

TOWNSHIP OF MARIPOSA

BY-LAW 94-07

OFFICE CONSOLIDATION

This is an Office Consolidation of By-law 94-07, as amended, of the Corporation of the Township of Mariposa. This document has been prepared for the purposes of convenience only. Accordingly, for accurate reference recourse should always be had to the original By-law and the individual amendments. Please consult the By-law History for a list of amendments and their effects.

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THE CORPORATION OF THE TOWNSHIP OF MARIPOSA

BY-LAW NUMBER: 94-07

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 Mariposa.

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 MARIPOSA 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 MARIPOSA 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 MARIPOSA.

### **1.2 AREA RESTRICTED**

- 1.2.1 Schedules A, B, C, D, E, F, G, H, I and J attached hereto, with the notations, zone boundaries, symbols and references shown thereon illustrates 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 'K' and 'L', attached hereto, comprise Form 1 and Form 2 for the purpose of determining the MDS 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 on the same lot as the main building devoted exclusively to an accessory use. For the purpose of this By-law swimming pools shall be considered an accessory building or structure.

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

**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. For the purpose of this By-law a household sale shall be considered a residential accessory use.

**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 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, not including cannabis, to the general public. (B/L 2021-057)

**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. (B/L 2021-057)

**AGRICULTURALLY RELATED COMMERCIAL USE** means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets and does not include uses related to cannabis production and processing facilities. (B/L 2021-057)

**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.

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

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

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

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

**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 but does not include processing or cooking for consumption.

**ASPHALT PLANT, PORTABLE** means a non-permanent facility the construction of which permits dismantling and relocation and which is designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material.

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

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

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

**AUCTION CENTRE** means premises where livestock, farm produce and miscellaneous goods are offered for auction and may include a flea market.

**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 average 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 an accessory building or structure which is designed or used for the sheltering or storage of a boat or other forms of water transportation and accessory thereof but excluding human habitation and not including any other use in conjunction with human habitation.

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

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

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

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

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



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

**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 LOT** means a parcel of land within a trailer camp or park and is for the exclusive use of the lessee or tenant of such area.

**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 average finished grade.

**CHEESE MANUFACTURING FACTORY** means premises in which milk is processed into cheese and where the cheese produced on the premises may be sold to the general public.

**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 activities supported by the organization, are conducted.

**CLUBHOUSE** means premises, accessory to a recreational use, used to house related equipment, a pro shop, an administration office, washrooms and, may include a restaurant.

**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.

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

**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 MARIPOSA.

**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 MARIPOSA.

**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. (B/L 2020-124)

**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. (B/L 2020-124)

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

**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 dying 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. (B/L 2020-160)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**FARM** means a parcel of land used for agricultural uses.

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

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

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

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

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

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

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

**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 for the storage of one or more motor vehicles in which no business, occupation, or service is conducted for profit.

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

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

**GROUP HOME** means a single housekeeping unit in a residential dwelling in which three to ten residents, excluding staff of the receiving household, live under responsible supervision and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group

living arrangement for their well being. A group home shall be licenced or approved for funding by the Provincial Government.

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

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

**HEIGHT** means the vertical distance on a main building or structure between the finished average 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 the top of the first storey and the ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. In calculating the "height" of a building or structure, roof constructions such as bulkheads, penthouses, and similar construction enclosing equipment or stairs and which are less than six metres in height and do not occupy more than 30 percent of the area of the roof upon which they are located, and any ornamental roof construction such as towers, steeples or chimneys shall be disregarded.

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

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

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

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

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

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

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

**HOUSEHOLD SALE** means the temporary sale of household goods owned by the occupants of a dwelling located on the same lot and customarily referred to as garage or yard sales and may

include an auction sale. For the purposes of this definition, temporary means the combined total duration of all household sales held on one lot shall not exceed six days in any one calendar year and limited to a maximum of three occurrences per annum.

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

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

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

**INDUSTRY, HEAVY**, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include cannabis production and processing facilities. (B/L 2021-057)

**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. (B/L 2021-057)

**INDUSTRY, MEDIUM**, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities. (B/L 2021-057)

**INSTITUTIONAL USE** means facilities serving the community including schools, churches, hospitals, nursing homes and recreation centres.

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

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

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

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

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

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

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

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

**LIVESTOCK FACILITIES** means barns, buildings or structures where animals are housed and shall also include beef feed lots and associated manure storage facilities.

**LIVESTOCK HOUSING CAPACITY** means the total number of livestock that can be accommodated in a livestock facility at any one time.

**LIVESTOCK UNIT** means the value or equivalent value for various types of animals based upon manure production and production cycles.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**MAINTAINED SUMMER WATER LEVEL** means the highest summer elevation of the water surface of a body of water or a watercourse, based upon the Canada Geodetic Survey Datum, as established by the Kawartha Region Conservation Authority or the Ministry of Natural Resources.

**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.

**MINIMUM DISTANCE SEPARATION** means:

- i) for siting new residential, institutional, commercial, industrial or recreational uses
  - the distance between the nearest part of a livestock facility and a lot line for a lot having an area of 1 hectare or less; or
  - the distance between the nearest part of a livestock facility and the main wall of the dwelling unit on a separate lot larger than 1 hectare; or
  - to the zone boundary of land zoned to permit a specified non-agricultural use.

ii) for siting new or altered livestock facilities:

- the distance between the nearest part of a livestock facility and the main wall of the dwelling unit on a separate lot; or
- to the boundary of an area zoned to permit a specified non-agricultural use.

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

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

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

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

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

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

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

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

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

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

**MULTIPLE RESIDENTIAL** means a residential building or structure containing three or more dwelling units.

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

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

**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 MARIPOSA.

**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, tennis courts, bowling greens, gardens, 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, fair grounds, or similar uses.

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

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

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

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

**PIT** means land or land under water from which peat 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, as amended.

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

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

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

**POSTAL OUTLET** means a building, structure or lot or part thereof used for the receiving and distribution of mail.

**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 administration 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.

**RECREATIONAL TRAIL** means a trail laid out for recreational purposes which provides a connection between communities or municipalities.

**RECREATIONAL USE, ACTIVE**, means a recreational use or activity which is conducted within a building or requires alteration of natural, soil or topographical features and includes such activities as golf courses, playing fields, trailer parks, campgrounds and conservation areas involving built structures.

**RECREATIONAL USE, PASSIVE**, means an activity or use of land carried out for recreational purposes which does not require the construction of buildings or the alteration of natural, soil or topographical features and includes open space and environmental areas.

**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.

**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.

**RESTAURANT, TAKE-OUT**, means a building or part thereof where food is offered for sale or sold to the public for consumption off the premises.

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

**SALVAGE YARD** means 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

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

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

**SIGNIFICANT DRINKING WATER THREAT, EXISTING** shall mean a significant drinking water threat where an activity that has been engaged in prior to the date that the Source Protection

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

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

- a) Increasing the area of land where an activity is taking place;
- b) Increasing the amount of effluent or discharge from an activity;
- c) Increasing the quantity of chemical or pathogen-containing material handled or stored; or,
- d) Increasing the quantity of chemical or pathogen containing material applied. (B/L 2020-124).

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

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

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

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

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

**SPECIAL EVENT** means a use of land, buildings or structures for an event, the duration of which is temporary in nature and which is limited to one or more of the following uses: an exhibition, a fair, a carnival, a regatta, a religious or music festival, or a recreational competition. For the purposes of this definition "temporary" means that the combined total duration of all Special Events held on one property shall not exceed seven days in a calendar year except in the case of a tractor pull, snowmobile race, motorcycle motocross event, music festival or other Special Event capable of producing excessive noise levels, in which case only one such event may be held and for a duration of no longer than three days on one property in a calendar year.

**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 but shall exclude a lane or private right of way.

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

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

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

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

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

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

**TILLABLE HECTARES** means the total area of land including pasture contained within a lot that can be worked or cultivated for the production of grain, forage or food crops.

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

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

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

**TRAILER 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 tourist trailers, motorized mobile homes, truck campers or tents for recreational or vacation use designed for seasonal occupancy only.

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

**TRUCK CAMPER** means any unit so constructed that may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the 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. (B/L 2020-124)

**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). (B/L 2020-124)

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

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

**WATER SETBACK** means a yard extending the full width of a lot between the maintained summer water level of lakes or rivers and the nearest main wall of any building, structure, excavation or open storage use on the lot and "minimum water setback" means the minimum depth of a "water setback" on a lot between the maintained summer water level and the nearest main wall of any building, structure, excavation or open storage use on the lot.

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

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

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

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

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

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

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

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

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

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

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

## **PART 3 - GENERAL PROVISIONS**

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

#### **3.1.1 PERMITTED USES**

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

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

3.1.1.2 Household sales are considered a residential accessory use.

#### **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 a side or rear yard.

3.1.2.2 An accessory building may be erected not closer than 2 metres from a rear lot line and 2 metres from the side lot line nor closer to a flanking street than the required front yard setback for the zone in which it is located and shall not be closer than 4 metres to a residential building located on the same lot.

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

#### **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 be:

- (a) 10% of the lot area to a maximum of 100 square metres in the HR, RR2, RR3, LSR and corresponding exception zones;
- (b) 10% of the lot area to a maximum of 150 square metres in the RR1 Zone and corresponding exception zones;
- (c) 10% of the lot area to a maximum of 150 square metres for a building or structure accessory to a dwelling unit in the A1 zone and corresponding exception zones.
- (d) 40% of the main building gross floor area in any other zone.



- 3.1.3.2 The height of an accessory building or structure, in a residential zone or to a residential use, shall not exceed 5 metres (16.4 ft.). Further, the height of such accessory building or structure shall be measured as the mean level between eaves and ridge of a gabled, hip, gambrel or mansard roof, or other type of pitched roof. **(B/L 2002-139)**
- 3.1.3.3 A maximum of two accessory buildings or structures, excluding outdoor swimming pools, shall be permitted on a lot in any class of residential zone.
- 3.1.4 YARD REQUIREMENTS
- 3.1.4.1 Notwithstanding the minimum yard provisions of this By-law, the following accessory structures and setbacks may be permitted:
- (a) sills, belt courses, cornices, chimney breasts, bay windows, cantilevered floor areas, pilasters or parapets may project into any yard a distance of not more than 0.6 metres;
  - (b) eaves or gutters on a main building may project into any yard a distance of not more than 0.6 metres;
  - (c) balconies, canopies, unenclosed porches or decks, steps or patios may project into any yard a distance of not more than 1.5 metres provided that a required side yard is not reduced to below 1.5 metres and further provided that a porch or deck which is, at any point, more than 1.2 metres above the adjacent finished grade shall comply with the yard requirements of the applicable zone;
  - (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 apurtenances, hedges, shrubs and trees are permitted in any yard provided that no such structures or vegetation that is more than 0.75 metres in height shall be permitted within three metres of any street line if such structure or vegetation will impede vision between a height of 0.75 metres and 2.5 metres above the centreline grade of an access from any street to a lot.
- 3.1.5 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 approval of any other governmental authority having jurisdiction within this area has been obtained and further provided the location complies with the required minimum side yard for accessory buildings or structures.

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 if such projection will obstruct or interfere with access to the water from an adjacent lot.

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 average finished grade.

### 3.1.6 MUTUAL STRUCTURES

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

## 3.2 **DAYLIGHTING TRIANGLE**

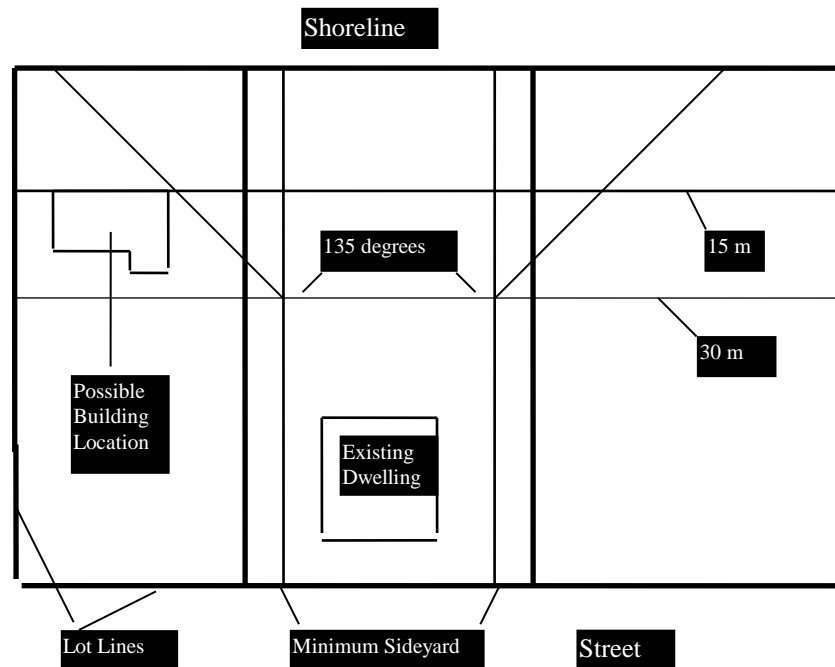
3.2.1 Notwithstanding any other provisions of this By-law, in all zones, on a corner lot, no fence, hedge, shrub, bush or tree or any building or structure, vegetation or lot grading shall be permitted to exceed a height greater than 0.75 metres above adjacent finished grade of the travelled portion 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. In the case of a shore lot line the minimum water setback may be reduced to the established building line for the shoreline but in no case shall it be reduced to less than 15 metres.

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.

- 3.3.3 Notwithstanding subsection 3.3.1, where a new main building or structure is proposed for a lot, in a residential zone category abutting a shore line, and the main building or structure on an immediately abutting lot has a water setback of 30 metres or greater, the proposed main building or structure shall be setback from the water that distance necessary to ensure that it does not extend, by more than 5%, beyond an imaginary line projected at a 135 degree angle from the intersection of the minimum sideyard requirement for the abutting lot and a line drawn at right angles to the common lot line a distance of 30 metres from the shoreline, on the abutting lot as shown below. For the purposes of this subsection the reference to 5% shall mean 5% of the main wall of a main building or structure nearest to the mutual side lot line separating the two lots.



### 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 appropriate 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.

3.4.3 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 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 and Part 15, no persons shall erect any building or structure in any zone, unless the lot upon which such building or structure is to be erected has a lot line which abuts and obtains direct access onto an improved public street and which is maintained to provide year-round access.
- 3.6.2 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 A lot within a registered plan of subdivision in which the street has not been assumed by the Municipality but in which the street is to be assumed under the terms of a subdivision agreement.
- 3.6.2.2 A lot within the Limited Service Residential or a Limited Service Residential Exception Zone.

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 Schedules A through J to this By-law, is followed by the holding

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

### 3.9 **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 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 There shall be no outside display or storage of goods, wares or merchandise being offered for sale, and no mechanical or other equipment used or kept except those customarily employed in a residential dwelling for domestic or household purposes or for use by a dentist, drugless practitioner or physician;

3.9.1.5 The home occupation shall not occupy more than 25 percent of the gross floor area of the dwelling unit whether or not such home occupation is located within the dwelling or within an accessory structure;

3.9.1.6 Parking shall be provided in accordance with subsection 3.14 of this By-law;

### 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 in a commercial zone may be reduced in width to 3 metres where a coniferous hedge or opaque fence, 1.8 metres in height, is provided in conjunction with the landscaping.

- 3.10.3 A 1.5 metre landscaped buffer shall be provided between any public street and parking or outside display areas.

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

- 3.11.1 Notwithstanding the minimum lot area and/or 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 13.5 metres and a minimum lot area of 930 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, Auction Centre	1 per 9 sq. m of g.f.a.
Bank, Financial Institution	1 per 20 sq. m of g.f.a.
Business, Professional or Other Office	1 per 30 sq. m of g.f.a.
Bowling Alley, Curling Rink	3 per lane or curling sheet plus 1 per 9 sq. m of g.f.a. devoted to a restaurant, or liquor licenced premises
Day Nursery, Day Care Centre	1.5 per classroom or teaching area
Dry Cleaning Establishment, Laundry	1 per 20 sq. m of g.f.a. or 1 per washing machine whichever is greater
Home for the Aged	0.75 per bed of which 5% shall be handicapped
Home Occupation	1 per 30 sq. m of g.f.a. of dwelling devoted to home occupation
Hospital	1 for every 4 beds or 1 per 100 sq. m of g.f.a., whichever is greater, of which 5% shall be handicapped
Hotel, Motel, Motor Hotel, Bed and Breakfast Establishment 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



<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
Industrial, Manufacturing Processing, Fabricating Warehousing, Wholesaling, Storage	1 per 40 sq. m of g.f.a. for "light" or "dry- light" industries 1 per 100 sq. m of g.f.a for all others
Library, Museum	1 per 30 sq. m of g.f.a.
Liquor Licenced Premises	1 per 9 sq. m of g.f.a.
Marina	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 Nursing Home	1 per 20 sq. m of g.f.a. with a minimum of 5 spaces  0.5 per bed of which 5% shall be handicapped
Place of Assembly, Place of Worship, Funeral Home	1 per 5 fixed seats, 1 per 3 m of bench seating or 1 per 9 sq. m of g.f.a. whichever is greater, of which 5% shall be handicapped
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
Senior Citizens' Home	0.5 per unit of which 5% shall be handicapped
Restaurant	1 per 9 sq. m of g.f.a.

<u>Use</u>	<u>Minimum Number of Parking Spaces Required</u>
Restaurant, Drive-In or Take-out	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.
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
Shopping Centre	1 per 20 sq. m of g.l.f.a.
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 licenced in excess of 5 tonnes gross weight.

### 3.14.2 OFF-STREET LOADING SPACE REQUIREMENTS

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 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.

3.15.3 INFRASTRUCTURE IN RESIDENTIAL ZONES

3.15.3.1 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.

3.16 **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, SEPARATION DISTANCES AND RESTRICTIONS**

3.18.1 MINIMUM DISTANCE SEPARATION

3.18.1.1 Notwithstanding any other yard or setback provisions of this By-law to the contrary, no non-farm residential, institutional, commercial, industrial or recreational use, located on a separate lot and permitted by a CF, RR1, RR2, RR3, LSR, C2, C3, 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 'K' to this By-law.

3.18.1.2 Notwithstanding any other yard setback provisions of this By-law to the contrary, no livestock facility shall be erected or altered unless it complies with the minimum distance separation calculated using Form 2 being Schedule 'L' to this By-law.

3.18.1.3 The provisions of article 3.18.1.1 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.

3.18.2 COUNTY ROAD RESTRICTIONS

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

- (a) from the centreline of a County Road 21.5 metres except as otherwise provided by subsection 3.3.2

3.18.3 "RESERVED"

3.18.4 DWELLING UNIT RESTRICTION

3.18.4.1 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.

3.18.5 ENVIRONMENTAL PROTECTION ZONE RESTRICTIONS

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

- (a) from any class of Environmental Zone, the applicable yard requirement for the zone or a water setback of 15 metres whichever is greater.

3.18.6 INDUSTRIAL AND RESIDENTIAL SEPARATION DISTANCES AND RESTRICTIONS

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

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

(i)	light industry	30 m
(ii)	medium industry	90 m
(iii)	heavy industry	300 m
- (b) Notwithstanding clause (a) the minimum setbacks from residential lots shall be reduced to 10 metres for light or 30 metres for medium industrial uses where the following provisions and regulations are met:
  - (i) mechanical ventilation, heating, cooling or dust collection equipment are located at ground level and located or equipped to suppress noise generation;
  - (ii) truck access, turnaround, parking and loading areas are separated from residential lots by the main building;

- (iii) outside storage areas are separated from residential lots by the main building;
- (iv) the main building has no openings other than emergency or employee entrances adjacent to residential lots.

3.18.7 MINIMUM OPENING ELEVATION SETBACKS AND RESTRICTIONS

3.18.7.1 No opening to any residential dwelling unit shall be permitted below a minimum opening elevation equal to the maintained summer water level for the adjacent body of water, water course or lake plus 1.0 metre.

3.18.7.2 For the purpose of establishing water setbacks and minimum opening elevations the following maintained summer water levels shall apply:

- |     |  |                       |
|-----|--|-----------------------|
| (a) | Lake Scugog  | 249.90 m C.G.S. Datum |
| (b) | Goose Lake   | 275.80 m C.G.S. Datum |
| (c) | Mariposa Brook in<br>Little Britain downstream<br>of County Road 6 | 256.76 m C.G.S. Datum |
| (d) | Mariposa Brook upstream<br>of County Road 6                        | 257.06 m C.G.S. Datum |

3.18.8 THROUGH LOTS

3.18.8.1 A through lot shall be subject to 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.

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

3.19 **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, 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 may be permitted, on a temporary basis, for a period not to exceed 9 months, while a permitted residential dwelling unit is under construction. Such

temporary living quarters shall be removed from the lot immediately after the expiry of the 9 month period or upon occupancy of the new dwelling, whichever occurs first

3.20 **UNENCLOSED STORAGE OF UNLICENCED MOTOR VEHICLES**

3.20.1 No lot or part of a lot except a private garage shall be used for the storage of unlicensed motor vehicles or parts of motor vehicles.

3.21 **SPECIAL EVENTS**

3.21.1 A lot may be used for a special event subject to the provisions of the Zone in which it is permitted and issuance of a licence by the Township of Mariposa pursuant to By-law 94-07, as amended, or any successor thereto.

3.22 **SEASONAL FARM RESIDENTIAL USE**

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

3.22.1 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.

3.22.2 The seasonal farm residential use cannot exceed 250 square metres in area and may be contained in more than one building.

3.22.3 A covenant be registered on title that the residence will be used only for seasonal farm residential use.

3.22.4 That the seasonal farm residential use shall not exceed eight months per seasonal worker in each calendar year.  
B/L 2007-289

3.23 **ADDITIONAL RESIDENTIAL DWELLING UNITS (B/L 2020-160)**

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

- i. A maximum of two (2) additional residential dwelling units, one (1) within the same building as the primary residential dwelling unit and one (1) within an accessory building or structure to the primary residential dwelling unit.
- ii. Notwithstanding subsection 3.22, a lot may have an additional residential dwelling



unit in addition to a garden suite, approved through a Temporary Use By-law, or a second single detached dwelling in accordance with subsection 8.2.1.10.

- 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 for a home occupation use.
- x. An additional residential dwelling unit shall be accessed from the street via a walkway or driveway.
- xi. An additional residential dwelling unit or part thereof shall not be within the 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.

### **3.24 SOURCE WATER PROTECTION – B/L 2020-124**

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

- 3.24.1.2** 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.
- 3.24.1.3** 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.
- 3.24.1.3.1** In the case of WHPAs the extent of the vulnerable area encompasses WHPA-A through WHPA-E.
- 3.24.1.3.2** In the case of IPZs the extent of the vulnerable area encompasses subzones IPZ-1 and IPZ-2.
- 3.24.1.4** 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:
- 3.24.1.4.1** Waste disposal sites
- 3.24.1.4.2** On-site sewage systems (in excess of 10,000 L)
- 3.24.1.4.3** The application, storage or management of agricultural source material
- 3.24.1.4.4** The application, handling or storage of non-agricultural source material
- 3.24.1.4.5** The application, handling or storage of commercial fertilizer
- 3.24.1.4.6** The application, handling or storage of pesticide
- 3.24.1.4.7** The handling or storage of road salt
- 3.24.1.4.8** The storage of snow
- 3.24.1.4.9** The handling or storage of fuel
- 3.24.1.4.10** The handling or storage of a dense non aqueous phase liquid
- 3.24.1.4.11** The handling or storage of an organic solvent
- 3.24.1.4.12** The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard
- 3.24.1.5** 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.
- 3.24.1.6** 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.

- 3.24.1.7** 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.

**3.25 CANNABIS PRODUCTION AND PROCESSING FACILITIES – B/L 2021-057**

- 3.25.1** 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.
- 3.25.2** The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.
- 3.25.3** Notwithstanding 3.25.2:
- 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 Schedules A, B, C, D, E, F, G, H, I and J to this By-law:

Part	Zone Symbol	Zone Title	Zone Classification
5	EP	Environmental Protection	Environmental
6	AP	Aggregate Protection	Resource
7	CF	Community Facility	Community
8	A1	Agricultural	Agricultural
9	A2	Rural General	Agricultural
10	HR	Hamlet Residential	Residential
11	HR1	Hamlet Residential Type One	Residential
12	RR1	Rural Residential Type One	Residential
13	RR2	Rural Residential Type Two	Residential
14	RR3	Rural Residential Type Three	Residential
15	LSR	Limited Service Residential	Residential
16	C1	General Commercial	Commercial
17	C2	Highway Commercial	Commercial
18	C3	Tourist Commercial	Commercial
19	M1	Restricted Industrial	Industrial
20	M2	General Industrial	Industrial
21	M3	Extractive Industrial	Industrial
22	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, E, F, G, H, I and J attached hereto and may be cited as the "Zoning Map" and is declared hereby to form part of this By-law. Such zones may be referred to by the appropriate zone symbols.

### **4.3 SPECIAL EXCEPTIONS**

- 4.3.1 Where a zone contains special exceptions, which are indicated on Schedules A, B, C, D, E, F, G, H, I and J 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 Agricultural uses exclusive of buildings and structures

5.1.1.2 Conservation Uses

5.1.1.3 Bird or Wildlife Sanctuaries

5.1.1.4 Flood and Erosion Control Works

5.1.1.5 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.

### **5.3 ENVIRONMENTAL PROTECTION EXCEPTION ZONES**

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

5.3.1.1 Notwithstanding subsections 5.1.1 and 5.2.1, land zoned "EP-1" may only be used for a boat house.

5.3.1.2 Land zoned "EP-1" shall be subject to the following zone provisions:

- |     |                        |       |
|-----|------------------------|-------|
| (a) | yard requirements      |       |
|     | (i) interior side      | 2.4 m |
|     | (ii) rear              | 7.5 m |
| (b) | lot coverage (max.)    | 15 %  |
| (c) | building height (max.) | 4 m   |

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

5.3.2.1 Notwithstanding the requirements of subsections 5.1.1 and 5.2.1, land zoned "EP-2" may only be used for a private park. No buildings or structures shall be erected or used except for boat docks, launching facilities and flood or erosion control measures.

5.3.3 ENVIRONMENTAL PROTECTION EXCEPTION THREE (EP-3) ZONE

5.3.3.1 Notwithstanding the requirements of subsections 5.1.1 and 5.2.1, land zoned "EP-3" may also be used for a single detached dwelling subject to the provisions of subsection 12.2.1.

5.3.4 ENVIRONMENTAL PROTECTION EXCEPTION FOUR (EP-4) ZONE

5.3.4.1 Notwithstanding subsection 5.1.1, land zoned "EP-4" may only be used for the following uses:

- (a) Conservation Uses
- (b) Bird or Wildlife Sanctuaries
- (c) Flood and Erosion Control Works
- (d) Forestry

5.3.5 ENVIRONMENTAL PROTECTION EXCEPTION FIVE (EP-5) ZONE

5.3.5.1 Notwithstanding subsections 5.1.1 and 5.2.1, land zoned 'EP-5' shall only be used for the following uses:

- (a) Any use permitted under article 5.3.4.1
- (b) Infrastructure inclusive of a water pumping station
- (c) Boat docking facilities but excluding a commercial marina
- (d) Passive recreation

5.3.5.2 Land zoned 'EP-5' shall be subject to the following zone provisions:

- (a) Boardwalk or maintained trail (max. width) 3.5 m
- (b) Observation platform or deck floor area 40 sq. m  
(maximum per platform)
- (c) Observation platform or deck height  
exclusive of guardrails (max.) 2 metres above  
finished average grade
- (d) Observation platform or deck density (max.) 1 per ha
- (e) Enclosed or partially enclosed building  
or structure height (max.) 5 m
- (f) Lot coverage for passive recreation  
facilities and structures 10 %
- (g) For the purpose of the EP-5 Zone, "passive recreation" means use of a  
natural area for walking, nature appreciation, exercise or biking trails.  
Disturbance of the terrain and vegetative features and building activity shall  
be restricted to the creation of trails, board walks, rest stations, exercise  
stations and observation decks or platforms inclusive of a gazebo.

5.3.6 ENVIRONMENTAL PROTECTION EXCEPTION SIX (EP-6) ZONE

5.3.6.1 Notwithstanding subsection 5.1.1, land zoned 'EP-6' shall only be used for the following uses:

- (a) Any use permitted under article 5.3.4.1
- (b) Passive recreation

5.3.6.2 The provisions of article 5.3.5.2 shall apply to land zoned 'EP-6'

5.3.6.3 For the purpose of the EP-6 Zone, "passive recreation" means use of a natural area for walking, nature appreciation, exercise or biking trails. Disturbance of the terrain and vegetative features and building activity shall be restricted to the creation of trails, board walks, rest stations, exercise stations and observation decks or platforms inclusive of a gazebo.

5.3.7 ENVIRONMENTAL PROTECTION EXCEPTION SEVEN (EP-7) ZONE

5.3.7.1 Notwithstanding any provision of article 5.1.1 to the contrary, Agricultural, Forestry and landscaping or horticultural uses are not permitted within the EP-7 zone.

5.3.8 ENVIRONMENTAL PROTECTION EXCEPTION EIGHT (EP-8) ZONE

5.3.8.1 Notwithstanding Sections 5.1 and 5.2 on land zoned EP-8 the only permitted uses shall be a dock anchor, boat storage, parking and access related thereto. The boat anchor shall not be located closer than 3 metres from the southern lot line.  
(Board Order No. 1321 October 2, 2003)



## **PART 6 - AGGREGATE PROTECTION (AP) 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 an Aggregate Protection (AP) Zone, except for the following uses:

6.1.1.1 Agriculture or Forestry

6.1.1.2 Conservation Uses

6.1.1.3 One single detached dwelling

6.1.1.4 Wayside Pit

### **6.2 ZONE PROVISIONS**

6.2.1 No person shall hereafter change the use of any building or land or erect or use any building or structure, in the Aggregate Protection (AP) Zone, except in conformity with the following zone provisions:

6.2.1.1 Lot Area (min.) 25 ha

6.2.1.2 Lot Frontage (min.) 120 m

6.2.1.3 Yard Requirements (min.)

- |     |               |      |
|-----|---------------|------|
| (a) | front         | 30 m |
| (b) | interior side | 9 m  |
| (c) | exterior side | 30 m |
| (d) | rear          | 25 m |

6.2.1.4 Lot Coverage (max.) 5 %

6.2.1.5 Building Height (max.)

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

### **6.3 AGGREGATE PROTECTION EXCEPTION ZONES**

"Reserved"

## **PART 7 - COMMUNITY FACILITY (CF) ZONE**

### **7.1 USES PERMITTED**

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

7.1.1.1 Uses permitted by Section 5.1

7.1.1.2 Cemeteries

7.1.1.3 Municipal Buildings, Structures, Community Centres, Arenas, Libraries, Museums, Recreational Facilities

7.1.1.4 Hospitals, Health or Medical Centres

7.1.1.5 Nursing Homes

7.1.1.6 Places of Worship

7.1.1.7 Elementary Schools, Secondary Schools

7.1.1.8 Day Nurseries

7.1.1.9 Clubs, Charitable or Service

7.1.1.10 Public Uses

7.1.1.11 Special Events

### **7.2 ZONE PROVISIONS**

7.2.1 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:

7.2.1.1 Lot Area (min.) 2000 sq. m

7.2.1.2 Lot Frontage (min.) 30 m

7.2.1.3 Yard Requirements (min.)

- |     |               |       |
|-----|---------------|-------|
| (a) | front         | 7.5 m |
| (b) | interior side | 4.5 m |
| (c) | exterior side | 7.5 m |
| (d) | rear          | 7.5 m |

- 7.2.1.4 Lot Coverage (max.)50%
- 7.2.1.5 Building Height (max.)11 m
- 7.2.1.6 Gross Floor Areano minimum
- 7.2.1.7 Landscaped Open Space (min.)30%

### 7.3 **COMMUNITY FACILITY EXCEPTION ZONES**

#### 7.3.1 COMMUNITY FACILITY EXCEPTION ONE (CF-1) ZONE

- 7.3.1.1 Notwithstanding Section 7.1, land zoned "CF-1" may only be used for a public or private park and any buildings or structures accessory to it for recreational use, excluding trailer parks and buildings for human habitation.

#### 7.3.2 COMMUNITY FACILITY EXCEPTION TWO (CF-2) ZONE

- 7.3.2.1 Notwithstanding Section 7.1, land zoned "CF-2" may only be used for a public or private park. All buildings or structures erected are to be used only to service the water supply and distribution system and shall include storage and pumping facilities.
- 7.3.2.2 Notwithstanding the zone provisions of Section 7.2, on land zoned "CF-2", buildings shall not be closer than 9 metres to any residential lot.

#### 7.3.3 COMMUNITY FACILITY EXCEPTION THREE (CF-3) ZONE

- 7.3.3.1 Notwithstanding section 7.1, land zoned 'CF-3' may only be used for the following uses:
  - (a) Uses permitted by Section 5.1 with the exception of agricultural uses
  - (b) Infrastructure
  - (c) Sewagetreatment facility
  - (d) Water treatment facility
- 7.3.3.2 Notwithstanding any provisions of Section 3.6 or subsections 3.18.5 and 7.2.1 to the contrary, land zoned 'CF-3' shall be subject to the following zone provisions:
  - (a) Lot area (min.) 600 sq. m
  - (b) Lot frontage (min.) 0 m
  - (c) building setback from zone boundary (min.) 4.5 m

#### 7.3.4 COMMUNITY FACILITY EXCEPTION FOUR (CF-4) ZONE

7.3.4.1 Notwithstanding section 7.1, land zoned 'CF-4' shall only be used for a private park, and any accessory buildings or structures shall be for passive recreational use, excluding any trailer and buildings designed for human habitation.  
(B/L 2004-160)

7.3.5 COMMUNITY FACILITY EXCEPTION FIVE (CF-5) ZONE

7.3.5.1 Notwithstanding the provisions of Sections of 7.1.1, land zoned CF-5 may only be used for a stormwater management area, communal sewage disposal system and privately owned open space.  
(B/L 2008-193)

## **PART 8 - AGRICULTURAL (A1) 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 an Agricultural (A1) Zone, except for the following uses:
- 8.1.1.1 Agricultural, Market Garden Farm or Forestry Uses
- 8.1.1.2 Agricultural produce storage facility or seasonal fruit flower or farm produce outlet for goods grown or produced on the property
- 8.1.1.3 Home Occupation
- 8.1.1.4 Kennels
- 8.1.1.5 Single Detached Dwelling
- 8.1.1.6 Riding or Boarding Stables
- 8.1.1.7 Wayside Pit
- 8.1.1.8 Seasonal Farm Residential Use is subject to Section 3.22 of the General Provisions. B/L 2007-289
- 8.1.1.9 Cannabis Production and Processing Facilities are subject to Section 3.25 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 an Agricultural (A1) Zone, except in conformity with the following zone provisions:
- 8.2.1.1 Lot Area (min.) 38 ha
- 8.2.1.2 Lot Frontage (min.) 230 m
- 8.2.1.3 Yard Requirements (min.)
- |     |               |      |
|-----|---------------|------|
| (a) | front         | 30 m |
| (b) | interior side | 9 m  |
| (c) | exterior side | 30 m |
| (d) | rear          | 25 m |

- 8.2.1.4 Lot Coverage (max.) 5 %
- 8.2.1.5 Building Height (max.)  
(a) building accessory to a farm - No restriction  
(b) all others 10 m
- 8.2.1.6 Gross Floor Area per dwelling (min.) 93 sq. m
- 8.2.1.7 Notwithstanding subsections 8.1.1 and 8.2.1 where a lot is created by consent, such lot shall only be used in accordance with Sections 12.1 and 12.2 of this By-law but shall not exceed a lot area of 1.0 hectare. The provisions of article 12.2.1.3 shall apply to the location of a single detached dwelling on an existing lot of record.
- 8.2.1.8 In the case of an accessory building being used for the parking or storage of school buses or commercial motor vehicles on a lot in an agricultural zone, the maximum height of such building shall be 5 metres and the total floor area for all accessory buildings on the lot shall not exceed 150 square metres.
- 8.2.1.9 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 1 hectare.
- 8.2.1.10 Notwithstanding subsections 8.1.1 and 3.18.4 the following uses are permitted provided there is a minimum lot area of 38 hectares and provided that each dwelling unit has a minimum floor area of 85 square metres and is subject to the setback requirements of the RR1 Zone:  
(a) a second single detached dwelling on an operating farm; or  
(b) a converted dwelling with a maximum of two dwelling units, provided the dwelling existed at the date this By-law was passed; or  
(c) a bed and breakfast establishment.
- 8.2.1.11 Notwithstanding article 8.2.1.3, no dog kennel shall be located within 200 metres of an existing dwelling unit except that a dwelling unit on the same lot as the dog kennel is exempt from this provision.

### 8.3 **AGRICULTURAL EXCEPTION ZONES**

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

- 8.3.1.1 Notwithstanding articles 8.2.1.1 and 8.2.1.2, land zoned "A1-1" shall have a minimum lot area of 2.8 hectares and a minimum lot frontage of 155 metres. 8.3.2

#### 8.3.2 AGRICULTURAL EXCEPTION TWO (A1-2) ZONE

Replaced with A1-3 Zone through comprehensive review.

8.3.3 AGRICULTURAL EXCEPTION THREE (A1-3) ZONE

8.3.3.1 Notwithstanding article 8.2.1.1, land zoned "A1-3" shall have a minimum lot area of 19 hectares.

8.3.4 AGRICULTURAL EXCEPTION FOUR (A1-4) ZONE

8.3.4.1 In addition to the permitted uses identified in subsection 8.1.1, land zoned "A1-4" may also be used for a Cheese Manufacturing Factory, not exceeding a gross floor area of 80 square metres.

8.3.5 AGRICULTURAL EXCEPTION FIVE (A1-5) ZONE

8.3.5.1 Notwithstanding article 8.2.1.1, land zoned "A1-5" shall have a minimum lot area of 3.8 hectares.

8.3.6 AGRICULTURAL EXCEPTION SIX (A1-6) ZONE

8.3.6.1 Notwithstanding articles 8.2.1.1 and 8.2.1.2, land zoned "A1-6" shall have a minimum lot area of 18 hectares and a minimum lot frontage of 70 metres.

8.3.7 AGRICULTURAL EXCEPTION SEVEN (A1-7) ZONE

8.3.7.1 Notwithstanding article 8.2.1.1, land zoned "A1-7" shall have a minimum lot area of 5 hectares.

8.3.8 AGRICULTURAL EXCEPTION EIGHT (A1-8) ZONE

8.3.8.1 Notwithstanding article 8.2.1.2, land zoned "A1-8" shall have a minimum lot frontage of 182 metres.

8.3.9 AGRICULTURAL EXCEPTION NINE (A1-9) ZONE

8.3.9.1 In addition to subsection 8.1.1, land zoned "A1-9", shall also be used for an auction centre and one residential dwelling.

8.3.9.2 Notwithstanding articles 8.2.1.1, 8.2.1.2 and 3.14.1.2, land zoned "A1-9" shall be subject to the following zone provisions:

- |     |                       |                             |
|-----|-----------------------|-----------------------------|
| (a) | lot area (min.)       | 3.6 ha                      |
| (b) | lot frontage (min.)   | 210 m                       |
| (c) | parking spaces (min.) | 1 per 9 sq. m of floor area |

8.3.10 AGRICULTURAL EXCEPTION TEN (A1-10) ZONE

- 8.3.10.1 Notwithstanding subsection 8.1.1, on land zoned "A1-10", a residential dwelling shall not be a permitted use.
- 8.3.10.2 Notwithstanding subsection 8.2.1, articles c., d. and g., and in addition to the other provisions of Section 8.2, all buildings and structures on land zoned "A1-10" shall be subject to the following zone provisions:
- (a) Minimum setback from Environmental Protection (EP) Zone 15 m
  - (b) Minimum setback from Industrial Extractive (M3) Zone 120 m
- 8.3.11 AGRICULTURAL EXCEPTION ELEVEN (A1-11) ZONE  
(The A1-11 Zone is a proposed zone to be added by By-law 94-15 which is under appeal to the O.M.B.)
- 8.3.12 AGRICULTURAL EXCEPTION TWELVE (A1-12) ZONE
- 8.3.12.1 Notwithstanding subsection 8.1.1, land zoned "A1-12" may only be used for the following:
- (a) Agricultural, Market Garden Farm or Forestry Uses Exclusive of Buildings and Structures
  - (b) Existing Buildings and Structures
  - (c) Structures Accessory to Existing Buildings and Structures
- 8.3.13 AGRICULTURAL EXCEPTION THIRTEEN (A1-13) ZONE
- 8.3.13.1 Notwithstanding article 8.2.1.1.1., land zoned "A1-13" shall have a minimum lot area of 32 hectares.
- 8.3.14 AGRICULTURAL EXCEPTION FOURTEEN (A1-14) ZONE
- 8.3.14.1 Notwithstanding articles 8.2.1.1 and 8.2.1.2, land zoned "A1-14" shall have a minimum lot area of 9 hectares and a minimum lot frontage of 90 metres
- 8.3.15 AGRICULTURAL EXCEPTION FIFTEEN (A1-15) ZONE
- 8.3.15.1 Notwithstanding articles 8.1.1, land zoned 'A1-15' may also be used for a public garage.
- 8.3.15.2 Notwithstanding articles 8.2.1.3 and 8.2.1.4, on land zoned 'A1-15' the public garage use shall be subject to the following zone provisions:
- (a) public garage use setback (min.) 250 m



- |     |                         |              |
|-----|-------------------------|--------------|
| (b) | gross floor area (max.) | 200 sq.m     |
| (c) | parking (max.)          | 15 vehicles. |

8.3.16 AGRICULTURAL EXCEPTION SIXTEEN (A1-16) ZONE

8.3.16.1 Notwithstanding any other provision of this By-law to the contrary, on land zoned 'A1-16' no exterior opening in any new building shall be lower than the highest existing elevation of the grade of the ground within the lot zoned 'RR1-7'.

8.3.17 AGRICULTURAL EXCEPTION SEVENTEEN (A1-17) ZONE

8.3.17.1 Notwithstanding subsection 3.13, or any other provision of this By-law to the contrary, where the "A1-17" Zone and the "HR" Zone appear on the same lot, the maximum number of dwellings permitted on the lot shall be one.

8.3.17.2 Notwithstanding articles 8.2.1.1 and 8.2.1.2, land zoned "A1-17" shall be subject to the following zone provisions:

- |     |                     |          |
|-----|---------------------|----------|
| (a) | lot area (min.)     | 1.75 ha. |
| (b) | lot frontage (min.) | 170 m.   |
- (By-Law 99-17)

8.3.18 AGRICULTURAL EXCEPTION EIGHTEEN (A1-18) ZONE

8.3.18.1 Notwithstanding the uses specified in subsection 8.1.1, land zoned A1-18 may also be used for a small scale metal fabrication and farm machinery repair establishment but shall not be used for a dwelling unit.

8.3.18.2 For the purposes of the A1-18 zone a "metal fabrication and farm machinery repair establishment" means a dry, medium industry involved in the repair of farming equipment, inclusive of the fabrication or modification of parts for repair purposes, as well as the construction or repair of metal products and goods, through processes including fabrication, welding, machining and tooling using metals, woods or plastics, production of fabricated metal and plastic parts; and the sandblasting and painting of such products, parts or goods; and shall include, as an accessory use, the wholesale or retail sale of products, goods or materials used or produced on site.

8.3.18.3 Notwithstanding any provision of subsection 3.13.1 to the contrary, or articles 8.2.1.1, 8.2.1.2, 8.2.1.3 and 8.2.1.4, land zoned "A1-18" shall be subject to the following zone provisions:

- |     |   |      |
|-----|---|------|
| (a) | Where the A1-18 zone and the A1 zone abut on the same lot, the minimum lot area shall be based on the total land area within the two zones combined and shall not be less than 25 ha. |      |
| (b) | Where the A1-18 zone and the A1 zone abut on the same lot, the minimum lot frontage shall be based on the total frontage of the two zones combined and shall not be less than 230 m.  |      |
| (c) | building setback from a street (min.)   | 80 m |
| (d) | side yard (min.)  | 10 m |

(e)	rear yard (min.)	10 m
(f)	landscaped open space (min.)	20 %
(g)	setback from a livestock building on a separate lot	150 m
(h)	total floor area within the A1-18 Zone for a metal fabrication establishment and/or a farm machinery repair establishment, singularly or in combination (max.)	550 sq. m
(i)	total floor area within the A1-18 Zone for enclosed storage accessory to a metal fabrication and farm machinery repair establishment (max.)	250 sq. m
(j)	floor area for accessory wholesale or retail use (max.)	40 sq. m
(k)	lot coverage, inclusive of outdoor storage (max.)	20 %
(l)	number of principal buildings, exclusive of accessory storage buildings, for a metal fabrication establishment and farm machinery repair establishment, singularly or in combination (max.)	2

8.3.18.4 Enclosed storage accessory to a metal fabrication and farm machinery repair establishment shall include either a wholly enclosed building or a wholly enclosed commercial trailer. The maximum number of trailers for storage purposes shall be three and the interior floor area of such trailers shall be included in calculating the maximum enclosed accessory storage as per clause 8.3.18.3 (i).

8.3.18.5 Outdoor storage accessory to a metal fabrication and farm machinery repair establishment shall be limited to mechanical equipment located in the rear yard with a minimum setback from the zone boundary of 5 metres and encompassing an area not greater than 300 sq. m. and a fuel storage area for a wood burning furnace which shall be located immediately behind a main building, and shall have a minimum setback from a zone boundary of 12 metres. There shall be no other outdoor storage of parts, materials, products or equipment.

8.3.18.6 Waste storage for a metal fabrication and farm machinery repair establishment shall be located in a wholly enclosed building or in a wholly enclosed storage bin that is located to the immediate rear of a main building or enclosed with an opaque wooden fence constructed to a minimum height of 2 m.

8.3.18.7 A new building for housing livestock or storing farm produce may be erected wholly or partially within the A1-18 Zone but shall be subject to the zone provisions of the A1 Zone and the general provisions of Part 3 concerning agricultural uses, and setbacks shall be measured from the lot boundaries.  
(By-law 2000-09)

8.3.19 AGRICULTURAL EXCEPTION NINETEEN (A1-19) ZONE

- 8.3.19.1 Notwithstanding subsection 8.2.1 on land zoned A1-19, the minimum setback from any lot line within 200 metres of an operating landfill site shall be 50 metres. (By-Law 2001-100)

8.3.20 AGRICULTURAL EXCEPTION TWENTY (A1-20) ZONE

- 8.3.20.1 Notwithstanding Section 8.1, where land is zoned A1-20 a kennel or wayside pit are not permitted uses. Further, notwithstanding Section 8.2.1.1, the minimum lot area for land zoned A1-20 shall be 7 hectares. (Board Order No. 1321 October 2, 2003)

8.3.21 AGRICULTURAL EXCEPTION TWENTY-ONE (A1-21) ZONE

- 8.3.21.1 Despite Sections 8.1 and 8.2.1.1, on land zoned A1-21, a detached dwelling and accessory uses thereto are not permitted; and the minimum lot area shall be 34 ha. (B/L 2004-201)

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

- 8.3.22.1 Notwithstanding subsection 8.2.1.1, land zoned A1-22 shall have a minimum lot area of 28 ha. (B/L 2005-51)

8.3.23 AGRICULTURAL EXCEPTION TWENTY THREE (A1-23) ZONE

- 8.3.23.1 Despite subsection 8.1.1, land zoned A1-23 may only be used in accordance with articles 8.1.1.1, 8.1.1.2 and 8.1.1.7, and despite article 8.2.1.1, shall have a minimum lot area of 25 hectares. Furthermore, notwithstanding Section 3.13.2 and 8.2.1.1 the calculation of Minimum Lot Area may include lands zoned EP. (B/L 2016-049)

8.3.24 AGRICULTURAL EXCEPTION TWENTY FOUR (A1-24) ZONE

- 8.3.24.1 Despite Sections 8.1 and 8.2.1.1, on land zoned A1-24, a detached dwelling and accessory uses thereto are not permitted; and the minimum lot area shall be 70 ha. (B/L 2005-169)

8.3.25 AGRICULTURAL EXCEPTION TWENTY FIVE (H) A1-25(H) ZONE

8.3.25 (a) Notwithstanding Section 8.1, lands zoned A1-25(H) may permit a towing and compound operation on the subject land. The Holding Symbol (H) on the lands shall be removed upon completion of site plan.

**By-Law 2009-236**

8.3.26 AGRICULTURAL EXCEPTION TWENTY SIX A1-26 ZONE

8.3.26(a) Notwithstanding Section 8.1, on lands zoned “A1-26”, a residential dwelling, livestock use within the existing barns, and manure handling facilities within the existing barns shall not be permitted uses.

**By-Law 2011-139**

8.3.27 AGRICULTURAL EXCEPTION TWENTY SEVEN A1-27 ZONE

8.3.27.1 Notwithstanding subsection 8.2.1.1, land zoned A1-27 shall have a minimum lot area of 34 ha.  
(B/L 2015-102)

8.3.28 AGRICULTURAL EXCEPTION TWENTY EIGHT A1-28 ZONE

8.3.28.1 Notwithstanding Section 8.1, on lands zoned A1-28, a residential dwelling shall not be a permitted use.

8.3.28.2 Notwithstanding articles 8.2.1.1 and 8.2.1.2, land zoned A1-28 shall have a minimum lot area of 33.5 ha., and a minimum lot frontage of 158.33 m.  
(B/L 2015-101)

8.3.29 AGRICULTURAL EXCEPTION TWENTY NINE A1-29 ZONE

8.3.29.1 Notwithstanding article 8.2.1.7, on land zoned A1-29, a lot created by consent shall have a minimum lot frontage of 3.52 m.  
(B/L 2015-101)

8.3.30 AGRICULTURAL EXCEPTION THIRTY A1-30 ZONE

8.3.30.1 Notwithstanding subsection 8.1.1, on land zoned A1-30 a dwelling shall not be a permitted use.

8.3.30.2 Notwithstanding subsection 8.2.1.3 (b), on land zoned A1-30 an interior side yard setback of 1.4 m. is permitted for the agricultural storage building which existed at the date of passing of this By-law. (B/L 2016-047)

8.3.31 AGRICULTURAL EXCEPTION THIRTY ONE A1-31 ZONE

- 8.3.31.1 Despite subsection 8.1.1, land zoned A1-31 may only be used in accordance with articles 8.1.1.1 and 8.1.1.2 and despite articles 8.2.1.1 and 8.2.1.2 shall have a minimum lot area of 11.7 hectares and a minimum lot frontage of 195 metres. Further, notwithstanding 8.2.1.3 b) the minimum required side yard setback for a driveway existing as of the date of this By-law shall be 6 metres.  
(B/L 2016-049)

8.3.32 AGRICULTURAL EXCEPTION THIRTY TWO A1-32 ZONE

- 8.3.32.1 Notwithstanding subsections 8.1.1.3, 8.1.1.5 and 8.1.1.8 residential uses and accessory uses are not permitted.  
(B/L 2018-032)

8.3.33 AGRICULTURAL EXCEPTION THIRTY THREE A1-33 ZONE

- 8.3.33.1 Notwithstanding subsections 3.22, 8.1.1.8, and 8.2.1.10, on land zoned “A1-33” a maximum of one single detached dwelling is permitted and a seasonal farm residential use is not permitted.  
(B/L 2018-209)

- 8.3.33.2 Notwithstanding subsection 8.1.1, on land zoned “A1-33” livestock use is not permitted within the existing buildings. (B/L2021-146)

8.3.34 AGRICULTURAL EXCEPTION THIRTY FOUR A1-34 ZONE

- 8.3.34.1 In addition to the uses permitted in Section 8.1, on lands zoned A1-34, a garden suite is also permitted and is subject to the following provisions:

- 8.3.34.2 A “Garden Suite” means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.

- 8.3.34.3 A “Garden Suite” shall not exceed a gross floor area of 110 square metres and shall be permitted for a period of twenty (20) years commencing on the date that the A1-34 Zone is in effect.  
(B/L 2019-100) (Expires June 18, 2039)

8.3.35 AGRICULTURAL EXCEPTION THIRTY FIVE (A1-35) ZONE

- 8.3.35.1 Notwithstanding subsections 3.22, 8.1.1.3, 8.1.1.5, 8.1.1.8 and 8.2.1.10, on land zoned “A1-35” a dwelling unit and accessory uses thereto and/or a seasonal farm residential use and accessory uses thereto are prohibited.

- 8.3.35.2 Notwithstanding 8.2.1.1 & 8.2.1.2, land zoned “A1-35” shall have a minimum lot area of 17.33 hectares and a minimum lot frontage of 174.65 metres. (B/L2020-076)
- 8.3.36 AGRICULTURAL EXCEPTION THIRTY SIX A1-36 ZONE
- 8.3.36.1 Notwithstanding subsections 8.1.1.1 and 8.1.1.6, livestock is not permitted within the agricultural buildings existing on the date of passing of this By-law.
- 8.3.36.2 Manure is not permitted to be stored within 30 metres of the agricultural buildings existing on the date of passing of this By-law. (B/L2020-105)
- 8.3.37 AGRICULTURAL EXCEPTION THIRTY SEVEN A1-37 ZONE
- 8.3.37.1 Notwithstanding subsection 8.1.1, on land zoned “A1-37” residential uses and accessory uses are not permitted. (B/L2021-169)







## **PART 9 - RURAL GENERAL (A2) ZONE**

### **9.1 USES PERMITTED**

9.1.1 No persons shall hereafter change the use of any building, structure or land or erect and use any building or structure in a Rural General (A2) Zone, except for the following uses:

9.1.1.1 Animal Hospital or Veterinary Clinic

9.1.1.2 Auction Barn or Auction Centre

9.1.1.3 Farm Equipment Sales and Service

9.1.1.4 Feedmill

9.1.1.5 Grain Cleaning Plant

9.1.1.6 Grain Drying and Storage Facility

9.1.1.7 Kennel

9.1.1.8 Landscaping or Excavating Business

9.1.1.9 Nursery or Commercial Greenhouse

9.1.1.10 Tack Shop

9.1.1.11 Taxidermy Establishment

9.1.1.12 One Residential Dwelling Unit

9.1.1.13 Cannabis Production and Processing Facilities are subject to Section 3.25 of the General Provisions. (B/L 2021-057)

### **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 Rural General (A2) Zone, except in conformity with the following zone provisions:

9.2.1.1 Lot area (min.) 2 ha

9.2.1.2 Lot frontage (min.) 60 m

9.2.1.3	Yard Requirements (min.)	
	(a) front	16 m
	(b) interior side	8 m
	(c) exterior side	16 m
	(d) rear	8 m
	(e) setback from an existing residential use on an abutting lot	30 m
9.2.1.4	Lot Coverage (max.)	25 %
9.2.1.5	Building Height (max.)	11 m
9.2.1.6	Gross Floor Area (min.)	no minimum
9.2.1.7	Landscaped Open Space (min.)	20 %
9.2.1.8	Density (max. per lot)	
	(a) residential uses	1 d.u.
	(b) separate premises	2
9.3	RURAL GENERAL EXCEPTION ZONES	
9.3.1	RURAL GENERAL EXCEPTION ONE (A2-1) ZONE	
9.3.1.1	Notwithstanding subsection 9.1.1, land zoned "A2-1" may also be used for an abattoir.	
9.3.1.2	Notwithstanding article 9.2.1.3, clauses (b), (d), (e), and (f), land zoned "A2-1" shall be subject to the following zone provisions:	
	(a) Yard Requirements	
	(i) interior side	15 m
	(ii) rear	15 m
	(iii) setback from an existing residential use on an abutting lot	150 m
	(iv) setback from a residential zone	140 m
9.3.2	RURAL GENERAL EXCEPTION TWO (A2-2) ZONE	
9.3.2.1	Notwithstanding subsection 9.1.1, land zoned "A2-2" may only be used for the following:	
	(a) Feedmill; Grain Cleaning Plant; Grain Drying and Storage Facility; Nursery or Commercial Greenhouse; and One Residential Dwelling Unit.	

9.3.2.2 Notwithstanding articles 9.2.1.1 and 9.2.1.2, land zoned “A2-2” shall be subject to the following zone provisions:

- |     |                     |         |
|-----|---------------------|---------|
| (a) | Lot Area (min.)     | 3.78 ha |
| (b) | Lot Frontage (min.) | 151 m.  |
- (By-Law 2000-23)

9.3.3 RURAL GENERAL EXCEPTION THREE (A2-3) ZONE

9.3.3.1 Despite subsection 9.1.1, land zoned A2-3 may only be used for an abattoir and a single detached dwelling, and despite articles 9.2.1.1 and 9.2.1.2, shall have a minimum lot area of 1.54 ha. and a minimum frontage of 57 m.  
(By-Law 2005-90)

9.3.4 RURAL GENERAL EXCEPTION FOUR (A2-4) ZONE

9.3.4.1 Notwithstanding subsection 9.1.1, land zoned A2-4 may only be used for the following:

- (a) Retail sales within accessory structures existing as of the date of passing of this by-law, subordinate and incidental to the principle use on the same property;
- (b) A chip truck; and,
- (c) A farmer’s market as defined herein:

“Farmer’s market” means an area where more than one vendor may locate temporarily, generally on a rental or pay-for-use basis, for the purpose of retailing farm produce but may also include home prepared items or crafted items.

9.3.4.2 Notwithstanding subsection 9.2.1, land zoned A2-4 shall be subject to the following provisions:

- |     |                     |          |
|-----|---------------------|----------|
| (a) | Lot area (min.)     | 0.29 ha. |
| (b) | Lot frontage (min.) | 30.5 m.  |
| (c) | Interior side (min) | 3 m.     |

In all other respects the provisions of the Rural General (A2) Zone shall apply and be complied with.  
(B/L 2008-088)

9.3.5 RURAL GENERAL EXCEPTION FIVE (A2-5) ZONE

9.3.5.1 Existing buildings on land zoned “A2-5” shall not be used for the keeping of livestock or animal husbandry.

- 9.3.5.2 Notwithstanding 9.2.1.1, land zoned “A2-5” shall have a minimum lot area of 1.88 hectares. (B/L2020-076)

## **PART 10 - HAMLET RESIDENTIAL (HR) 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 Hamlet Residential (HR) Zone, except for the following uses:

10.1.1.1 Single Detached Dwelling

10.1.1.2 Duplex

10.1.1.3 Converted Dwelling

10.1.1.4 Bed and Breakfast Establishment

10.1.1.5 Home Occupation

10.1.1.6 Park

10.1.1.7 Elementary or Secondary School

### **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 Hamlet Residential (HR) Zone, except in conformity with the following zone provisions:

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

- |     |   |            |
|-----|---|------------|
| (a) | communal or municipal water supply          | 1400 sq. m |
| (b) | individual water supply and sewage disposal | 2800 sq. m |

10.2.1.2 Lot Frontage (min.)

- |     |   |      |
|-----|---|------|
| (a) | communal or municipal water supply          | 25 m |
| (b) | individual water supply and sewage disposal | 38 m |

10.2.1.3 Yard Requirements (min.)

- |     |               |   |
|-----|---------------|---|
| (a) | front         | 7.5 m   |
| (b) | interior side | shall be 3 m on one side of the lot and 1.3 m for a one storey building plus 1 m for each additional or partial storey above the first storey on the other side of the lot. |

	(c) exterior side	7.5 m
	(d) rear	7.5 m
	(e) water setback	15 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) single detached dwelling	93 sq. m
	(b) converted dwelling or duplex	65 sq. m
10.2.1.7	Landscaped Open Space (min.)	25 %
10.2.1.8	Density (max. per lot)	1 d.u.
10.2.1.9	Notwithstanding subsections 10.1.1 and 10.2.1, an elementary or secondary school shall only be permitted in accordance with the zone provisions of Section 7.2.	
10.3	<b><u>HAMLET RESIDENTIAL EXCEPTION ZONES</u></b>	
10.3.1	HAMLET RESIDENTIAL EXCEPTION ONE (HR-1) ZONE	
10.3.1.1	Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "HR-1" shall have a minimum lot area of 1390 square metres and a minimum lot frontage of 22 metres.	
10.3.2	HAMLET RESIDENTIAL EXCEPTION TWO (HR-2) ZONE	
10.3.2.1	Notwithstanding articles 10.2.1.1 and 10.2.1.2, land zoned "HR-2" shall have a minimum lot area of 2000 square metres and a minimum lot frontage of 24 metres.	
10.3.3	HAMLET RESIDENTIAL EXCEPTION THREE (HR-3) ZONE	
10.3.3.1	Notwithstanding article 10.2.1.2, land zoned "HR-3" shall have a minimum lot frontage of 22 metres.	
10.3.4	HAMLET RESIDENTIAL EXCEPTION FOUR (HR-4) ZONE	
10.3.4.1	Notwithstanding article 10.1, land zoned "HR-4" shall only be used for the following:	
	a) Single Detached Dwelling	
	b) Bed and Breakfast Establishment	
	c) Home Occupation	

10.3.4.2 Notwithstanding the zone provisions of Section 10.2 the following provisions shall apply:

- |    |                                   |                      |
|----|-----------------------------------|----------------------|
| a) | Minimum Lot Area                  | 421.4 m <sup>2</sup> |
| b) | Minimum Lot Frontage              | 15.8 m               |
| c) | Minimum Front Yard Setback        | 4.5 m                |
| d) | Minimum Interior Sideyard Setback |                      |
|    | north side                        | 1.63 m               |
|    | south side                        | 0.67 m               |
| e) | Maximum Lot Coverage              | 50%                  |

All other provisions of the HR Zone apply.  
**(B/L 2005-57)**

10.3.5 HAMLET RESIDENTIAL EXCEPTION FIVE (HR-5) Zone

Notwithstanding article 10.1.1 on land zoned HR-5 the only permitted uses shall be a single detached dwelling, a bed and breakfast establishment, a home occupation and a public park.  
**(B/L 2006-224)**

10.3.6 HAMLET RESIDENTIAL EXCEPTION SIX (HR-6) ZONE

On land zoned HR-6, in addition to the uses permitted in the HR-5 Zone, the existing natural vegetation corridor shall be protected, maintained and enhanced insofar as possible to preserve the features and functions of this corridor. The exception to this is that the corridor may be interrupted to permit the construction of municipal infrastructure.  
**(B/L 2006-224)**

10.3.7 HAMLET RESIDENTIAL EXCEPTION SEVEN (HR-7) ZONE

10.3.7.1 Notwithstanding article 10.1.1 on land zoned HR-7 lots for single detached dwellings shall have a minimum lot frontage of 18 metres and a minimum lot area of 571 sq.m. Lots for duplex/semi detached dwellings shall have a minimum frontage of 18 metres with a minimum frontage of 9 metres per unit and a lot area of 1,100 sq.m.  
**(B/L 2008-193)**

10.3.8 HAMLET RESIDENTIAL EXCEPTION EIGHT (HR-8) ZONE

10.3.8.1 Notwithstanding subsection 10.1.1 on land zoned HR-8 the only permitted uses shall be a single detached dwelling, a bed and breakfast establishment, a home occupation and a public park.  
**(B/L 2015-102)**



10.3.9 HAMLET RESIDENTIAL EXCEPTION NINE (HR-9) ZONE

10.3.9.1 Notwithstanding article 10.2.1.1, land zoned HR-9 shall have a minimum lot area of 2,200 square metres.  
(B/L 2015-219)

10.3.10 HAMLET RESIDENTIAL EXCEPTION TEN (HR-10) ZONE

10.3.10.1 Notwithstanding article 10.2.1.1, land zoned HR-10 shall have a minimum lot area of 2,470 square metres.  
(B/L 2015-219)

10.3.11 HAMLET RESIDENTIAL EXCEPTION ELEVEN (HR-11) ZONE

10.3.11.1 Notwithstanding subsection 10.1.1, on land zoned HR-11 the only permitted uses shall be a single detached dwelling, a bed and breakfast establishment, a home occupation, and a public park.

10.3.11.2 Notwithstanding subsection 3.1.2.2, one accessory building may be erected 1 metre from a residential building located on the same lot. (B/L2020-105)

## **PART 11 - HAMLET RESIDENTIAL TYPE ONE (HR1) 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 the Hamlet Residential Type One (HR1) Zone except for one of the following uses:

11.1.1.1 All uses permitted by Section 10.1 subject to the provisions of Section 10.2.

11.1.1.2 Fourplex Dwelling

11.1.1.3 Apartment Dwelling

11.1.1.4 Elementary or Secondary School

### **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 Hamlet Residential Type One (HR1) Zone, except in conformity with the following zone provisions:

11.2.1.1	Lot Area (min.)	2508 sq. m for the first three dwelling units plus 836 sq. m for each additional dwelling unit
11.2.1.2	Lot Frontage (min.)	91.4 m
11.2.1.3	Lot Depth (min.)	44.2 m
11.2.1.4	Yard Requirements	
	(a) front	9 m
	(b) interior side	3 m or one-half the building height, whichever is greater
	(c) exterior side	9 m
	(d) rear	9 m
11.2.1.5	Water Setback (min.)	30 m
11.2.1.6	Lot Coverage (max.)	30 %
11.2.1.7	Building Height (max.)	11 m



## PART 12 - RURAL RESIDENTIAL TYPE ONE (RR1) 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 One (RR1) Zone, except for the following uses:

12.1.1.1 Single Detached Dwelling

12.1.1.2 Home Occupation

12.1.1.3 Public Park

### 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 One (RR1) Zone, except in conformity with the following zone provisions:

12.2.1.1 Lot Area (min.) 2800 sq. m

12.2.1.2 Lot Frontage (min.) 38 m

12.2.1.3 Yard Requirements

- |                   |  |
|-------------------|--|
| (a) front         | 7.5 m  |
| (b) interior side | 3 m on one side of the lot and 1.3 m for a one storey building plus 1 m for each additional or partial storey above the first storey on the other side of the lot. |
| (c) exterior side | 7.5 m  |
| (d) rear          | 7.5 m  |

12.2.1.4 Water Setback (min.) 30 m

12.2.1.5 Lot Coverage (max.) 30 %

12.2.1.6 Building Height (max.) 11 m

12.2.1.7 Gross Floor Area (min. per d.u.) 93 sq. m

12.2.1.8 Landscaped Open Space (min.) 30 %

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

12.3 **RURAL RESIDENTIAL TYPE ONE EXCEPTION ZONES**

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

12.3.1.1 Notwithstanding articles 12.2.1.1 and 12.2.1.2, land zoned "RR1-1" shall have a minimum lot area of 1.75 hectares and a minimum lot frontage of 130 metres.

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

12.3.2.1 Notwithstanding the definition of group home in Part 2 of this By-law, subsection 12.1.1, and article 12.2.1.2, land zoned "RR1-2" shall have a minimum lot frontage of 8 metres.

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

12.3.3.1 Notwithstanding articles 12.2.1.1 and 12.2.1.4 and any other requirement of the RR1 Zone to the contrary, land zoned "RR1-3" shall be subject to the following zone provisions:

- |     |  |         |
|-----|--|---------|
| (a) | lot area (min.)  | 1.61 ha |
| (b) | minimum setback requirement<br>from any lot line abutting<br>the Kievall Creek Drain | 8 m     |

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

12.3.4.1 Notwithstanding articles 12.2.1.1 and 12.2.1.2, land zoned "RR1-4" shall have a minimum lot area of 2.02 hectares and a minimum lot frontage of 91.8 metres.

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

12.3.5.1 In addition to the provisions of subsection 12.2.1, on land zoned "RR1-5", any dwelling unit shall have a minimum exterior opening elevation equal to the centre line elevation of Concession Road 13, adjacent to the RR1-5 Zone, plus 0.5 metres.

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

12.3.6.1 Notwithstanding the existence of agricultural buildings on land zoned RR1-6, the keeping of livestock shall not be permitted.

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

12.3.7.1 Notwithstanding subsection 3.1.2 and article 12.2.1.3 clause (d), on land zoned 'RR1-7' the maximum setback for all buildings and structures from the front lot line shall be 60 metres.

12.3.7.2 Notwithstanding any provision of this By-law to the contrary, on land zoned 'RR1-7' no exterior opening in any new building shall be lower than the highest existing elevation of the grade of the ground within the lot.

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

12.3.9.1 In addition to the uses permitted in article 12.1.1, land zoned RR1-8 may also be used for a Bed and Breakfast Establishment.  
(By-Law 2001-65)

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

12.3.9.1 Notwithstanding subsection 12.2.1.1 the minimum lot area on land zoned RR1-9 shall be 1161 square metres.

12.3.9.2 Notwithstanding subsection 12.2.1.2 the minimum lot frontage on land zoned RR1-9 shall be 30 metres.  
(By-Law 2001-99)

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

12.3.10.1 Despite Sections 3.1.3.1 (b), 3.1.3.2, 3.1.3.3, 3.9.1.5, 12.2.1.1 and 12.2.1.2, on land zoned RR1-10, the four existing accessory buildings and structures are permitted until either demolished or removed; despite the former use of these buildings for agriculture, the keeping of livestock is not permitted; a bait and tackle home occupation business may occupy the ground floor of the existing converted barn; the minimum lot area shall be 1.2 ha; and the minimum lot frontage shall be 134 m.  
(B/L 2004-201)

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

12.3.11.1 Notwithstanding subsection 3.1.3.1(b), the total lot coverage of all accessory buildings and structures, excluding outdoor swimming pools, on land zoned RR1-11 shall be 168 square metres. (B/L2021-020)

**PART 13 - RURAL RESIDENTIAL TYPE TWO (RR2) ZONE**

**13.1 USES PERMITTED**

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

13.1.1.1 Single Detached Dwelling

13.1.1.2 Home Occupation

13.1.1.3 Bed and Breakfast Establishment

13.1.1.4 Public Park

**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 Rural Residential Type Two (RR2) Zone, except in conformity with the following zone provisions:

13.2.1.1 Lot Area (min.)

- |     |  |            |
|-----|--|------------|
| (a) | serviced with a municipal or communal water system and a private waste disposal system | 1400 sq. m |
| (b) | serviced with a private well and private waste disposal system                         | 2000 sq. m |

13.2.1.2 Lot Frontage (min.)

- |     |  |      |
|-----|--|------|
| (a) | serviced with a municipal or communal water system and a private waste disposal system |      |
|     | (i) no shore lot line  | 25 m |
|     | (ii) with shore lot line   | 30 m |
| (b) | serviced with a private well and private waste disposal system                         | 35 m |

13.2.1.3 Yard Requirements

- |     |               |  |
|-----|---------------|--|
| (a) | front         | 7.5 m  |
| (b) | interior side | 3 m on one side of the lot and 1.3 m for a one storey building plus 1 m for each additional or partial storey above the first storey on the other side of the lot. |

	(c) exterior side	7.5 m
	(d) rear	7.5 m
13.2.1.4	Water Setback (min.)	30 m
13.2.1.5	Lot Coverage (max.)	30 %
13.2.1.6	Building Height (max.)	11 m
13.2.1.7	Gross Floor Area (min. per d.u.)	93 sq. m
13.2.1.8	Landscaped Open Space	30 %
13.2.1.9	Density (max. per lot)	1 d.u.
13.3	<b><u>RURAL RESIDENTIAL TYPE TWO EXCEPTION ZONES</u></b>	
13.3.1	RURAL RESIDENTIAL TYPE TWO EXCEPTION ONE (RR2-1) ZONE	
13.3.1.1	Notwithstanding articles 13.2.1.1 and 13.2.1.2, land zoned "RR2-1" shall have a minimum lot area of 1850 square metres and a minimum lot frontage of 18 metres.	
13.3.2	RURAL RESIDENTIAL TYPE TWO EXCEPTION TWO (RR2-2) ZONE	
13.3.2.1	Notwithstanding subsection 13.1.1, land zoned "RR2-2" may only be used for the following uses:	
	(a) single detached dwelling	
	(b) home occupation	
	(c) public park	



## **PART 14 - RURAL RESIDENTIAL TYPE THREE (RR3) 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 Rural Residential Type Three (RR3) Zone except for one of the following uses:

14.1.1.1 Single Detached Dwelling

14.1.1.2 Vacation Dwelling

14.1.1.3 Home Occupation

### **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 Rural Residential Type Three (RR3) Zone, except in conformity with the following zone provisions:

14.2.1.1 Lot Area (min.)

- |     |  |            |
|-----|--|------------|
| (a) | municipal or communal water system and private waste disposal system | 1400 sq. m |
| (b) | individual water supply and sewage disposal                          | 2000 sq. m |

14.2.1.2 Lot Frontage (min.)

- |     |   |      |
|-----|---|------|
| (a) | municipal or communal water system and private waste disposal system<br>- no shore lot line | 25 m |
| (b) | individual water supply and sewage disposal<br>- with no shore lot line                     | 30 m |
| (c) | with shore lot line   | 35 m |

14.2.1.3 Yard Requirements

- |     |               |   |
|-----|---------------|---|
| (a) | front         | 7.5 m   |
| (b) | interior side | 3 m on one side of the lot and 1.3 m for a one storey building plus 1 m for each additional or partial storey above the first storey on the other side of the lot |
| (c) | exterior side | 7.5 m   |
| (d) | rear          | 7.5 m   |

14.2.1.4	Water Setback (min.)	30 m
14.2.1.5	Lot Coverage (max.)	30 %
14.2.1.6	Building Height (max.)	11 m
14.2.1.7	Gross Floor Area (min. per d.u.)	93 sq. m
14.2.1.8	Landscaped Open Space	30 %
14.2.1.9	Density (max. per lot) 1 d.u.	

### 14.3 **RURAL RESIDENTIAL TYPE THREE EXCEPTION ZONES**

#### 14.3.1 RURAL RESIDENTIAL TYPE THREE EXCEPTION ONE (RR3-1) ZONE

14.3.1.1 Notwithstanding clauses 14.2.1.1 (b), 14.2.1.2 (b), and article 14.2.1.4, land zoned "RR3-1" shall be subject to the following zone provisions:

(a)	lot area (min.)	1300 sq. m
(b)	lot frontage (min.)	30 m
(c)	water setback (min.)	19 m

#### 14.3.2 RURAL RESIDENTIAL TYPE THREE EXCEPTION TWO (RR3-2) ZONE

14.3.2.1 Notwithstanding clauses 14.2.1.1 (b) and 14.2.1.2 (b), land zoned "RR3-2" shall have a minimum lot area of 1750 square metres and a minimum lot frontage of 25 metres.

#### 14.3.3 RURAL RESIDENTIAL TYPE THREE EXCEPTION THREE (RR3-3) ZONE

14.3.3.1 Notwithstanding clauses 14.2.1.1 (a) and 14.2.1.2 (a), land zoned "RR3-3" shall have a minimum lot area of 1775 square metres and a minimum lot frontage of 18 metres.

#### 14.3.4 RURAL RESIDENTIAL TYPE THREE EXCEPTION FOUR (RR3-4) ZONE

14.3.4.1 Notwithstanding subsection 14.1.1, land zoned "RR3-4 may only be used for seven (7) single detached dwellings. (B/L 2001-63)

14.3.4.2 Notwithstanding article 14.2.1.3, any main buildings shall not be permitted within 15 metres from the normal maintained summer water level of 249.9 metres C.G.S. Datum.

14.3.4.3 There shall be a buffer area 15 metres wide maintained adjacent the Environmental Protection Exception Section (EP-7) Zone in which there shall be no buildings or structures erected, no excavation or grading changes and existing vegetation shall not be disturbed or removed. (B/L 2001-63)

14.3.4.4 A 15 metre setback shall be maintained between any new building or structure and the center line of any drainage courses on site identified as "Drainage Features" on Schedule 'F' of Zoning By-law 94-07, as amended. (B/L 2001-63)

14.3.5 RURAL RESIDENTIAL TYPE THREE EXCEPTION FIVE (RR3-5) ZONE

14.3.5.1 Notwithstanding articles 3.1.2.2, 3.14.1.13, 14.2.1.1, 14.2.1.2, 14.2.1.3 and 14.2.1.5, land zoned 'RR3-5' shall be serviced by municipal communal water supply and sanitary sewer facilities and shall be subject to the following zone provisions:

- (a) Lot area (min.) 600 sq.m
- (b) Lot frontage (min.) 18 m
- (c) Front yard (min.) 7.5 m
- (d) Interior side yard (min.) 3 m one side  
1.3 m other side
- (e) Exterior side yard (min.) 7.5 m
- (f) Rear yard (min.) 6 m
- (g) The minimum exterior opening elevation for habitable structures shall be 251.2 metres CGD;
- (h) Notwithstanding clauses '(c)', '(d)' and '(e)' above, a fully or partially attached garage, with garage doors that do not face the street, shall have a minimum front yard or exterior side yard of 6 metres and a minimum interior side yard of 3 metres
- (i) Lot coverage (max.) 40 %
- (j) No driveway shall be located closer than 8.5 metres to the limit of the right-of-way at the street intersection
- (k) Notwithstanding Section 3.18.1.1 the minimum setback from a livestock facility shall be 130 metres and from a manure storage facility shall be 100 metres.
- (l) Notwithstanding clauses 3.1.4.1 (c) and 14.3.5.1 (f) above, an attached, unenclosed deck shall have a minimum rear yard setback of 3 metres.
- (m) Deleted by By-Law 2008-009
- (n) Despite Section 14.3.5.1(f) for land zoned **RR3-5A** the rear yard shall be calculated from a point 33.5m from the front lot line. **D06-32-065**
- (o) On lands zoned **RR3-5B**, no buildings or structures are permitted. **D06-32-065**

14.3.5.2 For the purpose of the RR3-5 zone a "partially attached garage" means a garage which has a roof connection to the dwelling.

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

14.3.6.1 Notwithstanding subsection 14.1.1 on land zoned 'RR3-6' the following uses shall also be permitted:

- (a) storage and maintenance facilities accessory to a golf course on an abutting property.

14.3.6.2 Notwithstanding articles 3.1.2.2, 3.14.1.13, 14.2.1.1, 14.2.1.2, 14.2.1.3, 14.2.1.5 and 14.2.1.6, land zoned 'RR3-6' shall be subject to the following zone provisions:

- (a) The provisions of article 14.3.5.1 shall apply;
- (b) An existing building shall have a maximum height of 15 metres;
- (c) Parking for golf course accessory uses shall be provided at a rate of one space per employee.

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

14.3.7.1 Where lots are within the RR3-7 zone, the Minimum Distance Separation requirements as set out in Section 3.18.1.1 shall not apply. All habitable buildings within the RR3-7 zone shall have a minimum exterior opening elevation of 0.3 metres above the 100 Year Lake Level of 250.9 metres. All other requirements of the RR3 zone shall continue to apply.  
(Board Order No. 1321 October 2, 2003)

## **PART 15 - LIMITED SERVICE RESIDENTIAL (LSR) 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 Limited Service Residential (LSR) Zone except for one of the following uses:

15.1.1.1 Single Detached Dwelling

15.1.1.2 Vacation Dwelling

### **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 Limited Service Residential (LSR) Zone, except in conformity with the following zone provisions:

15.2.1.1 Lot Area (min.)

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

15.2.1.2 Lot Frontage (min.)

(a)	communal or municipal water supply - 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

15.2.1.3 Yard Requirements

(a)	front	7.5 m
(b)	interior side	shall be 3 m on one side of the lot and 1.3 m for a one storey building plus 1 m for each additional or partial storey above the first storey on the other side of the lot
(c)	exterior side	7.5 m
(d)	rear	7.5 m

15.2.1.4 Water Setback (min.) 30 m

15.2.1.5 Lot Coverage (max.) 30 %

15.2.1.6 Building Height (max.) 11 m

15.2.1.7	Gross Floor Area (min. per d.u.)	93 sq. m
15.2.1.8	Landscaped Open Space	30 %
15.2.2.9	Density (max. per lot)	1 d.u.
15.3	<b><u>LIMITED SERVICE RESIDENTIAL EXCEPTION ZONES</u></b>	
15.3.1	LIMITED SERVICE RESIDENTIAL EXCEPTION ONE (LSR-1) ZONE	
15.3.1.1	Notwithstanding Section 15.1, land zoned "LSR-1" shall only be used for a vacation dwelling.	
15.3.2	LIMITED SERVICE RESIDENTIAL EXCEPTION TWO (LSR-2) ZONE	
15.3.2.1	Notwithstanding article 15.2.1.1, land zoned "LSR-2" shall have a minimum lot area of 1300 square metres.	

**PART 16 - GENERAL COMMERCIAL (C1) ZONE**

**16.1 USES PERMITTED**

16.1.1 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:

16.1.1.1 Animal Hospital or Veterinary Clinic

16.1.1.2 Art or Antique Shop

16.1.1.3 Bakery

16.1.1.4 Banks, Financial Institution

16.1.1.5 Bed and Breakfast Establishment

16.1.1.6 Business, Professional or Administrative Offices

16.1.1.7 Commercial School

16.1.1.8 Club

16.1.1.9 Dressmaking or Tailoring Shop

16.1.1.10 Drug Store

16.1.1.11 Dry Cleaning and Laundry Depot

16.1.1.12 Funeral Parlour

16.1.1.13 Medical Clinic

16.1.1.14 Museum or Library

16.1.1.15 Public or Private Parking Lot

16.1.1.16 Recreational Establishment

16.1.1.17 Restaurants

16.1.1.18 Retail Store, Service Shop and Personal Service Shop

16.1.1.19 Taxi Stand

16.1.1.20 Upholstering and Furniture Repair

16.1.1.21 Dwelling units as part of a building containing a permitted non-residential 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 General Commercial (C1) Zone, except in conformity with the following zone provisions:

16.2.1.1 Lot Area (min.) 2000 sq. m

16.2.1.2 Lot Frontage (min.) 45 m

16.2.1.3 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          | 6 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) | 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   |

16.2.1.7 Landscaped Open Space (min.) 10 %

16.2.1.8 Density (max. per lot)

- |     |             |        |
|-----|-------------|--------|
| (a) | residential | 2 d.u. |
|-----|-------------|--------|

## 16.3 GENERAL COMMERCIAL EXCEPTION ZONES

### 16.3.1 GENERAL COMMERCIAL EXCEPTION ONE (C1-1) ZONE

16.3.1.1 Notwithstanding subsection 16.1.1, land zoned "C1-1" may only be used for a small engine repair shop and an accessory dwelling unit.



16.3.2 GENERAL COMMERCIAL EXCEPTION TWO (C1-2) ZONE

16.3.2.1 Notwithstanding subsection 16.1.1, land zoned "C1-2" may only be used for two one bedroom apartments and one two bedroom apartment plus a maximum of two of the following commercial uses:

- (a) Art and Antique Shop
- (b) Banks, Financial Institutions
- (c) Business or Professional Offices
- (d) Dressmaking or Tailoring Shop
- (e) Drug Store
- (f) Retail Store with no outdoor storage
- (g) Service Shop and Personal Service
- (h) Upholstery and Furniture Repair

16.3.2.2 In addition to the zone provisions of subsection 16.2.1, land zoned "C1-2" shall have a landscaped buffer of not less than 1.25 metres in width and shall be established and maintained in the yard abutting the interior side lot line from the front to the rear lot lines. The landscaped buffer shall not have situated on it any buildings, structures, parking spaces or driveways.

16.3.3 GENERAL COMMERCIAL EXCEPTION THREE (C1-3) ZONE

16.3.3.1 Notwithstanding articles 16.2.1.1 and 16.2.1.2, and clauses 16.2.1.3 (a) and 16.2.1.3 (d), land zoned "C1-3" shall be subject to the following provisions:

- |     |                                     |            |
|-----|-------------------------------------|------------|
| (a) | lot area (min.)                     | 1820 sq. m |
| (b) | lot frontage (min.)                 | 30 m       |
| (c) | yard requirements                   |            |
|     | (i) front (existing buildings only) | nil        |
|     | (ii) rear (existing buildings only) | nil        |

16.3.4 GENERAL COMMERCIAL EXCEPTION FOUR (C1-4) ZONE

16.3.4.1 Notwithstanding subsection 16.1.1, land zoned "C1-4" may only be used for the following uses:

- (a) art or antique shop
- (b) bank
- (c) professional offices
- (d) dressmaking or tailoring
- (e) museum or library
- (f) personal service shop excluding beauty parlour
- (g) upholstering and furniture repair shop
- (h) postal outlet
- (i) retail store

16.3.5 GENERAL COMMERCIAL EXCEPTION FIVE (C1-5) ZONE

16.3.5.1 Notwithstanding subsection 16.1.1, land zoned "C1-5" may also be used for warehousing with no outside storage.

16.3.6. GENERAL COMMERCIAL EXCEPTION SIX (C1-6) ZONE

16.3.6.1 Notwithstanding the zone requirements on land zoned C1-6 the only permitted uses shall be Animal Hospital or Veterinary Clinic, Art or Antique Shop, Banks, Financial Institution, Business, Professional or Administrative Offices, Drug Store, Medical Clinic, Retail Store, Service Shop and Personal Service Shop, Upholstering and Furniture Repair.  
**(B/L 2006-224)**

16.3.7 GENERAL COMMERCIAL EXCEPTION SEVEN (C1-7) ZONE

16.3.7.1 Notwithstanding the provisions of Section 16.1 the following regulations apply to lands zoned C1-7:

16.3.7.2 **USES PERMITTED**

- (a) Bank or Financial Institution
- (b) Business or Professional Office
- (c) Medical Centre or Health Care Services
- (d) Retail stores for clothing, books, shoes and household and personal effects
- (e) Retail stores for furniture, appliances, home furnishings and home decorating
- (f) Personal Services shops including massage and therapy but excluding barber shop and hair salon
- (g) Retail Convenience Store
- (h) Retail Store for Food
- (i) Maximum of four (4) dwelling units as part of a commercial building

16.7.3.3 **ZONE REGULATIONS**

- (a) Minimum lot area 4,000 sq.m.
- (b) Minimum lot frontage 45 m.
- (c) Minimum yard requirements:
  - (i) front 6 m.
  - (ii) side 9 m.
  - (iii) rear and abutting residential zone 12 m.
- (d) Maximum building elevation 11 m.

- |                                    |                     |
|------------------------------------|---------------------|
| (e) Maximum lot coverage           | 30%                 |
| (f) Minimum residential floor area | 60 sq.m.            |
| (g) Minimum landscaped open space  | 10% of the lot area |
- (B/L 2008-193)**

## **PART 17 - HIGHWAY COMMERCIAL (C2) ZONE**

### **17.1 USES PERMITTED**

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

17.1.1.1 Animal Hospital or Veterinary Clinic

17.1.1.2 Bed and Breakfast Establishment

17.1.1.3 Hotels, Motels, or Motor hotels

17.1.1.4 Motor vehicle sales establishment, motor vehicle service station, motor vehicle fuel bar, dry-land marina

17.1.1.5 Recreational establishment

17.1.1.6 Restaurant, including drive-in restaurant

17.1.1.7 Retail sales establishment for:

- (a) furniture, home furnishings and home decorating supplies
- (b) major appliances
- (c) motor vehicles, trailers, boats, motorized snow vehicles and accessories
- (d) building or home improvement supplies
- (e) recreational equipment
- (f) garden and nursery supplies
- (g) farm, business or institutional equipment and machinery
- (h) art and craft objects and antiques

17.1.1.8 Tourist Information Centre

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

### **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 Highway Commercial (C2) Zone, except in conformity with the following zone provisions:

17.2.1.1 Lot Area (min.) 4000 sq. m

17.2.1.2 Lot Frontage (min.) 45 m

17.2.1.3	Yard Requirements (min.)	
	(a) front	6 m
	(b) interior side	9 m
	(c) exterior side	9 m
	(d) rear	12 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 units	55 sq. m plus 4 sq. m for each habitable room in excess of 4
	(b) all other uses	no minimum
17.2.1.7	Landscaped Open Space (min.)	20 %
17.2.1.8	Density (max. per lot)	
	(a) residential	1 d.u.
17.2.2	Motor Vehicle Service Stations and Fuel Bars	
17.2.2.1	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.	
17.2.2.2	The minimum distance between access driveways shall be 9 metres.	
17.2.2.3	The interior angle of intersection between an access driveway and the street shall not be less than 45 degrees nor greater than 90 degrees.	
17.2.2.4	All repair and mechanical servicing of motor vehicles shall be conducted within a wholly enclosed building.	
17.3	<b><u>HIGHWAY COMMERCIAL EXCEPTION ZONES</u></b>	
17.3.1	HIGHWAY COMMERCIAL EXCEPTION ONE (C2-1) ZONE	
17.3.1.1	Notwithstanding subsection 17.1.1, land zoned "C2-1" may only be used for the following uses:	
	(a)	Animal hospital or veterinary establishment
	(b)	Motor vehicle sales establishment
	(c)	Motor vehicle service station and fuel bar
	(d)	Motor vehicle washing establishment
	(e)	Business and professional office
	(f)	Place of Worship

- (g) Club, charitable, service or private
- (h) Recreational establishment, indoor
- (i) Retail sales within wholly enclosed buildings of the following:
  - Major electrical appliances
  - Art and craft objects and antiques
  - Automobile, boat, camper and marina accessories including the sale of trailers, motorized snow vehicles and boats
  - broadloom and draperies
  - Equipment and machinery for farming, business, professional institutions
  - Furniture, lamps and mirrors
  - Garden and nursery supplies
  - Gymnasium equipment and sporting goods
  - Retail lumber and home improvement supplies
  - Tourist information centre

17.3.1.2 Notwithstanding subsection 17.2.1, land zoned "C2-1" shall have a minimum lot area of 2,780 square metres.

17.3.1.3 Notwithstanding subsection 3.10.2, land zoned "C2-1" shall have a landscaped buffer strip 3 metres in width with an opaque fence 1.5 metres in height between residential and commercial uses.

#### 17.3.2 HIGHWAY COMMERCIAL EXCEPTION TWO (C2-2) ZONE

17.3.2.1 Notwithstanding subsection 17.1.1, land zoned "C2-2" may only be used for business and/or professional offices.

#### 17.3.3 HIGHWAY COMMERCIAL EXCEPTION THREE (C2-3) ZONE

17.3.3.1 Notwithstanding Sections 17.1, land zoned C2-3 may also be used for a single detached dwelling, a motor vehicle body repair shop, including a paint booth and a mini storage facility fully contained within buildings. The number of collective uses will be limited to five of the permitted uses.

Notwithstanding the provisions set out in Section 17.2, land zoned C2-3 shall be subject to the following zone requirements:

- i. minimum lot area 1.4 ha.
- ii. where the C2-3 zone abuts a residential zone, a landscaped buffer shall be provided which shall consist of an opaque fence with a minimum height of 2 m. The fence shall not be less than 100 m. along the interior side yard.

All other provisions for the C2 Zone shall apply.  
**(B/L 2008-027)**

17.3.4 HIGHWAY COMMERCIAL EXCEPTION FOUR (C2-4) ZONE

17.3.4.1 Notwithstanding article 17.2.1.2, land zoned "C2-4" shall have a minimum lot frontage of 37 metres.

17.3.5 HIGHWAY COMMERCIAL EXCEPTION FIVE (C2-5) ZONE

17.3.5.1 Notwithstanding subsection 17.1.1, land zoned "C2-5", may only be used for the following uses:

- (a) one single detached dwelling
- (b) sales and service of motorized snow vehicles and all terrain vehicles, enclosed and unenclosed storage
- (c) fencing business, enclosed and unenclosed storage
- (d) motor vehicle sales establishment as defined herein:  
"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 vehicle vehicles but shall not include any other automotive use defined in this By-law. **(B/L 2008-167)**
- (e) motor vehicle repair shop as defined herein:  
"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 four-wheel drive tractors and combines. **(B/L 2008-167)**

17.3.5.2 Notwithstanding subsection 17.2.1, land zoned "C2-5" shall be subject to the following zone provisions:

- (a) lot area (min.) 2 ha
- (b) lot frontage (min.) 95 m
- (c) yard requirements:
  - (i) front 30 m
  - (ii) interior side 5 m
  - (iii) exterior side 30 m
  - (iv) rear 30 m
- (d) lot coverage (max.) 5 %

(e) building height (max.) 11 m

17.3.6 HIGHWAY COMMERCIAL EXCEPTION SIX (C2-6) ZONE

17.3.6.1 Notwithstanding subsection 17.1.1, land zoned "C2-6" may only be used for an antique shop and one dwelling unit.

17.3.6.2 Notwithstanding subsection 17.2.1, land zoned "C2-6" shall have a minimum lot area of 3200 square metres.

17.3.7 HIGHWAY COMMERCIAL EXCEPTION SEVEN (C2-7) ZONE

17.3.7.1 Notwithstanding subsection 17.1.1, land zoned "C2-7" may only be used for an auction barn.

17.3.7.2 Notwithstanding article 17.2.1.3, land zoned "C2-7" shall have a minimum side yard setback where the "C2-7" Zone abuts a residential zone of 3 metres and a minimum side yard setback of 12 metres where the "C2-7" Zone does not abut a residential zone.

17.3.7.3 In addition to Section 3.14, all parking shall be limited to the front and side yards.

17.3.7.4 Notwithstanding Section 3.10, a continuous landscaped buffer shall be planted and maintained along the side lot line, where the "C2-7" Zone abuts a residential use, from the front lot line to a depth of 91.5 metres. The continuous landscaped buffer shall consist of evergreen vegetation which shall achieve a minimum height of 1.5 metres, and a minimum width of 1 metre, within 3 years from the passing of this By-law. All landscaping shall be maintained in a healthy condition and shall be neat and orderly in appearance.

17.3.8 HIGHWAY COMMERCIAL EXCEPTION EIGHT (C2-8) ZONE

17.3.8.1 Notwithstanding subsection 17.1.1, land zoned "C2-8" may only be used for:

- (a) lawn and garden equipment sales and service establishment
- (b) arts, crafts, antiques and woodworking establishment
- (c) retailing of garden and nursery supplies
- (d) public garage
- (e) one dwelling unit.

17.3.8.2 In addition to the C2 Zone provisions of subsection 17.2.1, the sale of accessory and ancillary parts and products shall not occupy more than 25% of the total floor area.

17.3.8.3 The repair and service of all equipment and products shall be conducted within a wholly enclosed building.



- 17.3.8.4 The outdoor display of the equipment or products for sale shall be limited to the front yard. No other outside storage of goods, equipment or products shall be permitted.
- 17.3.8.5 In addition to Section 3.14, the motor vehicle parking associated with the permitted uses shall be limited to the front yard with a maximum of 11 motor vehicles.
- 17.3.8.6 Notwithstanding Section 3.10, a continuous landscaped buffer shall be planted and maintained along the side lot line, where the "C2-8" Zone abuts a residential use, from the front lot line to a depth of 20 metres or, alternatively, an opaque fence shall be constructed to provide a satisfactory buffer. The continuous landscaped buffer shall consist of evergreen vegetation which shall achieve a minimum height of 1.5 metres, and a minimum width of 1 metre, within 3 years from the passing of this By-law.
- 17.3.8.7 The minimum set back for a motor vehicle repair bay from the west side lot line shall be 24.5 m.
- 17.3.8.8 Motor vehicle sales accessory to a public garage shall be limited to two parking spaces with a maximum of 18 square metres per space.
- 17.3.9 HIGHWAY COMMERCIAL EXCEPTION NINE (C2-9) ZONE
- 17.3.9.1 Notwithstanding subsection 17.1, land zoned "C2-9" may only be used for a take-out restaurant and a farm produce outlet.

## **PART 18 - TOURIST COMMERCIAL (C3) ZONE**

### **18.1 USES PERMITTED**

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

18.1.1.1 Accessory Retail Use

18.1.1.2 Bed and Breakfast or Cottage Establishment

18.1.1.3 Boat and Marine Motor Sales and Service

18.1.1.4 Hotel or Motel

18.1.1.5 Lodge

18.1.1.6 Marina

18.1.1.7 Motorized Snow Vehicle and All Terrain Vehicle Sales and Service

18.1.1.8 Recreational Equipment Rentals

18.1.1.9 Restaurant

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

### **18.2 ZONE PROVISIONS**

18.2.1 No person shall hereafter erect or use any building or structure in a Tourist Commercial (C3) 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.) 60 m

18.2.1.3 Yard Requirements (min.)

- |     |               |       |
|-----|---------------|-------|
| (a) | front         | 25 m  |
| (b) | interior side | 6 m   |
| (c) | exterior side | 25 m  |
| (d) | rear          | 7.5 m |
| (e) | water setback | 30 m  |

18.2.1.4 Lot Coverage (max.) 30 %

18.2.1.5	Building Height (max.)	11 m
18.2.1.6	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
18.2.1.7	Landscaped Open Space (min.)	25 %
18.2.1.8	Density (max. per lot)	
	(a) residential	1 d.u.

### 18.3 **TOURIST COMMERCIAL EXCEPTION ZONES**

#### 18.3.1 TOURIST COMMERCIAL EXCEPTION ONE (C3-1) ZONE

18.3.1.1 Notwithstanding subsection 18.1.1, land zoned "C3-1" shall only be used for a golf course.

#### 18.3.2 TOURIST COMMERCIAL EXCEPTION TWO (C3-2) ZONE

18.3.2.1 Notwithstanding subsection 18.1.1, land zoned "C3-2" may only be used for the following uses:

- (a) Golf course
- (b) Driving Range
- (c) Clubhouse

18.3.2.1 Notwithstanding article 3.14.1.2, eight parking spaces per hole shall be provided.

#### 18.3.3 TOURIST COMMERCIAL EXCEPTION THREE (C3-3) ZONE

18.3.3.1 Notwithstanding Section 18.1, land zoned 'C3-3' may only be used for the following uses:

- (a) Lodge or Hotel and accessory retail use, meeting rooms, conference rooms and restaurant;
- (b) Clubhouse, pro shop, administrative offices and parking areas accessory to a golf course on an abutting lot;
- (c) A business office located within the lodge or hotel;
- (d) Dwelling unit in a building containing another permitted use
- (e) A golf course (B/L 99-31).

18.3.3.2 Notwithstanding article 18.2.1.3 clauses (b), (d) and (e), article 18.2.1.5 and article 3.18.5.1(a), land zoned (C3-3) shall be serviced by municipal communal

water supply and sanitary sewer facilities and shall be subject to the following zone provisions:

- (a) Water setback (min.) 15 m
- (b) Interior side yard (min.) 3 m
- (c) Rear yard (min.) 3 m
- (d) Building height (max.) 13 m
- (e) Guest rooms or cottages (max.) 25
- (f) The minimum exterior opening elevation for habitable
- (g) structures shall be 251.2 metres CGD;
- (h) Maximum total occupancy for meeting and conference facilities shall be 300 persons;
- (i) Maximum total occupancy for restaurant facilities shall be 150 persons.
- (j) If used for, or as part of, a golf course, the provisions of article 18.3.4.2 shall apply, except that no employee parking shall be required and the parking spaces may be located either on the property or on an abutting property in the C3-4 Zone. (B/L 99-31)

#### 18.3.4 TOURIST COMMERCIAL EXCEPTION FOUR (C3-4) ZONE

18.3.4.1 Notwithstanding subsection 18.1.1, land zoned 'C3-4' shall only be used for a golf course.

18.3.4.2 Notwithstanding any provision of subsection 3.14.1, to the contrary, land zoned 'C3-4' shall be subject to the following zone provisions:

- (a) The minimum number of parking spaces for a golf course shall be 4 spaces per hole plus 4 employee parking spaces and overflow parking of 2 spaces per hole;
- (b) Parking may be provided on an abutting property in a C3 zone category;
- (c) An overflow parking area shall be exempt from the provisions of articles 3.14.1.3 through 3.14.1.7 except that it shall have visible boundaries;
- (d) Notwithstanding Section 3.18.1.1 the minimum setback, with the exception of maintenance or storage buildings accessory to a golf course, from a livestock facility shall be 130 metres and from a manure storage facility shall be 100 metres;
- (e) For the purposes of the C3-4 zone a golf course shall include all normal accessory uses with the exception of a driving range.
- (f) On land zoned C3-4 (H1) no soil disturbance by any means nor the erection of any structure(s) shall be permitted unless and until an archaeological assessment has been completed to the satisfaction of the Ministry of Culture or its successor; and the (H1) symbol shall not be removed until the Ministry of Culture or its successor, provides written confirmation that it's concerns respecting archaeological artifacts have been satisfied. (B/L 2004-38)

## **PART 19 - RESTRICTED INDUSTRIAL (M1) 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 Restricted Industrial (M1) Zone, except for the following uses:
- 19.1.1.1 Dry-light industry
- 19.1.1.2 Light industry such as custom workshop, dry-land marina, electronics manufacturing, factory outlet, home improvement supply outlet, industrial mall, laundry or dry cleaning plant, light assembly plant, warehousing
- 19.1.1.3 Motor vehicle sales establishment, motor vehicle service station and motor vehicle washing establishment excluding a motor vehicle scrap or salvage yard
- 19.1.1.4 Custom workshop
- 19.1.1.5 Contractor's yard
- 19.1.1.6 Public garage, motor vehicle body shop
- 19.1.1.7 Business or Professional Office and commercial undertakings accessory to a permitted use.

### **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 Restricted Industrial (M1) 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  | 7.5 m |
| (b) | interior side - 6 m or 2 m if abutting a M1 or M2 Zone |       |
| (c) | exterior side  | 7.5 m |
| (d) | rear   | 12 m  |
- 19.2.1.4 Lot Coverage (max.) 30 %
- 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	not permitted

19.3 **RESTRICTED INDUSTRIAL EXCEPTION ZONES**

M1-1 Reserved for D06-32-043

## **PART 20 - GENERAL INDUSTRIAL (M2) ZONE**

### **20.1 USES PERMITTED**

20.1.1 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:

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

20.1.1.2 Animal hospital or veterinary clinic

20.1.1.3 Auction barn

20.1.1.4 Medium industries such as agricultural produce storage facility, building supply and equipment depots and sales, bulk fuel storage, contractor's yard, farm implement sales and service, feed mill and sales facility, food processing plant, heavy equipment and commercial vehicle sales and service; manufacturing involving the fabrication or processing of plastic, fibreglass, wood, sheet metal, stamping and assembly plants; public garage and motor vehicle body repair shop, truck transport or bus terminal.

20.1.1.5 Recycling Depot

20.1.1.6 Outside storage accessory to a permitted use

20.1.1.7 Contractor's yard, works depot or yard

20.1.1.8 Cannabis Production and Processing Facilities are subject to Section 3.25 of the General Provisions. (B/L 2021-057)

### **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 building or structure, in a General Industrial (M2) Zone, except in conformity with the following zone provisions:

20.2.1.1 Lot Area (min.) 4000 sq. m

20.2.1.2 Lot Frontage (min.) 30 m

20.2.1.3 Yard Requirements (min.)

(a) front 30 m

(b) interior side - 3 m or 2 m if abutting a M1 or M2 Zone

	(c) exterior side	6 m
	(d) rear	11 m
20.2.1.4	Lot Coverage (max.)	50 %
20.2.1.5	Building Height (max.)	11 m
20.2.1.6	Gross Floor Area	no minimum
20.2.1.7	Landscaped Open Space (min.)	10 %
20.2.1.8	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 60%.	
20.3	<b><u>GENERAL INDUSTRIAL EXCEPTION ZONES</u></b>	
20.3.1	GENERAL INDUSTRIAL EXCEPTION ONE (M2-1) ZONE	
20.3.1.1	Notwithstanding subsection 20.1.1, land zoned "M2-1" may only be used for a motor vehicle body repair shop and accessory enclosed storage.	
20.3.1.2	Notwithstanding clause 20.2.1.3 (a) and article 20.2.1.6, land zoned "M2-1" shall have a front yard setback of 160 metres and a maximum gross floor area of 650 square metres.	
20.3.2	GENERAL INDUSTRIAL EXCEPTION TWO (M2-2) ZONE	
20.3.2.1	Notwithstanding the uses permitted in subsection 20.1.1, land zoned "M2-2" may only be used for a residential dwelling, a motor vehicle repair garage and body shop.	
20.3.2.2	In addition to the requirements of subsection 20.2.1, any outside storage area shall be located to the rear of the body shop and screened with a wooden fence measuring 1.8 metres (6 feet) in height.	
20.3.3	GENERAL INDUSTRIAL EXCEPTION THREE (M2-3) ZONE	
20.3.3.1	Notwithstanding subsection 20.1.1, land zoned "M2-3" may only be used for a welding shop and an accessory dwelling.	
20.3.3.2	Notwithstanding article 20.2.1.1, on land zoned "M2-3" the minimum lot area shall be 3350 square metres.	



## **PART 21 - EXTRACTIVE INDUSTRIAL (M3) ZONE**

### **21.1 USES PERMITTED**

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

21.1.1.1 Pit, Sand and Gravel

### **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 an Extractive Industrial (M3) Zone, except in conformity with the following zone provisions:

21.2.1.1 Lot Area (min.) 10 ha

21.2.1.2 Lot Frontage (min.) 180 m

21.2.1.3 Excavation Setbacks

(a)	front	30 m
(b)	interior side	15 m
(c)	exterior side	30 m
(d)	rear	15 m
(e)	30 m from any lot zoned to permit a residential use or containing an existing residential use.	

21.2.1.4 Stockpile and Building yard requirements

(a)	front	30 m
(b)	interior side	30 m
(c)	exterior side	30 m
(d)	rear	30 m
(e)	90 m from any lot zoned to permit a residential use or containing an existing residential use.	

### **21.3 EXTRACTIVE INDUSTRIAL EXCEPTION ZONES**

#### **21.3.1 EXTRACTIVE INDUSTRIAL EXCEPTION ONE (M3-1) ZONE**

21.3.1.1 Notwithstanding article 21.2.1.2, land zoned "M3-1" shall have a minimum lot frontage of nil.

21.3.2 EXTRACTIVE INDUSTRIAL EXCEPTION TWO (M3-2) ZONE

21.3.2.1 Notwithstanding article 21.2.1.2, land zoned "M3-2" shall have a minimum lot frontage of 18 metres.

21.3.3 EXTRACTIVE INDUSTRIAL EXCEPTION THREE (M3-3) ZONE

21.3.3.1 Notwithstanding article 21.2.1.1, land zoned "M3-3" may be used for a sand and gravel pit with a maximum annual extraction of 20,000 tonnes and agricultural uses, excluding barns and manure handling facilities. (B/L 2006-163)

21.3.3.2 A minimum vertical separation of 2 metres shall be provided between aggregate extraction and the highest elevation of the ground water as it is found at any given point on the property. (B/L 2006-163)

21.3.4 EXTRACTIVE INDUSTRIAL EXCEPTION FOUR (M3-4) ZONE

21.3.4.1 Notwithstanding article 21.2.1.2, land zoned "M3-4" shall have a minimum lot frontage of 20 metres.

21.3.5 EXTRACTIVE INDUSTRIAL EXCEPTION FIVE (M3-5) ZONE

21.3.5.1 Notwithstanding subsection 21.1.1, land zoned "M3-5" may only be used for a pit with a maximum annual extraction of 20,000 tonnes.

21.3.5.2 Notwithstanding subsection 21.2.1 for land zoned M3-5 access shall be permitted through land zoned M2-1 and a minimum vertical separation of 5 metres shall be provided between aggregate extraction and the highest elevation of the groundwater as it is found at any given point on the site.

21.3.6 EXTRACTIVE INDUSTRIAL EXCEPTION SIX (M3-6) ZONE

21.3.6.1 In addition to the provisions of subsection 21.2.1, land zoned "M3-6" shall also be subject to the following:

- (a) No processing plants shall be permitted within 90 metres of a dwelling located on a separate lot.

21.3.7 EXTRACTIVE INDUSTRIAL EXCEPTION SEVEN (M3-7) ZONE

21.3.7.1 Notwithstanding subsection 21.1.1 land zoned "M3-7" shall only be used for a pit with a maximum annual extraction of 20,000 tonnes.

21.3.7.2 Notwithstanding subsection 21.2.1 land zoned "M3-7" shall not require an interior side yard abutting a lot in a M3 or M3 Exception Zone and a minimum vertical

separation of 1 metre shall be provided between aggregate extraction and the highest elevation of the groundwater as it is found at any given point on the site.

21.3.8           EXTRACTIVE INDUSTRIAL EXCEPTION EIGHT “(M3-8)” ZONE

21.3.8.1       Notwithstanding subsection 21.1.1, land zoned M3-8 may be used for a pit with a maximum annual extraction of 20,000 tonnes and agricultural uses, excluding barns and manure handling facilities;

21.3.8.2       A minimum vertical separation of 1.5 metres shall be provided between aggregate extraction and the highest elevation of the ground water as it is found at any given point on the property.  
(B/L 2006-096)

21.3.9           EXTRACTIVE INDUSTRIAL EXCEPTION NINE (M3-9) ZONE

21.3.9.1       Notwithstanding subsection 21.1.1, land zoned M3-9 may also be used for a quarry.

21.3.9.2       Notwithstanding subsection 21.1.1, on land zoned M3-9, a recyclables storage area is permitted for reclaimed materials such as aggregate products, asphalt, concrete and brick, which may be imported to the property for processing and temporarily stored for sale.

21.3.9.3       Notwithstanding subsection 21.2.1.3, on land zoned M3-9, a rear excavation setback of 0 metres is permitted for a pit and 5 metres is permitted for a quarry along the westerly lot line abutting an existing licensed pit.

21.3.9.4       Until the holding provision has been removed, the only permitted uses shall be limited to existing permitted uses.

21.3.9.5       On land zoned M3-9(H), the removal of the (H) holding symbol shall be in accordance with the following:

- (a)     Submission to the Ministry of Natural Resources and Forestry of an Application for a License under the Aggregate Resources Act for the proposed quarry; and
- (b)     Submission of Aggregate Resources Act Site Plans to the satisfaction of the City. (B/L 2021-031)

**PART 22 - DISPOSAL INDUSTRIAL (M4) ZONE**

22.1           **USES PERMITTED**

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

22.1.1.1 Sanitary Landfill Site

22.1.1.2 Waste Transfer Station

22.2 **ZONE PROVISIONS**

22.2.1 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:

22.2.1.1 Lot Area (min.)  
(a) landfill 10 ha  
(b) transfer site 1 ha

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

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

22.2.1.4 Establishment or maintenance of any of the permitted uses shall be enclosed by an opaque fence a minimum of 2 metres in height or a landscaped buffer at least 6 metres wide with an unpierced hedgerow of evergreens at least 2 metres in height.

22.3 **DISPOSAL INDUSTRIAL EXCEPTION ZONES**

22.3.1 DISPOSAL INDUSTRIAL EXCEPTION ONE (M4-1) ZONE

22.3.1.1 Notwithstanding subsection 22.1.1, land zoned "M4-1" may be used for a salvage yard and recycling depot.

22.3.1.2 Notwithstanding subsection 22.2.1, land zoned "M4-1" shall be subject to the following zone provisions:

(a) lot area (min.) 1 ha  
(b) lot frontage (min.) 60 m  
(c) yard requirements (min.)

- |       |               |      |
|-------|---------------|------|
| (i)   | front         | 10 m |
| (ii)  | interior side | 10 m |
| (iii) | exterior side | 10 m |
| (iv)  | rear          | 10 m |
- d) establishment or maintenance of any of the permitted uses shall be enclosed by an opaque fence a minimum of 2 metres in height or a landscaped buffer at least 6 metres wide with an unpierced hedgerow of evergreens at least 2 metres in height.

## **PART 23 - INTERPRETATION**

### **23.1 SCOPE**

- 23.1.1 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.

### **23.2 SYMBOLS**

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

### **23.3 DEFINED**

- 23.3.1 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.

### **23.4 INTERPRETATION OF ZONE BOUNDARIES**

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

23.5 **CERTAIN WORDS**

- 23.5.1 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.

23.6 **MEASUREMENT**

- 23.6.1 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.

23.7 **ABBREVIATIONS**

- 23.7.1 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
C.G.S. Datum	-	Canada Geodetic Survey Datum
MDS	-	minimum distance separation

23.8 **COMPLIANCE WITH OTHER LAWS**

- 23.8.1 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 24 - ADMINISTRATION AND VALIDITY**

### **24.1 ENFORCEMENT**

- 24.1.1 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.

### **24.2 INSPECTION OF PREMISES**

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

### **24.3 CONTINUATION OF EXISTING REGULATIONS**

- 24.3.1 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.

### **24.4 VIOLATION PENALTY**

- 24.4.1 Every person or persons who contravenes any of the provisions of this By-law is guilty of an offence, and on conviction is liable to imposition of penalties as established by Section 67 of the Planning Act, R.S.O. 1990, as amended.
- 24.4.2 Pursuant to Section 67 of the Planning Act, R.S.O. 1990, as amended, where a corporation is convicted of the contravention of any of the provisions of 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.

### **24.5 REPEAL OF EXISTING ZONING BY-LAWS**

Restricted Area By-law 1978-17, as amended, of the Corporation of the Township of Mariposa is hereby repealed.



24.6 **VALIDITY**

24.6.1 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.

24.6.2 This By-law shall take effect from the date of passing thereof, subject to the provisions of Section 34 of the Planning Act.

READ a first time this 28th day of February, 1994

READ a second time this 28th day of February, 1994

READ a third time and passed this 28th day of February, 1994

original signed by "James A. Lyons"  
Reeve

original signed by "Sandra Lloyd"  
Clerk

## APPENDIX "A" - METRIC CONVERSION

## Linear Measurements (rounded)

<b><u>Metres</u></b>	<b><u>Feet</u></b>	<b><u>Metres</u></b>	<b><u>Feet</u></b>
0.50	1.6	27.5	90.2
0.60	2.0	30.0	98.4
0.75	2.5	30.5	100.0
1.0	3.3	32.5	106.6
1.2	4.0	35.0	114.9
1.25	4.1	37.0	121.4
1.3	4.3	38.0	124.7
1.5	5.0	44.2	145.0
1.8	6.0	45.0	147.6
2.0	6.6	48.0	157.5
2.3	7.5	55.0	180.5
2.4	7.8	60.0	196.9
2.5	8.2	70.0	229.7
2.8	9.1	91.5	300.2
3.0	9.9	92.0	301.8
3.5	11.5	95.0	311.7
4.0	13.1	100.0	328.1
4.5	14.8	120.0	393.7
5.0	16.4	130.0	426.5
5.5	18.0	150.0	492.1
6.0	19.7	155.0	508.5
7.0	23.0	180.0	590.6
7.5	24.6	182.0	597.1
8.0	26.2	200.0	656.2
9.0	29.5	210.0	689.0
10.0	32.8	230.0	754.6
11.0	36.0		
12.0	39.4		
12.5	41.0		
13.5	44.3		
14.5	47.6		
15.0	49.2		
16.0	52.5		
18.0	59.0		
19.0	62.3		
20.0	65.6		
22.0	72.2		
24.0	78.7		
25.0	82.0		

**Area Measurements**

<b><u>Square Metres</u></b>	<b><u>Square Feet</u></b>	<b><u>Square Metres</u></b>	<b><u>Square Feet</u></b>
5	53.8	1765	18998.9
9	96.9	1775	19106.7
10	107.6	1850	19913.9
14	150.7	1860	20021.5
20	215.3	2000	21528.5
30	322.9	2001	21539.3
35	376.8	2508	26996.7
40	430.6	2800	30139.9
53	570.5	3200	34415.6
55	592.0	4000	43057.1
65	699.7		
80	861.1	<b><u>Hectares</u></b>	<b><u>Acres</u></b>
85	915.0	1.0	2.5
93	1001.1	1.4	3.5
100	1076.4	1.61	4.0
300	3229.3	2.0	4.9
301	3240.0	2.8	6.9
376	4047.4	3.6	8.9
836	8998.9	3.8	9.4
930	10010.8	5.0	12.4
1300	13993.5	10.0	24.7
1360	14962.3	19.0	46.9
1400	15070.0	25.0	61.8
1650	17761.0	38.0	93.9
1750	18837.5		

Please Note: This conversion table is not part of the By-law. Imperial measures are approximate and are for reference purposes only. The metric values throughout the By-law are the measures to be used.

**MINIMUM DISTANCE SEPARATION (MDS)  
CALCULATION SHEET FOR NON-AGRICULTURAL USES**

**USES:** To determine the required minimum distance separation (MDS) for non-agricultural uses establishing in proximity to livestock facilities.

The following information is to be completed as it relates to livestock operations within 120 metres of the proposed non-agricultural use.

**APPLICANT'S NAME:** \_\_\_\_\_ **TELEPHONE:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**LOCATION - TOWNSHIP:** \_\_\_\_\_ **LOT:** \_\_\_\_\_ **CON.:** \_\_\_\_\_

**FILE #:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **EVALUATOR:** \_\_\_\_\_

**ASSESSMENT OF THE LIVESTOCK FACILITY**

**STEP 1 - TOTAL LIVESTOCK UNITS**

To calculate the Total Livestock Units, complete the table below based on the information in Table 1.

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Type of Livestock	Animal Group Table 1	Housing Capacity of Livestock Facility	No. of Animals / Livestock Unit Table 1	No. of Livestock Units Column 3 / Column 4
(A) = Total Livestock Units				(A)

If there are more than 300 livestock units, reference must be made to the full set of tables available from any O.M.A.F.A. office.

**STEP 2 - LAND BASE ASSESSMENT (B)**

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	ANIMALGROUP 5
1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals	1 Livestock Unit equals
200 Chicken Broilers 1 Dairy Cow <sup>1,2</sup> (tie stall) 1 Horse <sup>3</sup>	4 Adult Sheep <sup>3</sup> 1 Beef Cow <sup>confinement</sup> 2 Heifers <sup>confinement</sup> 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 yard/Barn</sup> 2 Beef Feeder <sup>Yard/Barn</sup> 1 Dairy Cow <sup>1,2(Free stall)</sup> 2 Dairy Heifers <sup>yard/Barn</sup> 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:					To permit:				
	<ul style="list-style-type: none"> <li>Up to 3 rural residential lots, either by consent or by plan of subdivision</li> <li>the severance of an existing dwelling</li> <li>passive recreational</li> <li>the building of a dwelling on an existing lot of record</li> <li>agriculturally related commercial</li> <li>industrial</li> </ul>					<ul style="list-style-type: none"> <li>residential subdivision</li> <li>active recreational</li> <li>institutional</li> <li>commercial</li> <li>urban expansion</li> <li>multiple residential</li> <li>or result in a Rural Cluster</li> </ul>				
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 DISTANCE 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.

Distance for Livestock Facility from Table 2 (Step 3)	MANURE STORAGE DISTANCE							
	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 4Building Base Distance (From Step 3 -  
A X B X C X D)Base Distance F: [\_\_\_\_\_]  
(insert below)Step 5Manure Storage Base Distance (F from Step 4)  
Table 4Base Distance S: [\_\_\_\_\_]  
(insert below)Step 6MINIMUM DISTANCE  
SEPARATION  
SUMMARY:

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

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

Animals per Livestock Unit				Factor A
BEEF	1	Beef Cow <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 STORAGE (metres).

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

Minimum Base Distance 'F' for the Building	Column 1	Column 2	Column 3	Column 4
	Covered Tank or Storage	Open Solid Storage	Open Liquid Tank, Silo, Milkhouse Waste and Yard Runoff Storage	Earthen Manure Storage
(m)	(m)	(m)	(m)	(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