)

Notwithstanding the permitted uses in the Agricultural (A) Zone to the contrary, within the Agricultural Exception Thirteen (A-13) Zone, residential use is not permitted.

Notwithstanding subsections 2.14.2 and 16.2, where a lot has been created by a consent granted by the City of Kawartha Lakes, nothing within this By-law shall prevent the use of a lot which has a lesser lot area and/or lot frontage than the applicable minimum lot area and/or minimum lot frontage required herein provided:

- a. the proposed use of such lot is a permitted use; and
 - b. the proposed use shall not contravene any other zone provisions.
- 16.3.14 Agricultural Exception Fourteen (A-14) Zone
(See Section 16.3.9 – (A-9))
- 16.3.15 Agricultural Exception Fifteen (A-15) Zone
(By-Law 2014-287)
 - a. Notwithstanding the permitted uses in subsection 16.1, on land zoned A-15, no development shall be permitted.
 - b. Notwithstanding subsection 16.2, on land zoned A-15, the minimum lot area shall be 2.52 ha.
- 16.3.16 Agricultural Exception Sixteen (A-16) Zone
(By-Law 2016-243)
 - a. Notwithstanding the permitted uses in the Agricultural (A) Zone to the contrary, within the A-16 Zone residential use is not permitted.
 - b. Notwithstanding subsection 16.2 Lot Area requirement for Other Uses, on land zoned A-16 the minimum lot area shall be 36 ha.
- 16.3.17 Agricultural Exception Seventeen (A-17) Zone

Despite the permitted uses in subsections 16.1 and 2.27, on land zoned A-17, a single detached is the only permitted use. (B/L2017-104)
- 16.3.18 Agricultural Exception Eighteen (A-18) Zone

Notwithstanding the permitted uses in the Agricultural (A) Zone to the contrary, within the Agricultural Exception Eighteen (A-18) Zone, a kennel is a permitted uses.(B/L2017-147)
- 16.3.19 Agricultural Exception Nineteen (A-19) Zone

Notwithstanding the uses permitted in Section 16.1.1 and 16.1.2, in the A-19 Zone residential use is not permitted and buildings existing on the date of passing of this by-law may not be used to house livestock. (B/L 2018-120)
- 16.3.20 Agricultural Exception Twenty(A-20) Zone

In addition to the uses permitted in Section 16.1 and notwithstanding the zone provisions in Section 16.2, on lands zoned A-20, a second dwelling unit attached to the existing detached dwelling as an accessory dwelling unit is also permitted. (B/L 2019-138)
- 16.3.21 Agricultural Exception Twenty-One(A-21) Zone

Notwithstanding subsections 2.10 and 16.2, and the provisions of subsections 2.11 and 2.17, a secondary use consisting of offices for health practitioners and a yoga studio may also be permitted subject to the following provisions:
 - a. The use shall be located within an existing outbuilding and comprise a ground floor area of not more than 360 square metres.

- b. The use shall be carried out by at least one member of the household residing on the property.
- c. The property on which the use is located shall be classified as a farm by MPAC.
- d. A loading space shall not be required for the health and yoga studio use.
- e. Parking shall be provided in accordance with the following:
 - i. Yoga Studio: 1 parking space per 20 square metres of gross floor area
 - ii. Health Offices: 3 parking spaces per practitioner office
- f. On land zoned A-21(H), the removal of the (H) holding symbol shall be in accordance with the following:
 - i. The owner shall apply for and obtain Site Plan Approval for the development on the A-21 zoned portion of the subject land.(B/L2021-204)

SECTION 17: AGRICULTURAL SUPPORT (AS) ZONE

17.1 Uses Permitted

In any Agricultural Support (AS) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except the following uses:

17.1.1 Residential Uses

- an accessory dwelling unit

17.1.2 Non-Residential Uses

- an animal hospital
- an auction barn
- an abattoir
- an artificial insemination facility
- a commercial greenhouse
- an egg hatchery
- an excavating business
- a farm implement and heavy equipment sales and supply establishment
- a farm produce outlet
- a feed mill
- a fertilizer blending and supply outlet
- a fencing contractor or supplier
- a gunsmith shop
- a ready mix concrete plant
- a retail outlet for sale and service of farm related supplies and materials
- a seed cleaning plant and seed broker's office
- a tack shop
- a warehouse for agricultural produce sales
- a welding shop
- a cannabis production and processing facility subject to General Provisions Section 2.30 (B/L 2021-057)

17.2 Zone Provisions

In any AS Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the following provisions:

- | | |
|-----------------------------------|----------------------------|
| Lot Area (minimum): | • 4,000 square metres |
| Lot Frontage (minimum): | • 45 metres |
| Dwelling Units Per Lot (maximum): | • 1 for each establishment |
| Building Area (maximum): | • 30% |
| Front Yard (minimum): | • 15 metres |
| Exterior Side Yard (minimum): | • 15 metres |
| Rear Yard (minimum): | • 15 metres |
| Side Yard (minimum): | • 4.5 metres |
| Building Separation (minimum): | • 3 metres |
| Building Height (maximum): | • 10.5 metres |
| Dwelling Unit Areas (minimum): | |

- | | |
|----------------------------|--|
| (a) bachelor dwelling unit | • 60 square metres |
| (b) other dwelling units | • 60 square metres
plus an additional
15 square metres
for each bedroom |

- | | |
|-----------------------------|-------|
| Landscaping Area (minimum): | • 20% |
|-----------------------------|-------|

Planting Strip Location

A planting strip shall be required along any portion of a rear lot line and any portion of a side lot line which abut a Residential zone.

Planting Strip Widths (minimum):

- | | |
|-------------------------|--------------|
| (a) along side lot line | • 1.5 metres |
| (b) along rear lot line | • 3 metres |

General Provisions

In addition to the above, the provisions of Section 2 shall apply.

17.3 Exceptions

17.3.1 Agricultural Support Exception One (AS-1 Zone)

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception One (AS-1) Zone, the following shall apply:

Residential Uses:

- an accessory dwelling unit
- an accessory house

Non-Residential Uses

- an animal hospital
- an auction barn
- a commercial greenhouse and nursery
- nursery sales and supply establishment

Zone Provisions

- | | |
|-------------------------|----------------|
| Lot Area (minimum): | • 3.5 hectares |
| Lot Frontage (minimum): | • 75 metres |

In all other respects, the provisions of the Agricultural Support (AS) Zone shall apply.

17.3.2 Agricultural Support Exception Two (AS-2) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception Two (AS-2) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a seed cleaning and drying establishment
- a seed storage building

Zone Provisions

Lot Area (minimum):	• 3.5 hectares
Lot Frontage (minimum):	• 75 metres
Lot Depth (minimum)	• 330 metres

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.

17.3.3 Agricultural Support Exception Three (AS-3) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception Three (AS-3) Zone, the following shall apply:

Residential Uses

- prohibited

Non-Residential Uses

- a building for the curing and storage of peat moss
- a building for the storage and repair of peat moss harvesting equipment
- an office accessory to an AS-3 use
- an open storage area accessory to an AS-3 use
- a peat moss harvesting establishment

Zone Provisions

Building Area (maximum):	• 1.2%
Front Yard (minimum):	• 29 metres
Rear Yard (minimum):	• 40 metres
Side Yard (minimum):	• 244 metres
Building Height (maximum):	• 6 metres
Open Storage Area Location:	• prohibited in front yard

Planting Strip Requirements:

A landscaped buffer, with a minimum height of 7 metres, shall be maintained with a minimum depth of 15 metres inside the perimeter of the land zoned AS-3, except for a frontage of 12 metres abutting Highway 35 which will be used for access onto the land. The landscaped buffer shall consist primarily of the existing tree and shrub cover. Where the tree and shrub cover is removed, it shall be subsequently replanted so that a buffer with a height of 2 metres and a depth of 15 metres is achieved within 3 years.

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.

17.3.4 Agricultural Support Exception Four (AS-4) Zone

In addition to the Permitted Uses and zone provisions in the Agricultural Support (AS) Zone within the Agricultural Support Exception Four (AS-4) Zone the following shall apply.

Permitted Uses

- All uses permitted in the Agricultural Support (AS) Zone
- A honey and maple syrup processing and packaging plant

Zone Provisions

Minimum Lot Frontage	• 200 metres
Minimum Lot Area	• 1.5 ha
Minimum Gross Floor Area	• 800 square metres

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.

17.3.5 Agricultural Support Exception Five (AS-5) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, on lands within the Agricultural support Exception Five (AS-5) Zone as shown on Schedule A to this By-law only the following use are permitted:

- i) a fuel depot
- ii) a motor vehicle fuel bar

In all other respects, the provisions of the Agricultural Support Zone shall apply.
(By-Law 93-41)

17.3.6 Agricultural support Exception Six (AS-6) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) zone to the contrary, on lands within the Agricultural support Exception Six (AS-6) zone as shown on Schedule A to this By-law only the following uses are permitted:

- i) a building supply and lumber outlet
- ii) a feed mill
- iii) a fertilizer blending and supply outlet
- iv) a retail outlet for sale and service of farm related supplies and materials.

In all other respects, the provisions of the Agricultural Support Zone shall apply.
(B/L 93-41)

17.3.7 Agricultural Support Exception Seven (AS-7) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception Seven (AS-7) Zone, the following shall apply:

Residential Uses

- Prohibited

Non-Residential Uses

- Business, Professional or Administrative Office

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.
(By-Law 2002-75)

17.3.7.a. Deleted by By-Law 2004-106.

17.3.8 Agricultural Support Exception Eight (AS-8) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception Eight (AS-8) Zone, the following shall apply:

Residential Uses

- Prohibited

Non-Residential Uses

Fairground and exhibition, defined as a use of land devoted to:

- Cultural events & exhibitions;
- Entertainment events;
- Exhibitions of agricultural products; agricultural equipment; motor vehicles; domestic pets; livestock; recreational equipment; recreational vehicles;
- Fair & festival events;
- Camping, camping cabins and a tourist camp (B/L 2020-009);
- Auctions of agricultural products & equipment;
- Community based, volunteer, public non-profit agency events;
- Craft shows;
- Dances accessory to on-going permitted use;
- Entertainment – outdoor concert & theatre events;
- Farmers' market;
- Liquidation sales – each sale event shall not exceed three (3) consecutive days and such sale events shall not exceed a total of 12 days in each calendar year;
- Sporting events – any sports;
- Storage, indoor & outdoor, of agricultural implements and products, motor vehicles & recreational vehicles;
- Trade shows – any commercial, industrial, institutional or residential products or combination of such products.

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.

On lands zoned AS-8(H), the removal of the (H) Holding Symbol shall be considered by Council once the owner has entered into a site plan agreement which demonstrates access to the satisfaction of the City of Kawartha Lakes and KRCA. (B/L 2020-009)

(B/L 2010-044 – OMB Decision)

17.3.8.a Deleted by By-Law 2006-169.

17.3.9 Agricultural Support Exception Nine (AS-9) Zone

Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone, to the contrary, within the Agricultural Support Exception Nine (AS-9) Zone, the following use shall also be permitted:

Non-Residential Uses

- Mini-Storage Units subject to the following provisions:
 - a) Front Yard (minimum) 7 metres
 - b) Rear Yard (minimum) 7 metres
 - c) Landscaping Area (minimum) 17.3%
 - d) Lot Coverage (maximum) 33.6%
 - e) Lot Area (minimum) 3300 square metres
- All other Uses:
 - a) Lot Area (minimum) 3300 square metres

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.
(By-Law 2002-80)

17.3.10 Agricultural Support Exception Ten (AS-10) Zone

Notwithstanding the Permitted Non-Residential Uses and zone provisions in the Agricultural Support (AS) Zone to the contrary, within the Agricultural Support Exception Ten (AS-10) Zone, the following shall apply:

Non-Residential Uses

- a commercial hydroponic/greenhouse

Zone Provisions

Front Yard (minimum): 13.7 metres

In all other respects the provisions of the Agricultural Support (AS) Zone shall apply.
(By-Law 2002-89)

17.3.11 Agricultural Support Exception Eleven (AS-11) Zone

17.3.11.1 Notwithstanding the permitted uses and zone provisions in the Agricultural Support (AS) Zone, to the contrary, within the Agricultural Support Exception Eleven (AS-11) Zone, the following uses shall also be permitted:

Non-Residential Uses

- Trucking Terminal
- Truck and Tractor Repair and Sales
- Bulk Agricultural/Seed Storage
- Nursery

17.3.11.2 Notwithstanding 2.17, land zoned “AS-11” shall have a minimum of 42 parking spaces of which four are demarcated as accessible.

17.3.11.3 On lands zoned AS-11(H), the removal of the Holding Symbol (H) shall be considered by Council once the owner has entered into a site plan agreement to the satisfaction of the City of Kawartha Lakes. (B/L2020-104)

SECTION 18: HAZARD LAND (HL) ZONE

18.1 Uses Permitted

In any Hazard Land (HL) Zone, no person shall use any lot or construct, alter or use any building or structure for any purpose except one or more of the following uses:

18.1.1 Residential Uses

- prohibited

18.1.2 Non-Residential Uses

- an erosion control use
- a flood control use
- existing uses as of the date of this By-law

18.2 Zone Provisions

In any HL Zone, no person shall use any lot or construct, alter or use any building or structure except in accordance with the provisions of Section 3 of this By-law.

18.2.1 Enlargements of an Existing Building

Existing buildings within the Hazard Lands (HL) Zone may be enlarged by a maximum of 25 percent of the ground floor area that existed as of the date of passing of this By-law.

18.3 Exceptions

18.3.1 Notwithstanding subsections 18.1 and 18.2, on land zoned “HL-1”, being Part 2, Plan 57R-9448, which contains a known archaeological resource, site alterations involving soil disturbances, and the erecting, locating of any class or classes of buildings or structures within this zone is strictly prohibited, unless there is further archaeological assessment by a licensed archaeologist, and such assessment shall recommend requirements for the conservation of identified archaeological features and/or artifacts.

(B/L 2010-044 – OMB Decision)

18.3.2 Hazard Land Exception Two (HL-2) Zone

Notwithstanding subsections 18.1 and 18.2, on land zoned HL-2, passive recreational uses are permitted to include trails and limited structures such as docks, boardwalks and footbridges.

On lands zoned HL-2(H), the removal of the (H) Holding Symbol shall be considered by Council once the owner has entered into a site plan agreement which demonstrates access to the satisfaction of the City of Kawartha Lakes and the KRCA.

SECTION 18a FUTURE COMMUNITY DEVELOPMENT (FCD) ZONE:

18a.1 FCD USES PERMITTED

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

- a. Existing legal uses at the date of the adoption of this By-law
- b. Agricultural Use
- c. Public Utilities

(By-Law 2004-139)

18a.2 FCD ZONE REQUIREMENTS

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

- a. Minimum front yard setback 9 m
- b. Minimum exterior side yard setback 6 m
- c. Minimum interior side yard setback 3 m
- d. Minimum rear yard setback 9 m
- e. Maximum lot coverage 10%
- f. Maximum building height 10.5 m
- g. Minimum dwelling unit floor area 93 m²

(By-Law 2004-139)

SECTION 19: DEFINITIONS

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

19.1 ACCESSORY

A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure.

19.1a ACCESSORY BUILDING OR STRUCTURE

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

19.2 ABATTOIR

A building or place where livestock is killed to produce meat for human consumption. This definition may include facilities for processing and storing the carcasses but shall not include any use classified as obnoxious by this By-law.

19.2a AIR FILTRATION CONTROL

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

19.3 ALTER

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

- (a) to change any 1 or more of the external dimensions of such building or structure;
or
- (b) to change the type of construction of the exterior walls or roof of such building or structure; or
- (c) to change the use of such building or structure; or
- (d) to change the number of uses or dwelling units contained therein.

When used in reference to a lot, means:

- (e) to change the boundary of such lot with respect to a street or lane; or
- (f) to change any dimension or area, relating to such lot, which is covered herein by a zone provision; or
- (g) to change the use of such lot; or
- (h) to change the number of uses located thereon.

"Altered" and "alteration" shall have corresponding meanings.

19.3a ANAEROBIC DIGESTION

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

19.4 ANIMAL HOSPITAL

A building where 1 or more licensed veterinarians and any associated staff provide medical and surgical services for farm animals or household pets and grooming, boarding or similar services solely for household pets. This definition shall not include any facilities for the cremation or disposal of dead animals.

19.5

ATTIC

That portion of a building situated wholly or partly within the roof but which is not a one-half storey.

19.6 AUCTION BARN

A building or part of a building in which the main uses are the storage, display and subsequent sale of goods and articles, including antiques, by way of auction. This definition may include a concession booth for the provision of food and refreshments to the general public.

19.7 AUDITORIUM

A building, structure or part thereof where facilities are provided for athletic, civic, educational, political, religious or social events. This definition may include an arena, assembly hall, community centre, gymnasium, stadium, theatre or similar use.

19.8 AUTOMOBILE SERVICE STATION

An establishment primarily engaged in the retail sale of fuels or lubricants for vehicles. Accessory uses may include the sale of vehicles or accessories and minor maintenance or repair operations for such vehicles, other than bodywork or painting.

19.9 AUTOMOTIVE STORE

An establishment primarily engaged in the retail sale of vehicle parts, accessories and tools. Accessory uses may include service bays for performing repair or maintenance work on vehicles.

19.10 BALCONY

A partially enclosed platform attached to and extending horizontally from 1 or more main walls of a building and used as an outdoor porch or sundeck.

19.11 BASEMENT

A portion of a building between two floor levels which is partly underground but which has at least one-half of its height, from finished floor to finished ceiling or to the undersides of the floor joints of the storey next above, as the case may be, above the adjacent average finished grade level adjacent to the exterior walls of the building.

19.12 BED AND BREAKFAST

A house which is not part of or used in conjunction with any other tourist establishment and in which there are a maximum of 3 guest rooms used or maintained for the overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals, for gain or profit, whether rented regularly, seasonally or occasionally.

19.13 BEVERAGE ROOM

A building or premises, other than a restaurant, which is licensed under the Liquor License Act.

19.14 BOARDING HOUSE

A dwelling in which the proprietor supplies for a fee, sleeping accommodation with board for at least three persons and not more than ten persons exclusive of the proprietor, members of the proprietor's family and servants of the establishment but does not include a hostel.

19.15 BOAT HOUSE

An accessory building used for the storage of boats and boating equipment.

19.16 BODY SHOP

An establishment where vehicle bodies, exteriors or undercarriages are painted or repaired. Accessory uses may include a towing service and the rental of vehicles to customers whose vehicles are being repaired. This definition shall not include a salvage yard as defined herein.

19.17 BUILDING (MAIN)

A structure, consisting of walls and a roof, structures serving the same purpose, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials.

19.18 BUILDING COVERAGE

That portion of the lot area of a lot permitted to be covered by 1 or more buildings.

19.19 BUILDING HEIGHT

The vertical distance between the finished grade of the lot on which the building is situated and:

- (a) the highest point of the roof surface of a flat roof; or
- (b) the deck line of a mansard roof; or
- (c) the median level between eaves and ridge of a gable, gambrel or hip roof.

19.20 BUILDING SEPARATION

The horizontal distance between the nearest portions of any buildings on a lot.

19.21 BUILDING SETBACK

The horizontal distance between a lot line of a lot or a physical feature such as a waterbody or roadway and the nearest portion of any buildings on such lot.

19.22 BUILDING SUPPLY AND LUMBER OUTLET

A building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements.

19.23 BUILDING SUPPLY OUTLET

An establishment engaged in the selling or installing of home furnishings and building supplies (including lumber, millwork, siding, roofing, plumbing, electrical, heating, air

conditioning and similar items). This definition shall not include any establishment otherwise defined herein or specifically named elsewhere in this By-law.

19.24 BULK STORAGE TANK

A structure used for the storage of chemicals, petroleum products and other materials in above-ground containers for subsequent resale to distributors or retail dealers or outlets.

19.25 BUNKHOUSE

A building designed or used, during the planting, growing or harvesting season, for the accommodation of agricultural workers and consisting of at least 1 bathroom and not fewer than 2 rooms providing therein living, dining and sleeping accommodation in appropriate individual or combination rooms.

19.26 BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE

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 may include the administrative offices of a non-profit or charitable organization. Where the use is specifically related to sales, the uses shall be limited to buildings and structures used for the marketing and sales of fuel, mobile homes, modular or prefabricated buildings and structures, real estate, recreational vehicles, goods or services permitted in the Zone and tourism but shall not include offices intended for the supply of services such as medical, legal, administration or consultation. (B/L 93-42)

19.27 CAMPING GROUND

An open area provided for the use of outdoor camping in tents or similar facilities. This definition shall not include a tourist camp or mobile home park.

19.27a CANNABIS

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

19.27b CANNABIS PRODUCTION AND PROCESSING FACILITY

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

19.28 CARPORT

A roofed structure, supported by columns, piers or not more than 2 walls, which is used for the sheltering of permitted vehicles.

19.29 CAR WASH

An establishment having facilities for washing vehicles by production line methods which may include a conveyor system or similar mechanical devices. This definition may also include a self-service operation.

19.30 CLINIC

A building or part of a building used solely by medical doctors, dentists or drugless practitioners, as well as by their staff and their patients, for the purposes of consultation, diagnosis and office treatment. This definition shall not include a hospital or home profession.

19.31 CLUB

A building or premises used as an athletic, recreational, service or social club. This definition may include the premises of a fraternal organization.

19.32 COMMERCIAL GREENHOUSE

A building used for the growing of flowers, vegetables, shrubs, trees and similar vegetation for wholesale or retail sale and associated services. This definition shall not include any premises used for the growing of mushrooms.

19.33 COMMUNITY CENTRE

1. Any tract of land or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof.
2. A building or part of a building used for community activities without purpose of gain.

19.34 COMMUNAL WATER SYSTEM

A privately-owned water system which serves a minimum of 5 dwelling units.

19.35 COMMUNICATIONS TOWER

A tower erected for the purpose of transmitting, relaying or receiving person-to-person radio or microwave signals by any public or publicly-licensed agency such as police, hydro, transportation, telephone or cellular telephone sources. This definition may include a tower erected for the purpose of amateur radio transmission or reception or the private reception of commercial radio or television programming but shall not include a tower erected solely for the purpose of transmitting commercial radio or television signals.

19.36 CONSERVATION AUTHORITY

The Kawartha Region Conservation Authority.

19.37 CONSTRUCT

To build, erect, place, reconstruct or relocate and, without limiting the generality of the word, also includes:

- (a) any preliminary operation such as excavating, filling or draining; or
- (b) altering any existing building or structure by an addition, enlargement, extension or other structural change; or
- (c) any work which requires a building permit.

"Constructed" and "construction" shall have corresponding meanings.

19.38 CONTRACTOR'S YARD

A yard of any general contractor or building where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

19.39 CONVENIENCE STORE

A retail establishment not exceeding 280 square metres gross floor area, where food, tobacco, drugs, magazines, newspapers, video tapes or similar items of household necessity are kept for retail sale to residents of the local area.

19.40 CORNER LOT

A lot having 4 or fewer lot lines and situated at the intersection of 2 street lines which contain an angle of not more than 135 degrees. Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the side lot lines. In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents.

19.41 COTTAGE

A house containing only 1 dwelling unit, which is constructed and used as a secondary place of residence, for secondary vacation and recreational purposes and not as the principal residence of the owner or occupant thereof.

19.42 CORPORATION

The Corporation of the Township of Ops.

19.43 COUNCIL

The Council of the Corporation of the Township of Ops.

19.44 COUNTY

The Corporation of the County of Victoria.

19.45 COUNTY ROAD

A street designated as a "COUNTY ROAD" on Schedule A

19.46 DAY CARE CENTRE

Part of a building, other than a school, where facilities are provided for the day-time care of children as licensed under the Day Nurseries Act.

19.47 DELIVERY SPACE

An area provided for the temporary parking of vehicles delivering or picking up equipment, goods, materials or persons.

19.47a DENSE NON AQUEOUS PHASE LIQUID

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

19.48 DETACHED

When used in reference to a building, means a building which is not dependent on any other building for structural support or enclosure.

19.48a DRINKING WATER THREAT

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

19.49 DRIVEWAY

An unobstructed passageway used to provide vehicular access from an entrance to a delivery space, loading space or parking space.

19.50 DRY CLEANING OR LAUNDRY OUTLET

A building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected elsewhere to a process of cleaning or dyeing. Such establishment may also be used for pressing and distributing any articles or goods of fabric which have been received therein.

19.51 DWELLING

A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently.

19.52 DWELLING, ACCESSORY

A use, separate building, or structure which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principle use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.

19.53 DWELLING, APARTMENT

A separate building containing three or more dwelling units.

19.54 DWELLING, CONVERTED

A building originally constructed as a single detached dwelling unit which has been converted by partition and/or the addition of sanitary and cooking facilities into not more than three dwelling units.

19.55 DWELLING, DETACHED

A detached building containing one dwelling unit only.

19.56 DWELLING, DUPLEX

The whole of a two-storey building, divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

19.57 DWELLING, SEMI-DETACHED

The whole of a building divided vertically into two separate dwelling units.

19.58 DWELLING, TOWNHOUSE

A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.

19.59 DWELLING, TRIPLEX

The whole of a building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

19.60 DWELLING UNIT

A room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside.

19.61 DWELLING UNIT, ACCESSORY

A separate dwelling unit which is contained in a building which was originally designed as a single family dwelling and continues to be occupied by the owner.

19.61a DWELLING UNIT, ADDITIONAL RESIDENTIAL

A residential dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the primary residential dwelling unit. The additional residential unit includes a separate entrance, kitchen facilities, washroom facilities, and living space from the primary residential dwelling unit. (B/L 2020-160)

19.61b DWELLING UNIT, PRIMARY RESIDENTIAL

A single detached, semi-detached, or townhouse dwelling for the purpose of the definition of additional residential dwelling unit. (B/L 2020-160)

19.62 ENTRANCE

An unobstructed passageway used to provide vehicular access from the travelled portion of a street or lane to a driveway.

19.63 ENTRANCE SEPARATION

The horizontal distance between the nearest portions of any entrances on a lot.

19.64 ENTRANCE SETBACK

The horizontal distance between an intersection of street lines and the nearest portion of any entrance, measured along the limit of the travelled portion of the street or lane.

19.65 ENTRANCE WIDTH

The horizontal distance between the extremities of an entrance, measured along the limit of the travelled portion of the street or lane.

19.66 ERECT

To build, construct, reconstruct, alter or relocate including any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

19.67 ESTABLISHED BUILDING LINE

The average distance between the street line and existing buildings on 1 side of a continuous 300 metre strip of land where 5 or more lots having street access upon the said side of the street have been built upon.

19.68 EXISTING

Existing on the date of passing of this By-law.

19.69 EXISTING LOT

A lot which was held under distinct and separate ownership from abutting lots as shown on:

- (a) a registered conveyance in the records of the Registry Office or Land Titles Office prior to the date of passing of this By-law; or
- (b) a registered plan within the meaning of Section 5 of the Planning Act, 1990 in the records of the Registry Office or Land Titles Office prior to the date of passing of this By-law; or
- (c) a plan registered or deposited in the records of the Registry Office or Land Titles Office prior to November 14, 1958.

19.70 FACTORY OUTLET

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

19.71 FAMILY

One or more human beings living together as a single housekeeping unit.

19.72 FARM

Farm means any farming or agricultural use and includes apiaries, aviaries, berry or bush crops, breeding, raising, training or boarding of horses or cattle, commercial greenhouses, farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals fish or frogs, farms for grazing, flower gardening, field crops, goat or cattle dairies, growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises, nurseries, orchards, riding stables, the raising of sheep or goats or other ruminants, the raising of swine, tree crops, market gardening, bee keeping, wood lots, such uses or enterprises as are customarily carried on in the field of general agriculture not including a specialized farm as defined or cannabis production and processing facilities. 'Farm' includes a single-family dwelling house and such principle or main buildings and structure as a barn or silo, as well as accessory buildings and structure which are incidental to the operation of the farm. (B/L 2021-057)

19.73 FARM, SPECIALIZED

means any land on which the predominant economic activity consists of raising chickens, turkeys or other fowl, the raising of fur bearing animals, the raising of swine, goats, horses, or cattle on feed lots or other intensive animal operations, the raising or boarding of dogs or cats or the growing of mushrooms and does not include cannabis production and processing facilities. (B/L 2021-057)

19.74 FARM PRODUCE OUTLET

A use, accessory to a farm, which consists of the retail sale of agricultural products produced by the property owner on that farm. This definition shall not include an abattoir.

19.75 FINISHED GRADE

The median elevation between the highest and lowest points of the finished surface of the ground (measured at the base of a building or structure) abutting the front yard but exclusive of any embankment in lieu of steps.

19.76 FLOOR AREA, GROSS

The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

19.77 FLOOR AREA, GROUND

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah or sunroom (unless such sunroom is habitable at all seasons of the year).

19.78 FLOOR AREA, NET

That portion of the gross floor area of a building which is used by a Non-Residential use defined or specifically named in this By-law, but excluding:

- (a) any part of such building used by another Non-Residential use which is defined or specifically named in this By-law;
- (b) any part of such building used as a dwelling unit;
- (c) any part of such building used for the parking or storage of motor vehicles;
- (d) any part of such building used for equipment to heat such building or a portion thereof; and
- (e) the thickness of any exterior walls of such building.

19.79 FORESTRY USE

The planting, nurturing, growing or harvesting of trees for the purpose of reforestation or transplanting or cutting for uses such as logs, poles, fence posts or firewood. This

definition also may include a tree farm and the sale of such trees grown on the site but it shall not include a commercial sawmill or planing mill.

19.80 FUEL DEPOT

An establishment primarily engaged in the bulk storage and distribution of petroleum, gasoline, fuel oil, gas or other similar inflammable products in fuel storage tank. The limited retailing of such products shall be permitted in association with a Fuel Storage Tank Farm provided such retailing is clearly incidental and secondary to the bulk storage and distribution function.

19.81 GARAGE, COMMERCIAL

An establishment or premises where vehicles owned by the general public are repaired or maintained.

19.82 GARAGE, MAINTENANCE

An establishment or premises where vehicles owned or leased by the occupant of such premises are repaired or maintained.

19.83 GARAGE, PRIVATE

An accessory building or portion of a house which is fully enclosed and used for the sheltering of permitted vehicles. This definition shall not include a carport or other open shelter.

19.84 GASOLINE PUMP ISLAND

A structure which is an accessory use intended to provide gasoline or other fuels for vehicles or aircraft.

19.85 GOLF COURSE

A public or private premises which is used for the purpose of playing golf. This definition may include a par-3 golf course, a club house and recreational facilities, a driving range, a miniature golf course or any similar use.

19.86 GROUP HOME

A single housekeeping unit in a residential dwelling in which 3 to 6 unrelated residents excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under the Provincial statute in compliance with municipal by-laws.

19.86 CORRECTIONAL FACILITY

A facility which includes buildings and land used for lawful confinement of persons and is operated by or under the authority of the federal, provincial, county or municipal government. (B/L 96-29)

19.87 GUEST ROOM

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

19.88 HABITABLE ROOM

A room designed to provide living, dining, sleeping or kitchen accommodation for persons. This definition may include a bathroom, den, library or enclosed sun room but shall not include any private garage, carport, porch, verandah, unfinished attic, unfinished basement or unfinished cellar.

19.89 HEAVY EQUIPMENT SALES AND RENTAL

A building or part of a building or structure in which heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

19.90 HIGH WATER MARK SETBACK

The setback will be measured from the normal controlled high water mark of the lake or river. For the Scugog River, this elevation shall be 250.8 m, C.G.D.

19.91 HOME INDUSTRY

An accessory use located within a wholly enclosed building or part thereof which may include a carpentry shop, a craft shop, a metal working shop, a workshop, a repair shop for small items or household appliances, a small engine repair shop, a plumbing shop, an electrical shop, a welding shop, a taxidermy, a storage building for school buses, boats or snowmobiles, or a similar use.

19.92 HOME OCCUPATION

Any occupation conducted for gain or profit within a dwelling unit. This definition may include day care for not more than 6 children; dressmaking; hairdressing; instruction in arts, crafts, dancing or music to not more than 6 pupils at any 1 lesson; molding; painting; sculpting; weaving; or the making or repairing of garden or household ornaments, clothing, personal effects or toys.

19.93 HOTEL

A building or part of a building that contains a general kitchen and dining room and other public rooms, the remaining rooms of which contain no provision for cooking, and are usually hired by transients as places of abode and includes a hostel for men or women.

19.94 HOUSE

A detached building occupied or capable of being occupied as the home or residence of 1 or more persons. This definition shall not include any part of any vehicle as defined herein.

19.95 IMPROVED PUBLIC ROAD

A road or highway under the jurisdiction of the Province of Ontario or the Township or the County of Victoria or a private road within a registered Plan of Condominium which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a Township road, is a road for which the Township receives construction and maintenance subsidies from the Ministry of Transportation.

19.96 IMPROVED STREET

A street designated as a Provincial Highway, a County Road, on Schedule A or a Township Road as defined in this By-law.

19.96a INCIDENTAL VOLUME

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

19.96b INTAKE PROTECTION ZONE

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

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

19.97 KENNEL

A building, structure or premises used for the raising or boarding of more than 3 dogs, cats or other household pets on a commercial basis

19.98 LANDSCAPING AREA

That portion of the lot area of a lot required for the growth and maintenance of grass, flowers, bushes, trees and other landscaping. This definition may include any surfaced walk, surfaced patio, play facility, or similar area but shall not include any driveway or ramp (whether surfaced or not) nor any curb, retaining wall, parking area, delivery space, loading space, swimming pool nor any open space beneath or within a building or structure.

19.99 LANE

A public thoroughfare, whether or not improved for use, which has a right-of-way width of 10 metres or less and which affords only a secondary means of access for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

19.100 LAUNDROMAT

A building or part of a building containing 1 or more washers, each having a capacity not exceeding 23 kilograms, and drying, ironing, finishing and incidental equipment, provided that only water and soaps or detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

19.101 LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories, augers, automotive tools, cleaning equipment, light compaction equipment, concrete and masonry equipment, electric tools and accessories, fastening devices such as staplers and tackers, floor and carpet tools, gasoline generators, jacks and hydraulic equipment, lawn and garden tools, ladders, moving equipment, painting and decorating equipment, pipe tools and accessories, plumbing tools and accessories, pumps, hoses, scaffolding, welding equipment, and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

19.101a LIQUIDATION SALE

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

19.102 LOADING SPACE

An area provided for the temporary parking of vehicles loading or unloading animals, equipment, goods or materials.

19.103 LOT

A parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act.

19.104 LOT, FULLY SERVICED

A lot which is served by a sanitary sewer system and either a public water system or a communal water system.

19.105 LOT, INTERIOR

A lot, other than a corner lot or a through lot, which has street access but has no water access.

19.106 LOT, PARTLY SERVICED

A lot which is served by a communal water system or a public water system or a sanitary sewer system.

19.107 LOT, STANDARD WATERFRONT

A lot which has water access on 1 shoreline only and access on an improved public road or legal right-of-way to an improved public road.

19.108 LOT, THROUGH

A lot, other than a corner lot, which has street access on 2 or more street lines but has no water access.

19.109 LOT, THROUGH WATERFRONT

A lot which has water access on 2 or more shorelines.

19.110 LOT, TOURIST CAMP

A parcel of land within a tourist camp, occupied by a tent, tourist trailer or tourist vehicle.

19.111 LOT, UNSERVICED

A lot which is not served by a communal water system nor by a public water system nor by a sanitary sewer system.

19.112 LOT AREA

The total horizontal area within the lot lines of a lot.

19.113 LOT FRONTAGE

In the case of a corner lot, an interior lot or a through lot, the horizontal distance between the 2 lot lines which intersect the front lot line of a lot, such distance being measured along a line which is parallel to the front lot line and distant from the front lot line a distance equal to the minimum front building setback required herein for the specified use in the zone where such lot is located. In the case of a standard waterfront lot or a through waterfront lot, "lot frontage" means the straight line horizontal distance between the 2 most widely separated points on the front lot line.

19.114 LOT LINE

Any boundary of a lot or the vertical projection thereof.

19.115 LOT LINE, EXTERIOR SIDE

Any lot line other than a front lot line which is also a street line.

19.116 LOT LINE, FRONT

In the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line except, where the lot lines abutting a street are the same length, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line. In the case of a standard waterfront lot, the shoreline shall be deemed to be the front lot line. In the case of a through waterfront lot, the longest shoreline shall be deemed to be the front lot line.

19.117 LOT LINE, REAR

Any lot line which is not a front lot line, a exterior lot line or a side lot line.

19.118 LOT LINE, SIDE

A lot line which intersects a front lot line or a exterior lot line provided that, if any side lot line or portion thereof is the rear lot line on an abutting lot, such lot line or portion thereof shall be deemed to be a rear lot line.

19.119 MARINA

An establishment or premises, where boats, snowmobiles and related accessories are stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided.

19.120 MARINE FACILITY

A building or structure which is used to place a boat into or take a boat out of a waterbody; or used to moor or to store a boat. This definition may include a boat launching ramp, boat lift, dock or boathouse, but shall not include any building used for human habitation nor any boat service, boat repair or boat sales facility.

MINI-STORAGE ESTABLISHMENT

A building containing separate, individual self-storage units divided from the floor to the ceiling by a wall with independent entrance from the exterior of the building or from a common hallway, designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

19.121 MINIMUM OPENING ELEVATION

The lowest elevation of any door, window or other opening in a building which would permit water to enter the building (measured in Canadian Geodetic Datum).

19.122 MOBILE HOME

A prefabricated building meeting CSA Standard Z240 and Z241 designed to be transported in 1 piece and designed and equipped for year-round occupancy, containing therein facilities for cooking or for the installation of cooking equipment as well as sanitary facilities including a flush toilet and a shower or bathtub. This definition shall not include any tourist vehicle or any trailer which has a gross floor area of less than 30 square metres.

19.123 MOBILE HOME PARK

Land which has been provided and designed for the location thereon of 2 or more occupied mobile homes.

19.124 MODULAR HOME

Any dwelling that is designed in more than one unit and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor vehicle as defined herein.

19.125 MOTEL

A tourist establishment containing therein 5 or more guest rooms, each guest room having a separate entrance directly from outside the building. Accessory uses may include accommodation for permanent staff and 1 or more beverage rooms, dining rooms, meeting rooms or similar uses.

19.126 MOTOR VEHICLE

An automobile, truck, motorcycle and other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of The Highway Traffic Act, as amended.

19.127 MOTOR VEHICLE, COMMERCIAL

Any commercial motor vehicle within the meaning of The Highway Traffic Act, as amended.

19.128 MOTOR VEHICLE DEALERSHIP

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

19.129 MOTOR VEHICLE FUEL BAR

One or more pump islands, each consisting of one or more motor vehicle fuel pumps, and a shelter which shall include the sale of oils, antifreeze, gasoline additives, propane, natural gas and small accessories required for the operation of motor vehicles, boats and snowmobiles and shall not be used for repairs, oil changes or greasing.

19.129a MUNICIPAL DRINKING WATER SYSTEM

shall mean a drinking water system or part of a drinking water system,

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

19.130 NON-COMPLYING

When used in reference to a lot, building or structure, means a lot, building or structure which does not comply with 1 or more of the zone provisions of the zone in which such lot, building or structure is located.

19.131 NON-CONFORMING

When used in reference to a use, means a use which is not a permitted use in the zone where such use is located. When used in reference to a building or structure, "non-conforming" means a building or structure which is used for a use which is not a permitted use in the zone where such building or structure is located.

19.132 NOXIOUS USE

A use which, by its nature or the materials used or produced therein, is declared to be a noxious trade, business or manufacture pursuant to the Health Protection and Promotion Act, 1983 or any Regulations made thereunder.

19.133 NURSERY

Land used for the growing of sod, flowers, bushes, trees or other gardening, landscaping or orchard stock for wholesale or retail sale and associated services.

19.134 NURSING HOME

A building wherein lodgings, with or without meals, are provided for gain or profit and wherein medical treatment or nursing care may be provided for the occupants as licensed

under the Nursing Home Act. This definition may include a rest home or convalescent home but shall not include a hospital or clinic.

19.135 ONE-HALF STOREY

That portion of a building situated wholly or partly within the roof and in which there is a vertical dimension of at least 2.36 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 50% of the floor area of the storey next below.

19.136 OPEN STORAGE AREA

Land used for the outside storage of equipment, goods or materials. This definition shall not include a storage use located in a building nor a salvage yard, a parking area, a delivery space or a loading space.

19.137 OUTDOOR RECREATION AREA

Lands and accessory buildings and structures used for outdoor recreational purposes including a bowling green, a driving range, tennis courts, swimming pools, skating rinks, horseback riding, cross-country skiing soccer, baseball and other sports fields

19.138 PARK

An area, consisting largely of open space, which may include a recreational area, playground, playfield or similar use but shall not include a camping ground, mobile home park or a tourist camp.

19.139 PARKING AREA

An area or structure provided for the parking of vehicles and includes any related aisles and parking spaces, but shall not include any part of a street or lane. This definition may include a carport or private garage.

19.140 PARKING LOT

Any parking area other than a parking area which is accessory to a permitted use and located on the same lot therewith.

19.141 PARKING SPACE

A portion of a parking area, exclusive of any aisles, which may be used for the temporary parking or storage of a vehicle having a minimum width of 3 metres and a minimum area of 18.5 square metres.

19.142 PERMITTED

Permitted by this By-law.

19.143 PERMITTED USE

A use which is permitted in the zone where such use is located.

19.144 PERSON

Any human being, association, firm, partnership, syndicate, company, corporation, agent or trustee, and the heirs, administrators, executors, assigns or other legal representatives of a person to whom the context may apply according to law.

19.145 PERSONAL SERVICE SHOP

A building or part of a building in which persons are employed in furnishing services and otherwise administering to individual and personal needs of patrons such as barber shops, beauty parlours, hair dressing shops and shoe repair shops.

19.146 PIT

Any open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) any excavation incidental to the construction of a building or structure for which a building permit has been issued; or
- (b) any excavation incidental to the construction of any public works; or
- (c) any asphalt plant, cement manufacturing plant or concrete batching plant; or
- (d) any wayside pit as defined herein.

19.147 PLACE OF WORSHIP

Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.

19.148 PLANTING STRIP

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

19.149 PLANTING STRIP WIDTH

Means the least horizontal dimension of a planting strip measured perpendicularly to the lot line abutting such planting strip.

19.150 PORTABLE PROCESSING PLANT

Equipment used for the crushing, screening or washing of sand and gravel aggregate materials and capable of being readily drawn or readily propelled by a motor vehicle and not considered permanently affixed to the site. This definition shall not include a concrete batching plant or an asphalt plant.

19.151 PRIVATE CABIN

A suite of 2 or more habitable rooms, occupied by not more than 1 family, in which sanitary conveniences may be provided but which contains no cooking facilities and is accessory to a permitted dwelling house.

19.152 PRIVATE PARK

A park other than a public park.

19.153 PRINCIPAL OR MAIN BUILDING

Any building in which is carried on the principal purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.

19.154 PROVINCIAL HIGHWAY

A street designated as a "PROVINCIAL HIGHWAY" on Schedule A.

19.155 PUBLIC PARK

A park owned or operated by the Corporation or any local board of the Corporation or the County, or any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada.

19.156 PUBLIC USE

A building, structure or lot used for public services by the Corporation or the County, any local board of the Corporation or the County, any Authority, Board, Commission or Ministry established under any statute of Ontario or Canada, any telephone or telegraph company, any public utility corporation or any railway company authorized under the Railway Act.

19.157 PUBLIC WORKS YARD

Lands and buildings used for the storage and maintenance of equipment and materials owned and operated by a public authority.

19.158 PUBLIC WATER SYSTEM

A water system owned and operated by the Corporation, another municipal corporation or the Ministry of the Environment.

19.159 QUARRY

Any open excavation made for the removal of any limestone, sandstone, shale or consolidated rock or mineral to supply such material for construction, industrial or manufacturing purposes. This definition shall not include:

- (a) any excavation incidental to the construction of a building or structure for which a building permit has been issued; or
- (b) any excavation incidental to any public works; or
- (c) any asphalt plant, cement manufacturing plant or concrete batching plant.

19.160 RECREATIONAL ESTABLISHMENT

A billiard or pool hall, bowling alley, curling or skating rink, or similar use.

19.161 RECYCLING TRANSFER CENTRE

Land and buildings used for the separation and transfer processing of used material such as paper, cardboard, metals and glass prior to shipment to other areas for re-use.

19.162 RENTAL CABIN

A building in a tourist establishment designed to accommodate one family in a detached building or in 1 of 2 such buildings which have a common wall.

19.163 RETAIL STORE

A building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By-law.

19.164 RIDING SCHOOL OR BOARDING STABLE

An area of land which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

19.165 RIGHT-OF-WAY, PRIVATE

Any thoroughfare not under the jurisdiction of the Corporation, the County or the Province of Ontario.

19.165a RISK MANAGEMENT OFFICIAL

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

19.166 SALVAGE YARD

An establishment or premises where bones, bottles, hides, junk, rags, scrap metals, wrecked vehicles or parts therefrom are stored wholly or partly in the open. This definition may include a junk yard, scrap yard or wrecking yard.

19.167 SCHOOL

A school under the jurisdiction of a Board as defined in the Education Act.

19.168 SCHOOL, COMMERCIAL

A school which is not under the jurisdiction of a Board as defined in the Education Act.

19.212 SEASONAL FARM RESIDENTIAL USE

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

19.168b SENSITIVE LAND USE

means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses

may be part of the built or natural environment. Examples include residences, day care centres, and educational and health centres. B/L 2021-057

19.169 SERVICE SHOP, MERCHANDISE

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

19.170 SERVICE SHOP, PERSONAL

An establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, a shoe repair shop, a tailor shop, a photographic studio, a toy shop or similar use.

19.171 SEWAGE TREATMENT FACILITY

A building or structure, approved by the Ministry of the Environment, where domestic or industrial waste is treated.

19.172 SEWER SYSTEM, SANITARY

A system of underground conduits, operated by the Corporation or by the Ministry of the Environment, which carries sewage to a sewage treatment facility.

19.173 SEWER SYSTEM, STORM

A sewer which carries storm surface water and storm drainage, but does not carry sewage or industrial waste.

19.174 SHORELINE

Any line dividing water from land or abutting an original shore road allowance.

19.175 SIGHT TRIANGLE

The triangular space on a lot formed by 2 intersecting street lines and a line drawn from a point in 1 street line across such lot to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the 2 street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangent to the street lines.

19.176 SIGN

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

19.176a SIGNIFICANT DRINKING WATER THREAT

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

19.176b SIGNIFICANT DRINKING WATER THREAT, EXISTING

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

19.176c SIGNIFICANT DRINKING WATER THREAT, EXPANSION

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

- a) Increasing the area of land where an activity is taking place;
- b) Increasing the amount of effluent or discharge from an activity;
- c) Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d) Increasing the quantity of chemical or pathogen containing material applied. (B/L 2020-124)

19.176d SIGNIFICANT DRINKING WATER THREAT, FUTURE

shall mean an activity that is considered a significant drinking water threat that is proposed to commence after the date the applicable Source Protection Plan takes effect and is not an existing activity. (B/L 2020-124)

19.177 SKI AREA

Land used for snow skiing and may include ski lifts, tows, maintenance shops, ski equipment sales shops, dining rooms, beverage rooms and similar accessory uses. This definition shall not include a tourist establishment.

19.178 SMALL ENGINE SALES AND SERVICE ESTABLISHMENT

Buildings and lands used for the sale, service, repair and rental of snowmobiles, motorcycles, all terrain vehicles, lawn and garden equipment or other recreational vehicles and equipment powered by a four-stroke engine.

19.178a SOURCE MATERIAL, AGRICULTURAL

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

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

19.178b SOURCE MATERIAL, NON-AGRICULTURAL

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

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

19.179 STOREY

That portion of a building or structure between any floor level of such building or structure and the floor, ceiling or roof next above such floor level.

19.180 STOREY, FIRST

The storey with its floor closest to and above finished grade.

19.181 STOREY, SECOND

That portion of a building situated above the first storey and in which there is a vertical dimension of at least 2 metres (measured from finished floor to finished ceiling) over a floor area equal to at least 75% of the floor area of the storey next below.

19.182 STREET

A public thoroughfare under the jurisdiction of either the Corporation, the County or the Province of Ontario. This definition shall not include a lane, a private right-of-way or an original shore road allowance.

"Street allowance" shall have a corresponding meaning.

19.183 STREET ACCESS

When referring to a lot, that such lot has a lot line or portion thereof which is also a street line.

19.184 STREET LINE

The limit of a street allowance and is the dividing line between a lot and a street.

19.185 STREET SETBACK

The least horizontal distance required between the centreline of a street allowance and the nearest part of any building on a lot (measured at right angles to such centreline).

19.186 STRUCTURE

Anything constructed, the use of which requires location on or in the ground, or attached to something having location on or in the ground.

19.187 TAVERN

A Tavern or public house as defined by The Liquor Licence Act, but does not include a hotel or restaurant.

19.188 TENT

Any kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved and is not considered a structure.

19.189 TOURIST CAMP

Any land used to provide temporary accommodation for the public or members of an organization in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation. This definition shall not include a mobile home park.

19.190 TOURIST ESTABLISHMENT

A building or buildings designed or used for the accommodation of the travelling or vacationing public.

19.191 TOURIST TRAILER

A trailer capable of being used for the temporary living, sleeping or eating accommodation of persons with its running gear and towing equipment attached including a park model trailer built to the CSA Standard Z241, constructed on a single chassis, having a gross floor area including lofts not exceeding 50 square meters and having a width greater than 2.6 metres when in transit mode. A CSA Standard Z241 park model trailer may be increased to a maximum gross floor area of 100 sq.m. through the addition of a four season living area having a maximum gross floor area of 50 sq.m., in which kitchen facilities are prohibited. Notwithstanding the capability of these tourist trailers for year-round occupancy, occupancy shall be subject to the specific Zone and Zone Provisions that regulate the use of the land on which the specific units are located.

19.192 TOWNSHIP ROAD

A street owned and regularly maintained by the Township.

19.193 TRAILER

Any vehicle designed to be towed by another vehicle.

19.194 USE

The purpose for which a lot, building or structure, or any combination thereof, is designed, arranged, occupied or maintained.

"Uses" shall have a corresponding meaning.

"Use", when used as a verb, "used" and "to use" shall have corresponding meanings.

19.195 VEHICLE

An automobile, an all-terrain vehicle, a boat, a commercial motor vehicle, a farm implement, a mobile home, a motorcycle, a snowmobile, a tourist vehicle or a trailer.

19.195a VULNERABLE AREA

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

19.196 WAREHOUSE

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 per cent of the gross floor area, but shall not include a truck or transport terminal or yard.

19.197 WASTE DISPOSAL AREA

A land fill site where garbage, refuse, domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped and shall include: a sanitary landfill site, a sewage treatment facility, a transfer station and a waste processing facility. (B/L 93-43).

19.197a WASTE DISPOSAL SITE

within the meaning of Part V of the Environmental Protection Act shall mean:

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

19.198 WATER ACCESS

When referring to a lot, that such lot has a lot line or portion thereof which is also a shoreline.

19.199 WATERBODY

Any bay, lake, natural watercourse or canal, other than a drainage ditch or irrigation channel.

19.200 WATER SUPPLY PLANT

A building or structure, approved by the Ministry of the Environment, where water is treated for human consumption.

19.201 WATER SYSTEM

A water supply and distribution system consisting of underground piping and related storage, as well as pumping and purification appurtenances.

19.202 WAYSIDE PIT

A temporary, open excavation made for the removal of any soil, earth, clay, marl, sand, gravel or unconsolidated rock or mineral, opened and used by a public road authority solely for the purpose of a particular project or contract of road construction.

19.202a WELLHEAD PROTECTION AREA

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

- WHPA-A: The area within a 100m radius from a wellhead, considered the most vulnerable area for groundwater intakes
- WHPA-B: The area within which the time to travel to the well (within the aquifer) is up to and including 2 years

- WHPA-C: The area within which the time to travel to the well (within the aquifer) is up to and including 5 years
- WHPA-D: The area within which the time to travel to the well (within the aquifer) is up to and including 25 years
- WHPA-E: A well that is influenced by surface water and is referred to as groundwater under direct influence of surface water (B/L 2020-124).

19.203 YARD

A space, appurtenant to a building, structure or excavation, located on the same lot as the building, structure or excavation, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.

19.204 YARD, EXTERIOR SIDE

A yard located between an exterior lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line but excluding any front yard.

19.205 YARD, FRONT

A yard located between the front lot line and the nearest part of any excavation or main building on the lot and extending across the full width of the lot.

19.206 YARD, REAR

A yard located between a rear lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such rear lot line but excluding any front yard or exterior yard.

19.207 YARD, SIDE

A yard located between a side lot line and the nearest part of any excavation or main building on the lot and extending for the full length of such side lot line but excluding any front yard, exterior yard or rear yard.

19.208 ZONE

A designated area of land use shown on Schedule A and includes any special zone used in this By-law.

19.209 ZONE PROVISION

Any provision of this By-law which is listed under the heading "ZONE PROVISIONS" or "SPECIAL PROVISIONS" and includes anything contained in Section 3 hereof which is applicable to the zone or use.

19.210 ZONED AREA

All the lands within the corporate limits of the Township of Ops which are affected by this By-law.

19.211 ZONING ADMINISTRATOR

The By-law Enforcement Officer of the Corporation.

SECTION 20: APPROVAL

20.1 Amendment Of Existing By-Laws

All by-laws passed under Section 34 of the Planning Act, 1990 or a predecessor which apply to the lands within the limits of the Zoned Area are amended to give effect to the provisions of this By-law except as shown on Schedule A to this By-law.

20.2 Approval Of By-Law

This By-law shall come into force on the date of passing if no notice of appeal is filed with the Clerk within 20 days of the notice of passing of this By-law was given.

If notice of appeal is filed with the Clerk, this By-law shall only come into force according to the provisions of Section 34 (30) of the Planning Act 1990.

THIS BY-LAW read a first time this 20th day of September 1993.

THIS BY-LAW read a second time this 20th day of September 1993.

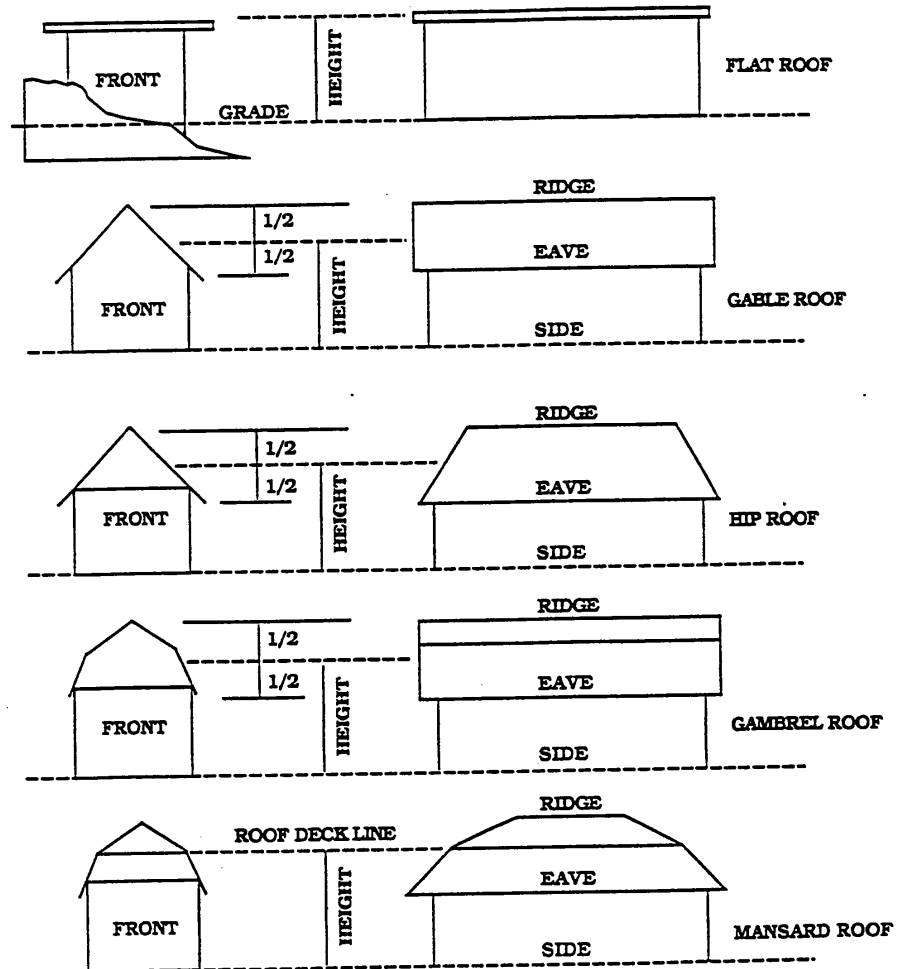
THIS BY-LAW read a third time and passed this 20th day of September 1993.

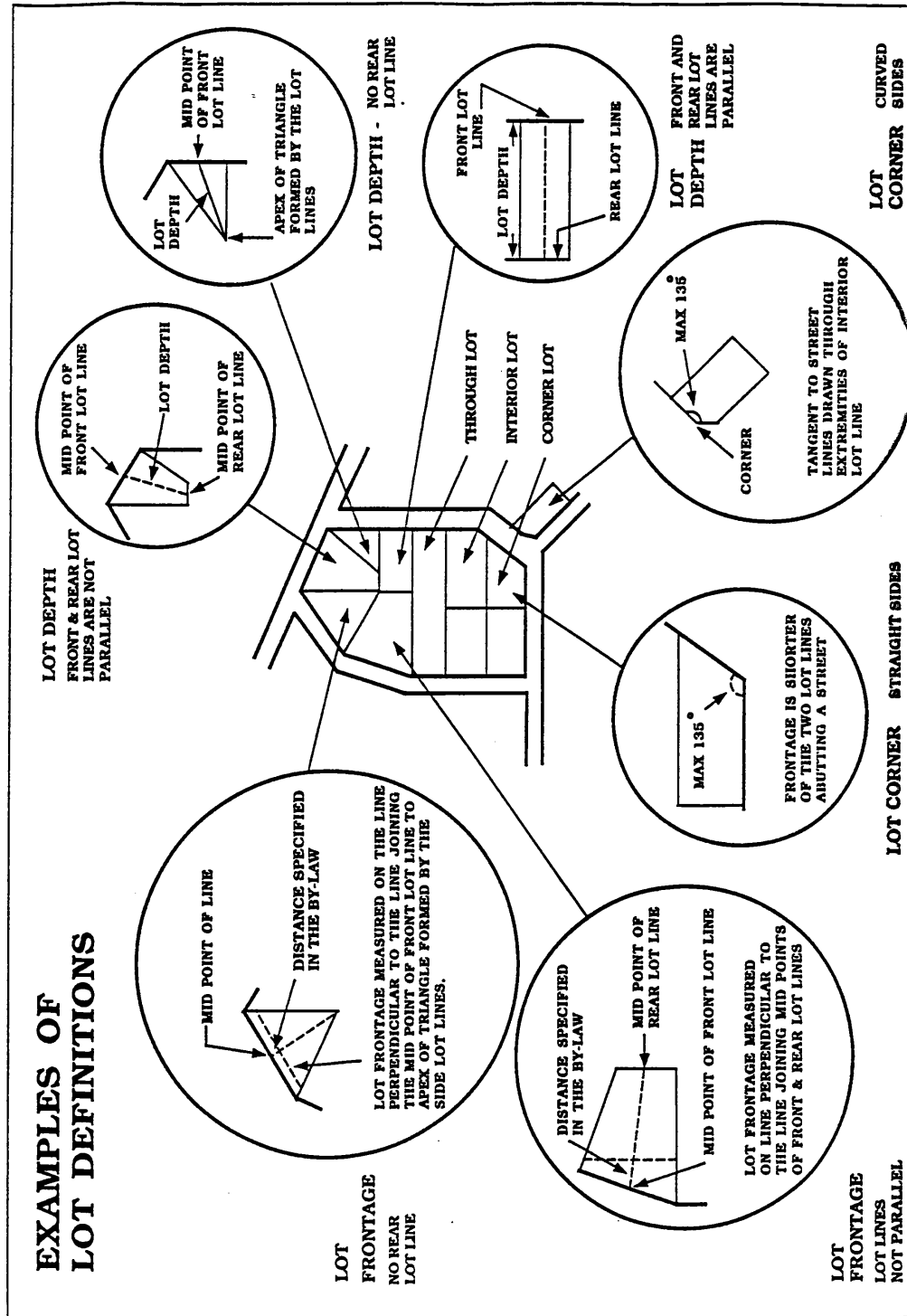
Signed: _____
 "Sharon McCrae" (Reeve)

(SEAL)

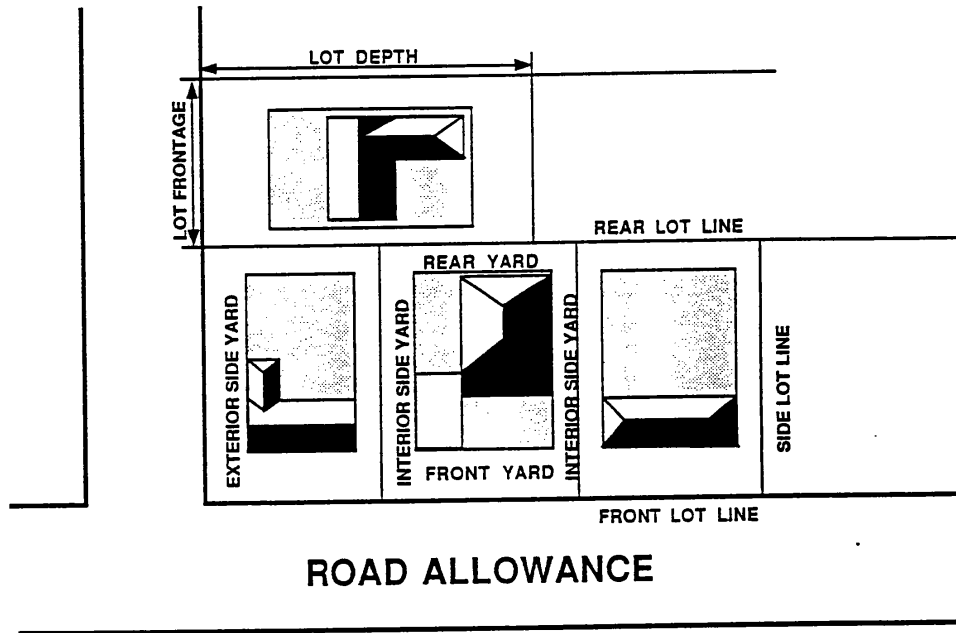
Signed: _____
 "Sandra Richardson" (Clerk)

GUIDE TO HEIGHT DEFINITIONS





EXAMPLE OF YARD DEFINITIONS



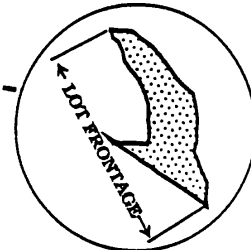
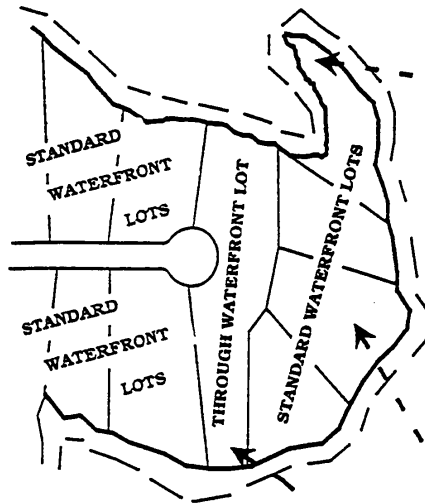
NOTE: THIS DRAWING IS PROVIDED FOR INFORMATION PURPOSES ONLY & DOES NOT FORM PART OF THIS BY-LAW.

CONVERSION CHART FOR ZONING BY-LAW 93-30

TOWNSHIP OF OPS

1 km	=	0.621 mile
1 mile	=	1.609 km
1 ha	=	2.471 acre
1 acre	=	0.405 ha
1 m	=	3.28 ft
1 ft	=	0.3048 m
1 yd	=	0.914 m
1 m	=	1.094 yd

ILLUSTRATION OF DEFINITIONS RELATED TO WATERFRONT LOTS

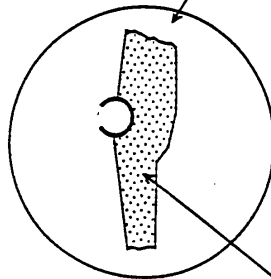


LOT FRONTAGE

MEANS THE STRAIGHT LINE
HORIZONTAL DISTANCE BETWEEN
THE 2 MOST WIDELY SEPARATED
POINTS ON THE FRONT LOT LINE

LOT LINE, FRONT

IN THE CASE OF A THROUGH
WATERFRONT LOT, THE
LONGEST SHORELINE SHALL
BE DEEMED TO BE THE
FRONT LOT LINE

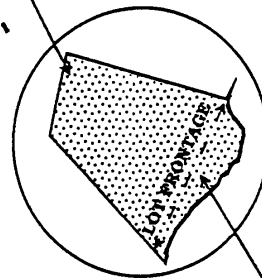


LOT, THROUGH WATERFRONT

MEANS A LOT WHICH HAS WATER
ACCESS ON MORE THAN ONE SHORELINE

LOT, STANDARD WATERFRONT

MEANS A LOT WHICH HAS WATER
ACCESS ON ONE SHORELINE ONLY



LOT LINE, FRONT

IN THE CASE OF A STANDARD
WATERFRONT LOT, THE SHORE-
LINE SHALL BE DEEMED TO BE
THE FRONT LOT LINE