

TOWNSHIP OF EMILY

BY-LAW NUMBER: 1996-30

A ZONING BY-LAW

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

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

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

**PART 1 - TITLE AND AREA RESTRICTED**

**1.1 TITLE**

- 1.1.1 This By-law shall be known as the "Zoning By-law" of the TOWNSHIP OF EMILY.

**1.2 AREA RESTRICTED**

- 1.2.1 Schedules A, B, C, D and E, attached hereto, with the notations, zone boundaries, symbols and references shown thereon illustrate the area to which this By-law applies and are hereby declared to be part of this By-law. The lands affected by this By-law may hereinafter be referred to as the "area zoned".
- 1.2.2 Schedules F and G attached hereto comprise Form 1 and Form 2 for the purpose of determining the M.D.S. calculations and are hereby declared to be part of this By-law.
- 1.2.3 No building or structure shall hereafter be erected or altered, no lot shall hereafter be created, and the use of any building, structure or lot shall not hereafter be changed in whole or in part except in conformity with the provisions of this By-law.

## **PART 2 - DEFINITIONS**

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

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

**ACCESSORY BUILDING** means a detached building or structure, other than an unenclosed swimming pool, on the same lot as the main building devoted exclusively to an accessory use.

**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.

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

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

**AGRICULTURAL PRODUCE** means any goods or commodities which are raised, grown or harvested as part of an agricultural use.

**AGRICULTURAL PRODUCE PROCESSING AND PACKAGING** means a light industry which processes and/or packages agricultural produce.

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

**AGRICULTURAL USE** means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.

**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.

**AIRSTRIP** means any land used for the purpose of landing, taxiing or taking off of private aircraft.

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

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

**ALTER** when used in reference to a lot means:

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

**ANAEROBIC DIGESTION** shall mean a process used to decompose organic matter by bacteria in an oxygen-limited environment.

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

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

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

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

**AUCTION BARN** means a building, structure or part thereof in which the principal facilities provided are for the storage, display and subsequent sale of goods and articles, including antiques, by way of auction. Ten percent of the land adjacent to the auction barn and on the same lot may be used for the storage, display and subsequent sale of boats, motor vehicles, motorized snow vehicles, trailers, tourist trailers and farm equipment by way of auction. A snack bar occupying up to 5% of the floor area to a maximum of 20 square metres shall be permitted in an auction barn which is connected to an approved sewage disposal facility.

**AUCTION BARN, AGRICULTURAL** means a building, structure, or part thereof where, livestock, farm produce, and farm machinery and equipment are stored, housed and displayed for the purpose of sale by auction.

**AUTOMOBILE REPAIR SHOP** - see "Motor Vehicle Repair Shop".

**AUTOMOBILE SERVICE STATION** - see "Motor Vehicle Service Station".

**AUTOMOBILE WASHING ESTABLISHMENT** - see "Motor Vehicle Washing Establishment".

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

**BASEMENT, WALK-OUT**, means that portion of a building which is partly below grade but which has more than fifty percent of the finished floor area not more than 0.6 metres below the average finished grade and which has an entrance at or above the adjacent finished grade.

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

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

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

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

**BODY SHOP** - see "Motor Vehicle Body Repair Shop".

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

**BUILDING, FARM** means a building used or designed to house or shelter, propagate, rear or grow livestock or plants or to maintain, store or process feed, seed or farm produce or to house, maintain and store farm equipment and machinery, fertilizers and farm chemicals in conjunction with a permitted agricultural or farm use.

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

**BUILDING PERMITS BY-LAW** means any "building By-law" within the meaning of the Building Code Act, R.S.O. 1992.

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

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

**BUTCHER SHOP** means a building or portion of a building, the principal use of which is the preparation or dressing of animal carcasses for either the retail sale of meat products or as a service but shall not include an abattoir or the slaughtering of animals.

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

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

**CAMP** means one or more buildings used for sleeping accommodation, the preparation and serving of food, and/or sport or recreation facilities, operated under single ownership and intended for recreation purposes on a temporary or seasonal basis.

**CAMPING SITE** means a parcel of land within a trailer camp or park and is for the exclusive seasonal use of the lessee or tenant of such area for vacation and recreational purposes.

**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).

**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.

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

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

**CERTIFICATE OF ZONING COMPLIANCE** means a certificate issued by the Municipality stating that the building or structure conforms to the provisions of this By-law.

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

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

**COMMITTEE OF ADJUSTMENT** means the "Committee of Adjustment" for the Municipality as constituted by By-law of the Council pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.



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

- (a) the unit comprises not only the space enclosed by the unit boundaries but all material parts of the land within the space;
- (b) the common elements means all the property except the units; and
- (c) the common element is owned by all of the owners as tenants in common.

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

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

**CORPORATION** means the Corporation of the TOWNSHIP OF EMILY.

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

**COUNCIL** means the Municipal "Council" of the Corporation of the TOWNSHIP OF EMILY.

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

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

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

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

**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.

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

**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.

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

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

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

**DWELLING** means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units, including boarding, lodging or rooming houses but not including motels, hotels, tents, truck campers, tourist trailers, or mobile camper trailers.

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

**DWELLING UNIT, ADDITIONAL RESIDENTIAL** means a residential dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot as the primary residential dwelling unit. The additional residential unit includes a separate entrance, kitchen facilities, washroom facilities, and living space from the primary residential dwelling unit.

**DWELLING UNIT, PRIMARY RESIDENTIAL** means a single detached, semi-detached, or town house dwelling for the purpose of the definition of additional residential dwelling unit.

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

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

**DWELLING, CONVERTED**, means a dwelling existing at the time of the passing of this By-law which because of size or design can be converted, by partition and the addition of sanitary facilities and/or up to 45 square metres of floor area, into more than one dwelling unit.

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

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

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

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

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

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

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

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

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

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

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

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

**FARM IMPLEMENT REPAIR AND SMALL ENGINE SALES AND SERVICE** means a building and lands adjacent thereto where farm equipment is serviced and repaired; and yard equipment such as chainsaws, lawn and garden equipment is sold and where mechanical repairs are completed.

**FARM PRODUCE ESTABLISHMENT** refers to the retail sale of agricultural products, including meat and poultry products, fresh baked goods, preserves and related sundry food items.

**FARM PRODUCE OUTLET** means a use accessory to an agricultural use which consists of the retail sale of agricultural products, raised, grown or processed by the property owner or an agricultural operation conducted on the farm.

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

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

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

**FLOOD PLAIN** means an area adjoining, or in proximity to a watercourse which has been, or may be, covered by flood water from time to time as a result of precipitation, snow melt or a combination thereof and includes the area within either the Regional Storm Flood Elevation or the highest 100 year water level.

**FLOOD PROOFING** means any combination of engineered structural modifications, incorporated into the design, construction or reconstruction of individual buildings and structures, and/or the alteration, relocation or controlled placement of development on a property, so as to avoid, reduce or eliminate flood damages and/or hazardous flood conditions.

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

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

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

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

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

**GARAGE, PUBLIC**, means a building or place other than a private garage where motor vehicles are kept or stored for remuneration or repair, or a building or place used as a motor vehicle repair shop. This definition shall not include an automobile washing establishment, automobile sales establishment or service station.

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

**GARDEN SUITE** means a fully detached portable dwelling unit containing bathroom and kitchen facilities which is designed for the temporary, year round accommodation of a one or two person household which: has a floor area of not less than 40 square metres and not more than 70 square metres; is accessory to a detached dwelling unit; and, except for electrical servicing, is connected to the same services as the principal dwelling unit.

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

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

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

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

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

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

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

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

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

**HOME FOR THE AGED** means a "home" within the meaning of the Homes for the Aged and Rest Homes Act, R.S.O. 1990, as amended, which is operated by the County or Municipality or a "charitable home for the aged" as defined by the Charitable Institutions Act, R.S.O. 1990, as amended..

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

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

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

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

**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.

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

**INDUSTRY, HEAVY**, means an industry, assembly, manufacturing or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by its nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter requires extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities, but the same does not include aggregate processing operations. This use does not include cannabis production and processing facilities. (OMB Order # 1118 June 9, 1999)

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

**INDUSTRY, MEDIUM**, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body shops and food processing facilities. This use does not include cannabis production and processing facilities.

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

**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).

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

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

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

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

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

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

**LIQUIDATION SALE** means a special sales event where predominately over production, end of line or other goods are sold at a discounted rate.

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

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

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

**LOT, CORNER**, means a lot situated at the intersection of two streets or two parts of the same street of which the two adjacent sides upon the street line or street lines includes an angle of



not more than 135 degrees or where such adjacent sides are curved, the angle included by the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines drawn through the extremities of the interior lot lines.

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

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

**LOT, LIMITED SERVICE**, means a lot fronting only on a private right-of-way.

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

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

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

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

**LOT FRONTAGE** means the horizontal distance, abutting an improved public street or, in the LSR Zone, a street, between the side lot lines measured along the front lot line. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the "lot frontage" is to be measured by a line equal to the minimum front yard measured back from and parallel to the chord of the "lot frontage" and for the purpose of this paragraph, the chord of the "lot frontage" is a straight line joining the two points where the side lot lines intersect the front lot line, and a sight triangle shall be considered part of the lot for the purposes of calculating the "lot frontage". In the case of a corner lot the shorter of the frontages shall be deemed the "lot frontage".

**LOT LINE** means any boundary of a lot.

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

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

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

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

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

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

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

**MEDICAL CLINIC** means a building or portion thereof where members of the medical profession, dentists, chiropractors, osteopaths, physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and includes reception areas, offices, coffee shop, offices for consultation, laboratory, X-ray, minor operating rooms, and a pharmaceutical dispensary providing that all such uses have access only from the interior of the building.

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

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

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

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

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

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

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

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

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

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

**MOTOR VEHICLE REPAIR SHOP** means a building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair and installation of the electrical systems, transmissions, engines, brakes, radiators, tires as well as rustproofing, motor vehicle diagnostic centre, other major and minor mechanical repairs or similar uses and in conjunction with which there may be a towing service, but shall not include autobody repairs, any exterior storage of parts or materials, other uses or activities defined or classified in this By-law, the repair of industrial vehicles such as bulldozers, dump trucks, caterpillar tractors, graders or heavy farm equipment such as fourwheel drive tractors and combines.

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

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

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

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

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

**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.

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

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

**MUNICIPALITY** means the Corporation of the TOWNSHIP OF EMILY.

**NATURAL VEGETATION BUFFER** means an area comprised of natural vegetation that shall not be disturbed by human landscape management or horticultural activities save and except for the removal of dead trees. Which are in unsafe condition.

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

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

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

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

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

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

**PARKING SPACE** means an area exclusive of driveways or aisles, for the temporary parking or storage of motor vehicles and which has adequate access to permit ingress or egress of a motor vehicle to and from a street by means of driveways, aisles, manoeuvring areas or similar areas, no part of which is used for the temporary parking or storage of one or more motor vehicles.

**PERMITTED** means "permitted" by this By-law.

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

**PIT** means land or land under water from which earth, peat, sand, clay, fill, gravel, shale or other material deemed to be classified as unconsolidated aggregate is being or has been removed by means of an open excavation. It shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation, or an excavation incidental to the construction of any public works.

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

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

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

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

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

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

**PUBLIC USE** means a use of land, buildings or structures for infrastructure or a public service.

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

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

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

**REGIONAL STORM FLOOD ELEVATION** means the contour elevation based upon the Geodetic Survey of Canada to which a waterbody will rise during a Regional Storm as defined by the Province.

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

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

**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.

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

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

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

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

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

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

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

**SEASONAL USE OR OCCUPANCY** means the use of a building or structure for the temporary accommodation of the vacationing or travelling public which involves an accommodation unit or a camp site that is leased, rented or occupied during the period from May 1st to October 31st.

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

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

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

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

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

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

**SIGN** means a sign within the meaning of the Corporation's Sign By-law.

**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.

**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.

**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.

**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.

**SITE PLAN** means a scaled drawing showing the relation between the lot lines and the uses, building or structures existing or proposed on a lot, including such details as parking areas, driveways, walkways, landscaped areas, building areas, minimum yards, building heights, floor areas, densities and areas for special uses.

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

**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.

**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).

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

**STORE, RETAIL**, means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public and includes the renting or leasing of goods or articles used within a dwelling.

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

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

**STOREY, HALF**, means the portion of a building situated wholly or in part within the roof and having its floor level not lower than 1.2 metres below the line where roof and outer wall meet and in which there is sufficient space to provide a height between finished floor and finished



ceiling of at least 2.3 metres over a floor area equal to at least 50 percent of the area of the floor next below.

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

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

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

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

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

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

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

**TEA ROOM** means a wholly enclosed building or structure, or part thereof, where sandwiches, pastries, bakery goods and non-alcoholic beverages are served.

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

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

**TRAILER, MOBILE CAMPER**, means any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for the temporary recreational living and sleeping accommodation, with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle but shall not include a tourist trailer.

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

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

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

**TRAILER CAMP OR PARK** means an establishment, licenced by the authority having jurisdiction, consisting of camping lots and comprising land used or maintained as grounds for the camping or parking of travel trailers, park model trailers, motorized recreational vehicles, truck campers or tents for recreational or vacation use designed for seasonal use or occupancy only.

**TRUCK CAMPER** means any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the temporary recreational living, sleeping or eating accommodation of individuals.

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

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

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

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

**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.

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

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

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

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

**WASTE 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).

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

**WATER LEVEL, HIGH** means the flood plain elevation of the surface of a body of water or a watercourse based upon the Geodetic Survey of Canada, and the Regional Storm Flood Elevation or, in the absence of such information, the highest 100 year water level, as determined by the Conservation Authority with jurisdiction or the Ministry of Natural Resources (Refer to Section 3.18.1.3 herein), or in the absence of a Regional Storm Flood Elevation or a 100 year water level, the high water mark."

**WATER LEVEL, NORMAL** means the usual summer elevation of the water surface of a body of water or a watercourse as maintained for navigational purposes, based upon the Geodetic Survey of Canada as established, or recorded by the Conservation Authority with jurisdiction or the Ministry of Natural Resources, or in the absence of a controlled elevation, the usual elevation of the water surface of a body of water or watercourse exclusive of seasonal flooding.

**WATER SETBACK** means a yard extending the full width of a lot between the normal water level of lakes or rivers and the nearest main wall of any building, structure, excavation or open storage use on the lot and "minimum water setback" means the minimum depth of a "water setback" on a lot between the normal water level and the nearest main wall of any building, structure, excavation or open storage use on the lot exclusive of the first 4 metres of an unenclosed deck extending from the main building.

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

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

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

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

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

"yard" requirement from the hypotenuse of the daylighting triangle shall be the lesser of the "yards" required along the exterior lot lines.

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

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

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

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

**YARD, SIDE**, means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest main wall of any building or structure on the lot; and "minimum side yard" means the minimum width of a "side yard" on a lot between a side lot line and the nearest main wall of the main building(s) or structure on the lot.

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

## **PART 3 - GENERAL PROVISIONS**

### **3.1 ACCESSORY BUILDINGS, STRUCTURES AND USES**

#### **3.1.1 PERMITTED USES**

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

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

#### **3.1.2 LOCATION**

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

3.1.2.2 An accessory building may be erected not closer than 1.0 metre from a rear lot line and 1.0 metre from the side lot line nor closer to a street than the required front yard setback for the zone in which it is located and shall not be closer than 2 metres to a residential building located on the same lot.

3.1.2.3 Where a lot abuts on a navigable waterway, a private garage shall be permitted between the main building on the lot and the street line, provided such private garage complies with the yard provisions of the applicable zone.

#### **3.1.3 LOT COVERAGE AND HEIGHT**

3.1.3.1 The total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, shall not exceed 8% of the total lot area or 225 sq.m.

3.1.3.2 The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. (B/L 2002-129)

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

#### **3.1.4 YARD REQUIREMENTS**

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

- (a) sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, pilasters or parapets may project into any yard a distance of not more than 0.7 metres;
- (b) eaves or gutters on a main building may project into any yard a distance of not more than 0.6 metres;
- (c) balconies, canopies, unenclosed porches or decks, steps or patios may project into any yard a distance of not more than 1.5 metres provided that a required side yard is not reduced to below 1.5 metres and further provided that a porch or deck which is, at any point, more than 1.2 metres above the adjacent finished grade shall comply with the yard requirements of the applicable zone for a main building;
- (d) unenclosed fire escapes may project into any yard a distance of not more than 1.5 metres;
- (e) ramps for handicapped access may project into any yard a distance of not more than 1.8 metres; and
- (f) fences, free-standing walls, flag poles, clothes poles, diving boards, antennae, satellite dishes, light standards, garden trellises, retaining walls and similar accessory structures and appurtenances, hedges, shrubs and trees are permitted in any yard provided that no such structures or vegetation that is more than 1.0 metre in height shall be permitted within three metres of any street line if such structure or vegetation will impede vision between a height of 1.0 metre and 2.5 metres above the centreline grade of an access from any street to a lot.

### 3.1.5 BOAT HOUSE, PUMP HOUSE OR DOCKING FACILITIES

- 3.1.5.1 Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided such boat house, pump house or docking facility has a minimum water setback of 5 metres, except that a dock or boat house may be permitted within the water setback provided that the location complies with the required minimum side yard for accessory buildings or structures.
- 3.1.5.2 A boat house or dock located within the water setback, including any boat launching ramp or boat rail system, shall not be permitted to project beyond the shore lot line.
- 3.1.5.3 A boat house shall not exceed a height of 4.5 metres. For the purposes of this article, height shall be measured as the vertical distance between the highest point of the roof surface or a parapet and the normal water level for the adjacent lake or river.

3.1.6 CABINS

- 3.1.6.1 A private cabin shall be limited to a maximum floor area of 30 square metres and where permitted as an accessory use on a lot which conforms to the requirements of this By-law for lot area and frontage, will be subject to the applicable minimum, front, rear and side yard and water setback requirements.

3.1.7 MUTUAL STRUCTURES

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

3.2 **DAYLIGHTING TRIANGLE**

- 3.2.1 Notwithstanding any other provision of this By-law, in all zones, on a corner lot, no fence, hedge, shrub, bush or tree or any building or structure, vegetation or lot grading shall be permitted to exceed a height greater than 1.0 metre above finished grade of the travelled portion of the streets that abut the lot within the triangular area included within the street lines for a distance of 6 metres from their point of intersection. No sign shall be permitted within or to overhang the required daylighting triangle.

3.3 **ESTABLISHED BUILDING LINE**

- 3.3.1 Notwithstanding the front yard provisions of this By-law, where a permitted building or structure is to be erected on a lot, where there is an established building line, such permitted building or structure may be erected closer to the street line, than required by this By-law provided such permitted building or structure is not erected closer to the street line than the established building line.
- 3.3.2 Where a lot fronts onto a Provincial Highway or a County Road the provisions of subsection 3.3.1 shall not apply unless the lot is located within a General Commercial (C1) Zone.

3.4 **EXISTING BUILDINGS, STRUCTURES AND USES**

3.4.1 NON-CONFORMING USES

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

3.4.2 NON-COMPLYING USES

- 3.4.2.1 Nothing in this By-law shall prevent the extension, enlargement, reconstruction or structural alteration of a building or structure that legally existed prior to the date of passing of this By-law and which does not comply with the zone provisions or requirements contained herein, provided that the extension,

enlargement, reconstruction or structural alteration complies with the applicable lot area, setback and parking requirements of this By-law.

3.4.2.2 Where an existing building or structure is closer to a lot line than the required yard requirements, any extension to the building or structure shall be required to comply with the minimum yard requirements of the applicable zone.

3.4.2.3 Nothing in this By-law shall prevent an extension or an addition being made to a permitted dwelling, which dwelling legally existed at the time of passing of this By-law but which has a gross floor area less than required by this By-law, provided that all other relevant provisions of this By-law, are complied with.

### 3.4.3 PERMITTED EXTERIOR EXTENSION

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

### 3.4.4 RESTORATION TO A SAFE CONDITION

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

### 3.4.5 BUILDING PERMIT ISSUED

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

### 3.4.6 DISCONTINUED USE

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



3.4.7 DAMAGED BUILDINGS

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

3.5 **FENCES**

- 3.5.1 No persons shall construct a fence, exceeding 2 metres in height, in any zone, other than an Industrial or Agricultural Zone.
- 3.5.2 Article 3.1.4.1, clause (f) shall apply to fences located within three metres of any street line.

3.6 **FRONTAGE ON PUBLIC STREET**

- 3.6.1 Except as provided for in this section, no persons shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected has a lot line with a minimum of 5 metres abutting, and obtains direct access onto, an improved public street which is maintained to provide year round access.
- 3.6.2 Notwithstanding subsection 3.6.1, a building or structure may be erected and used on the following lots which do not have frontage on an improved public street;
- 3.6.2.1 An island lot in a residential zone category;
- 3.6.2.2 An existing lot within a registered plan of subdivision in which the street has not been assumed by the Municipality but in which the street is to be assumed under the terms of a subdivision agreement; and
- 3.6.2.3 An existing lot within the "Limited Service Residential" or a "Limited Service Residential Exception" Zone with access by existing right-of-way.

3.7 **HEIGHT EXCEPTION**

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

3.8 **HOLDING SYMBOL (H)**

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

3.9 **HOME OCCUPATIONS**

- 3.9.1 The following requirements shall apply to any zone wherein a home occupation is permitted.
- 3.9.1.1 The home occupation shall be clearly secondary to the main use of the lot and shall not change the residential character of a dwelling unit or the lot upon which it is located. For the purposes of this article, illuminated signs, or signs greater than one half square metre, in area shall be deemed a change in the residential character of a dwelling unit or lot.
- 3.9.1.2 The home occupation shall not create or become a public nuisance due to noise, dust, traffic or parking;
- 3.9.1.3 The home occupation shall not interfere with television or radio reception on adjacent lots;
- 3.9.1.4 Other than art, crafts and antiques, or goods produced or repaired on site, there shall be no goods, wares or merchandise offered or exposed for sale, or sold or kept for sale in the dwelling, and no mechanical or other equipment used or kept except those customarily employed in a residential dwelling for domestic or household purposes or for use by an artist, artisan, dentist, drugless practitioner or physician;
- 3.9.1.5 The home occupation shall not occupy more than 25 percent of the gross floor area of the dwelling unit or 45 square metres whichever is less, whether or not such home occupation is located within the dwelling or within an accessory structure;
- 3.9.1.6 Parking shall be provided in accordance with subsection 3.14 of this By-law;
- 3.9.1.7 There shall be no outside storage of goods or materials associated with the home occupation.
- 3.9.1.8 A home occupation may not be located in an accessory structure which is located within the water setback. A home occupation may only be located in an accessory structure which has a minimum side yard equal to the minimum side yard requirement for a residential dwelling located in the same zone.

3.10 **LANDSCAPING**

3.10.1 In any zone, all landscaping shall be in accordance with the definition of landscaping and shall be maintained in a healthy condition and shall be neat and orderly in appearance.

3.10.2 Where a Commercial or Industrial zone abuts any zone, other than any class of commercial or industrial zone, a landscaped buffer not less than 6 metres in width shall be provided within the Commercial or Industrial zone boundary. In addition to any other provision of this By-law, such landscaping shall provide high and low level visual screening and consist of both evergreen and deciduous planting. Notwithstanding the above, a landscaped buffer may be reduced in width to 3 metres where a coniferous planting strip or opaque fence, 2 metres in height is provided in conjunction with the landscaping.

3.10.3 A 1.5 metre landscaped buffer, exclusive of entrances, shall be provided between any public street and parking or outdoor display areas.

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

3.11.1 Notwithstanding the minimum lot area and/or the minimum lot frontage required herein, where a lot has less lot area and/or lot frontage than required herein at the date of passing of this By-law or where such lot is created as a result of expropriation or a portion of a lot is acquired by a public authority, such smaller lot may be used and a building or structure may be erected, altered or used on such smaller lot provided that the use is permitted and the setback, yard, lot coverage, parking and landscaping requirements of the zone in which it is located are complied with, and that said lot has a minimum lot frontage of 12 metres and a minimum lot area of 930 square metres. If the lot is serviced by a Municipal Water System then the minimum lot area can be reduced to 875 square metres. If the lot is serviced by Municipal Sanitary Sewers, then the minimum lot area can be further reduced to 370 square metres.

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

3.12 **MULTIPLE USES**

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

3.13 **MULTIPLE ZONES ON A LOT**

3.13.1 Where a lot which existed at the date of passing of this By-law is located within two or more zones the provisions of the applicable zone, save and except lot area and lot frontage, shall apply to each portion of such lot provided the lot as a whole has a minimum frontage of 15 metres. In such instances, the zone

boundary shall be considered a lot line for the purposes of interpreting and applying the "zone" and "general" provisions of this By-law.

- 3.13.2 Notwithstanding article 3.13.1 no lot shall be created within any zone unless the lot created and the remnant lot comply with the minimum lot area and lot frontage requirements of the applicable zone.

3.14 **PARKING AND LOADING FACILITIES**

3.14.1 OFF-STREET PARKING

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

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

3.14.1.2	<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
	Animal Hospital or Veterinarian	5 per Veterinarian
	Auction Barn or Agricultural Auction Barn	1 per 9 sq. m of g.f.a. plus 1 per 18 sq. m of outdoor storage and display area
	Bank, Financial Institution	1 per 20 sq. m of g.f.a.
	Business, Professional or Other Office	1 per 30 sq. m of g.f.a.
	Bowling Alley, Curling Rink	3 per lane or curling sheet plus 1 per 9 sq. m of g.f.a. devoted to a restaurant, or liquor licenced premises
	Day Nursery, Day Care Centre	1.5 per classroom or teaching area
	Dry Cleaning Establishment, Laundry	1 per 20 sq. m of g.f.a. or 1 per washing machine whichever is greater

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
Home for the Aged	0.75 per bed of which 5% shall be handicapped
Home Occupation	1 per 30 sq. m of g.f.a. of dwelling devoted to home occupation
Hotel, Motel, Motor Hotel, Tourist Home, Lodge, Tourist Establishment	1.25 per guest room, or cottage plus 1 per 9 sq. m of g.f.a. devoted to a restaurant or liquor licenced premises
Industrial, Manufacturing Processing, Fabricating Warehousing, Wholesaling, Storage	1 per 40 sq. m of g.f.a. for "light" or "dry-light" industries 1 per 100 sq. m of g.f.a for all others
Library, Museum	1 per 30 sq. m of g.f.a. (min of 5)
Liquor Licenced Premises	1 per 9 sq. m of g.f.a. and 1 per 2 employees
Marina	1 per 20 sq. m of g.f.a. plus 1 per boat slip
Marina, Dry-land	1 per 20 sq. m of g.f.a.
Medical Clinic or Offices for Health Care Professionals	5 per practitioner of which 5% shall be handicapped
Motor Vehicle Sales Establishment, Motor Vehicle Service Station, Public Storage	1 per 20 sq. m of g.f.a. with a minimum of 5 spaces
Nursing Home	0.5 per bed of which 5% shall be handicapped
Outdoor Recreation Uses	
- park or playground	2 per 5000 sq. m with a minimum of 3 plus parking as provided for below
- picnic areas	1 per table
- beach swimming area	1 per every 3 m of shoreline, with a minimum of 3
- swimming pool	1 per every 4 persons of capacity

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
- golf club	6 per hole plus one for each 30 sq. m of pro shop, one per employee and an overflow parking area with a capacity equal to 75% of the main parking area; parking for other facilities as set out herein.
- all other recreation uses	1 per every 3 persons of capacity, plus 1 per employee and 1 per 30 sq. m of g.f.a.
Place of Assembly, Place of Worship, Funeral Home	1 per 5 fixed seats, 1 per 3 m of bench seating or 1 per 9 sq. m of g.f.a. whichever is greater, of which 5% shall be handicapped; minimum of 5 spaces
Residential Apartment, Fourplex, Triplex, Town House or Converted Dwelling	1.5 per dwelling unit of which 25% shall be for visitor parking
Dwelling in a non-residential building	2 per unit
Boarding or Lodging House	1 per guest room
Residential other than specified herein	2 per unit
Restaurant	1 per 9 sq. m of g.f.a.
Restaurant, Drive-In	1 per 5 sq. m of g.f.a. with a minimum of 10 spaces
Retail Commercial Establishment, Personal Service Shop, Service Shop, Dry Cleaning Depot	1 per 30 sq. m of g.f.a.
Senior Citizens' Home	0.5 per unit of which 5% shall be handicapped
Schools, Elementary	1.5 per classroom or teaching area
Schools, Secondary or Commercial or Community College	4 per classroom or teaching area
Supermarket, Food Store	1 per 20 sq. m of g.f.a

	<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
	Shopping Centre	1 per 20 sq. m of g.l.f.a.
	Trailer Camp	1.5 per camping lot
	Uses other than those specified	1 per 30 sq. m of g.f.a.
3.14.1.3	The parking lot shall have visible boundaries and the parking spaces clearly defined with the layout of spaces appropriately marked on the ground or signed.	
3.14.1.4	Parking spaces, parking lots and driveways connecting the parking spaces to a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust. Such parking spaces, parking lots and driveways shall, before being used, be constructed of crushed stone, gravel, asphalt, brick, concrete or similar material.	
3.14.1.5	A parking space shall be rectangular in shape having a minimum width of 2.8 metres and a minimum length of 6 metres.	
3.14.1.6	Notwithstanding article 3.14.1.5 parking spaces for the handicapped shall be rectangular in shape having a minimum width of 4 metres unless adjacent to another designated handicapped space in which case a width of 3.5 metres shall be permitted. Handicapped parking spaces shall be located in proximity to building entrances and handicapped access ramps, walkways or elevators.	
3.14.1.7	Notwithstanding article 3.14.1.5, a parking space used for parallel parking shall have a minimum width of 2.4 metres and a minimum length of 7 metres.	
3.14.1.8	Each parking space shall have adequate access to the street as described within the definitions of parking space. Notwithstanding this provision, where a dwelling unit has exclusive use of a private garage and/or driveway and 2 parking spaces are required for the said dwelling unit for the use by the one household, then the two parking spaces can abut end to end, so that one motor vehicle must be moved to enable the second one to have access to the street.	
3.14.1.9	Unless otherwise provided for elsewhere in this By-law, all parking shall be located on the same lot as the use for which it is intended to serve.	
3.14.1.10	If the use of a lot is for a place of assembly, the parking lot may be located on a separate lot not more than 150 metres from the location it is intended to serve.	
3.14.1.11	The width of the aisle in a parking lot shall be based on the angle of the parking spaces to the aisle. If the angle of parking is different on each side of the aisle, then the aisle width shall be based on the parking spaces requiring the widest aisle width. The aisle requirements are as follows:	

	<u>Angle of Parking Space to Aisle</u>	<u>Minimum Aisle Width</u>
	Parallel parking or less than 30 degrees	3.5 metres
	Equal to or greater than 30 degrees but less than 50 degrees	4.0 metres
	Equal to or greater than 50 degrees but less than 70 degrees	5.5 metres
	Equal to or greater than 70 degrees but less than or equal to 90 degrees	7.0 metres
3.14.1.12	When a building or structure has insufficient parking on the date of passing of this By-law to conform to the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition; however, any addition shall provide the necessary parking required under this By-law.	
3.14.1.13	No driveway shall be located closer than 15 metres from the limits of the right-of-way at the street intersection.	
3.14.1.14	Where a building or structure accommodates more than one type of use, the parking requirements shall be the sum of the requirement of the separate uses.	
3.14.1.15	No persons shall, in any Residential zone, use any lot for the parking or storage of more than one commercial motor vehicle and/or trailer in excess of 5 tonnes gross weight.	
3.14.2	<u>OFF-STREET LOADING SPACE REQUIREMENTS</u>	
3.14.2.1	For every building or structure hereafter erected, or for every addition to an existing building, in a Commercial or Industrial zone involving the frequent shipping loading or unloading of persons, animals, goods, wares or merchandise there shall be provided and maintained by the owner of the building at the premises, loading facilities on land; that is not part of a highway, parking lot, or required driveway, comprised of one or more loading spaces 12 metres long, 4 metres wide and having a vertical clearance of at least 4.5 metres with access to a street and according to the floor area of the building or structure as follows:	
	<u>Floor Area of Buildings</u>	<u>Minimum Number of Loading Spaces</u>
	300 square metres or less	no loading spaces
	301 square metres up to and including 2000 square metres	1 loading space
	2001 square metres and over	2 loading spaces
3.14.2.2	In addition, no loading space or platform or loading door shall be located in any yard or wall of any building or structure which adjoins or faces a street. In	



addition to automobile parking lots, parking lot(s) for the use of commercial and industrial traffic shall be provided but shall not be located in any yard flanking a street.

3.14.2.3 Where an addition to an existing building has the effect of increasing total floor area to 301 square metres or greater, the provisions herein shall apply.

3.14.2.4 The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. Before being used, they shall be constructed of one or more of the following: crushed stone, slab, gravel, crushed brick (or tile) cinders, asphalt, concrete, or Portland cement binder, for a combined depth of at least 0.15 metres and with provisions for drainage facilities.

### 3.15 **PUBLIC USES PERMITTED**

#### 3.15.1 STREETS AND INFRASTRUCTURE

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

#### 3.15.2 BY-LAW REQUIREMENTS

3.15.2.1 Notwithstanding subsection 3.15.1, any building appurtenant to infrastructure shall comply with the general provisions of this By-law as contained in Section 3 hereof as well as the applicable zone provisions for the lot upon which such use is located.

3.15.2.2 Notwithstanding subsection 3.15.1, communication relay towers shall only be permitted in the Agricultural (A1) zone unless otherwise specifically permitted.

#### 3.15.3 INFRASTRUCTURE IN RESIDENTIAL ZONES

3.15.3.1 Notwithstanding subsection 3.15.1, any electric power transformer station or water or sewage pumping station, which is located in a residential zone, shall be enclosed in a building designed, located and maintained in general harmony with the permitted residential buildings in such zone.

#### 3.15.4 PROVISIONS IN RESIDENTIAL ZONES

3.15.4.1 Notwithstanding subsection 3.15.1 any above ground non-recreational public use which is located in a Residential zone shall be enclosed in a building designed, located and maintained in general harmony with the permitted residential buildings in such zone.

3.15.4.2 Notwithstanding article 3.15.4.1 electric power facilities in a residential zone shall be subject to the provisions of subsection 3.10.2 applicable to a commercial zone.

3.16 **REDUCTION OF REQUIREMENTS**

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

3.17 **RELOCATED BUILDINGS**

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

3.18 **SPECIAL SETBACKS OR RESTRICTIONS**

3.18.1 SETBACKS

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

- (a) from any class of Environmental zone, the setback shall be the applicable yard requirement for the zone or 15 metres whichever is greater.
- (b) from the high water mark of any water course located in the Agricultural (A1) or Environmental (EP) zones shall be 15 metres.

- 3.18.1.2 No exterior opening to any residential dwelling unit shall be permitted below a minimum opening elevation equal to the high water level for an adjacent body of water, water course or lake, plus 0.3 metre freeboard.

- 3.18.1.3 For the purposes of determining minimum exterior opening elevations the following high water levels shall apply:

- (a) Chemung Lake Regional  
Storm Flood Elevation 246.9 C.G.S. Datum
- (b) Pigeon River, South of Dam  
at Hwy. 7 and Omemee Pond  
Regional Storm Flood Elevation 250.4 C.G.S. Datum
- (c) Pigeon River North of Dam  
at Hwy. 7 and Pigeon Lake  
100 year high water elevation 246.9 C.G.S. Datum

- 3.18.1.4 Notwithstanding any other provisions of this By-law no dwelling shall be permitted within:

- (a) 470 metres of a waste disposal site or sanitary landfill site except in accordance with Policies and Guidelines established by the Ministry of Environment;
- (b) 90 metres of an existing pit or gravel pit on land zoned M3;
- (c) 300 metres of an existing quarry or land zoned to permit a quarry.

3.18.2 DWELLING UNIT RESTRICTION

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

3.18.2.2 In any zone other than a residential zone, where a dwelling unit is a permitted use, the minimum dwelling unit floor area shall be 93 square metres.

3.18.2.3 Except as specifically provided for within the applicable zone, where a dwelling unit(s) is permitted in a zone other than a residential zone or the Rural General Zone, the dwelling unit(s) shall be located together with another type of permitted use in the main building(s) and shall not be constructed as a separate residential building.

3.18.3 THROUGH LOTS

3.18.3.1 A through lot shall be subject to the front yard setback and other requirements contained herein on each street in accordance with the provisions of the zone or zones in which such lot is located.

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

3.18.4 INDUSTRIAL SETBACKS AND RESTRICTIONS

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

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

(i)	light industry	60 m
(ii)	medium industry	90 m
(iii)	heavy industry	300 m

3.18.5 MINIMUM DISTANCE SEPARATION

3.18.5.1 Notwithstanding any other yard or setback provisions of this By-law to the contrary, no non-farm residential, institutional, commercial, industrial or recreational structure, building or facility, located on a separate lot and permitted by a CF, RR1, RR2, RR3, LSR, C2, C3, C4, M1, M2, A1 or A2 Zone, shall be erected or altered unless it complies with the minimum distance separation calculated using Form 1, being Schedule "F" to this By-law.

3.18.5.2 Notwithstanding any other yard and setback provisions of this By-law to the contrary, no livestock building or manure storage facility shall be erected or altered unless it complies with the minimum distance separation calculated using Form 2 being Schedule "G" to this By-law.

3.18.5.3 The provisions of article 3.18.5.1 shall not apply to lots existing as of the date of the passing of this By-law which are less than 4 hectares in area.

3.18.6 RECYCLED ASPHALT

- 3.18.6.1 Notwithstanding any provision of this By-law to the contrary, the storage of recycled asphalt either as a principal use or accessory use, shall be prohibited.

3.19 **TEMPORARY USES PERMITTED**

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

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

- 3.19.3 The use of temporary living quarters on a lot in any class of agricultural or residential zone shall be permitted, on a temporary basis, for a period not to exceed 9 months, while a permitted residential dwelling unit is under construction. Such temporary living quarters shall be connected to or have access to an approved sewage disposal system on the same lot and shall be removed from the lot immediately after the expiry of the 9 month period or upon occupancy of the new dwelling, whichever occurs first.

3.20 **UNENCLOSED STORAGE OF UNLICENCED MOTOR VEHICLES**

- 3.20.1 No lot or part of a lot except a private garage, or a storage area not greater than 30 square metres which is wholly enclosed by solid board fencing a minimum of 2 metres in height and located in a rear yard, shall be used for the storage of motor vehicles or parts of motor vehicles that have not been licenced for one year.

3.21 **SEASONAL FARM RESIDENTIAL USE**

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

- 3.21.1 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.
- 3.21.2 The seasonal farm residential use cannot exceed 250 square metres in area and may be contained in more than one building.
- 3.21.3 A covenant be registered on title that the residence will be used only for seasonal farm residential use.
- 3.21.4 That the seasonal farm residential use shall not exceed eight months per seasonal worker in each calendar year.

B/L 2007-289

### 3.22 **ADDITIONAL RESIDENTIAL DWELLING UNITS**

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

- i. A maximum of two (2) additional residential dwelling units, one (1) within the same building as the primary residential dwelling unit and one (1) within an accessory building or structure to the primary residential dwelling unit.
- ii. Notwithstanding subsection 3.21, 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 subsection 7.2.1.11.
- iii. Unless otherwise stated, all zone provisions continue to apply to an additional residential dwelling unit.
- iv. An additional residential dwelling unit located in an accessory building or structure shall be in accordance with the provisions in subsection 3.1. 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 public street, maintained year round.
- vi. A minimum lot area of 0.4 ha (4000 sq. m.) on private services.
- vii. The floor area of the additional residential dwelling unit is equal to, or less than, the gross floor area, excluding attached garage floor area of the primary residential dwelling unit without any modification to the building's bulk or massing.
- viii. Where applicable, an additional residential dwelling unit shall not be permitted on a lot which contains a bed and breakfast establishment.
- ix. At a minimum, on-site parking shall be provided in accordance with the requirements for the primary residential dwelling unit. Where there is a home occupation in an additional residential dwelling unit, parking shall be in accordance with subsection 3.14.
- x. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.

- xi. An additional residential dwelling unit or part thereof shall not be within the EP 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.

### 3.23 SOURCE WATER PROTECTION

- 3.23.1 All development will comply with the Clean Water Act through the applicable Source Protection Plans, as amended from time to time.
- 3.23.2 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.
- 3.23.3 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.
  - 3.23.3.1 In the case of WHPAs the extent of the vulnerable area encompasses WHPA-A through WHPA-E.
  - 3.23.3.2 In the case of IPZs the extent of the vulnerable area encompasses subzones IPZ-1 and IPZ-2.
- 3.23.4 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:
  - 3.23.4.1 Waste disposal sites
  - 3.23.4.2 On-site sewage systems (in excess of 10,000 L)
  - 3.23.4.3 The application, storage or management of agricultural source material
  - 3.23.4.4 The application, handling or storage of non-agricultural source material
  - 3.23.4.5 The application, handling or storage of commercial fertilizer
  - 3.23.4.6 The application, handling or storage of pesticide
  - 3.23.4.7 The handling or storage of road salt
  - 3.23.4.8 The storage of snow
  - 3.23.4.9 The handling or storage of fuel
  - 3.23.4.10 The handling or storage of a dense non aqueous phase liquid
  - 3.23.4.11 The handling or storage of an organic solvent

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

3.23.5 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.

3.23.6 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.

3.23.7 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.

### 3.24 **CANNABIS PRODUCTION AND PROCESSING FACILITIES**

3.24.1 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.

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

3.24.3 Notwithstanding 3.24.2:

- i. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) 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 (A1) Zone, Rural General (A2) Zone and General Industrial (M2) 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.

## **PART 4 - ZONES AND ZONING MAPS**

### **4.1 ZONES**

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

Part	Zone Symbol	Zone Title	Zone Classification
5	EP	Environmental Protection	Environmental
6	CF	Community Facility	Community
7	A1	Agricultural	Agricultural
8	A2	Rural General	Agricultural
9	HR	Ha0mlet Residential	Residential
10	RR1	Rural Residential Type One	Residential
11	RR2	Rural Residential Type Two	Residential
12	RR3	Rural Residential Type Three	Residential
13	LSR	Limited Service Residential	Residential
14	C1	General Commercial	Commercial
15	C2	Highway Commercial	Commercial
16	C3	Recreation Commercial	Commercial
17	C4	Campground Commercial	Commercial
18	M1	Restricted Industrial	Industrial
19	M2	General Industrial	Industrial
20	M3	Extractive Industrial	Industrial
21	M4	Disposal Industrial	Industrial

### **4.2 ZONING MAPS**

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

### **4.3 SPECIAL EXCEPTIONS**

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

### **4.4 ZONE AND GENERAL PROVISIONS**

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



## **PART 5 - ENVIRONMENTAL PROTECTION (EP) ZONE**

### **5.1 USES PERMITTED**

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

5.1.1.1 Conservation uses

5.1.1.2 Bird or Wildlife Sanctuaries

5.1.1.3 Flood and Erosion Control Works and docks

5.1.1.4 Forestry

### **5.2 PROHIBITION OF BUILDING CONSTRUCTION**

5.2.1 In an Environmental Protection (EP) Zone, no person shall hereafter erect any building or structure, except structures for flood and erosion control or docks authorized by a Conservation Authority, the Ministry of Natural Resources or Parks Canada.

### **5.3 ENVIRONMENTAL PROTECTION EXEMPTION ZONES**

#### **5.3.1 ENVIRONMENTAL PROTECTION EXCEPTION ONE (EP-1) ZONE**

5.3.1.1 Notwithstanding Section 5.1, lands zoned "EP-1" may also be used for the following uses:

- (a) forestry or a processing use accessory to a forestry use
- (b) park and recreational activities
- (c) a public use carried out by or on behalf of the County of Victoria other than a pit or a works yard.

#### **5.3.2 ENVIRONMENTAL PROTECTION EXCEPTION TWO (EP-2) ZONE**

5.3.2.1 Notwithstanding Section 5.1, lands zoned "EP-2" may also be used for a private park. One unenclosed gazebo structure may be erected within this zone subject to the following provisions:

- a) Water setback the greater of 30 metres or outside of the floodplain limit of Pigeon Lake with is 246.9 metres above sea level.
- b) Side yard setback the greater of 30 metres or outside of the floodplain limit of Pigeon Lake which is 246.9 metres above sea level.
- c) Front yard setback 15 m
- d) Maximum floor space 50 sq. m.

5.3.2.2 The Holding (H) provision shall be removed from lands zoned "EP-2" upon registration of the subdivision agreement and plan of subdivision.  
(B/L 2012-130)

5.3.3 ENVIRONMENTAL PROTECTION EXCEPTION THREE (EP-3) ZONE

5.3.3.1 Notwithstanding Section 5.1, lands zoned “EP-3” may also be used for a stormwater management pond.

5.3.3.2 The Holding (H) provision shall be removed from lands zoned “EP-3” upon registration of the subdivision agreement and plan of subdivision.

5.3.4 ENVIRONMENTAL PROTECTION EXCEPTION FOUR (EP-4) ZONE

5.3.4.1 Notwithstanding Sections 5.1 & 5.2, land zoned “EP-4” may also be used for passive, recreational uses specific to recreational trails and boardwalks.  
(B/L2020-101)

## **PART 6 - COMMUNITY FACILITY (CF) ZONE**

### **6.1 USES PERMITTED**

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

6.1.1.1 Uses permitted by Section 5.1

6.1.1.2 Cemeteries

6.1.1.3 Clubs

6.1.1.4 Day nurseries

6.1.1.5 Elementary Schools, Secondary Schools

6.1.1.6 Hospitals, Health or Medical Centres

6.1.1.7 Municipal Buildings, Structures, Community Centres, Arenas, Libraries, Museums, Curling Rinks

6.1.1.8 Places of Worship

6.1.1.9 Public uses exclusive of outside storage

6.1.1.10 Public or private parks

### **6.2 ZONE PROVISIONS**

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

6.2.1.1 Lot Area (min.) 3700 sq. m

6.2.1.2 Lot Frontage (min.) 45 m

6.2.1.3 Yard Requirements (min.)

(a)	front	10 m
(b)	interior side	6 m
(c)	exterior side	10 m
(d)	rear	10 m

6.2.1.4 Lot Coverage (max.) 40 %

6.2.1.5 Building Height (max.) 11 m

6.2.1.6 Gross Floor Area  
(a) all uses no minimum

6.2.1.7 Landscaped Open Space (min.) 30 %

6.3 **COMMUNITY FACILITY EXCEPTION ZONES**

6.3.1 COMMUNITY FACILITY EXCEPTION ONE (CF-1) ZONE

6.3.1.1 Notwithstanding Section 6.1, on land zoned "CF-1", the only permitted use shall be a public or private park with no buildings or structures other than picnic shelters, gazebos and docks, which are not fully enclosed, playground equipment, a storage shed with a maximum floor area of 10 square metres and two change rooms, with no plumbing or washroom facilities, having a maximum total floor area of 25 square metres.

6.3.2 COMMUNITY FACILITY EXCEPTION TWO (CF-2) ZONE

6.3.2.1 Notwithstanding Section 6.1, on land zoned "CF-2", the only permitted use shall be a public or private park with no buildings.

6.3.3 COMMUNITY FACILITY EXCEPTION THREE (CF-3) ZONE

6.3.3.1 Notwithstanding Section 6.1, on land zoned "CF-3", a private sewage disposal system is not a permitted use.  
(B/L 2007-214)

6.3.4 COMMUNITY FACILITY EXCEPTION FOUR (CF-4) ZONE

6.3.4.1 Notwithstanding Section 6.1, land zoned CF-4 shall only be used for a medical clinic and accessory uses to a medical clinic.  
(B/L 2008-055)

## **PART 7 - AGRICULTURAL (A1) ZONE**

### **7.1 USES PERMITTED**

- 7.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in an Agricultural (A1) Zone, except for the following uses:
- 7.1.1.1 Agricultural Use.
- 7.1.1.2 Agricultural produce storage facility or seasonal fruit, flower or farm produce outlet for goods grown or produced on the farm.
- 7.1.1.3 Bed and Breakfast Establishment
- 7.1.1.4 Existing cemeteries and expansions which increase their size to a maximum lot area equal to twice the existing area.
- 7.1.1.5 Farm Implement Dealer
- 7.1.1.6 Home Occupation
- 7.1.1.7 Kennels
- 7.1.1.8 Single Detached Dwelling
- 7.1.1.9 Riding or Boarding Stables
- 7.1.1.10 Wayside Pit
- 7.1.1.11 Seasonal Farm Residential Use is subject to Section 3.21 of the General Provisions. B/L 2007-289
- 7.1.1.12 Cannabis Production and Processing Facilities subject to Section 3.24 of the General Provisions. B/L 2021-057
- 7.1.2 A sanitary landfill site is not a permitted use in the Agricultural (A1) Zone.

### **7.2 ZONE PROVISIONS**

- 7.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in an Agricultural (A1) Zone, except in conformity with the following zone provisions:
- 7.2.1.1 Lot Area (min.) 25 ha
- 7.2.1.2 Lot Frontage (min.) 120 m
- 7.2.1.3 Yard Requirements (min.)
- |     |               |      |
|-----|---------------|------|
| (a) | front         | 30 m |
| (b) | interior side | 9 m  |
| (c) | exterior side | 15 m |

- (d) rear 25 m
- (e) kennel setback 45 m, and in any case 150 metres from an existing dwelling on a separate lot or 145 metres from a vacant lot for which the principal permitted use is residential.
- (f) building for animal husbandry or manure storage site shall be subject to the provisions of article 3.18.5.2.
- (g) dwelling units shall be subject to the provisions of article 10.2.1.3.

7.2.1.4 Lot Coverage (max.) 5 %

7.2.1.5 Building Height (max.)

- (a) building accessory to a farm - No restriction
- (b) all others 10 m

7.2.1.6 Gross Floor Area

- (a) per dwelling (min.) 93 sq. m
- (b) first storey of dwelling (min). 65 sq. m
- (c) any other building - No restriction

7.2.1.7 Notwithstanding subsections 7.1.1 and 7.2.1, an existing lot or a lot created by consent with a lot area of 1.0 hectare or less shall only be used in accordance with Sections 10.1 and 10.2 of this By-law.

7.2.1.8 In the case of an accessory building being used for the parking or storage of school buses or commercial motor vehicles on a lot in an agricultural zone, the maximum height of such building shall be 6 metres and the total floor area for all accessory buildings on the lot shall not exceed 150 square metres.

7.2.1.9 Where an existing lot having less lot area or frontage than required is located in any agricultural zone, subsection 3.11.1 shall not apply to permit the establishment of an agricultural use, on a lot having an area of less than 2 hectares.

7.2.1.10 Where a lot is created by consent in an agricultural zone and the retained lot has less lot area or less lot frontage than required, the retained lot shall be deemed to be an existing non-complying lot and the provisions of subsections 3.4.1 and 3.4.2 shall apply.

7.2.1.11 Notwithstanding subsections 3.11.1 and 3.18.2 and articles 7.1.1.8 and 7.2.1.6, either a converted dwelling having a maximum of 2 dwelling units or a second dwelling unit may be permitted on a farm that has a lot area of 25 hectares or greater in the A1 Zone subject to the requirements of article 10.2.1.3 and the following:

- (a) gross floor area of second dwelling (min.) 40 sq. m
- (b) gross floor area of second dwelling (max.) 100 sq. m

### 7.3 **AGRICULTURAL EXCEPTION ZONES**

#### 7.3.1 AGRICULTURAL EXCEPTION ONE (A1-1) ZONE

- 7.3.1.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, on land zoned "A1-1", the minimum lot area shall be 4 hectares and the minimum lot frontage shall be 205 metres.
- 7.3.2 AGRICULTURAL EXCEPTION TWO (A1-2) ZONE
- 7.3.2.1 Notwithstanding Section 7.1, on land zoned "A1-2" no buildings or structures shall be erected.
- 7.3.3 AGRICULTURAL EXCEPTION THREE (A1-3) ZONE
- 7.3.3.1 Notwithstanding subsection 7.1.1, land zoned "A1-3" may only be used for:
- (a) agricultural or forestry uses
  - (b) a golf course and/or a golf driving range
- 7.3.4 AGRICULTURAL EXCEPTION FOUR (A1-4) ZONE
- 7.3.4.1 Notwithstanding article 7.2.1.1, land zoned "A1-4" shall have a minimum lot area of 20 hectares.
- 7.3.5 AGRICULTURAL EXCEPTION FIVE (A1-5) ZONE
- 7.3.5.1 Notwithstanding subsection 7.1.1, land zoned "A1-5" may also be used for the indoor storage of trailers, tourist trailers, camper trailers, boats and motorized snow vehicles in no more than three buildings.
- 7.3.5.2 Notwithstanding articles 3.1.3.1 and 7.2.1.1 land zoned "A1-5" shall be subject to the following provisions:
- (a) lot area (min.) 3.8 ha
  - (b) storage building g.f.a. (max.) 1400 sq. m
- 7.3.6 AGRICULTURAL EXCEPTION SIX (A1-6) ZONE
- 7.3.6.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned "A1-6" shall be subject to the following provisions:
- (a) lot area (min.) 11 ha
  - (b) lot frontage (min.) 90 m
- 7.3.7 AGRICULTURAL EXCEPTION SEVEN (A1-7) ZONE
- 7.3.7.1 Notwithstanding subsections 7.1.1 and 7.2.1, and articles 3.1.3.1 and 3.14.1.2, land zoned "A1-7" may also be used for a custom woodworking shop.
- 7.3.7.2 Notwithstanding subsection 7.2.1 and articles 3.1.3.1 and 3.14.1.2, land zoned "A1-7" to be used for a custom woodworking shop shall be subject to the following zone provisions:
- a) Gross Floor Area (max.) 595 sq. m.
  - b) Parking (min.) 6 spaces
- 7.3.7.3 The provisions of subsection 3.13.1 and 3.14.2.2 shall not apply.

7.3.7.4 On land zoned A1-7(H), the removal of the (H) holding symbol shall be in accordance with the following:

The owner shall apply for and obtain Site Plan Approval for the development on the A1-7 zoned portion of the subject land. (B/L2021-058)

7.3.8 AGRICULTURAL EXCEPTION EIGHT (A1-8) ZONE

7.3.8.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2 and in addition to the uses permitted under subsection 7.1.1, and the other provisions of Section 7.2, on land zoned "A1-8" a sawmill and an associated open storage area shall be permitted subject to the following zone provisions:

- (a) lot area (min.) 10 ha
- (b) lot frontage (min.) 95 m
- (c) floor area for all buildings used in the sawmill operation (max.) 850 sq. m
- (d) area for outdoor storage (max.) 1.0 ha
- (e) setback between a sawmill, storage buildings or an outdoor storage area and a dwelling unit on an abutting lot (min.) 90 m
- (f) An outdoor storage area may only be located in a rear yard or side yard but shall not be closer than 140 metres to the front lot line, 5 metres to an Open Space Zone or 100 metres to the northern side lot line
- (g) Any outdoor storage area shall be enclosed by an opaque fence or a landscaped buffer as described in subsection 3.10.2.

7.3.9 AGRICULTURAL EXCEPTION NINE (A1-9) ZONE

7.3.9.1 Notwithstanding subsection 7.1.1, existing buildings on land zoned "A1-9" shall not be used for the keeping of livestock or animal husbandry.

7.3.9.2 Notwithstanding article 7.2.1.3 (a), on land zoned "A1-9" the minimum lot area shall be 19.0 hectares.

7.3.10 AGRICULTURAL EXCEPTION TEN (A1-10) ZONE

7.3.10.1 Notwithstanding subsection 7.1.1, on land zoned "A1-10" a tack shop is also a permitted use.

7.3.10.2 Notwithstanding any requirements of subsection 7.2.1 to the contrary, on land zoned "A1-10" the following zone provisions shall apply:

- (a) lot area (min.) 4.0 ha
- (b) lot frontage (min.) 75 m
- (c) front yard (min.) 15 m
- (d) floor area for retail sales (max.) 90 sq. m

7.3.11 AGRICULTURAL EXCEPTION ELEVEN (A1-11) ZONE

7.3.11.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2 and in addition to the other provisions of subsection 7.2.1, land zoned "A1-11" shall be subject to the following zone provisions:

- (a) lot area (min.) 15 ha



- |     |  |    |   |
|-----|--|----|---|
| (b) | lot frontage (min.)                                      | 15 | m |
| (c) | setback from EP zone (min.)                              | 10 | m |
| (d) | setback from the rear lot line of an abutting lot (min.) | 10 | m |

### 7.3.12 AGRICULTURAL EXCEPTION TWELVE (A1-12) ZONE

7.3.12.1 Notwithstanding subsection 7.1.1, land zoned "A1-12" may also be used for a custom workshop for manufacturing wood carvings and wood sculptures.

7.3.12.2 Notwithstanding article 3.1.3.1 and subsection 7.2.1, land zoned "A1-12" shall also be subject to the following zone provisions:

- |       |                              |     |       |
|-------|------------------------------|-----|-------|
| (a)   | custom workshop requirements |     |       |
| (i)   | gross floor area (max.)      | 325 | sq. m |
| (ii)  | front yard (min.)            | 180 | m     |
| (iii) | rear yard (min.)             | 60  | m     |
| (iv)  | side yard (min.)             | 60  | m     |

### 7.3.13 AGRICULTURAL EXCEPTION THIRTEEN (A1-13) ZONE

7.3.13.1 Notwithstanding article 7.2.1.7, on land zoned "A1-13" a residence located on a lot created by consent shall have a minimum front yard of 30 metres.

### 7.3.14 AGRICULTURAL EXCEPTION FOURTEEN (A1-14) ZONE

7.3.14.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2 and the definition of "front lot line" in Part 2, land zoned "A1-14" shall be subject to the following zone provisions:

- |      |   |      |    |
|------|---|------|----|
| (a)  | number of lots (max)  | 2    |    |
| (b)  | lot area (min.)   |      |    |
| (i)  | for one lot   | 4.5  | ha |
| (ii) | for the other lot   | 13.0 | ha |
| (c)  | lot frontage (min.)   | 160  | m  |
| (d)  | the lot line abutting County Road 10 shall be the front lot line. |      |    |

### 7.3.15 AGRICULTURAL EXCEPTION FIFTEEN (A1-15) ZONE

7.3.15.1 Notwithstanding subsection 7.2.1 on land zoned A1-15 an entrance for a gravel pit is also permitted.

### 7.3.16 AGRICULTURAL EXCEPTION SIXTEEN (A1-16) ZONE

7.3.16.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned "A1-16" shall be subject to the following zone provisions:

- |     |                    |     |    |
|-----|--------------------|-----|----|
| (a) | lot area (min)     | 15  | ha |
| (b) | lot frontage (min) | 100 | m  |

### 7.3.17 AGRICULTURAL EXCEPTION SEVENTEEN (A1-17) ZONE

7.3.17.1 Notwithstanding the uses permitted pursuant to article 7.1.1, land zoned 'A1-17' may only be used for agricultural uses, a farm equipment repair shop or a motor vehicle repair shop which includes the repair of commercial vehicles.

- 7.3.17.2 Notwithstanding subsection 3.13.1 and article 7.2.1.4, land zoned 'A1-17' shall be subject to the following zone provisions:
- (a) Except for purposes of determining lot coverage, and permitted uses, land zoned 'A1-17' shall not be considered a separate lot.
  - (b) Maximum lot coverage for a repair shop 200 sq. m.
  - (c) Parking:
    - (i) maximum spaces for commercial or farm equipment 5
    - (ii) maximum spaces for unlicensed or derelict vehicles 2
    - (iii) maximum total number of spaces 15
  - (d) Vehicles shall only be stored or parked in the allotted parking spaces.
  - (e) Vehicles that are leaking gas, oils, lubricants, antifreeze or cleaning fluids by virtue of a puncture, failed seal, removed parts or a corroded container or tank shall only be stored in a wholly enclosed building with a floor designed to prevent spillage onto the soil surface.

7.3.18 AGRICULTURAL EXCEPTION EIGHTEEN (A1-18) ZONE

- 7.3.18.1 Notwithstanding article 7.1.1, no building or structure shall be erected on land zoned A1-18 other than sound attenuation or visual barriers erected in conjunction with a sand and gravel pit operation.  
(B/L 2003-207)

7.3.19 AGRICULTURAL EXCEPTION NINETEEN (A1-19) ZONE

- 7.3.19.1 Notwithstanding any provision of articles 7.1.1 and 7.2.1 to the contrary, a garden suite is also a permitted temporary use on land zoned "A1-19" subject to the following provisions:
- (a) Lot Area (min.) 40 ha.
  - (b) The provisions of subsection 3.13.1 shall not apply to land zoned "A1-19."
- (B/L 2001-62 - TO EXPIRE May 28, 2011)  
(Amended B/L2021-091)

7.3.20 AGRICULTURAL EXCEPTION TWENTY (A1-20) ZONE

- 7.3.20.1 Notwithstanding subsection 7.1.1, existing buildings on land zoned "A1-20" shall not be used for the keeping of livestock or animal husbandry.
- 7.3.20.2 Notwithstanding 7.2.1.3 (b), on land zoned "A1-20" the minimum interior side yard requirement is 3.5 metres to the south lot line for the existing barn.
- 7.3.20.3 Notwithstanding subsections 3.21, 7.1.1.3, 7.1.1.8, 7.1.1.11 and 7.2.1.11, on land zoned "A1-20" a dwelling unit and accessory uses thereto and/or a seasonal farm residential use and accessory uses thereto are prohibited. (B/L 2019-139)

7.3.21 AGRICULTURAL EXCEPTION TWENTY-ONE (A1-21) ZONE  
Not Used.

7.3.22 AGRICULTURAL EXCEPTION TWENTY-TWO (A1-22) ZONE

- 7.3.22.1 Notwithstanding article 7.1.1.8, land zoned “A1-22” a single detached dwelling is not a permitted use.  
(B/L 2002-91)
- 7.3.23 AGRICULTURAL EXCEPTION TWENTY-THREE (A1-23) ZONE
- 7.3.23.1 Notwithstanding Section 7.2.1.11, on land zoned “A1-23” the maximum gross floor area of a second detached dwelling shall not exceed 125 sq. m.  
(B/L 2003-09)
- 7.3.24 AGRICULTURAL EXCEPTION TWENTY-FOUR (A1-24) ZONE
- 7.3.24.1 Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned “A1-24” shall be subject to the following zone provisions:  
(a) lot area (min.) 44 ha.  
(b) lot frontage (min.) 732 m.  
and no land shall be severed from the land as it existed on April 14, 2003.  
(B/L 2004-68)
- 7.3.25 AGRICULTURAL EXCEPTION TWENTY-FIVE (A1-25) ZONE
- Notwithstanding subsection 7.1, land zoned A1-25 may also be used for a custom woodworking shop for the manufacture of furniture and other wood products and may also include limited ancillary retail sales of products produced on the property. These activities may be conducted within a single storey building not exceeding 326 sq. m. No outdoor storage shall be permitted in association with the furniture manufacturing use.  
  
(B/L 2009-100 OMB Decision)
- 7.3.26 AGRICULTURAL EXCEPTION TWENTY-SIX (A1-26) ZONE
- 7.3.26.1 Notwithstanding Section 7.1, lands zone “A1-26” may also be used for a private park with associated structures, which shall have a minimum setback of 15 metres from all property lines.
- 7.3.26.2 The Holding (H) provision shall be removed from lands zoned “A1-26” upon registration of the subdivision agreement and plan of subdivision.
- 7.3.27 AGRICULTURAL EXCEPTION TWENTY SEVEN (A1-27) ZONE
- 7.3.27.1 Notwithstanding Section 7.2.1.11, on lands zoned “A1-27” a maximum of one dwelling unit per lot is permitted.  
(B/L 2011-239)

7.3.28 AGRICULTURAL EXCEPTION TWENTY EIGHT (A1-28) ZONE

7.3.28.1 Notwithstanding the provisions contained in Section 7.1 and Section 7.2, lands zoned A1-28 shall also permit a commercial firewood splitting operation to be conducted in association with an agricultural use subject to the following provisions:

- |   |        |
|---|--------|
| (i) Lot area (maximum)                      | 1.2 ha |
| (ii) Lot frontage                           | 0 m    |
| (iii) Setbacks to zone limits               | 0 m    |
| (iv) Height of log and wood piles (maximum) | 4 m    |
- (B/L 2012-156)

7.3.29 AGRICULTURAL EXCEPTION TWENTY NINE (A1-29) ZONE

Notwithstanding Sections 7.2.1.1 and 3.13.2, lands zoned A1-29 shall have a minimum lot area of 30 hectares, which may also include lands zoned EP.  
(B/L 2014-191)

7.3.30 AGRICULTURAL EXCEPTION THIRTY (A1-30) ZONE

7.3.30.1 Notwithstanding subsection 7.1.1, land zoned "A1-30" may only be used for:

- (a) Farm Implement Dealer
- (b) Farm Implement Repair and Small Engine Sales and Service Shop

7.3.30.2 Notwithstanding subsection 3.13.1 and article 7.2.1, land zoned A1-30 shall be subject to the following provisions:

- (a) except for the purposes of determining lot coverage, and permitted uses, land zoned "A1-30" shall not be considered a separate lot.
  - (b) maximum lot coverage for a sales/service shop 225 m<sup>2</sup>
  - (c) maximum number of parking spaces 15
  - (d) equipment that is leaking gas, oils, lubricants, antifreeze or cleaning fluids by virtue of a puncture, failed seal, removed parts or a corroded container or tank shall only be stored in a wholly enclosed building with a floor designed to prevent spillage onto the soil surface.
- (B/L 2015-041)

7.3.31 AGRICULTURAL EXCEPTION THIRTY ONE (A1-31) ZONE

7.3.31.1 In addition to the permitted uses and zone provisions for the A1 Zone in Sections 7.1 and 7.2, on land zoned "A1-31", the following shall apply:

- (a) Permitted Uses
  - (i) A woodworking shop for the manufacture of furniture and other wood products.
  - (ii) Limited ancillary retail sales of the products produced on the property.
- (b) Woodworking shop building requirements:
  - (i) maximum floor area: 375 square metres
  - (ii) maximum number of storeys: 1

(iii) floodlighting is not permitted to be attached to and/or illuminate the building exterior.

(c) Notwithstanding Section 3.14.1.2, the total number of required parking spaces for the woodworking shop use is seven (7). One (1) of the seven (7) parking spaces must be an accessible parking space. The accessible parking space and the pathway leading from the accessible parking space to the main door shall be a hard surface in the form of either asphalt or concrete.

(d) Section 3.14.2.1 shall also apply to the woodworking shop use.

7.3.31.2 Outdoor storage and display is prohibited within the A1-31 Zone.

7.3.32 AGRICULTURAL EXCEPTION THIRTY TWO (A1-32) ZONE

Notwithstanding subsections 3.21, 7.1.1.8, 7.1.1.11 and 7.2.1.11, on land zoned "A1-32" a maximum of one single detached dwelling is permitted and a seasonal farm residential use is not permitted. (B/L 2018-210)

7.3.33 AGRICULTURAL EXCEPTION THIRTY THREE (A1-33) ZONE

7.3.33.1 Notwithstanding Sections 7.2.1.1 and 3.13.2, the lands zoned A1-33 shall have a minimum lot area of 14 hectares and a minimum lot frontage of 60 metres, which may also include the lands zoned EP.

7.3.34 AGRICULTURAL EXCEPTION THIRTY FOUR (A1-34) ZONE (B/L2020-031)

Notwithstanding articles 7.2.1.1 and 7.2.1.2, land zoned "A1-34" shall be subject to the following zone provisions:

- |    |                     |         |
|----|---------------------|---------|
| a) | Lot area (min.)     | 1.2 ha. |
| b) | Lot frontage (min.) | 55 m.   |

7.3.35 AGRICULTURAL EXCEPTION THIRTY FIVE (A1-35) ZONE (B/L2020-031)

Notwithstanding articles 7.2.1.1, 7.2.1.3 (a) and 3.1.2.1, land zoned "A1-35" shall be subject to the following provisions:

- |    |  |         |
|----|--|---------|
| a) | Lot area (min.)  | 6.7 ha. |
| b) | Front Yard Setback (min.)                                      | 26.4 m. |
| c) | An existing accessory building is permitted in the front yard. |         |

All other provisions of Section 7 and this By-law shall continue to apply.

7.3.36 AGRICULTURAL EXCEPTION THIRTY SIX (A1-36) ZONE

7.3.36.1 Notwithstanding subsections 3.21, 7.1.1, 7.2.1.7, 7.2.1.9, 7.2.1.10 and 7.2.1.11, on land zoned "A1-36" the permitted uses are limited to the following:

- a) Agricultural Use;

- b) Agricultural produce storage facility or seasonal fruit, flower or farm produce outlet for goods grown or produced on the farm;
- c) Home Occupation;
- d) Bed and Breakfast Establishment; and,
- e) Single detached dwelling.

7.3.36.2 Notwithstanding 7.2.1.1, 7.2.1.7, 7.2.1.9, 7.2.1.10 and 7.2.1.11, land zoned “A1-36” shall have a minimum lot area of 4.2 hectares.(B/L2020-101)

### 7.3.37 AGRICULTURAL EXCEPTION THIRTY-SEVEN (A1-37) ZONE

7.3.37.1 Notwithstanding subsection 7.1.1 land zoned “A1-37” may also be used for a lumber manufacturing facility.

7.3.37.2 A lumber manufacturing facility includes the manufacturing, processing, fabrication, and warehousing of trusses.

7.3.37.3 A lumber manufacturing facility use shall be permitted in accordance with the following:

- a) The use shall be carried out by at least one member of the household residing on the property.
- b) The property on which the use is located shall be classified as a farm by MPAC.

7.3.37.4 Notwithstanding subsection 7.2.1 and articles 3.14.1.1 and 3.14.1.2, on land zoned “A1-37” a lumber manufacturing facility shall be subject to the following zone provisions:

- a) front yard (min.) 130 m
- b) exterior side yard (min.) 100 m
- c) gross floor area (max.) 600 sq. m.
- d) parking (min.) 6 spaces
- e) accessible parking (min.) 1 space

7.3.37.5 The provisions of subsection 3.13.1 shall not apply to land zoned “A1-37” and article 3.14.2.2 shall not apply to a lumber manufacturing facility.

7.3.37.6 On land zoned “A1-37(H)”, the removal of the (H) holding symbol shall be in accordance with the following:

- a) The owner shall apply for and obtain Site Plan Approval for the development on the A1-37 zoned portion of the subject land. (B/L 2021-091)

## **PART 8 - RURAL GENERAL (A2) ZONE**

### **8.1 USES PERMITTED**

- 8.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A2) Zone except for a maximum of three of the following uses:
- 8.1.1.1 Agricultural Produce Processing and Packaging
  - 8.1.1.2 Animal Hospital or Veterinary Clinic
  - 8.1.1.3 Any use permitted in the A1 Zone subject to the provisions of subsection 7.2.1
  - 8.1.1.4 Butcher Shop
  - 8.1.1.5 Farm and Heavy Equipment Sales and Service
  - 8.1.1.6 Feedmill
  - 8.1.1.7 Grain Cleaning Plant
  - 8.1.1.8 Grain Drying and Storage Facility
  - 8.1.1.9 Landscaping or Excavating Business
  - 8.1.1.10 Garden and Nursery Supply Outlet
  - 8.1.1.11 Tack Shop
  - 8.1.1.12 Taxidermy Establishment
  - 8.1.1.13 Cannabis Production and Processing Facilities subject to Section 3.24 of the General Provisions. B/L 2021-057

### **8.2 ZONE PROVISIONS**

- 8.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural General (A2) Zone, except in conformity with the following zone provisions:
- 8.2.1.1 Lot Area (min.) 1.0 ha
  - 8.2.1.2 Lot Frontage (min.) 60 m
  - 8.2.1.3 Yard Requirements (min.)
    - (a) front 15 m
    - (b) interior side 6 m
    - (c) exterior side 15 m
    - (d) rear 15 m
    - (e) setback 30 metres from an existing residential use on an abutting lot or 20 metres from a residential zone whichever is greater

8.2.1.4	Lot coverage (max.)	25 %
8.2.1.5	Building Height (max.)	11 m
8.2.1.6	Gross Floor Area (min.)	no minimum
8.2.1.7	Landscaped Open Space (min.)	20 %
8.2.1.8	Density (max. per lot) (a) separate premises	2
8.2.1.9	The provisions of articles 7.2.1.8 through 7.2.1.10 also apply to land zoned "A2".	

### 8.3 **RURAL GENERAL EXCEPTION ZONES**

#### 8.3.1 RURAL GENERAL EXCEPTION ONE (A2-1) ZONE

- 8.3.1.1 Notwithstanding subsection 8.1.1, land zoned 'A2-1' may only be used for the following uses:
- (a) any use permitted in the A1 Zone subject to the provisions of subsection 7.2.1;
  - (b) a landscaping or excavating business;
  - (c) a garden and nursery supply outlet.

- 8.3.1.2 Notwithstanding subsection 3.13.1 and article 8.2.1.4, land zoned 'A2-1' shall be subject to the following zone provisions:
- (a) except for the purposes of lot coverage, the land zoned A2-1 shall not be considered a separate lot
  - (b) Lot Coverage (max.) 375 sq. m.

#### 8.3.2 RURAL GENERAL EXCEPTION TWO (A2-2) ZONE

- 8.3.2.1 Notwithstanding subsection 8.1.1, land zoned A2-2 may only be used for the following:

- (a) a single detached dwelling;
- (b) accessory buildings and structures in accordance with Section 3.1;
- (c) retail sales which shall only be permitted within accessory structures existing as of the date of passing of this by-law, and such use shall not exceed 111.5 sq.m.

- 8.3.2.2 Notwithstanding subsection 8.2.1, land zoned A2-2 shall be subject to the following zone provisions:

- (a) Lot Area (min.) 0.4 ha.
- (b) Lot Frontage (min.) 52 m.

In all other respects the zone provisions of the Rural General (A2) shall apply and be complied with.

**(B/L 2008-139)**



## **PART 9 - HAMLET RESIDENTIAL (HR) ZONE**

### **9.1 USES PERMITTED**

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

9.1.1.1 Single Detached Dwelling

9.1.1.2 Converted Dwelling

9.1.1.3 Duplex

9.1.1.4 Home Occupation

9.1.1.5 Park

9.1.1.6 School

### **9.2 ZONE PROVISIONS**

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

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

9.2.1.2	Lot Frontage (min.)	
	(a) Communal or municipal water supply	25 m
	(b) Individual water supply and sewage disposal	30 m

9.2.1.3	Yard Requirements (min.)	
	(a) front	7.5 m
	(b) interior side	3 m
	(c) exterior side	7.5 m
	(d) rear	7.5 m
	(e) water setback	30 m

9.2.1.4	Lot Coverage (max.)	30 %
---------	---------------------	------

9.2.1.5	Building Height (max.)	11 m
---------	------------------------	------

9.2.1.6	Gross Floor Area (min. per d.u.)	
	(a) per dwelling (min.)	93 sq. m
	(b) first storey (min.)	65 sq. m

- 9.2.1.7      Landscaped Open Space (min.)      25 %
- 9.2.1.8      Density (max. per lot)      2 d.u.
- 9.2.1.9      Notwithstanding subsections 9.1.1 and 9.2.1, an elementary or secondary school shall only be permitted in accordance with the zone provisions of Section 6.2.
- 9.3      **HAMLET RESIDENTIAL EXCEPTION ZONES**
- 9.3.1      HAMLET RESIDENTIAL EXCEPTION ONE (HR-1) ZONE
- 9.3.1.1      Notwithstanding Sections 9.2.1.3(d) and 3.18.1.1 (a), the lands zoned HR-1 shall be subject to the following provisions:
- (a)      Minimum rear yard      0 m.
  - (b)      Minimum setback from an EP Zone      0 m.

## **PART 10 - RURAL RESIDENTIAL TYPE ONE (RR1) ZONE**

### **10.1 USES PERMITTED**

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

10.1.1.1 Single Detached Dwelling

10.1.1.2 A Home Occupation

10.1.1.3 Bed and Breakfast Establishment

### **10.2 ZONE PROVISIONS**

10.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type One (RR1) Zone, except in conformity with the following zone provisions:

10.2.1.1 Lot Area (min.) 2800 sq. m

10.2.1.2 Lot Frontage (min.) 38 m

10.2.1.3 Yard Requirements (min.)

(a)	front	7.5 m
(b)	interior side	3 m
(c)	exterior side	7.5 m
(d)	rear	7.5 m
(e)	water setback	30 m

10.2.1.4 Lot Coverage (max.) 30 %

10.2.1.5 Building Height (max.) 11 m

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

(a)	one storey	93 sq. m
(b)	one and a half storey main floor	65 sq. m
(c)	one and a half storey total	93 sq. m
(d)	two storey	65 sq. m per floor

10.2.1.7 Landscaped Open Space (min.) 30 %

10.2.1.8 Density (max. d.u. per lot) 1

10.3 **RURAL RESIDENTIAL TYPE ONE EXCEPTION ZONES**

10.3.1 RURAL RESIDENTIAL TYPE ONE EXCEPTION ONE (RR1-1) ZONE

10.3.1.1 Notwithstanding article 10.2.1.2 and clause 10.2.1.3 (e) and in addition to the other zone provisions of subsection 10.2.1, land zoned "RR1-1" shall be subject to the following zone provisions:

- |     |                              |        |
|-----|------------------------------|--------|
| (a) | lot frontage (min.)          | 27.4 m |
| (b) | water setback (min.)         | 45 m   |
| (c) | tilebed water setback (min.) | 76 m   |
| (d) | lot depth (min.)             | 106 m  |

10.3.2 RURAL RESIDENTIAL TYPE ONE EXCEPTION TWO (RR1-2) ZONE

10.3.2.1 Notwithstanding subsection 10.1.1, land zoned "RR1-2" may also be used for a custom workshop and the instruction of individuals in the making of ceramics.

10.3.3 RURAL RESIDENTIAL TYPE ONE EXCEPTION THREE (RR1-3) ZONE

10.3.3.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-3" shall be subject to the following zone provisions:

- |     |                     |             |
|-----|---------------------|-------------|
| (a) | lot area (min.)     | 7000 sq. m. |
| (b) | lot frontage (min.) | 34 m.       |

10.3.4 RURAL RESIDENTIAL TYPE ONE EXCEPTION FOUR (RR1-4) ZONE

10.3.4.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2 and clause 10.2.1.3 (a), land zoned "RR1-4" shall be subject to the following zone provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot area (min.)     | 1.0 ha |
| (b) | lot frontage (min.) | 68 m   |
| (c) | front yard (min.)   | 39.6 M |

10.3.4.2 Notwithstanding article 10.2.1.3 (e), land zoned "RR1-4" shall be subject to the following zone provisions:

- a. Land within the minimum water setback shall be subject to the following additional requirements:
  - (i) All land within the 30 m minimum water setback shall be maintained as a natural vegetation buffer. Within the natural vegetation buffer no maintenance, including cutting, shall occur to the existing lawn in order to permit the natural regeneration of vegetation to facilitate ecological succession.
  - (ii) Notwithstanding 10.3.4.2 (a)(i) an area comprising a length no greater than 25% of the shoreline lot frontage, and a depth the span of the minimum water setback may be maintained as landscaped open space in order to provide recreational amenity space and access to Pigeon Lake.
  - (iii) Existing structures within the minimum water setback, as of the date of passing of this by-law, that are authorized by a Conservation Authority or Parks Canada – Trent Severn Waterway, having jurisdiction, are permitted.

- (iv) Notwithstanding Sections 3.1.5.1 and 3.1.5.2, the erection of a dock parallel to the shoreline, a pump house and a boat house within the landscaped open space area identified within 10.3.4.2(a)(ii) is permitted.
- (v) Notwithstanding any other provisions of this By-law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided that the approval of any other approval authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.

(B/L 2018-038)

### 10.3.5 RURAL RESIDENTIAL TYPE ONE EXCEPTION FIVE (RR1-5) ZONE

10.3.5.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-5" shall be subject to the following provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot area (min.)     | 1.0 ha |
| (b) | lot frontage (min.) | 68 m   |

10.3.5.2 Notwithstanding article 10.2.1.3 (e), land zoned "RR1-5" shall be subject to the following zone provisions:

- a. Land within the minimum water setback shall be subject to the following additional requirements:
  - (i) All land within the minimum 30 m water setback shall be maintained as a natural vegetation buffer. Within the natural vegetation buffer no maintenance, including cutting, shall occur to the existing lawn in order to permit the natural regeneration of vegetation to facilitate ecological succession.
  - (ii) Notwithstanding 10.3.5.2 (a)(i) an area comprising a length no greater than 25% of the shoreline lot frontage, and a depth the span of the minimum water setback may be maintained as landscaped open space in order to provide recreational amenity space and access to Pigeon Lake.
  - (iii) Existing structures within the minimum water setback, as of the date of passing of this by-law, that are authorized by a Conservation Authority or Parks Canada – Trent Severn Waterway, having jurisdiction, are permitted.
  - (iv) Notwithstanding Sections 3.1.5.1 and 3.1.5.2, the erection of a dock parallel to the shoreline, a pump house and a boat house within the landscaped open space area identified within 10.3.5.2(a)(ii) is permitted.
  - (v) Notwithstanding any other provisions of this By law, a boat house, pump house, or docking facility may be erected and used in a yard fronting on a navigable waterway provided that the approval of any other approval authority having jurisdiction within this area has been obtained and

further provided the location complies with the required minimum side yard for accessory buildings or structures.

(B/L 2018-038)

### 10.3.6 RURAL RESIDENTIAL TYPE ONE EXCEPTION SIX (RR1-6) ZONE

10.3.6.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-6" shall be subject to the following provisions:

- |     |   |            |
|-----|---|------------|
| (a) | lot area (min.)   | 8000 sq. m |
| (b) | lot frontage along the longest uninterrupted portion of front lot line (min.) | 30 m       |

### 10.3.7 RURAL RESIDENTIAL TYPE ONE EXCEPTION SEVEN (RR1-7) ZONE

10.3.7.1 Notwithstanding article 10.2.1.3, in addition to and superceding any other yard or setback requirement, on land zoned "RR1-7" the minimum setback for a dwelling from the southern most part of the lot shall be 70 metres.

### 10.3.8 RURAL RESIDENTIAL TYPE ONE EXCEPTION EIGHT (RR1-8) ZONE

10.3.8.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2 land zoned "RR1-8" shall be subject to the following provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot area (min.)     | 1.3 ha |
| (b) | lot frontage (min.) | 60 m   |

### 10.3.9 RURAL RESIDENTIAL TYPE ONE EXCEPTION NINE (RR1-9) ZONE

10.3.9.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2 land zoned "RR1-9" shall be subject to the following provisions:

- |     |                     |      |
|-----|---------------------|------|
| (a) | lot area (min.)     | 3 ha |
| (b) | lot frontage (min.) | 34 m |

### 10.3.10 RURAL RESIDENTIAL TYPE ONE EXCEPTION TEN (RR1-10) ZONE

10.3.10.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2 and clauses 10.2.1.3 (b) and (d), land zoned "RR1-10" shall be subject to the following provisions:

- |     |                          |            |
|-----|--------------------------|------------|
| (a) | lot area (min.)          | 5000 sq. m |
| (b) | lot frontage (min.)      | 79 m       |
| (c) | western side yard (min.) | 9 m        |
| (d) | eastern side yard (min.) | 4.5 m      |
| (e) | rear yard (min.)         | 30 m       |

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

10.3.11.1 Notwithstanding articles 10.2.1.2, clauses 10.2.1.3 (a) and (b) and article 10.2.1.4 land zoned "RR1-11", the following provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot frontage (min.) | 33.5 m |
| (b) | front yard (min.)   | 43 m   |
| (c) | side yard (min.)    | 7.5 m  |
| (d) | lot coverage (max.) | 20 %   |

10.3.12 RURAL RESIDENTIAL TYPE ONE EXCEPTION TWELVE (RR1-12) ZONE

10.3.12.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-12" shall be subject to the following zone provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot area (min.)     | 2.5 ha |
| (b) | lot frontage (min.) | 75 m   |

10.3.13 RURAL RESIDENTIAL TYPE ONE EXCEPTION THIRTEEN (RR1-13) ZONE

10.3.13.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-13" shall be subject to the following provisions:

- |     |                     |       |
|-----|---------------------|-------|
| (a) | lot area (min.)     | 6 ha  |
| (b) | lot frontage (min.) | 125 m |

10.3.14 RURAL RESIDENTIAL TYPE ONE EXCEPTION FOURTEEN (RR1-14) ZONE

10.3.14.1 Notwithstanding article 10.2.1.1, clause 10.2.1.3 (d) or article 10.2.1.4, land zoned "RR1-14" shall be subject to the following zone provisions:

- |     |                     |            |
|-----|---------------------|------------|
| (a) | lot area (min.)     | 2200 sq. m |
| (b) | rear yard (min.)    | 20 m       |
| (c) | lot coverage (max.) | 25 %       |

10.3.15 RURAL RESIDENTIAL TYPE ONE EXCEPTION FIFTEEN (RR1-15) ZONE

10.3.15.1 Notwithstanding clauses 10.2.1.3 (1) and (c), land zoned "RR1-15" shall be subject to the following zone provisions:

- |     |                           |        |
|-----|---------------------------|--------|
| (a) | front yard (min.)         | 30.5 m |
| (b) | exterior side yard (min.) | 30.5 m |

10.3.16 RURAL RESIDENTIAL TYPE ONE EXCEPTION SIXTEEN (RR1-16) ZONE

10.3.16.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-16" shall be subject to the following zone provisions:

- |     |                     |        |
|-----|---------------------|--------|
| (a) | lot area (min.)     | 1.3 ha |
| (b) | lot frontage (min.) | 45 m   |

10.3.17 RURAL RESIDENTIAL TYPE ONE EXCEPTION SEVENTEEN (RR1-17) ZONE

10.3.17.1 Notwithstanding clause 10.2.1.3 (a), on land zoned "RR1-17" the minimum front yard shall be 30 m.

10.3.18 RURAL RESIDENTIAL TYPE ONE EXCEPTION EIGHTEEN (RR1-18) ZONE

10.3.18.1 Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "RR1-18" shall be subject to the following zone provisions:

- |     |                     |       |
|-----|---------------------|-------|
| (a) | lot area (min.)     | 5 ha  |
| (b) | lot frontage (min.) | 320 m |
- (B/L 2002-13)

10.3.19 RURAL RESIDENTIAL TYPE ONE EXCEPTION NINETEEN (RR1-19) ZONE

- 10.3.19.1 Notwithstanding any provision of Section 10.2 or articles 3.1.2 and 3.1.3 to the contrary, land zoned "RR1-19" shall be subject to the following zone provisions:
- |     |  |        |
|-----|--|--------|
| (a) | lot area (min.)  | .87 ha |
| (b) | minimum setback from the westerly side lot line for all buildings and structures | 15 m   |
| (c) | maximum height for an accessory building with over 100 sq. metres of floor area  | 6.1 m  |
| (d) | minimum side yard for an accessory building exceeding 5 metres in height         | 3 m    |
| (e) | lot width (min.)   | 114 m  |

(B/L 2000-04 & B/L 2000-26)

10.3.20 RURAL RESIDENTIAL TYPE ONE EXCEPTION TWENTY (RR1-20) ZONE

Notwithstanding subsection 10.2.1.1 and 10.2.1.2 and 10.2.1.3 (c), land zoned "RR1-20" shall be subject to the following provisions:

- |     |                     |          |
|-----|---------------------|----------|
| (a) | lot area (min.)     | 1.88 ha. |
| (b) | lot frontage (min.) | 93 m.    |
| (c) | exterior side       | 34 m.    |

(B/L 2010-042)

10.3.21 Rural Residential Type One Exception Two (RR1-21) Zone

Notwithstanding subsection 10.2.1.1 and 10.2.1.2, land zoned "RR1-21" shall be subject to the following provisions:

- |     |                     |          |
|-----|---------------------|----------|
| (a) | lot area (min.)     | 1.27 ha. |
| (b) | lot frontage (min.) | 63 m.    |

(B/L 2010-042)

10.3.21 Rural Residential Type One Exception Two (RR1-22) Zone

- 10.3.22.1 Notwithstanding subsections 3.1.2.2 and 10.2.1.3 (d), on land zoned "RR1-22" buildings shall not be erected within 30 metres of the existing barn building located on the abutting lot. The existing barn building is located approximately 3.5 metres north of the rear lot line.

- 10.3.22.2 If at any time the existing barn building located approximately 3.5 metres north of the rear lot line is demolished or removed, subsection 10.3.22.1 shall no longer apply to land zoned "RR1-22". (B/L 2019-139)



## **PART 11 - RURAL RESIDENTIAL TYPE TWO (RR2) ZONE**

### **11.1 USES PERMITTED**

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

11.1.1.1 Single Detached Dwelling

11.1.1.2 Home Occupation

### **11.2 ZONE PROVISIONS**

11.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Two (RR2) Zone, except in conformity with the following zone provisions:

11.2.1.1 Lot Area (min. per d.u.)

(a)	Communal or municipal water supply	1400 sq. m
(b)	Individual water supply and sewage disposal	2000 sq. m

11.2.1.2 Lot Frontage (min.)

(a)	Communal or municipal water supply with no shore lot line	25 m
(b)	Individual water supply and sewage disposal with no shore lot line	30 m
(c)	With shore lot line	35 m

11.2.1.3 Yard Requirements (min.)

(a)	front	7.5 m
(b)	interior side	3 m
(c)	exterior side	7.5 m
(d)	rear	7.5 m
(e)	water setback	30 m

11.2.1.4 Lot Coverage (max.) 30 %

11.2.1.5 Building Height (max.) 11 m

11.2.1.6 Gross Floor Area

(a)	per dwelling (min.)	93 sq. m
(b)	first storey of dwelling	65 sq. m

11.2.1.7 Landscaped Open Space (min.) 25 %

11.2.1.8 Density (max. d.u. per lot) 1

**11.3 RURAL RESIDENTIAL TYPE TWO EXCEPTION ZONES**

**11.3.1 RURAL RESIDENTIAL TYPE TWO EXCEPTION ONE (RR2-1) ZONE**

11.3.1.1 Notwithstanding article 11.2.1.2 (c), on land zoned "RR2-1", the minimum lot frontage shall be 25 metres.

**11.3.2 RURAL RESIDENTIAL TYPE TWO EXCEPTION TWO (RR2-2) ZONE**

11.3.2.1 Notwithstanding articles 11.2.1.1 and 11.2.1.2, land zoned RR2-2 shall be subject to the following zone provisions:

- |     |                     |      |
|-----|---------------------|------|
| (a) | lot area (min.)     | 1 ha |
| (b) | lot frontage (min.) | 25 m |

**11.3.3 RURAL RESIDENTIAL TYPE TWO EXCEPTION THREE (RR2-3) ZONE**

11.3.3.1 Notwithstanding articles 11.2.1.1 and 11.2.1.2, land zoned RR2-3" shall be subject to the following zone provisions:

- |     |                    |             |
|-----|--------------------|-------------|
| (a) | lot area (min)     | 4,000 sq. m |
| (b) | lot frontage (min) | 50 m        |

**11.3.4 RURAL RESIDENTIAL TYPE TWO EXCEPTION FOUR (RR2-4) ZONE**

11.3.4.1 Notwithstanding Section 11.1, Uses Permitted, lands zoned Rural Residential Type Two Exception Four (RR2-4) may not be used for residential and swimming pool purposes.  
(B/L 2005-28)

**11.3.5 RURAL RESIDENTIAL TYPE TWO EXCEPTION FIVE (RR2-5) ZONE**

11.3.5.1 a) Notwithstanding subsection 3.9, on land zoned RR2-5, a home occupation may occupy up to 44% of the combined total gross floor area of the existing dwelling and the existing accessory building to incorporate the use of the existing enclosed outdoor pool as part of the home occupation.

b) Notwithstanding subsection 3.9, on land zoned RR2-5, a retail shop for the sale and rental of scuba gear and equipment may also be permitted within a home occupation.  
(B/L 2011-224)

**11.3.6 RURAL RESIDENTIAL TYPE TWO EXCEPTION SIX (RR2-6) ZONE**

a. Notwithstanding subsection 11.2.1.1 on land zoned RR2-6 the minimum lot area with an individual water supply and sewage disposal system shall be 1,668 sq. m. (B/L 2013-273)

11.3.7 RURAL RESIDENTIAL TYPE TWO EXCEPTION SEVEN (RR2-7) ZONE

11.3.7.1 Notwithstanding subsection 11.2.1.1, land zoned RR2-7 shall be subject to the following zone provision:

(a) lot area (min) 4,200 sq. m.

(B/L 2014-291)

## **PART 12 - RURAL RESIDENTIAL TYPE THREE (RR3) ZONE**

### **12.1 USES PERMITTED**

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

12.1.1.1 Bed and Breakfast

12.1.1.2 Home Occupation

12.1.1.3 Single Detached Dwelling

12.1.1.4 Private Cabin

12.1.1.5 Vacation Dwelling

### **12.2 ZONE PROVISIONS**

12.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Rural Residential Type Three (RR3) Zone, except in conformity with the following zone provisions:

12.2.1.1	Lot Area (min.)	
	(a) Communal or municipal water supply	1900 sq. m
	(b) Individual water supply and sewage disposal	2000 sq. m
12.2.1.2	Lot Frontage (min.)	
	(a) Communal or municipal water - no shore lot line	25 m
	(b) Individual water supply and sewage disposal - no shore lot line	30 m
	(c) With shore lot line	35 m
12.2.1.3	Yard Requirements (min.)	
	(a) front	7.5 m
	(b) interior side	
	(i) one and one and a half storey buildings	3 m
	(ii) two storeys or greater	5.5 m
	(c) exterior side	7.5 m
	(d) rear	7.5 m
	(e) water setback	30 m
12.2.1.4	Lot Coverage (max.)	30 %
12.2.1.5	Building Height (max.)	11 m
12.2.1.6	Gross Floor Area	
	(a) per dwelling (min.)	93 sq. m

	(b) first storey of dwelling (min.)	65 sq. m
12.2.1.7	Landscaped Open Space	30 %
12.2.1.8	Density (max. d.u. per lot)	1
	Notwithstanding subsections 3.1.1, 3.11.1 and 12.1.1.1, a bed and breakfast use is only permitted on a lot where articles 12.2.1.1, 12.2.1.2, 12.2.1.3, 12.2.1.7 and 12.2.1.8 are met.	
12.2.1.9	Notwithstanding the provisions of the "RR3" zone, the Holding (H) provision shall only be removed on lands zoned "RR3(H)" and located in Part Lots 21 & 22, Concession 13, Geographic Township of Emily once the applicant has demonstrated that a new well will not adversely impact adjacent development. (By-Law 2012-130)	
12.3	<b><u>RURAL RESIDENTIAL TYPE THREE EXCEPTION ZONES</u></b>	
12.3.1	RURAL RESIDENTIAL TYPE THREE EXCEPTION ONE (RR3-1) ZONE	
12.3.1.1	Notwithstanding clause 12.2.1.3 (e) on land zoned "RR3-1", the minimum water setback shall be 15 metres.	
12.3.2	RURAL RESIDENTIAL TYPE THREE EXCEPTION TWO (RR3-2) ZONE	
12.3.2.1	Notwithstanding articles 12.2.1.1 and 12.2.1.2 and clause 12.2.1.3 (e), land zoned "RR3-2" shall be subject to the following provisions:	
	(a) lot area (min.)	3000 sq. m
	(b) lot frontage (min.)	35 m
	(c) water setback (min.)	25 m
12.3.3	RURAL RESIDENTIAL TYPE THREE EXCEPTION THREE (RR3-3) ZONE	
12.3.3.1	Notwithstanding article 12.2.1.2 on land zoned "RR3-3", the minimum lot frontage shall be 17 metres.	
12.3.4	RURAL RESIDENTIAL TYPE THREE EXCEPTION FOUR (RR3-4) ZONE	
12.3.4.1	Notwithstanding articles 12.2.1.1 and 12.2.1.2, land zoned "RR3-4" shall be subject to the following provisions:	
	(a) lot area (min.)	4500 sq. m
	(b) lot frontage (min.)	122 m
12.3.5	RURAL RESIDENTIAL TYPE THREE EXCEPTION FIVE (RR3-5) ZONE	
12.3.5.1	Notwithstanding articles 12.2.1.1 and 12.2.1.2 and clause 12.2.1.3 (b), land zoned "RR3-5" shall be subject to the following provisions:	
	(a) lot area (min.)	2800 sq. m
	(b) lot frontage (min.)	38 m
	(c) shore lot line (min.)	40 m
	(d) side yard (min.)	4.5 m

12.3.6 RURAL RESIDENTIAL TYPE THREE EXCEPTION SIX (RR3-6) ZONE

12.3.6.1 Notwithstanding articles 12.2.1.1 and 12.2.1.2 and clause 12.2 1.3 (b), land zoned "RR3-6" shall be subject to the following provisions:

- |     |                       |            |
|-----|-----------------------|------------|
| (a) | lot area (min.)       | 8000 sq. m |
| (b) | lot frontage (min.)   | 43 m       |
| (c) | shore lot line (min.) | 107 m      |
| (d) | side yard (min.)      | 7.6 m      |

12.3.7 RURAL RESIDENTIAL TYPE THREE EXCEPTION SEVEN (RR3-7) ZONE

12.3.7.1 Notwithstanding article 12.2.1.2, on land zoned "RR3-7" the minimum lot frontage shall be 30 metres.

12.3.8 RURAL RESIDENTIAL TYPE THREE EXCEPTION EIGHT (RR3-8) ZONE

12.3.8.1 Notwithstanding subsection 12.1.1, land zoned "RR3-8" may only be used for a boathouse accessory to a residence on a separate lot not more than 30 metres from the lot line of the lot zoned "RR3-8".

12.3.9 RURAL RESIDENTIAL TYPE THREE EXCEPTION NINE (RR3-9) ZONE

12.3.9.1 Notwithstanding Section 3.18.1.1 and 12.2, of the "RR3-9" shall also be subject to the following provisions:

- |     |   |     |
|-----|---|-----|
| (a) | lot frontage (min.)   | 9 m |
| (b) | All buildings and structures shall be set back a minimum of 3.0 metres from lands zoned "EP"  |     |
| (c) | All lots within an RR3-9 zone shall include a minimum land area of 2,000 sq.m. within an "EP" zone as part of their minimum lot area  |     |
| (d) | Notwithstanding Section 12.2, the rear face of a single detached dwelling including enclosed or unenclosed decks, porches, and verandahs attached thereto, and above-ground or in-ground pools, on lands zone "RR3-9" shall not be located within a minimum arc distance of 188.0 metres from an agricultural building housing livestock located at 2217 Pigeon Lake Road. Other accessory structures are exempt from this provision. |     |

12.3.9.2 Notwithstanding the provisions of the "RR3" zone, the Holding (H) provision shall only be removed on lands zone "RR3-9(H)" once the applicant has demonstrated that a new well will not adversely impact adjacent development.  
(By-Law 2012-130)

12.3.10 RURAL RESIDENTIAL TYPE THREE EXCEPTION TEN (RR3-10) ZONE

12.3.10.1 Notwithstanding Section 12.2, the rear face of a single detached dwelling including enclosed or unenclosed decks, porches, and verandahs attached thereto, and above-ground or in-ground pools on lands zoned "RR3-10" shall not be located within a minimum arc distance of 188.0 metres from an agricultural building housing livestock located at 2217 Pigeon Lake Road. Other accessory structures are exempt from this provision.

12.3.10.2 Notwithstanding the provisions of the "RR3" zone, the Holding (H) provision shall only be removed on lands zone "RR3-10(H)" once the applicant has demonstrated that a new well will not adversely impact adjacent development. (By-Law 2012-130)

12.3.11 RURAL RESIDENTIAL TYPE THREE EXCEPTION ELEVEN (RR3-11) ZONE

12.3.11.1 Notwithstanding Section 3.1.2, 3.18.1.1, and 12.2, the minimum rear yard setback for all structures on lands zoned "RR3-11" shall be 20 metres.

12.3.11.2 Notwithstanding the provisions of the "RR3" zone, the Holding (H) provision shall only be removed on lands zone "RR3-11(H)" once the applicant has demonstrated that a new well will not adversely impact adjacent development. (By-Law 2012-130)

12.3.12 RURAL RESIDENTIAL TYPE THREE EXCEPTION TWELVE (RR3-12) ZONE

12.3.12.1 Notwithstanding Sections 3.18.1.1 and 12.2, lands zoned "RR3-12" shall also be subject to the following provisions:

- (a) lot frontage (min.) 9 m
- (b) All buildings and structures shall be set back a minimum of 3.0 metres from lands zoned "EP"
- (c) All lots within an RR3-12 zone shall include a minimum land area of 2,000 sq.m. within an "EP" zone as part of their minimum lot area

12.3.12.2 Notwithstanding the provisions of the "RR3" zone, the Holding (H) provision shall only be removed on lands zone "RR3-12(H)" once the applicant has demonstrated that a new well will not adversely impact adjacent development. (By-Law 2012-130)

12.3.13 RURAL RESIDENTIAL TYPE THREE EXCEPTION THIRTEEN (RR3-13) ZONE

12.3.13.1 Notwithstanding Part 2 – Definition for Lot Area and Sections 3.1.2, 3.13, 3.18.1.1 and 12.2, lands zoned "RR3 13" shall also be subject to the following provisions:

- (a) Lot Frontage (min.) along Cardinal Road 10.3 m
- (b) Minimum setback for buildings and structures from lands zoned "EP" 0 m

- (b) The zone boundary between the “RR3 13” and “EP” zones shall be considered a lot line for the purposes of interpreting and applying the “zone” and “general provisions” of the By-law. (B/L 2019-116)

12.3.14 RURAL RESIDENTIAL TYPE THREE EXCEPTION FORTTEEN (RR3-14) ZONE

12.3.14.1 Notwithstanding Sections 3.13, 3.18.1.1 and 12.2.1.2, lands zoned “RR3 14” shall also be subject to the following provisions:

- (a) Lot Frontage (min.) along Westview Drive 8.0 m
- (b) The zone boundary between the “RR3 14” and “EP” zones shall not be considered a lot line for the purposes of interpreting and applying the “zone” and “general provisions” of the By-law. (B/L 2021-092)



## **PART 13 - LIMITED SERVICE RESIDENTIAL (LSR) ZONE**

### **13.1 LSR USES PERMITTED**

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

13.1.1.1 Vacation dwelling

13.1.1.2 Single detached dwelling

13.1.1.3 Public and private parks

13.1.1.4 Private cabin

13.1.1.5 Home Occupation

### **13.2 ZONE PROVISIONS**

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

13.2.1.1 Lot Area (min.)

(a)	with communal or municipal water supply	1400 sq. m
(b)	with individual water supply and sewage disposal	2000 sq. m

13.2.1.2 Lot Frontage (min.)

(a)	communal or municipal water with no shore lot line	25 m
(b)	individual water supply sewage disposal with no shore lot line	30 m
(c)	with a shore lot line	35 m

13.2.1.3 Yard Requirements (min.)

(a)	front	7.5 m
(b)	interior side	
	(i) one and one and a half storeys	3 m
	(ii) two storeys or greater	5.5 m
(c)	exterior side	7.5 m
(d)	rear	7.5 m
(e)	water setback	30 m

13.2.1.4 Lot Coverage (max.) 30 %

13.2.1.5 Building Height (max.) 11 m

13.2.1.6	Gross Floor Area	
	(a) per dwelling (min.)	93 sq. m
	(b) first storey of dwelling (min.)	65 sq. m
13.2.1.7	Landscaped Open Space (min.)	30 %
13.2.1.8	Density (max. d.u. per lot)	1
13.3	<b><u>LIMITED SERVICE RESIDENTIAL EXCEPTION ZONES</u></b>	
13.3.1	LIMITED SERVICE RESIDENTIAL EXCEPTION ONE (LSR-1) ZONE	
13.3.1.1	Notwithstanding article 13.2.1.1, on land zoned "LSR-1" the minimum lot area shall be 1.1 hectares.	
13.3.2	LIMITED SERVICE RESIDENTIAL EXCEPTION TWO (LSR-2) ZONE	
13.3.2.1	Notwithstanding articles 13.2.1.2 and 13.2.1.3, land zoned "LSR-2" shall be subject to the following provisions:	
	(a) lot frontage (min.)	7.3 m
	(b) building setback from any lot line (min.)	7.5 m
13.3.3	LIMITED SERVICE RESIDENTIAL EXCEPTION THREE (LSR-3) ZONE	
13.3.3.1	Notwithstanding articles 13.2.1.1 and 13.2.1.2, land zoned "LSR-3" shall be subject to the following provisions:	
	(a) lot area (min.)	1600 sq. m
	(b) lot frontage (min.)	16.5 m
13.3.4	LIMITED SERVICE RESIDENTIAL EXCEPTION FOUR (LSR-4) ZONE	
13.3.4.1	Notwithstanding subsection 13.1.1, on land zoned "LSR-4" the only permitted uses shall be a vacation dwelling or a detached dwelling that lawfully existed on the day this By-law was passed. (Note: See By-law 1982-20 for properties considered to be lawfully existing).	
13.3.5	LIMITED SERVICE RESIDENTIAL EXCEPTION FIVE (LSR-5) ZONE	
13.3.5.1	Notwithstanding clause 13.2.1.3 (e), on land zoned "LSR-5" the minimum water setback shall be 15 metres.	
13.3.6	LIMITED SERVICE RESIDENTIAL EXCEPTION SIX (LSR-6) ZONE	
13.3.6.1	Notwithstanding subsection 3.11 and article 13.2.1.1, on land zoned "LSR-6" the minimum lot area shall be 600 square metres.	

13.3.7 LIMITED SERVICE RESIDENTIAL EXCEPTION SEVEN (LSR-7) ZONE

13.3.7.1 Notwithstanding subsections 3.6.1 and 3.6.2 and clause 13.2.1.2 (c), land zoned 'LSR-7' may be used and buildings may be erected provided the lot has a minimum lot frontage of 25 metres.

13.3.8 LIMITED SERVICE RESIDENTIAL EXCEPTION EIGHT (LSR-8) ZONE

13.3.8.1 On land zoned "LSR-8" the following zone provisions shall apply:

- (a) the minimum side yard shall be 5.5 metres, however, the existing dwelling and the existing unenclosed deck shall have legal non-complying status and may continue in their existing location but any expansion or addition to the dwelling or the deck shall comply with the minimum side yard.
- (b) front yard (min.) for an existing accessory garage 7.4 m

13.3.9 LIMITED SERVICE RESIDENTIAL EXCEPTION NINE (LSR-9) ZONE

13.3.9.1 On land zoned "LSR-9" the following zone provisions shall apply:

- (a) Water setback (min.) 15 m
  - (b) Floor area (min.) 75 sq.m.
- (B/L 2000-08)

13.3.10 LIMITED SERVICE RESIDENTIAL EXCEPTION TEN "(LSR-10)" ZONE

13.3.10.1 Notwithstanding article 13.2.1.2, land zoned "LSR-10" shall have a minimum lot frontage of 13 m.

(B/L 2005-91)

## **PART 14 - GENERAL COMMERCIAL (C1) ZONE**

### **14.1 USES PERMITTED**

- 14.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Commercial (C1) Zone, except for the following uses:
- 14.1.1.1 Animal Hospital or Veterinary Clinic
  - 14.1.1.2 Banks or Financial Institutions
  - 14.1.1.3 Bed and Breakfast Establishment
  - 14.1.1.4 Business or Professional Offices
  - 14.1.1.5 Commercial Schools
  - 14.1.1.6 Clubs, Charitable, Service or Private
  - 14.1.1.7 Dry Cleaning and Laundry Depot
  - 14.1.1.8 Medical Clinic
  - 14.1.1.9 Motor Vehicle Service Station
  - 14.1.1.10 Museum, Library
  - 14.1.1.11 Recreational Establishment
  - 14.1.1.12 Restaurant
  - 14.1.1.13 Retail Stores, service shops and personal service shops
  - 14.1.1.14 Upholstering and furniture repair
  - 14.1.1.15 One dwelling unit as part of a building containing a permitted non-residential use.

### **14.2 ZONE PROVISIONS**

- 14.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a General Commercial (C1) Zone, except in conformity with the following zone provisions:
- 14.2.1.1 Lot Area (min.) 4000 sq. m
  - 14.2.1.2 Lot Frontage (min.) 25 m
  - 14.2.1.3 Yard Requirements (min.)
    - (a) front 6 m
    - (b) interior side
      - (i) nil for an interior side yard where the building has a common wall with

	the building on an adjacent lot.	
	(ii) All others	1.5 m
(c)	exterior side	6 m
(d)	rear	9 m
14.2.1.4	Lot Coverage (max.)	30 %
14.2.1.5	Building Height (max.)	11 m
14.2.1.6	Gross Floor Area (min.)	
(a)	bachelor apartment	35 sq. m
(b)	all other residential units 55 sq. m plus 14 sq. m for each habitable room, in excess of 4	
(c)	all other uses	no minimum
14.2.1.7	Landscaped Open Space (min.)	10 %
14.2.1.8	Density (max. per lot)	
(a)	residential	1 d.u.
(b)	separate premises	3
14.3	<b><u>GENERAL COMMERCIAL EXCEPTION ZONES</u></b>	
14.3.1	"RESERVED"	

## **PART 15 - HIGHWAY COMMERCIAL (C2) ZONE**

### **15.1 USES PERMITTED**

- 15.1.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Highway Commercial (C2) Zone, except for the following uses:
- 15.1.1.1 Animal Hospital or Veterinary Clinic
- 15.1.1.2 Bed and Breakfast Establishment
- 15.1.1.3 Hotels, Motels, or Motor hotels
- 15.1.1.4 Motor vehicle sales establishment, motor vehicle service station, motor vehicle fuel bar, dry-land marina
- 15.1.1.5 Recreational establishment
- 15.1.1.6 Restaurant, drive-in restaurant
- 15.1.1.7 Retail sales establishment, within a wholly enclosed building, for:
- (a) furniture, home furnishings and home decorating supplies
  - (b) major appliances
  - (c) home improvement supply outlet
  - (d) motor vehicle, marine, recreational vehicle and tourist trailer accessories
- 15.1.1.8 Retail sales establishment with accessory outdoor storage and outdoor display area for:
- (a) building supply outlet
  - (b) dry land marina
  - (c) farm implements and machinery
  - (d) garden and nursery supplies
  - (e) recreational and sports equipment
  - (f) trailers, tourist trailers and truck campers, motorized mobile home, motorized snow vehicles
- 15.1.1.9 Tourist Information Centre
- 15.1.1.10 One dwelling unit as part of a building containing another permitted use

### **15.2 ZONE PROVISIONS**

- 15.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Highway Commercial (C2) Zone, except in conformity with the following zone provisions:
- 15.2.1.1 Lot Area (min.) 4000 sq. m
- 15.2.1.2 Lot Frontage (min.) 45 m
- 15.2.1.3 Yard Requirements (min.)

	(a) front	6 m
	(b) interior side	12 m
	(c) exterior side	12 m
	(d) rear	12 m
15.2.1.4	Lot Coverage for Buildings and Structures (max.)	
	(a) hotel, motel or motor hotel	35 %
	(b) all other uses	30 %
15.2.1.5	Building Height (max.)	
		11 m
15.2.1.6	Gross Floor Area (min.)	
	(a) dwelling units - 55 sq. m plus 14 sq. m for each habitable room in excess of 4	
	(b) All other uses	no minimum
15.2.1.7	Landscaped Open Space (min.)	
		20 %
15.2.1.8	Density (max. per lot)	
	(a) residential	1 d.u.
	(b) separate premises	3
15.2.1.9	Lot Coverage including Outdoor Storage and Display Areas (max.)	
	(a) with communal water and sanitary sewage systems	70 %
	(b) without communal water and sanitary sewer systems	50 %
15.2.1.10	Setback for Outdoor Storage and Display Areas	
	(a) if enclosed	6 m
	(b) if not enclosed	2 m
15.2.2	MOTOR VEHICLE SERVICE STATIONS AND FUEL BARS	
15.2.2.1	No portion of any fuel pump island or fuel pump island canopy, shall be located closer than 6 metres from any street line or daylighting triangle.	
15.2.2.2	The minimum distance between access driveways shall be 9 metres.	
15.2.2.3	The interior angle of intersection between an access driveway and the street shall not be less than 45 degrees nor greater than 90 degrees.	
15.2.2.4	All repair and mechanical servicing of motor vehicles shall be conducted within a wholly enclosed building.	
15.2.3	The minimum distance between the property line of a lot at the street line and the nearest ramp shall be 9 metres.	

15.3 **HIGHWAY COMMERCIAL EXCEPTION ZONES**

15.3.1 HIGHWAY COMMERCIAL EXCEPTION ONE (C2-1) ZONE

15.3.1.1 Notwithstanding subsection 15.1.1, land zoned "C2-1" may only be used for the following uses:

- (a) Retail sale within wholly enclosed buildings of arts, crafts and antiques.
- (b) As a secondary use to these uses, the sale of refinished furniture, lamps, mirrors, broadloom and draperies shall also be permitted provided that the area that they occupy is less than that of the area occupied by arts, crafts and antiques.
- (c) a tea room.
- (d) A dwelling unit in a building containing the uses identified above.

15.3.2 HIGHWAY COMMERCIAL EXCEPTION TWO (C2-2) ZONE

15.3.2.1 Notwithstanding subsection 15.1.1, land zoned "C2-2" may only be used for the following uses:

- (a) motor vehicle repair shop
- (b) retail sales in the form of a variety store not to exceed 110 square metres
- (c) a tea room
- (d) one dwelling unit in a building containing one of the above noted uses
- (e) a small engine repair shop.

15.3.2.2 For the purpose of the C2-2 zone, a Small Engine Repair shop means a wholly enclosed building where small engines, exclusive of motor vehicle engines and farm equipment are kept, stored and repaired for sale or remuneration and shall include, but is not restricted to such machinery as lawn mowers, chain saws, garden tractors, motorized snow vehicles and marine outboard motors.

15.3.3 HIGHWAY COMMERCIAL EXCEPTION THREE (C2-3) ZONE

15.3.3.1 Notwithstanding subsection 15.1.1, on land zoned "C2-3", the only permitted uses shall be a commercial greenhouse, a farm produce outlet and the retail sales of the following:

- (a) automobile sales establishment
- (b) motor vehicle engine and body repair and paint shop, within a wholly enclosed building
- (c) one dwelling unit

15.3.4 HIGHWAY COMMERCIAL EXCEPTION FOUR (C2-4) ZONE

15.3.4.1 Notwithstanding subsection 15.1.1, land zoned "C2-4" shall be limited to a maximum of three of the following uses:

- (a) a commercial greenhouse
- (b) a farm produce outlet
- (c) retail sales of the following:
  - i) art and craft objects and antiques



- ii) farm equipment and machinery
- iii) furniture, lamps and mirrors
- iv) garden and nursery supplies
- (d) a restaurant and accessory food processing facility
- (e) sales and service of recreational vehicles, camping trailers, all-terrain vehicles, snowmobiles, motor vehicles, marine watercraft and outboard motors and related accessories.
- (f) a two bedroom dwelling unit in a building containing a non-residential permitted use.

15.3.4.2 Notwithstanding subsection 15.2 lands zoned C2-4 shall also be subject to the following zone provisions:

- (a) Number of dwelling units (max) 2
  - (b) Dwelling unit floor area (min.) 80 sq. m
  - (c) Dwelling unit floor area (max.) 93 sq. m
  - (d) Driveway width (min) 7 m.
- (B/L 2014-056) (Removal of Holding B/L 2014-185)

#### 15.3.5 HIGHWAY COMMERCIAL EXCEPTION FIVE (C2-5) ZONE

15.3.5.1 Notwithstanding subsection 15.1.1, land zoned "C2-5", may only be used for the following uses:

- (a) retail sales and service of mobile camper trailers, truck campers, tourist trailers, motor homes and mobile homes
  - (b) Boat and marine equipment sales and service
  - (c) Farm equipment sales and service
  - (d) Retail sales within wholly enclosed buildings of accessories for the vehicles and equipment identified above.
  - (e) Restaurant
  - (f) Farm Produce Establishment
- (B/L 2015-071)

#### 15.3.6 HIGHWAY COMMERCIAL EXCEPTION SIX (C2-6) ZONE

15.3.6.1 Notwithstanding subsection 15.1.1, land zoned "C2-6", may only be used for the following uses:

- (a) indoor recreational establishment
- (b) retail sales within a wholly enclosed building of art and craft objects, antiques, automobile, boat, camper, marine and trailer accessories, farm equipment and machinery
- (c) retail sale, with outdoor storage and display, of farm equipment and machinery, garden and nursery supplies, lumber and home improvement supplies and motor vehicles
- (d) the retail sales and service of recreational vehicles including tourist trailers, mobile camper trailers, truck campers, motorized snow vehicles, boats and trailers
- (e) a tea room as an accessory use to an arts, crafts or antique sales shop
- (f) motor vehicle repair services in a wholly enclosed building including a motor vehicle repair shop and a motor vehicle body shop and the retailing

- of motor vehicle parts in association with the repair shop and/or the body shop
- (g) storage or warehousing accessory to the above permitted uses

15.3.6.2

Notwithstanding article 15.2.1.4 and in addition to the other provisions of subsection 15.2.1, land zoned "C2-6" shall be subject to the following zone provisions:

- (a) maximum lot coverage for buildings and structures shall be 950 square metres of which no more than 50% may be used for retail commercial purposes and the remainder used for a permitted motor vehicle repair use or accessory storage
- (b) a tea room may occupy no more than 10% of the floor area in any permitted retail use
- (c) maximum number of uses exclusive of accessory uses 4
- (d) maximum number of premises 4
- (e) minimum landscaped open space 25%
- (f) maximum number of buildings 1
- (g) there shall be no outdoor storage of motor vehicle parts
- (h) a maximum of two wholly enclosed, transport trailers with valid licences, and which are road worthy may be parked in the rear yard for the temporary storage of motor vehicle parts
- (i) vehicles that are leaking gas, oils lubricants, antifreeze or cleaning fluids by virtue of a puncture, failed seal, removed parts or a corroded container or tank shall only be stored or parked in a wholly enclosed building with a floor designed to prevent spillage onto the soil surface.
- (j) maximum lot coverage for a motor vehicle outdoor retail display area and/or a motor vehicle impound site – 335 square metres.
- (k) a maximum of 4 unlicensed or derelict vehicles may be parked on site and shall be located in the rear yard
- (l) other than a motor vehicle outdoor retail display area or a motor vehicle impound lot, the maximum number of parking spaces on site, shall be 60.
- (m) other than a parking lot for retailing motor vehicles or a motor vehicle impound lot, vehicles shall only be stored or parked in the allotted parking spaces.
- (n) a motor vehicle impound lot shall not be located more than 25 metres from the rear lot line and shall be enclosed with a fence, which, notwithstanding subsection 3.5.1, may extend to a maximum height of 3 metres provided any portion more than 2 metres in height shall be constructed of wire fence.
- (o) Notwithstanding any provision of Section 3.10 to the contrary, on land zoned "C2-6", a vegetated buffer strip comprised of any combination of grass, trees or shrubs shall be provided along all side and rear lot lines and shall be a minimum of 3 metres wide except that, where a lot line abuts the rear yard, it may be reduced to a width of one metre. Except for a lot line that is approximately perpendicular to a residential lot line, all provisions of Section 3.10 shall apply to any side lot line abutting or within 45 metres of a lot used for residential purposes.

(B/L 99-21)

15.3.7

HIGHWAY COMMERCIAL EXCEPTION SEVEN (C2-7) ZONE

- 15.3.7.1 Notwithstanding subsection 15.1.1, land zoned "C2-7" may only be used for the following uses:
- (a) motor vehicle service station and motor vehicle fuel bar
  - (b) restaurant or drive-in restaurant
  - (c) retail sale, within a wholly enclosed building, of art and craft objects, antiques, and garden and nursery supplies
  - (d) a dwelling unit in a building containing another permitted use
  - (e) retail sale of convenience store type merchandise accessory to a motor vehicle service station or motor vehicle fuel bar.
- 15.3.7.2 Notwithstanding article 15.2.1.3, land zoned "C2-7" shall be subject to the following zone provisions:
- (a) front yard (min.) 6 m
  - (b) interior side yard (min.) 50 m
  - (c) exterior side yard (min.) 12 m
  - (d) rear yard (min.) 105 m or in the alternative, a setback of 85 metres from a barn on another lot whichever is less.
  - (e) floor area for retail sale of convenience store type merchandise (max.) 25 sq.m
- 15.3.8 HIGHWAY COMMERCIAL EXCEPTION EIGHT (C2-8) ZONE
- 15.3.8.1 Notwithstanding subsection 15.1.1, land zoned "C2-8" may only be used for the following uses:
- (a) motor vehicle repair shop in a wholly enclosed building
  - (b) the repair and service of recreational vehicles in a wholly enclosed building
  - (c) a dwelling unit
- 15.3.8.2 Notwithstanding clauses 15.2.1.3 (a) and (b) and article 15.2.1.4, land zoned "C2-8" shall be subject to the following zone provisions:
- (a) front yard (min.) 10 m
  - (b) side yard east side (min.) 6 m
  - (c) commercial floor area (max.) 300 sq. m
  - (d) outdoor storage and display area for recreational vehicles (max.) 400 sq. m
  - (e) dwelling units (max.) 1
  - (f) there shall be no outdoor storage of parts or unlicensed motor vehicles.
- 15.3.9 HIGHWAY COMMERCIAL EXCEPTION NINE (C2-9)
- 15.3.9.1 Notwithstanding subsection 15.1.1, land zoned C2-9 may only be used for the following uses:
- (a) dry land marina;
  - (b) restaurant, drive-in restaurant;
  - (c) retail sale of garden and nursery supplies;
  - (d) retail sale of arts, crafts and antiques in a wholly enclosed building.

15.3.9.2 Notwithstanding article 15.2.1.3 clause (b) or article 15.2.1.4, land zoned "C2-9" shall be subject to the following zone provisions:

- |     |                          |      |
|-----|--------------------------|------|
| (a) | interior side yard (min) | 30 m |
| (b) | lot coverage (max)       | 20 % |

15.3.10 HIGHWAY COMMERCIAL EXCEPTION TEN (C2-10)

15.3.10.1 Notwithstanding subsection 15.1.1, land zoned C2-10 may only be used for the following uses:

- (a) a motor vehicle repair shop in a wholly enclosed building
- (b) a detached dwelling accessory to the motor vehicle repair shop
- (b) motor vehicle sales accessory to the motor vehicle repair shop
- (c) a dry land marina, with an outdoor storage and display area.

15.3.10.2 Notwithstanding articles 15.2.1.1, 15.2.1.2, 15.2.1.3 and article 15.2.1.4, land zoned "C2-10" shall be subject to the following zone provisions:

- |     |  |            |
|-----|--|------------|
| (a) | Lot area (min.)  | 1.03 ha.   |
| (b) | Lot frontage (min.)  | 111 m      |
| (c) | Front yard requirement (min.)  | 30 m       |
| (d) | commercial floor area (max.)   | 446 sq.m   |
| (e) | dwelling unit gross floor area (max.)  | 263 sq.m   |
| (f) | motor vehicle sales display area (max.)  | 180 sq.m   |
| (g) | landscaped buffer width (min.)   | 3 m        |
| (h) | there shall be no outdoor storage/display of parts, nor motor vehicles not certified by MTO      |            |
| (i) | maximum number of motor vehicles licensed and/or certified by MTO displayed for sale at one time | 10         |
| (j) | maximum outdoor storage/display area for a dry land marina                                       | 180 sq.m." |

## **PART 16 - RECREATION COMMERCIAL (C3) ZONE**

### **16.1 USES PERMITTED**

- 16.1.1 No person shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Recreation Commercial (C3) Zone, except for one or more of the following uses:
- 16.1.1.1 Marina
  - 16.1.1.2 Boat and marine motor sales and service
  - 16.1.1.3 Restaurant
  - 16.1.1.4 Motorized snow vehicle sales and service
  - 16.1.1.5 Boat rentals
  - 16.1.1.6 Hotel
  - 16.1.1.7 Motel
  - 16.1.1.8 Cottage establishment
  - 16.1.1.9 Lodge
  - 16.1.1.10 Accessory retail
  - 16.1.1.11 One dwelling unit as part of a building containing another permitted use

### **16.2 ZONE PROVISIONS**

- 16.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Recreation Commercial (C3) Zone, except in conformity with the following zone provisions:
- 16.2.1.1 Lot Area (min.) 4000 sq. m
  - 16.2.1.2 Lot Frontage (min.) 60 m
  - 16.2.1.3 Yard Requirements (min.)
    - (a) front 25 m
    - (b) interior side 6 m
    - (c) exterior side 7.5 m
    - (d) rear 7.5 m
    - (e) water setback 30 m
  - 16.2.1.4 Lot Coverage (max.) 30 %
  - 16.2.1.5 Building Height (max.) 11 m
  - 16.2.1.6 Gross Floor Area (min.)

- (a) residential unit - 55 sq. m plus 14 sq. m for each habitable room in excess of 4
- (b) all other uses no minimum

16.2.1.7 Landscaped Open Space (min.) 25 %

16.2.1.8 Density (max. per lot)

- (a) residential 1 d.u.
- (b) separate premises 3

### 16.3 **RECREATION COMMERCIAL EXCEPTION ZONES**

#### 16.3.1 RECREATION COMMERCIAL EXCEPTION ONE (C3-1) ZONE

16.3.1.1 Notwithstanding subsection 16.1.1, land zoned "C3-1" may only be used for the following uses:

- (a) a convenience store
- (b) a dance and banquet hall
- (c) a restaurant
- (d) single detached dwelling unit
- (e) recreational establishment (B/L 2006-015)

16.3.1.2 Notwithstanding subsection 16.2.1, land zoned "C3-1" shall be subject to the following zone provisions:

- (a) lot area (min.) 5.5 ha
- (b) lot frontage (min.) 166 m
- (c) front yard (min.) 150 m
- (d) side yard (min.) 25 m
- (e) rear yard (min.) 45 m
- (f) gross floor area (min.)
  - (i) dwelling unit 93 sq. m
  - (ii) other use no minimum
- (g) lot coverage (max.) 5 %
- (h) building height (max.) 11 m
- (i) Density (max. per lot)
  - (i) residential 93 sq. m
  - (ii) all other uses (max. F.A.R.) 0.10

#### 16.3.2 RECREATION COMMERCIAL EXCEPTION TWO (H) C3-2(H) ZONE

Notwithstanding the permitted uses in subsection 16.1.1, land zoned "C3-2" shall only be used for a Country Inn as defined herein:

"COUNTRY INN means shall mean a public lodging or housing establishment in a rural setting offering and providing accommodation and such additional services and attention as are necessarily incidental to the use such as a restaurant, bar, banquet hall, meeting and reception rooms, spa and recreational facilities. Country Inns may also be used for social events or gatherings, (such as weddings), and are permitted to obtain liquor licenses."

On land zoned C3-2(H), the removal of the (H) shall be in accordance with the following:

- a. The owner shall enter into a site plan agreement with the City for any development on the land. (2016-118)

## **PART 17 - CAMPGROUND COMMERCIAL (C4) ZONE**

### **17.1 USES PERMITTED**

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

17.1.1.1 Trailer camp or park

17.1.1.2 Private or public park

17.1.1.3 Ancillary retail uses

17.1.1.4 A dwelling unit accessory to the above-noted permitted uses provided that the setback and yard requirements of the RR2 Zone are met.

### **17.2 ZONE PROVISIONS**

17.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Campground Commercial (C4) Zone, except in conformity with the following zone provisions:

17.2.1.1 Lot Area (min.) 4 ha

17.2.1.2 Lot Frontage (min.) 30 m

17.2.1.3 Yard Requirements (min.)

(a) front	10 m
(b) interior side	4.5 m
(c) exterior side	10 m
(d) rear	4.5 m
(e) water setback	30 m
(f) from a residential use on an abutting lot	4.5 m

17.2.1.4 Lot Coverage (max.) 30 %

17.2.1.5 Building Height (max.) 11 m

17.2.1.6 Gross Floor Area (min.)

(a) residential unit	93 sq. m
(b) all other uses	no minimum

17.2.1.7 Density (max.)

(a) residential	1. d.u. per lot
(b) camping lots	20 per ha

17.2.1.8 Landscaped Open Space 25 %



- 17.2.1.9      **Camping Site Requirements**
- |     |   |  |
|-----|---|--|
| (a) | area (min.)   | 200 sq. m  |
| (b) | frontage (min.)   | 10 m   |
| (c) | front yard (min.)   | 3 m  |
| (d) | side yard (min.)  | minimum distance between units<br>no less than 1.5 m |
| (e) | rear yard (min.)  | 1.5 m  |
| (f) | coverage (max.) inclusive of all<br>trailers, additions, decks,<br>porches and accessory<br>buildings | 93 sq. m   |
- 17.2.1.10      Accessory Structures exclusive of  
deck or attached enclosed structure  
per camping site (max.)      1
- 17.2.1.11      Size of accessory structure on  
camping site (max.)      10 sq. m
- 17.2.1.12      A deck and/or enclosed structure may be added to a tourist trailer, provided it:
- (a)    does not increase the floor area of such vehicle by more than 30 sq. m;
  - (b)    does not extend beyond the dimensions of the longest walls of the existing  
travel trailer;
  - (c)    does not extend more than 3.0 metres from the tourist trailer; and
  - (d)    does not exceed the height of the tourist trailer by more than 0.3 metres.
- 17.3            **CAMPGROUND COMMERCIAL EXCEPTION ZONES**
- 17.3.1           CAMPGROUND COMMERCIAL EXCEPTION ONE (C4-1) ZONE
- 17.3.1.1        Notwithstanding subsection 17.1.1, land zoned "C4-1" may also be used for a  
cottage establishment.
- 17.3.1.2        Notwithstanding article 17.2.1.1, on land zoned "C4-1" the minimum lot area  
shall be 3 hectares.
- 17.3.1.3        Notwithstanding clause 17.2.1.7 (b), on land zoned "C4-1" the maximum number  
of trailer sites is 50.
- 17.3.1.4        Notwithstanding article 17.2.1.6 (b), on land zoned "C4-1" the minimum gross  
floor area for a cottage establishment accommodation unit shall be 45 square  
metres and an accommodation unit will be considered the equivalent of two  
trailer sites.

17.3.2 CAMPGROUND COMMERCIAL EXCEPTION TWO (C4-2) ZONE

17.3.2.1 Notwithstanding subsection 17.1.1, land zoned "C4-2" may also be used for a cottage establishment.

17.3.3 CAMPGROUND COMMERCIAL EXCEPTION THREE (C4-3) ZONE

17.3.3.1 In addition to the uses permitted in Section 17.1.1, on land zoned C4-3, a recreation building with a maximum floor area of 415 sq. m., a maximum height to not exceed one-storey and containing enclosed and unenclosed gathering areas, is also permitted. These premises shall not be used for a commercial wedding and/or banquet facility.

17.3.3.2 Notwithstanding any other zoning by-law requirement to the contrary, access to lands zoned C4-3 shall only be obtained from Pigeon Lake Road.

17.3.3.3 On land zoned C4-3, the removal of (H) Holding Symbol shall be in accordance with the following:

- (a) completion of an Environmental Impact Study to the satisfaction of the City; and
- (b) the owner shall enter into a site plan agreement with the City for any development on land zoned C4-3.

(B/L 2016-097) (Removal of Holding B/L 2017-022)

**PART 18      RESTRICTED INDUSTRIAL (M1) ZONE**

**18.1      USES PERMITTED**

- 18.1.1      No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Restricted Industrial (M1) Zone, except for the following uses:
- 18.1.1.1      Light industry, Dry-light industry
- 18.1.1.2      Motor vehicle sales, motor vehicle parts and accessories, sales and service, or a motor vehicle body shop, exclusive of a motor vehicle scrap or salvage yard.
- 18.1.1.3      Custom workshop
- 18.1.1.4      Public garage
- 18.1.1.5      Contractor's yard
- 18.1.1.6      Business or Professional Office accessory to a permitted use.

**18.2      ZONE PROVISIONS**

- 18.2.1      No person shall hereafter change the use of any building, structure or land or erect or use any building or structure, in a Restricted Industrial (M1) Zone, except in conformity with the following zone provisions:
- 18.2.1.1      Lot Area (min.)      4000 sq. m
- 18.2.1.2      Lot Frontage (min.)      30 m
- 18.2.1.3      Yard Requirements (min.)
- |                        |   |
|------------------------|---|
| (a)      front         | 15 m                                      |
| (b)      interior side | 6 m or 3 m if abutting<br>a M1 or M2 Zone |
| (c)      exterior side | 15 m                                      |
| (d)      rear          | 15 m                                      |
- 18.2.1.4      Lot Coverage (max.)      25 %
- 18.2.1.5      Building Height (max.)      11 m
- 18.2.1.6      Gross Floor Area      no minimum
- 18.2.1.7      Landscaped Open Space (min.)      20 %
- 18.2.1.8      Outside storage
- |   |
|---|
| (a)      permitted only with a motor vehicle sales use          |
| (b)      shall not increase total lot coverage to more than 40% |

18.3            **RESTRICTED INDUSTRIAL EXCEPTION ZONES**

18.3.1            RESTRICTED INDUSTRIAL EXCEPTION ONE (M1-1) ZONE

18.3.1.1            Notwithstanding subsection 18.1.1, land zoned "M1-1" may also be used for a single detached dwelling.

**PART 19 - GENERAL INDUSTRIAL (M2) ZONE**

**19.1 USES PERMITTED**

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

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

19.1.1.2 Agricultural produce storage facilities, seed cleaning plants

19.1.1.3 Building supply and equipment depots and sales

19.1.1.4 Bulk fuel storage

19.1.1.5 Contractor's yard

19.1.1.6 Dry-land marina

19.1.1.7 Factory outlet

19.1.1.8 Farm implement sales and service, feed mills, fertilizer mixing plants and associated sales

19.1.1.9 Medium Industry

19.1.1.10 Truck, Transport or Bus terminals

19.1.1.11 Warehousing

19.1.1.12 Outside storage accessory to a permitted use

19.1.1.13 Cannabis Production and Processing Facilities subject to Section 3.24 of the General Provisions. B/L 2021-057

**19.2 ZONE PROVISIONS**

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

19.2.1.1 Lot Area (min.) 4000 sq. m

19.2.1.2 Lot Frontage (min.) 30 m

19.2.1.3 Yard Requirements (min.)

- |     |               |   |
|-----|---------------|---|
| (a) | front         | 15 m                                      |
| (b) | interior side | 6 m or 3 m if abutting<br>a M1 or M2 Zone |
| (c) | exterior side | 15 m                                      |
| (d) | rear          | 12 m                                      |

19.2.1.4	Lot Coverage (max.)	25 %
19.2.1.5	Building Height (max.)	11 m
19.2.1.6	Gross Floor Area	no minimum
19.2.1.7	Landscaped Open Space (min.)	20 %
19.2.1.8	Outside storage accessory to a permitted use, shall be permitted within a fenced, rear yard only, shall not be permitted within two metres of a lot line and the lot coverage of all buildings and outside storage combined shall not exceed 40%.	

### 19.3 **GENERAL INDUSTRIAL EXCEPTION ZONES**

#### 19.3.1 GENERAL INDUSTRIAL EXCEPTION ONE (M2-1) ZONE

19.3.1.1 Notwithstanding subsection 19.1.1, land zoned "M2-1" may only be used for the following uses:

- (a) dry-light industry
- (b) machine or welding shops
- (c) a dwelling unit

#### 19.3.2 GENERAL INDUSTRIAL EXCEPTION TWO (M2-2) ZONE

19.3.2.1 Notwithstanding subsection 19.1.1, land zoned "M2-2" may only be used for the following uses:

- (a) the manufacturing or construction of roof trusses within an enclosed building
- (b) farm implement sales
- (c) the sale of seed
- (d) the open storage of goods, materials and machinery in the side and rear yards only
- (e) a dwelling unit

#### 19.3.3 GENERAL INDUSTRIAL EXCEPTION THREE (M2-3) ZONE

19.3.3.1 Notwithstanding subsection 19.1.1, the uses permitted in an "M2-3" Zone shall be limited to an automobile repair shop.

19.3.3.2 Notwithstanding articles 19.2.1.3 and 19.2.1.4, land zoned "M2-3" shall be subject to the following provisions:

- (a) front yard (min.) 30 m
- (b) side yard (min.) 9 m
- (c) rear yard (min.) 12 m
- (d) lot depth (min.) 76 m
- (e) lot coverage (max.) 20 %
- (f) landscaped buffer (min. width abutting a zone which permits a residential use) 6 m

19.3.4 GENERAL INDUSTRIAL EXCEPTION FOUR (M2-4) ZONE

19.3.4.1 Notwithstanding subsection 19.1.1, land zoned "M2-4" may only be used as a motor vehicle body shop and there shall be no storage of vehicles, licenced or otherwise, for the purpose of salvaging parts.

19.3.4.2 Notwithstanding the definition of "front lot line", subsection 3.10.2 and article 19.2.1.4 and in addition to the other provisions of subsection 19.2.1, land zoned "M2-4" shall be subject to the following zone provisions:

- (a) lot coverage (max.) 10 %
- (b) the western zone boundary is the front lot line
- (c) parking areas shall be only in the northern side yard and the rear yard
- (d) other than for access purposes, a landscaped buffer 3 metres in width and meeting all other provisions of subsection 3.10.2 shall be provided along the front and side lot lines.

19.3.5 GENERAL INDUSTRIAL EXCEPTION FIVE (M2-5) ZONE

19.3.5.1 Notwithstanding subsection 19.1.1, on land zoned "M2-5" only a motor vehicle body shop, a welding shop and a dwelling unit are permitted. Any motor vehicle stored on site must be licenced or in mechanically operating condition and no vehicle shall be kept for the purpose of salvage.

19.3.5.2 Notwithstanding the definition of "Lot Coverage" or any provision of Section 3.10 and 3.13 or articles 19.2.1.1, 19.2.1.2 and 19.2.1.4 to the contrary, and in addition to the other provisions of subsection 19.2.1, land zoned "M2-5" shall be subject to the following zone provisions:

- (a) lot area including the 01 Zone (min.) 8000 sq. m
- (b) lot frontage including the 01 Zone (min.) 90 m
- (c) setback from land zoned 01 (min.) 6 m
- (d) setback for an industrial use from a dwelling unit on an abutting lot (min.) 60 m
- (e) width of a landscaped buffer abutting a residential zone (min.) 3.6 m
- (f) lot coverage for all buildings, outside storage areas and parking lots, based on the min. lot area as per clause (a) (max.) 20 %
- (g) number of dwelling units on all land zoned M2-5 (max.) 1

19.3.6 GENERAL INDUSTRIAL EXCEPTION SIX (M2-6) ZONE

19.3.6.1 Notwithstanding subsection 19.1.1, land zoned "M2-6" may only be used for the following:

- (a) dry-light industry
- (b) agricultural produce storage facility, seed cleaning plant, feed mill
- (c) contractor's yard
- (d) farm implement sales and service

(e) warehousing

19.3.6.2 Notwithstanding article 19.2.1.4, on land zoned "M2-6", the maximum lot coverage shall be 15%.

19.3.7 GENERAL INDUSTRIAL EXCEPTION SEVEN (M2-7) ZONE

19.3.7.1 Notwithstanding subsection 19.1.1, land zoned "M2-7", may only be used for the indoor storage of boats, farm tractors, mobile camper trailers, motor vehicles, motorized mobile homes, motorized snow vehicles, tourist trailers and trailers.

19.3.8 GENERAL INDUSTRIAL EXCEPTION EIGHT (M2-8) ZONE

19.3.8.1 Notwithstanding subsection 19.1.1, land zoned M2-8 may only be used as a warehouse.

**(B/L 2006-053)**



## **PART 20 - EXTRACTIVE INDUSTRIAL (M3) ZONE**

### **20.1 USES PERMITTED**

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

20.1.1.1 Agriculture

20.1.1.2 Existing Dwelling Unit

20.1.1.3 Sand and gravel pit

20.1.1.4 Aggregate crushing and screening plants

### **20.2 ZONE PROVISIONS**

20.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any structure or building except in conformity with the following requirements:

20.2.1.1 Lot Area (min.) 10 ha

20.2.1.2 Yard Requirements (min.)

(a) front	30 m
(b) interior side	15 m
(c) exterior side	30 m
(d) rear	15 m
(e) from residence on another lot	90 m

### **20.3 EXTRACTIVE INDUSTRIAL EXCEPTION ZONES**

Sections 20.3.1 and 20.3.1.1 deleted by By-Law 2003-09 (M3-1)

#### **20.3.2 EXTRACTIVE INDUSTRIAL EXCEPTION TWO (M3-2) ZONE**

20.3.2.1 Notwithstanding articles 20.2.1.1 and 20.2.1.2 and clauses 20.2.1.3 (a), (b) and (c), land zoned "M3-2" shall be subject to the following zone provisions:

(a) lot area (min.)	5 ha
(b) lot frontage (min.)	Nil
(c) front yard (min.)	30 m
(d) interior side yard (min.)	15 m
(e) exterior side yard (min.)	30 m

#### **20.3.3 EXTRACTIVE INDUSTRIAL EXCEPTION THREE (M3-3) ZONE**

20.3.3.1 Notwithstanding article 20.2.1.2, land zoned M3-3 shall have no minimum yard requirements with respect to a sand and gravel pit and the following minimum setbacks shall apply:

- (a) from a dwelling to a crushing plant where a sound barrier, comprised of aggregate stockpiles 8 metres in height, is erected and maintained within the line-of-sight between the dwelling and the crushing plant 250 m
- (b) from a dwelling to a screening plant where a sound barrier, comprised of aggregate stockpiles 8 metres in height, is erected and maintained within the line-of-sight between the dwelling and the screening plant 100 m
- (c) between the M3-3 Zone and land within any other M3 Zone category nil.

20.3.3.2 On land zoned M3-3 no aggregate, recycled products, waste, asphalt, concrete or any other similar materials shall be imported, except for topsoil.  
(B/L 2003-207)

## **PART 21 - DISPOSAL INDUSTRIAL (M4) ZONE**

### **21.1 USES PERMITTED**

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

21.1.1.1 A sanitary landfill site

21.1.1.2 A waste transfer station

### **21.2 ZONE PROVISIONS**

21.2.1 No person shall hereafter change the use of any building, structure or land or erect or use any building or structure in a Disposal Industrial (M4) Zone except in conformity with the following zone provisions:

21.2.1.1 Lot Area (min.)  
(a) landfill 10 ha  
(b) transfer site 1.0 ha

21.2.1.2 Lot Frontage (min.)  
(a) landfill 150 m  
(b) transfer site 60 m

21.2.1.3 Yard Requirements (min.)  
(a) front 30 m  
(b) side 30 m  
(c) rear 30 m  
(d) for transfer site all yards 10 m

21.2.1.4 All permitted uses shall be enclosed by an opaque fence a minimum of 2.0 metres in height or a landscaped buffer at least 6 metres wide with an unpierced hedgerow of evergreens at least 2.0 metres in height.

### **21.3 DISPOSAL INDUSTRIAL EXCEPTION ZONES**

#### **21.3.1 DISPOSAL INDUSTRIAL EXCEPTION ONE (M4-1) ZONE**

21.3.1.1 Notwithstanding subsection 21.1.1, land zoned "M4-1" may also be used for a gravel pit subject to the provisions of subsection 21.2.1.

## **PART 22 - INTERPRETATION**

### **22.1 SCOPE**

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

### **22.2 SYMBOLS**

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

### **22.3 DEFINED**

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

### **22.4 INTERPRETATION OF ZONE BOUNDARIES**

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

22.5 **CERTAIN WORDS**

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

22.6 **MEASUREMENT**

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

22.7 **ABBREVIATIONS**

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

d.u.	-	dwelling unit
ha	-	hectare
sq. m	-	square metre
m	-	metre
min.	-	minimum
max.	-	maximum
g.f.a.	-	gross floor area
g.l.f.a.	-	gross leaseable floor area
F.A.R.	-	Floor Area Ratio
C.G.S.	-	Canada Geodetic Survey Datum

22.8 **COMPLIANCE WITH OTHER LAWS**

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

## **PART 23 - ADMINISTRATION AND VALIDITY**

### **23.1 ENFORCEMENT**

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

### **23.2 INSPECTION OF PREMISES**

- 23.2.1 Where a By-law Enforcement Officer, believes, on reasonable grounds, that this By-law is being contravened, the By-law Enforcement Officer or any person acting under his or her instructions may, upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.
- 23.2.2 Notwithstanding Clause 23.2.1, except under the authority of a Search Warrant issued under Section 49(3) of the Planning Act, a By-law Enforcement Officer or any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a Search Warrant.

### **23.3 CONTINUATION OF EXISTING REGULATIONS**

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

### **23.4 VIOLATION PENALTY**

- 23.4.1 Pursuant to Section 67 of the Planning Act R.S.O. 1990, as amended, every person or persons who contravenes any of the provisions of this By-law is guilty of an offence, and on conviction is liable;
- 23.4.1.1 on a first conviction to a fine of not more than \$20,000.00 and;
- 23.4.1.2 on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which such person was first convicted.
- 23.4.2 Where a corporation is convicted of the contravention of any of the provisions of this By-law, the maximum penalty that may be imposed is;
- 23.4.2.1 Pursuant to Section 67 of the Planning Act R.S.O. 1990, as amended, on a first conviction a fine of not more than \$50,000.00 and;

23.4.2.2 on a subsequent conviction a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

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

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

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

Restricted Area By-law 1978-3, as amended, of the Corporation of the Township of Emily is hereby repealed.

23.6 **VALIDITY**

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

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

READ a first time this 15th day of October, 1996

READ a second time this 15th day of October, 1996

READ a third time and passed this 15th day of October, 1996

"G. Lawder"

Reeve

"Nancy Paish"

Clerk

## APPENDIX "A" - METRIC CONVERSION

### 1) Linear Measurements (rounded)

<u>Metres</u>		<u>Feet</u>	<u>Metres</u>		<u>Feet</u>
0.15	-	0.5	7.5	-	24.6
0.50	-	1.6	9.0	-	29.5
0.60	-	2.0	10.0	-	32.8
0.75	-	2.5	11.0	-	36.0
1.0	-	3.3	12.0	-	39.4
1.2	-	4.0	15.0	-	49.2
1.5	-	5.0	18.0	-	59.0
1.8	-	6.0	20.0	-	65.6
2.0	-	6.6	24.0	-	78.7
2.5	-	8.2	25.0	-	82.0
3.0	-	9.9	30.0	-	98.4
3.5	-	11.5	35.0	-	114.9
4.0	-	13.1	40.0	-	131.2
4.5	-	14.8	45.0	-	147.6
5.0	-	16.4	50.0	-	164.0
5.5	-	18.0	100.0	-	328.1
6.0	-	19.7	200.0	-	656.2
6.5	-	21.3	230.0	-	754.6
7.0	-	23.0	300.0	-	984.3

### 2) Area Measurements

<u>Sq Metres</u>		<u>Sq Feet</u>	<u>Hectares</u>		<u>Acres</u>
5	-	53.8	1	-	2.5
7.5	-	80.7	2	-	4.9
9	-	96.9	4	-	9.9
20	-	215.3	5	-	12.4
34	-	366.0	25	-	61.8
35	-	376.8	40	-	98.8
55	-	592.0			
65	-	699.7			
92	-	990.3			
93	-	1001.1			
100	-	1076.4			
150	-	1614.6			
460	-	4951.6			
550	-	5920.3			
650	-	6996.8			
690	-	7427.3			
830	-	8934.3			
875	-	9418.7			
930	-	10010.8			
1390	-	14962.3			
1650	-	17761.0			
1860	-	20021.5			
2000	-	21528.5			
5000	-	53821.3			



No. of tillable ha on site \_\_\_\_ x 5 = \_\_\_\_ (B) Potential Livestock Units (Maximum of (B) is 150 Livestock Units)

### STEP 3 - CALCULATIONS

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

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

Actual distance as estimated from livestock facility = \_\_\_\_\_ m.

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

Actual distance as estimated from manure storage = \_\_\_\_\_ m.

### STEP 4 - CONCLUSION

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

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

TABLE 1 ANIMAL GROUPS

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

<sup>1</sup> Includes calf to 150 kg, <sup>2</sup> Multiply the number of milking cows by 1.5 to account for dry cows, heifers and calves on the same farm,

<sup>3</sup> Includes offspring until weaned, <sup>4</sup> Includes offspring to market size, <sup>5</sup> Includes offspring to 4 kg.

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

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

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

COLUMN 1	TYPE "A" LAND USE					TYPE "B" LAND USE				
	To permit: • Up to 3 rural residential lots, either by consent or by plan of subdivision • the severance of an existing dwelling • passive recreational • the building of a dwelling on an existing lot of record • agriculturally related commercial • industrial					To permit: • residential subdivision • active recreational • institutional • commercial • urban expansion • multiple residential • or result in a Rural Cluster				
Greater of Livestock Units (a) or Potential Livestock Units (b)	Animal Group					Animal Group				
	(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
1-5	39	42	48	60	85	73	78	90	112	160
10	55	60	68	85	98	104	112	128	160	183
15	65	70	80	100	115	122	132	151	188	215
20	72	78	89	111	127	135	146	167	208	238
25	78	84	95	119	136	146	157	179	224	256
30	82	88	101	126	144	154	166	189	237	271
35	86	92	106	132	151	161	173	198	247	283
40	89	96	110	137	157	167	180	206	257	294
45	92	99	113	142	162	173	186	213	266	304
50	95	102	117	146	167	178	192	219	274	313
55	98	105	120	150	172	183	197	225	282	322
60	100	108	123	154	176	188	202	231	289	330
65	102	110	126	158	180	192	207	236	295	338
70	105	113	129	161	184	196	211	241	302	345
75	107	115	131	164	188	200	215	246	308	352
80	109	117	134	167	191	204	219	251	313	358
85	111	119	136	170	194	207	223	255	319	364
90	112	121	138	173	198	211	227	259	324	370
95	114	123	140	176	201	214	230	263	329	376
100	116	125	143	178	204	217	234	267	334	382
110	119	128	146	183	209	223	240	275	343	392
120	122	131	150	188	214	229	246	281	352	402
130	125	134	154	192	219	234	252	288	360	411
140	127	137	157	196	224	239	257	294	368	420
150	130	140	160	200	228	244	262	300	375	428
160	133	143	164	205	234	250	269	307	384	439
170	136	147	168	210	240	256	275	314	393	449
180	139	150	172	214	245	262	282	322	402	460
190	143	154	175	219	251	268	288	329	411	470
200	146	157	179	224	256	273	294	336	420	480
210	149	160	183	229	262	279	301	344	429	491
220	152	164	187	234	267	285	307	351	439	501
230	155	167	191	239	273	291	313	358	448	512
240	158	171	195	244	278	297	320	365	457	522
250	162	174	199	248	284	303	326	373	466	532
260	165	177	203	253	290	309	332	380	475	543
270	168	181	207	258	295	315	339	387	484	553
280	171	184	210	263	301	321	345	395	493	564
290	174	188	214	268	306	327	352	402	502	574
300	177	191	218	273	312	333	358	409	511	584

### TABLE 3. MINIMUM DIDSTANCE SEPARATION FROM MANURE STORAGE

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

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

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

Column 1: Roofed or covered manure storage. Includes covered concrete and steel tanks, storages under fully slatted floors, in-barn solid manure packs, and roofed manure storages.

Column 2: Open solid manure pile on concrete slab including any associated runoff control and storage.

Column 3: Open concrete or steel tank, silo or yard runoff storage.

Column 4: Open, earth-sided storage OR earth-sided storage with concrete floor.

#### MANURE STORAGE DISTANCE

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

MINIMUM DISTANCE SEPARATION (MDS)  
CALCULATION FOR LIVESTOCK FACILITIES

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

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

FARM NAME/OWNER: \_\_\_\_\_

FARM LOCATION: COUNTY OF VICTORIA TWP \_\_\_\_\_ LOT \_\_\_\_\_ CONC \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

FAX: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

This project consists of:

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

Step 1

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

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

Step 2

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

Step 3

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

FACTOR A: [\_\_\_\_\_]

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

FACTOR B: [\_\_\_\_\_]

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

FACTOR C: [\_\_\_\_\_]

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

FACTOR D: [\_\_\_\_\_]

Step 4

Building Base Distance (From Step 3 -  
A X B X C X D)

Base Distance F: [\_\_\_\_\_]  
(insert below)

Step 5

Manure Storage Base Distance (F from Step 4)  
Table 4

Base Distance S: [\_\_\_\_\_]  
(insert below)

Step 6

MINIMUM DISTANCE  
SEPARATION  
SUMMARY:

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

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

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

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

<sup>1</sup> Includes calf to 150 kg.

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

<sup>3</sup> Includes offspring until weaned

<sup>4</sup> Includes offspring to market size

<sup>5</sup> Multiply number of sows by 2.4 to determine the number of weaners.

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

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

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

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

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



TABLE 4 SITING DISTANCES FOR MANURE STORAGES (metres).

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

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