



# Zoning By-Law #140-2002

Date of Original Approval  
December 16, 2002

Office Consolidation  
January 2020



**This office consolidation By-law No. 140-2002 (text and schedules), incorporates all amendments up to and including By-law No. 130-2019 (December 2<sup>nd</sup>, 2019).**

**This consolidation has been prepared for convenience purposes only. For accurate reference, recourse should be had to the official documents on file at the Planning Department.**

## **Explanatory Note**

### **Subject:**

By-law No. 140-2002, as amended, of the Municipality of Brighton is a Comprehensive Zoning By-law regulating the use of the land and the character, location and use of buildings, structures and pits and quarries for the whole of the Municipality of Brighton.

### **Introduction:**

The material herein includes a copy of By-law No. 140-2002, as amended, together with the land use zoning schedules, which governs land use throughout the Municipality of Brighton, being the area to which the By-law applies.

### **Purpose and Effect:**

The purpose and effect of Zoning By-law No. 140-2002, as amended, are:

1. To implement the approved policies contained in the Municipality of Brighton approved Official Plan.
2. To establish specific zone classifications and regulations enabling the orderly and progressive development of the Municipality of Brighton.

Nothing in this By-law shall prevent the use of any lot, building, or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

This By-law is now known as the Municipality of Brighton Comprehensive Zoning By-law.

## **The Corporation of the Municipality of Brighton By-law No. 140-2002, As Amended**

**Being a By-law to regulate the use of lands and the character, location and use of buildings and structures in the Municipality of Brighton.**

**Whereas** The Planning Act provides that the Council of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

**And whereas** the Council of the corporation of the Municipality of Brighton deems it desirable to repeal, By-law Nos. 1988-521 (former Township of Brighton) and 730-87 (former Township of Brighton) in their entirety, together with all amendments thereto;

**And whereas** the Council of the Municipality of Brighton further deems it necessary and in the public interest to regulate the use for land in the Municipality.

**Now therefore** the Council of the Corporation of the Municipality of Brighton hereby repeals By-law Nos. 1988-521 and 730-87 in their entirety, together with all amendments thereto and subsequently enacts the By-law set out herein.

## Introduction

These pages explain the purpose of this Zoning By-law and how it should be used. These pages do not form part of the Zoning By-law passed by Council and are intended only to make the Zoning By-law more understandable and easier to reference.

## Purpose of this Zoning By-law

The purpose of this Zoning By-law is to implement the policies of the Official Plan of the Municipality of Brighton, comprising the Official Plans of the former Town and Township of Brighton. The Official Plan contains general policies that affect the use of land throughout the Municipality. These policies specify where certain land uses are permitted and, in some instances, specify what regulations are to apply to the development of certain lands.

An Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by Council must conform to the Official Plan. For example, if the Official Plan stated lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of buildings or structures on those lands.

The statutory authority to zone land is granted by the Ontario *Planning Act*. Section 34 of the *Planning Act* specifies what a By-law passed under this Section can regulate. A Zoning By-law can:

- i. prohibit the use of land or buildings by any use that is not specifically permitted by the By-law;
- ii. prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the By-law;
- iii. regulate the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures;
- iv. regulate the minimum frontage and depth of a parcel of land;
- v. regulate the proportion of a lot that any building or structure may occupy;
- vi. regulate the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures;
- vii. require the owners or occupants of buildings or structures to be erected or used for a purpose permitted by the By-law to provide and maintain loading or parking facilities; and,
- viii. prohibit the use of lands and the erection of a class or classes of buildings or structures on land that is:
  - i. subject to flooding;
  - ii. the site of steep slopes;

- iii. rocky, low-lying, marshy or unstable;
- iv. contaminated;
- v. a sensitive groundwater recharge area or head water area;
- vi. the location of a sensitive aquifer;
- vii. a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
- viii. a significant corridor or shoreline of a lake, river or stream; and,
- ix. the site of a significant archaeological resource.

## **What to do with this By-law**

The following five (5) steps describe what a property owner should do to determine what can be done with a property.

- i. Every property owner should first find the map, which in this By-law is called a Schedule, that applies to their property, locate their property and determine what Zone their property is in. The Schedules for this By-law are found immediately following Section 9.0 of the By-law.
- ii. Reference should then be made to Section 6.0 to determine what uses are permitted in that Zone. The majority of the uses in the Permitted Uses table are also defined in Section 2.0 of the By-law.
- iii. Once the permitted use is known, reference should then be made to Section 7.0 to determine what standards apply to any buildings or structures associated with the permitted use on the lot. The Development Standards are also contained in tables and the majority of these standards are also defined in Section 2.0 of this By-law.
- iv. After determining what standards may apply to a permitted use on the property, reference should then be made to Section 4.0 of the By-law to determine what provisions in that section may apply to the property.
- v. The drawings provided in the Appendices of this By-law should then be referenced to assist the reader in interpreting the By-law. The appendices are solely for illustration purposes only and do not form part of the Zoning By-law.

An explanation of each of the sections of the By-law is found in the next section.

## **Description of the components of this By-law**

### **1.0 Administration**

This section of the By-law specifies:

- i. what lands are covered by the By-law;

- ii. that every parcel of land in the area covered by the By-law is to conform and comply with the By-law; and,
- iii. what penalties may be levied against a person or a Corporation if they contravene any provision in the By-law.

## **2.0 Definitions**

It is necessary to define words or terms in a Zoning By-law because it is a legal document. A By-law must be drafted so that it can be enforced in a court of law. All words in this By-law that are italicized are defined in Section 2.0. In order for a law to be effective, it must be capable of being easily interpreted. Often the most common usage of a word is not exactly what is intended by a Zoning By-law. Therefore, many common words are defined so that their meaning is perfectly clear.

## **3.0 Zones**

This section establishes the zones that are to apply to the lands covered by the By-law. The section also describes how to determine the location of the Zone Boundaries on the Schedules.

## **4.0 General Provisions**

This section contains a number of regulations that apply to certain types of uses, buildings or structures in the Municipality of Brighton. For example, this section contains provisions dealing with the construction of decks in any zone, provisions dealing with the minimum number of parking spaces required for a use and a section regulating where detached accessory buildings are permitted. The General Provisions also include regulations dealing with:

- i. permitted encroachments of balconies, porches and eaves into required yards; and
- ii. home occupations.

## **5.0 Parking and Loading Standards**

This section sets out the minimum number of off-street parking spaces required to be provided for all residential and non-residential uses, including minimum requirements for parking facilities for the handicapped. For the majority of non-residential uses, the parking requirement is based upon the size or gross floor area of the use or premises. This section also outlines minimum requirements for loading facilities for industrial and commercial uses.

In addition, Section 5.0 outlines standards for the size and location of parking areas on lots, the minimum width of driveways, and provisions governing the parking or storage of commercial and recreational vehicles on private property.

## **6.0 Permitted Uses**

This section lists the uses that are permitted in each zone. The effect of these zones is to only permit certain uses in various parts of the Municipality. Because of the nature of the Planning Act, Zoning By-laws are prohibitive. That is, the only uses that are permitted are those that are specified in the By-law. If a use is not specifically mentioned as a permitted use in a zone, then it is not permitted.

## **7.0 Development Standards**

This section contains a number of regulations that control the placement, bulk and height of a building on a lot. Many of these regulations are described in the appendices that are attached to this By-law. Some of the regulations dealt with by the By-law are described below:

- i. Minimum lot frontage - This regulation specifies what the minimum width of the lot must be on the street.
- ii. Minimum required front yard - This regulation specifies how far the main building on the lot must be set back from the front lot line. The front lot line is usually the lot line that separates the lot from the street. For example, if the minimum required front yard is 4.5 metres, the building must be set back a minimum of 4.5 metres from the front lot line.
- iii. Minimum required rear yard - This regulation specifies how far the main building on the lot must be set back from the rear lot line. The rear lot line is the lot line that is usually opposite and farthest from the front lot line.
- iv. Minimum required interior side yard - This regulation specifies how far the main building on the lot must be set back from the interior side lot line. The interior side lot line is usually the lot line that separates the lot from an abutting lot.
- v. Minimum required exterior side yard - This regulation specifies how far the main building on the lot must be set back from the exterior side lot line. The exterior side lot line is the lot line that separates the lot from a street on a corner lot.

## **8.0 Special Zone Categories**

This section contains regulations which are specific to one property or a group of properties in the Municipality. For example, the minimum front yard in a zone may be 4.5 metres. This required front yard may be reduced to a lesser number if deemed appropriate and the mechanism to accomplish this reduction is by amending the By-law and excepting the property from the general standard. These Specific Provisions are denoted on the Schedules by a number following the (\*) symbol.

## **9.0 Enactment**

This section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by Council in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P.13.

## **Appendices**

This section contains additional text and drawings to assist the reader in the interpretation and application of a number of definitions and defined terms in this By-law. The appendices are for information and illustration only, and do not form part of the statutory provisions of this By-law.

## **1.0 Administration**

### **1.1 Title**

This By-law shall be known as the "Municipality of Brighton Zoning By-law No. 140-2002.

### **1.2 Repeal of Former By-laws**

The provisions of By-laws 1988-521 and 730-87 of the former Town and Township of Brighton, and amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

### **1.3 Zoning Schedules**

The zones for all lands covered by this By-law are shown on the maps comprising Schedule 'A' to this By-law.

### **1.4 Conformity and Compliance with Zoning By-law**

No land, *building* or *structure* shall be used and no *building* or *structure* shall be *erected* or altered after the passage of this By-law except in conformity and compliance with the provisions of this By-law.

### **1.5 Building Permits, Certificates of Occupancy and Municipal Licenses**

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 any application for a municipal licence shall be issued, where the proposed *building*, *structure* or use is in violation of any provision contained in this By-law.

### **1.6 Enforcement**

Any person convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$25,000.00 and on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Any *corporation* convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$50,000.00 and on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

Where a conviction of a person or a corporation occurs, the court in which the conviction has been entered, or any court of competent jurisdiction, thereafter, may

make an order prohibiting the continuation or repetition of the offence by the person or corporation convicted.

## **1.7 Severability**

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

## **1.8 Effective Date**

This By-law shall come into force the day that it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force when all such appeals have been withdrawn or finally disposed of, whereupon the By-law except for those parts or provisions repealed or amended in accordance with the Planning Act, as amended, shall be deemed to have come into force and effect the day the By-law is passed.

## **1.9 Definitions**

For the convenience of the reader, all terms that are italicized in this By-law are defined in Section 2.0 of this By-law.

## 2.0 Definitions

For the purposes of this By-law, the definitions and interpretations outlined in this section shall govern.

### **Abattoir**

Means a *building, structure* or *lot* part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering for sale.

### **Accessory Use**

Means a use, customarily and normally subordinate to, incidental to and exclusively devoted to a main use of land or a *building* or *structure*, and located on the same *lot*.

### **Accessory Building**

Means a separate *building* or *structure*, the use of which is customarily incidental, subordinate and exclusively devoted to a main use or *main building* located on the same *lot*. A temporary *building* or *structure* such as but not necessarily limited to temporary garages, temporary vehicle enclosures and tarpaulin garages shall be considered to be an *accessory building*. (amended by 548-2008)

### **Additional Residential Unit**

A self-contained residential unit for human habitation designed with private cooking, plumbing and sanitary facilities; which is located within a principle *dwelling unit* or within a *structure* or *building* accessory to the principle *dwelling unit*.

### **Adult Entertainment Parlour**

Means any *premises* in which is provided, in pursuance of a trade, calling, business or occupation, a predominance of goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations; which services include activities, facilities, performances, exhibitions, viewings and encounters, a principle feature or characteristic of which is the nudity or partial nudity of any person, or in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement, and goods, which goods include books, magazines, pictures, slides, film, phonograph records, pre-recorded magnetic tape, digital disks, and any other reading, viewing or listening materials or matters, but does not include a *retail store* or a *convenience retail store* wherein such goods are offered for sale or lease where the *floor area* devoted to the display and sales of such goods comprises less than ten (10) % of the total *floor area* of the *premises*.

### **Agricultural Code of Practice**

Means the code of practice as prepared by the Ministry of Agriculture and Food, the Ministry of Environment and Energy, and the Ministry of Municipal Affairs and Housing as amended, replaced or re-enacted from time to time.

### **Agricultural Industrial/Commercial Use**

Means the use of land and / or *buildings* or *structures* for the manufacturing and wholesale and / or retail sale of goods necessary to support *agricultural uses*. Such goods shall include *farm* machinery and equipment for the tillage of soil, the planting, spraying, harvesting, transporting, treating, processing and storage of *farm* produce, products used for the housing and husbandry of livestock, and the storage, handling or processing of milk, eggs or manure, and the manufacture of sub-surface drainage materials and equipment.

### **Agricultural Processing Use**

Means the use of land and / or *buildings* or *structures* for the processing of products or produce derived from *agricultural uses* as defined in this By-law. Such products and facilities shall include seeds, grains, feeds and the forage, storage and transport of same, fruit and vegetable storage and processing, livestock assembly, sales and transport, a cheese factory or egg grading station and a dead stock removal facility.

### **Agricultural Produce Sales Outlet**

Means an unenclosed fruit, vegetable, flower and / or *farm* produce stand (not including a wholly enclosed *building*) used primarily for the retail sale to the public of produce from local *agricultural uses*, which is open and operated for no more than 8 months during any calendar year.

### **Agricultural Service Use**

Means the use of land and / or *buildings* or *structures* for the buying or selling of commodities or services necessary to support *agricultural uses* as defined in this By-law. Such facilities and services shall include welding and mechanical repair, *farm* drainage or excavation, well-drilling, contracting and trades related to *farm buildings* and *structures*, and custom spray, tillage, breeding, planting and harvesting services, as well as the sale, processing and storage of feed, fertilizer and chemical products, *farm* machinery and equipment sales and service, animal and poultry breeding services, and a fuel supply depot and saw mill.

### **Agricultural Use**

The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-*farm buildings* and *structures*, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time *farm* labour when the size and nature of the operation requires additional employment. Notwithstanding the foregoing, an *agricultural use* shall not include a *kennel* use; nor a *cannabis production facility* (CPF).

### **Agriculture-Related Use**

Those *farm*-related commercial and *farm*-related *industrial uses* that are directly related to *farm* operations in the area, support agriculture, benefit from being in close proximity to *farm* operations, and provide direct products and / or services to *farm* operations as a primary activity.

### **Agri-Tourism Uses**

Those *farm*-related tourism uses, including limited accommodation such as a *bed and breakfast establishment*, that promote the enjoyment, education, or activities related to the *farm* operation.

### **Airfield**

Means the use of land for the landing, storing, taxiing and take-off of private aircraft as an *accessory use*, but does not include an airport under the regulations of the Ministry of Transport.

### **Alteration**

Means any modification to the structural component of a *building* that results in a change of use, or any increase or decrease in the volume or *floor area* of a *building* or *structure*.

### **Amusement Machine**

Means any mechanical or electronic machine or device intended for use as a game, entertainment or amusement that offer games of skill and competition for the amusement of the public, such as motion simulation rides, virtual reality games, video games, computer games, laser games and similar types of uses for profit or gain and shall include a pinball machine, video game or table, shooting gallery or other similar machine or device, but shall not include any machine used solely for the purpose of vending merchandise or services or playing recorded music.

### **Animal Hospital**

Means a *premises* used for the health, medical or surgical treatment and temporary care of domestic animals and *farm* livestock, but does not include a *veterinary clinic* or the professional office of a doctor located in his or her residence.

### **Arcade**

Means a *premises* predominantly containing and offering *amusement machines* for use by the public, but does not include *casinos* or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines or any other similar type of gambling use.

### **Art Gallery, Private**

Means a *premises* used for the preservation, exhibition and / or sale of paintings or other works of art, the control of which is not vested in a *public authority*.

### **Art Gallery, Public**

Means a *premises* used for the preservation, exhibition and / or sale of paintings or other works of art, the control of which is vested in a *public authority*.

### **Assembly Hall**

Means a *premises* used for the gathering together of a number of persons for charitable, civic, cultural, educational, fraternal, political, recreational, social or like purposes, and may include facilities for the consumption of food or drink.

### **Attached**

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

### **Auditorium**

Means a *building* or part of a *building* in which facilities, generally including fixed seating, are provided for athletic, civic, educational, political, religious or social purposes and shall include an arena, gymnasium or other similar facility or use.

### **Bake Shop**

Means a *premises* where the products of a baker, such as cakes, cookies, bread and pies, are baked and offered for retail sale and may include, as an *accessory use*, a seating area for up to twelve (12) patrons.

### **Balcony**

Means a partially enclosed exterior platform *attached* to or extended horizontally from one (1) or more *Main Walls* of a *Building*.

### **Banquet Hall**

Means a *premises* used for the purpose of catering to banquets, weddings, receptions, or similar functions for which food and beverages are prepared and served.

### **Basement**

Means that portion of a *building* below the *first storey*.

### **Bed and Breakfast Establishment**

Means a dwelling or portion thereof in which the proprietor resides and supplies for hire or gain to other persons, temporary overnight lodging with or without meals, but shall not include a *hotel*, *motel*, apartment, hospital, seniors home, group home or *restaurant* serving the general public.

### **Boarding or Lodging House**

Means a dwelling or portion thereof in which the proprietor resides and supplies for hire or gain to other persons, lodging with or without meals, but shall not include a *hotel*, *motel*, apartment, hospital, *bed and breakfast establishment*, seniors home, group home or *restaurant* serving the general public.

### **Buffer Strip**

Means a planted landscaped area or landscaped earth berm or any combination of these features which serves to provide a continuous visual screen between adjoining properties and land uses.

### **Building**

Means a *structure* occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems, but shall not include a *travel trailer*, truck camper, *motor home* or tent.

### **Building, Apartment**

Means a *building* containing three or more *dwelling units* that share a common external access to the outside through a common vestibule and a common corridor system.

### **Building Area**

Means a portion or area of a *lot* within which permitted *buildings* and *structures* may be *erected*, used and maintained. Said area may be designated and outlined on a Zoning By-law Schedule.

### **Building, Main**

Means a *building* in which is carried out the main use for which the *lot* is used.

### **Building, Rowhouse**

Means a *building* that is vertically divided into a minimum of three (3) and a maximum of eight (8) *dwelling units*, each of which has an independent entrance to the front and rear of the *building*.

### **Building Line**

Means a line that regulates the location of the front wall or the exterior side wall of a *building* on a *lot*.

### **Building Line, Established**

Means the average distance from the *street line* of *existing buildings* on one (1) side of a continuous 305 metre strip of land in a residential zone where three (3) or more of the *lots* accessed by the said street have been built upon.

### **Bulk Storage Tank**

Means a tank or container for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane, or flammable liquid or fluid, but does not include a container for flammable liquid, gas or fluid legally and properly kept in a *retail store* or a tank for storage incidental to some other use of the *premises* where the such tank or container is located.

### **Bunkhouse**

Means a *building* used for the accommodation, during the growing or harvesting season, of up to 20 agricultural workers employed on the *farm* property on which the *bunkhouse* is located, and containing at least one bathroom and not less than two (2) habitable rooms providing living, dining and sleeping facilities.

### **Business or Professional Office**

Means a *premises* used for conducting the affairs of businesses, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing and / or storage of information rather than the production and distribution of goods.

### **Campground**

Means a recreational facility operated by a public or private organization where persons are temporarily accommodated in tents or cabins, but shall not include a *trailer park* or *mobile home park*.

### **Cannabis Production Facility**

Means a facility comprised of one or more *buildings* or *structures*, used for the purpose of growing, producing, cultivating, testing, processing, researching, destroying, storing, packaging or shipping of cannabis by a federal government licensed commercial producer in accordance with federal legislation.

### **Carport**

Means a *building* or *structure* which is not wholly enclosed, and is used for the parking or storage of one (1) or more *motor vehicles*.

### **Casino**

Means a *premises* offering machines, facilities and / or services for gambling, wagering or betting activities, including video lottery machines or facilities, and any other similar type of gambling use, and may include accessory food and beverage service facilities.

### **Cellar**

Means that portion of a *building* which is partly or wholly underground and which has more than half its *height*, from finished floor to the underside of the floor joists of the *storey* next above, below the average finished *grade* level adjacent to the exterior walls of the *building*.

### **Cemetery**

Means a parcel of land used for the interment of human remains, and may contain a crematorium, columbarium or mausoleum.

### **Centre-Line**

Means with reference to a *public street*, a line drawn parallel to and equidistant from the limits of the *public street* and with reference to a *private road*, a line drawn parallel to and equidistant from the edges of the paved or traveled surface of the *private road*.

### **Commercial Club**

Means an athletic, recreational or social club operated for gain or profit.

### **Commercial Fitness Centre**

Means a *premises* in which facilities are provided for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a sauna, a *swimming pool*, a *solarium*, a cafeteria and accessory retail uses.

### **Commercial Greenhouse**

Means a *building* or *structure* used for the purposes of the enclosed germinating and growing of plant materials for wholesale or retail sale to the general public; but shall not include a *cannabis production facility*.

### **Commercial Parking Lot**

Means an area of land used for the parking of *motor vehicles* for a fee, with such use forming the principle use of a *lot*.

### **Commercial Vehicle**

Means any vehicle having attached thereto a truck or delivery body and includes an ambulance, hearse, coach bus, tractor, bulldozer, crane, grader, and any vehicle carrying a commercial *motor vehicle* license.

### **Community Centre, Private**

Means a *premises* used for community activities, the control of which is not vested in a *public authority*.

### **Community Centre, Public**

Means a *premises* used for community activities, the control of which is vested in a *public authority*.

### **Conservation Use**

Means the use and / or management of land and / or water for the purposes of planned natural resource management.

### **Contractor's Yard**

Means a *yard* of any contractor where equipment and materials are stored or where a contractor performs shop or assembly work, but does not include any other use or activity otherwise defined or classified herein.

### **Convenience Retail Store**

Means a *premises* where food, tobacco, drugs, periodicals and similar items of household necessity are sold directly to the public but shall not include a *retail store*. For the purposes of this By-law, a *convenience retail store* may contain a maximum of 6 *amusement machines* as an *accessory use*.

**Corporation**

Means the *Corporation* of the Municipality of Brighton.

**Council**

Means the *Council* of the *Corporation*.

**Coverage**

See *Lot Coverage*.

**Day Nursery**

Means a *premises* where more than five (5) children are provided with temporary care and / or guidance for a continuous period not exceeding twenty-four hours and are licensed under provincial statute.

**Deck**

Means an unenclosed *structure* that is accessory to a *residential use* and used as an outdoor living area, with a foundation holding it *erect* and a floor which is above finished *grade* and shall not include a landing or a stair.

**Demolish**

Means any action in the removal of a *building* or *structure* or any material portion thereof. For the purposes of this By-law, the term “demolition” shall have a corresponding meaning.

**Driveway**

Means a defined area providing access for *motor vehicles* from a *public street*, *private road* or a *lane* to facilities such as a *parking area*, parking lot, *loading space*, *private garage*, *building* or *structure*.

**Dry Industrial Use**

Means a manufacturing or processing use which, by the nature of its process, operation or fabrication of raw materials or service rendered, does not require a water supply other than from within the limits of the *lot* upon which the use is located, and from which the only waste water discharges are one or more of the following:

- i. sanitary sewage provided by normal sanitary and eating facilities required for employees; and,
- ii. stormwater drainage; water used for indirect cooling of equipment.

**Dwelling, Apartment**

Means a *dwelling unit* in an *apartment building*.

**Dwelling, Duplex**

Means a *dwelling unit* in a *building* that is divided horizontally into two (2) *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule.

**Dwelling, Fourplex**

Means a *dwelling unit* in a *building* that is divided horizontally or a combination of vertically and horizontally into four (4) *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule.

**Dwelling, Semi-Detached**

Means a *dwelling unit* in a *building* that is divided vertically into two *dwelling units* that shares a common wall above *grade*.

**Dwelling, Single Detached**

Means a *building* containing only one (1) *dwelling unit*.

**Dwelling, Rowhouse**

Means a *dwelling unit* in a *rowhouse building*.

**Dwelling, Triplex**

Means a *dwelling unit* in a *building* that is divided horizontally or a combination of horizontally and vertically into three *dwelling units*, each of which has an independent entrance to the outside or through a common vestibule.

**Dwelling Unit**

Means a *suite* which functions as a housekeeping unit used or intended to be used as a domicile by one or more persons; containing cooking, eating, living, sleeping and sanitary facilities; and having a private entrance from outside the *building* or from a common hallway or stairway inside or outside the *building*.

**Dwelling Unit, Accessory Apartment** (added by By-law 220-2004)

Means a *dwelling unit* that is accessory to the main permitted use on a *lot*.

**Enclosed Walkway**

Means a *structure* connecting a detached *accessory building* and the *main building* on the *lot*.

### **Erect**

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

### **Established Building Line**

Means the average distance from the *street line* of *existing buildings* located on the same side of the street where three (3) or more of the *lots* having street access and located within 300 metres of each other have been built upon.

### **Existing**

Means, in reference to a use, *building* or *structure*, legally *existing* as of the date of passing of this By-law.

### **Extraction Pit**

Means a facility where unconsolidated sand, gravel, clay, earth, *fill*, mineral or other material is removed by open excavation, and includes *accessory uses* including the processing of extracted materials on site by crushing, screening, washing, and the stockpiling of materials.

### **Farm**

Means land used for the growing of trees, sod, grains, vegetable or fruit crops, the grazing, pasturing or dairying of livestock, and may include a *farm* dwelling and accessory *farm buildings* and *structures*.

### **Farm Building**

Means a *building* or part thereof not containing a *dwelling unit*, which is associated with, and located on land devoted to an *agricultural use* and predominantly used for the housing or storage of equipment, livestock or poultry, or the processing or production of agricultural or horticultural produce or feeds.

### **Fill**

Means soil, rock, rubble, or organic material or any combination thereof that is transported and placed on the natural surface of a soil, rock or organic terrain.

### **Financial Institution**

Means a *premises* in which financial services are offered to the public and includes a bank, credit union, trust company, savings office or any other retail banking operation.

### **First Storey**

Means the *storey* with its floor closest to established *grade* and having its ceiling more than 1.8 metres above *grade*.

### **Floor Area**

Means the total area of all floors in a *building*, measured between the exterior faces of the exterior walls of the *building* at each floor level, or from the centre line of common walls separating individual *premises* within multiple unit *buildings*.

### **Floor Area, Gross**

Means the aggregate of the *floor areas* of a *building* above or below established *grade*, but excluding *car parking areas* within the *building* that are below established *grade*.

### **Floor Area, Gross Leasable**

Means the aggregate of the *floor areas* of a *shopping centre* that are leased to the tenants of the *shopping centre* for their exclusive use, above or below established *grade*.

### **Floor Area, Net**

Means the aggregate of the *floor areas* of a *building* above or below established *grade*, but excluding *car parking areas* within the *building*, stairways, elevator shafts, service / mechanical rooms and penthouses, washrooms, garbage / recycling rooms, staff locker and lunch rooms, loading areas, any space with a floor to ceiling *height* of less than 1.8 metres and any part of a *basement* that is unfinished, is used solely for storage purposes and is not accessible to the public.

### **Floor Space Index**

Means the gross *floor area* of all *buildings* on a *lot* divided by the *lot area*.

### **Forestry Use**

Means the planting, management and harvesting of timber resources and shall include the establishment of only a portable sawmill.

### **Funeral Home**

Means a *premises* used for furnishing funeral supplies and services to the public including facilities intended for the preparation of the human body for internment, and may also include a chapel.

### **Garage, Private**

Means an enclosed *building*, or part thereof, designed and used for the storage of one (1) or more *motor vehicles*.

### **Garage Width**

Means the width of a private garage measured between the interior faces of the walls of the private garage.

### **Gas Bar**

Means a *premises* used only for the sale of *motor vehicle* fuels and *motor vehicle* accessories, and not for the performance of minor running repairs essential to the actual operation of *motor vehicles*. A *gas bar* may include an associated retail kiosk with a maximum *floor area* of 100 square metres.

### **Golf Course**

Means an outdoor public or private area operated for the purpose of playing golf including a par three (3) *golf course*, a miniature *golf course* and putting greens, and may include associated clubhouse and *banquet hall* facilities.

### **Golf Driving Range**

Means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

### **Grade**

Means the level of the ground adjacent to the outside wall of a *building* or *structure*.

### **Grade, Established**

Means the average surface elevation at the outside walls of any *building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every corner of the *building* or *structure*.

### **Group Home - Type One (1)**

Means a *dwelling unit* used for the accommodation of three to six persons exclusive of members of the staff of the operator, who by reason of their emotional, mental, social, or physical condition or legal status require a group living arrangement for their well being, and who are living under the supervision of a member or members of the staff of the operator who is or are normally present at the *dwelling unit* at all times, where such facility is funded wholly or in part by any government and is licensed or approved under Provincial Statute, but shall not include:

- i. a facility maintained and operated primarily for the temporary care of, and occupied by inmates, or adults or youth placed on probation or released on parole;
- ii. a facility maintained and operated primarily for the temporary care of, and occupied by transient or homeless persons; or,

- iii. a facility maintained and operated primarily for treatment and rehabilitation of, and occupied by persons addicted to drugs or alcohol.

A *dwelling unit* with five (5) or more foster children under the care of a foster care operator who is licensed or approved under Provincial Statute shall also be considered a Group Home – Type One (1) for the purposes of this By-law.

### **Group Home - Type Two (2)**

Means a *dwelling unit* used for the accommodation of three to eight (8) persons exclusive of members of the staff of the operator, who by reason of their emotional, mental, social, or physical condition or legal status require a group living arrangement for their well being, and who are living under the supervision of a member or members of the staff of the operator who is or are normally present at the *dwelling unit* at all times, where such facility is funded wholly or in part by any government, and is licensed or approved under The Young Offenders Act, The Probation Act, The Ministry of Correctional Services Act, or The Criminal Code of Canada, and shall include:

- i. a facility maintained and operated primarily for the temporary care of, and occupied by inmates, or adults or youth placed on probation or released on parole; as well as,
- ii. a facility maintained and operated primarily for the temporary care of, and occupied by transient or homeless persons; and,
- iii. a facility maintained and operated primarily for treatment and rehabilitation of, and occupied by persons addicted to drugs or alcohol.

### **Guest Room**

Means a room or *suite* of rooms which is used for gain or hire by the public on a temporary basis.

### **Height**

Means with reference to a *building* or *structure*, the vertical distance measured from the established *grade* of such *building* or *structure* to:

- i. the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- ii. the deckline of a mansard roof;
- iii. the mean level between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof; and,
- iv. in case of a *structure* with no roof, the highest point of the said *structure*.

Notwithstanding the above, any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of *height*. Mechanical features, such as *structures* containing the equipment necessary to control an elevator, are permitted to project a maximum of 5 metres above the highest point of the roof surface, regardless of the *height* of the *building*.

### **High Watermark**

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

### **Home Industry**

Means a use supplying goods or services to the public located within a *single detached dwelling* or *accessory building* on *lot* in a residential, agricultural or rural zone. A *home industry* may be conducted wholly within an *accessory building* or *structure* and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop, an antique shop or a tea room but shall not include *motor vehicle repair shop* or a *motor vehicle* body shop operation.

### **Home Occupation**

Means an *accessory use* conducted for gain in a *dwelling unit* or a detached *accessory building* on a *lot* in a residential, agricultural or rural zone, subject to the provisions of Section 4.7 of this By-law.

### **Hotel**

Means a *premises* that contains rooms that are rented on a temporary basis to the public or *dwelling units*, or a combination of both, equipped to be occupied as temporary accommodation for the public, and which contains a public dining area and which also may contain meeting rooms and accessory banquet facilities.

### **Industrial Use**

Means a *premises* used for the warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods and similar uses. For the purposes of this definition, research laboratories and printing establishments are considered to be *industrial uses*.

### **Institutional Building**

Means a *building* containing institutional uses.

### **Kennel**

Means a *premises* where domestic pets and animals, excluding livestock associated with an *agricultural use*, are bred, kept, boarded and / or raised for sale, gain or profit.

### **Landscaped Open Space**

#### **Means**

- i. any combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, retaining features, fencing, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property, and / or to provide a visual or other screen for adjacent land uses; and,
- ii. does not include *parking areas*, walkways, *driveways* or ramps.

### **Lane**

Means a subsidiary thoroughfare which is not intended for general traffic circulation and which provides a secondary public or private means of vehicular access to an abutting property.

### **Library**

Means a *premises* containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

### **Loading Space**

Means an unobstructed area of land which is used for the temporary parking of one (1) or more commercial *motor vehicles* while merchandise or materials are being loaded or unloaded from such vehicle.

### **Lot**

Means a parcel of land that abuts a *public street* that is registered as a legally conveyable parcel of land in the Registry Office.

### **Lot of Record, Existing**

Means a parcel of land that is registered as a legally conveyable parcel of land in the Registry Office as of the date of passing of this By-law.

### **Lot Area**

Means the total horizontal area within the *lot lines* of a *lot*.

### **Lot, Corner**

Means a *lot* at the intersection of two (2) or more *public streets* or upon two (2) parts of the same *public street* with such street or streets containing an angle of not more than 135 degrees or a *lot* upon which the tangents at the street extremities of the *interior side lot lines* contain an angle of not more than 135 degrees. The corner of a *lot* on a curved corner shall be that point on the *street line* nearest the point of intersection of the said tangents.

### **Lot Coverage**

Means that percentage of the *lot* covered by all *buildings* and shall not include that portion of such *lot area* which is occupied by a *building* or portion thereof which is completely below established *grade*. *Lot coverage* in each zone shall be deemed to apply only to that portion of such *lot* which is located within said zone.

### **Lot Frontage**

Means the horizontal distance between the *interior side* and / or *exterior side lot lines*, with such distance being measured perpendicularly to the line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line* at a point on that line 6 metres from the *front lot line*.

In the case of a *lot* with no *rear lot line*, the point where two *interior side lot lines* intersect shall be the point from which a line is drawn to the mid-point of the *front lot line*. In the case of a *corner lot* with a daylighting triangle, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

For the purposes of this By-law, the *Water Frontage* of a *lot* as defined in this By-law shall constitute *lot frontage* for a *lot* within a Shoreline Residential (SHR) Zone.

### **Lot, Interior**

Means a *lot* situated between adjacent *lots* and having access to one *public street*.

### **Lot Line, Interior Side**

Means a *lot line*, other than a *rear lot line* that does not abut a *public street*.

### **Lot Line**

Means a line delineating any boundary of a *lot*.

### **Lot Line, Exterior Side**

Means the *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*.

### **Lot Line, Front**

Means the line which divides the *lot* from the *public street*, but, in the case of:

- i. a *corner lot*, the shortest of the *lot lines* that divides the *lot* from the *public street* shall be deemed to be the *front lot line*;
- ii. a *corner lot* where such *lot lines* are of equal length and where both *lot lines* abut a *public street* under the same jurisdiction, the *Corporation* may designate either *street line* as the *front lot line*;

- iii. a *lot* that is separated from a *public street* by a *public park* and provided the *lot* is accessed by a *lane*, the shortest *lot line* that abuts the *public park* shall be deemed to be the *front lot line*;
- iv. a *through lot*, the longest of the *lot lines* which divide the *lot* from the *public streets* shall be deemed to be the *front lot line*. If both such *lot lines* are of equal length, the *Corporation* may designate either *street line* as the *front lot line*;

### **Lot Line, Rear**

Means the *lot line* opposite to, and most distant from, the *front lot line*.

### **Lot, Through**

Means a *lot* bounded on opposite sides by a *public street*. However, if the *lot* qualifies as being both a *corner lot* and a *through lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law.

### **Lot, Through Waterfront**

Means a *lot* which has no access from a *public street* or a *private road*, but has access from more than one (1) *shoreline*.

### **Main Building**

Means the *building* within which the principle use of the *lot* is conducted.

### **Main Entry Feature**

Means a platform, with at least one (1) side open, covered by either a roof, *balcony* or enclosed space, with or without a foundation and / or *basement* that provides access to the *dwelling unit*.

### **Main Front Entrance**

Means the door which is designed as the primary access point into the *dwelling unit*.

### **Main Wall**

Means the exterior front, side and / or rear wall of a *building* and all structural components essential to the support of a fully enclosed space or roof.

### **Manure Facility, Liquid**

Means a *building*, *structure* or pit in which animal waste is stored in a liquid state.

### **Manure Facility, Solid**

Means a *building*, *structure* or pit in which animal waste is stored in a solid state.

### **Marina**

Means a *premises* where boats and other marine craft and related facilities and accessories are berthed, stored, serviced, repaired and offered for sale or rent.

### **Marine Facility**

Means an *accessory building* or *structure* used to take a boat into or out of a waterbody, to moor, berth or store a boat, and shall include a launching ramp, boat lift, dock or boathouse, but shall not include any *building* used for human habitation or any boat service, repair or sales facility.

### **Medical Clinic**

Means a *premises* used for the medical, dental, surgical and / or therapeutic treatment of human beings, but does not include a public or private hospital or professional office of a doctor located in his or her residence.

### **Mobile Home**

A prefabricated dwelling designed to be transported after fabrication, on its own wheels, on a flatbed, or on detachable wheels, and which is suitable for occupancy as a *dwelling unit*, placed on a foundation or *mobile home* stand, but does not include a *travel trailer* or a trailer otherwise designed, a secondary residential unit or a *single detached dwelling* constructed in parts and designed to be transported to a *lot* where the parts are joined as integral units and placed on a foundation.

- i. *Mobile home*, Single Wide means a *mobile home* designed to be towed in a single load;
- ii. *Mobile home*, Double Wide means a *mobile home* unit consisting of two (2) sections separately towable or transportable; and
- iii. Does not include an *additional residential unit*.

### **Mobile Home Park**

Means a *lot* containing two or more *mobile home sites* which is under a single management and ownership and contains recreational, service and convenience commercial facilities for residents.

### **Mobile Home Site**

Means a parcel of land within a *mobile home park*, not a separate and legally conveyable *lot*, to be occupied by one *mobile home* in accordance with all associated *yards* and open space required by this By-law.

### **Modular Home**

Means a prefabricated dwelling equipped for year-round occupancy and placed upon a permanent foundation.

**Motel**

Means a *premises* that contains rooms that are rented on a temporary basis to the public with each room being accessed directly from the outside, and may include associated *restaurant* and food service facilities.

**Motor Home**

Means a self-propelled vehicle providing temporary living, eating, sleeping and other occupant accommodation.

**Motor Vehicle**

Means an automobile, motorcycle, motor-assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power.

**Motor Vehicle Body Shop**

Means a *premises* used for the painting and / or repairing of the exterior and / or the undercarriage of *motor vehicle* bodies.

**Motor Vehicle, Commercial**

Means a *motor vehicle* which is designed for the transport of goods and which is used for business, employment or commercial purposes.

**Motor Vehicle, Derelict**

Means a *motor vehicle* within the meaning of The Highway Traffic Act, as amended, whether or not same is intended for use as a private passenger *motor vehicle*, which is inoperable and has no value or potential use as a means of transportation.

**Motor Vehicle Repair Shop**

Means a *premises* where the services performed or executed on *motor vehicles* for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, *motor vehicle* diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a *motor vehicle service station* and *motor vehicle* rentals for the convenience of the customer while the *motor vehicle* is being repaired, but does not include a *motor vehicle body shop*.

**Motor Vehicle Sales Establishment**

Means a *premises* used for the sale or rental of *motor vehicles*.

### **Motor Vehicle Service Station**

Means a *premises* used for the sale of *motor vehicle* fuels and which may include the following *accessory uses*: the sale of *motor vehicle* parts and accessories, retail and personal service uses, *motor vehicle* rental, the servicing and repairing of *motor vehicles* and car washes.

### **Motor Vehicle Storage Compound**

Means the predominant use of land and / or a *building* or *structure* for the parking and storage of operable *motor vehicles*, but does not include a *parking area*, parking lot, or a *salvage* or *wrecking yard*.

### **Multi-Suite Residence**

Means a *building* containing four (4) or more *residential suites* with or without a bath, having common dining amenity and related services.

### **Museum, Private**

Means a *premises* owned and operated by a private entity and used for the preservation of a collection of paintings and / or other works of art and / or objects of natural history and / or mechanical scientific and / or philosophical inventions, instruments, models and / or designs and which may also include libraries, reading rooms, laboratories and accessory offices.

### **Museum, Public**

Means a *premises* owned by a *public authority* and used for the preservation of a collection of paintings and / or other works of art and / or objects of natural history and / or mechanical scientific and / or philosophical inventions, instruments, models and / or designs and which is open to the public and which may also include libraries, reading rooms, laboratories and accessory offices.

### **Net Hectare**

Means an area of land measured in hectares for the purposes of *building* or residential density calculations which does not include any portion of the lands devoted to road allowances or *public parks*.

### **Nightclub**

Means a *premises* whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded music or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose accessory function is the sale and consumption on the *premises* of food and alcoholic beverages, but does not include a *restaurant* or an *adult entertainment parlour*. For the purposes of this By-law, a *nightclub* may contain a maximum of 6 *amusement machines* as an *accessory use*.

### **Non-Complying**

Means a *building, structure* or *lot* that does not comply with one or more of the regulation(s) of this By-Law.

### **Non-Conforming Use**

Means a use which is not a permitted use in the zone in which the said use is situated.

### **Nursing Home**

Means a *premises* used as a *nursing home* within the meaning of the Nursing Home Act of Ontario, as amended.

### **Obnoxious Use**

Means a use which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the use, and without limiting the generality of the foregoing, shall include any uses which may be declared to be a noxious or offensive trade or business under provincial statute.

### **Office Building**

Means a *building*, the main use of which is *business and professional offices*.

### **On-Farm Diversified Use**

Uses that are secondary to the principle *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, *home occupations, home industries, agri-tourism uses*, and uses that produce value-added agricultural products.

### **Outdoor Display and Sales Area**

Means an area of land used in conjunction with a business located within a *building* or *structure* on the same *lot*, for the display or sale of produce, merchandise or the supply of services.

### **Outdoor Storage**

Means an area of land used in conjunction with a business located within a *building* or *structure* on the same *lot*, for the storage of goods and materials.

### **Outdoor Furnace** (added by By-law 220-2004)

Means an *accessory building* or *structure* that operates as a heat source for domestic heat and / or hot water for associated *main buildings*.

### **Outdoor Storage Use**

Means an *outdoor storage* area forming the main use of a *lot*, such as a construction equipment and / or materials yard, but does not include a *motor vehicle storage compound*, or a *salvage or wrecking yard*.

### **Park, Public**

Means any area of land under the jurisdiction of a *public authority* that is designed and / or maintained for recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, *golf courses*, *swimming pools*, tennis courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail uses.

### **Park, Private**

Means an open space or recreational area other than a *public park*, operated on a commercial and / or private member basis, and which includes one or more of the following facilities or activities:

- i. Areas for walking, horse-riding and cross-country skiing; and,
- ii. Recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields and *accessory buildings* which may include change rooms, meeting rooms and washrooms.

### **Parking Area**

Means an open area of land not located on a *public street*, private street or *lane* which is used for the parking of *motor vehicles* with or without a fee being charged, but shall not include any area where *motor vehicles* for sale or repair are kept or stored.

### **Parking Garage**

Means a *building*, or part thereof, used for the storage or parking of *motor vehicles*.

### **Park Model Trailer**

Means a recreational unit which is built on a single chassis, mounted on wheels designed to facilitate relocation from time to time, is designed as living quarters for temporary / seasonal living accommodations, as per CSA Z241 standards, and may be connected to those utilities necessary for operation of installed fixtures and appliances.

### **Parking Space**

Means an unobstructed space for the parking of a *motor vehicle*.

### **Parking Space, Tandem**

Means a *parking space* that has access to a *driveway* or an aisle in a *parking area* and which is used to access one other *parking space*.

### **Personal Service Shop**

Means a *premises* in which services involving the care of persons or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a tanning studio, masseuse, a shoe repair establishment, a dry cleaning or personal laundry establishment, or similar service establishment.

### **Place of Entertainment**

Means an *auditorium*, planetarium, concert hall and other similar uses but shall not include an *arcade*, an *adult entertainment parlour*, any use entailing the outdoor operation or racing of animals or motorized vehicles, a *casino* or other establishment providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other type of gambling use.

### **Place of Worship**

Means a *premises* used by a charitable religious group(s) for the practice of religious rites.

### **Porch**

Means a *structure* abutting a *main wall* of a *building* having a roof but with walls that are generally open and unenclosed.

### **Premises**

Means an area of a *building* occupied or used by a business or enterprise. In a multiple tenancy *building* occupied by more than one (1) business, each business area shall be considered a separate *premises*. Each individual unit proposed and / or registered in a draft Plan of Condominium shall also be considered an individual *premises*.

### **Private Club**

Means a *premises* used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

### **Private Home Daycare** (amended by By-law 220-2004)

Means a private residence where the temporary care for reward or compensation of five (5) children or less who are under ten (10) years of age where such care is provided. Such private residence is not the home of a parent or guardian of any such child. The care shall be for a continuous period not exceeding 24 hours.

### **Private Road or Right-of-Way**

Means a road providing access for *motor vehicles* to abutting *lots* which is not owned, operated or maintained by the *Corporation* or any other *public authority*.

### **Public Authority**

Means any Provincial, Regional or Municipal commission, board, or authority.

### **Quarry**

Means a facility where consolidated rock or stone is removed by open excavation, but does not include a *wayside pit* or open pit metal mine.

### **Racetrack**

Means a predominantly outdoor facility with accessory food and beverage service facilities within enclosed *buildings*, for the competitive racing of animals, but does not include any facility involving the use or racing of motorized vehicles.

### **Recreational Trailer or Vehicle**

Means any vehicle that is suitable for being attached to a *motor vehicle* for the purpose of being drawn or is self-propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of human beings and includes a *travel trailer*, pick-up camper, motorized camper or tent trailer.

### **Recreational Use**

Means a use of land, *building* or *structure* that has been designed and equipped for the conduct of sports and leisure time activities such as a bowling alley, a curling rink, a billiard hall, an indoor *golf driving range* and other such uses, outdoor hiking, biking or ski trail uses, but does not include a *commercial fitness centre*, any use requiring the outdoor operation of *motor vehicles* or any other sports or leisure time use otherwise defined by this By-law.

### **Repair Shop**

Means a *premises* used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines, *motor vehicles* or other similar uses.

### **Reserve**

Means a strip of land abutting a *public street* and owned by the authority having jurisdiction over such a *public street*. For the purposes of this By-law, a *lot* separated from a *public street* by a *reserve* shall be deemed to abut such a *public street*.

### **Residential Use**

Means the use of land and *buildings* for human habitation.

### **Residential Suite**

Means a *dwelling unit* (not self-contained) not having full dining-kitchen facilities. Such space shall generally not exceed 45 square metres of *floor area*.

### **Residential Care Facility**

Means a *building* designed and intended wholly or partly for the purpose of providing residents with assisted living services. Residential care facilities provide housing and services to residents in private or semi-private bedrooms in *buildings* with common living areas and dining areas. This may include a *retirement home*, a long-term care facility or a *nursing home* but does not include a shared home.

### **Restaurant**

Means a *premises* in which the principle business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the *premises*.

### **Restaurant, Drive-Through**

Means a *premises* designed and used for the sale of food or refreshments to the public for consumption off the *premises* with no associated indoor or outdoor seating area for patrons.

### **Restaurant, Take-Out**

Means a *premises* designed and used for the sale of food or refreshments to the public for consumption off the *premises* and may include, as an *accessory use*, a seating area for up to 12 patrons.

### **Retail Store**

Means a *premises* in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public. For the purposes of this By-law, a *retail store* may contain a maximum of 6 *amusement machines* as an *accessory use*.

### **Retirement Home**

Means a *premises* that provides accommodation primarily to retired persons or couples where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

### **Salvage or Wrecking Yard**

Means a facility where used goods or articles are processed for further use where such goods or articles are stored wholly or partly outdoors, and includes an automobile wrecking yard and a scrap metal yard

### **Sanitary Landfill Site**

Means a facility on land upon, onto or through which waste is deposited or processed under controlled circumstances but does not include the treatment or disposal of liquid industrial or hazardous waste.

### **School, Public**

Means a *premises* used as an academic school under the jurisdiction of a local School Board or other similar provincially approved educational institution or parochial school operated on a non-profit basis.

### **School, Commercial**

Means a *premises* used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

### **School, Private**

Means a *premises* used as an academic school which is provincially approved and secures the major part of its funding from sources other than government agencies.

### **Self-Storage Facility**

Means a *premises* used for the temporary storage of household items and seasonal, recreational or *commercial vehicles*, boats and trailers in secured storage areas or lockers which are generally accessible by means of individual loading doors.

### **Separation Distance**

Means the horizontal distance between *buildings* or *structures* measured from the closest points on the exterior walls of such *buildings* or *structures*.

### **Shared Housing**

A form of housing where individuals share accommodation either for economic, support, long-term care, security, or lifestyle reasons. Forms of *shared housing* include small scale dwellings with no more than ten (10) people or large scale within more than ten (10) people. Shared housing may include 24 hour supervision and / or 24 hour nursing care.

### **Shopping Centre**

Means a *building* containing a group of commercial uses which has been designed, developed and managed as one unit by a single owner or tenant, or group of owners and tenants, as distinguished from a business area comprising unrelated individual uses.

### **Shoreline**

Means any *lot line* or portion thereof which abuts a waterbody.

### **Sidewalk**

Means a paved area within a municipal *right-of-way* that is designed for predominant use by pedestrians, but does not include separate hard-surfaced facilities designed to accommodate bicycle or other similar paths or trails.

### **Sight Triangle**

Means the triangular space formed by the *street lines* of a *corner lot* and a line drawn from a point in each *street line* 9 metres from the intersection of the *street lines*, measured along the *street lines*. Where the two (2) *street lines* do not intersect at a point, the point of intersection shall be deemed to be the intersection of the linear projection of the *street lines* or intersection of the tangents of the *street lines*.

### **Solarium**

Means a predominantly glazed *structure attached* to a *main building* that has walls and a roof which permit sunlight to enter.

### **Soil Processing or Reclamation Facility**

Means land and facilities used for the chemical or biological restoration and reuse of the organic composition of soils partially contaminated by fuels, oils, industrial or commercial lubricants, or other noxious or flammable chemicals or substances, and may include associated air, ground or water pollution control and treatment equipment, but does not include a sanitary landfill site.

### **Storey**

Means that portion of a *building* between the surface of a floor and the floor, ceiling or roof immediately above. Any portion of a *building* partly below *grade* level shall be deemed a *storey* where its ceiling is at least 1.8 metres above established *grade*. Any portion of a *storey* exceeding 4.2 metres in *height* shall be deemed to be an additional *storey*.

### **Street, Public**

Means a roadway owned and maintained by a *public authority* and for the purposes of this By-law does not include a *lane* or any private street.

**Street Line**

Means the boundary between a *public street* and a *lot*.

**Street Centreline**

Means the centreline of a *public street* or highway which has been assumed by the Province of Ontario, County of Northumberland or the *Corporation*.

**Street, Improved**

Means a street assumed by the Province of Ontario, County of Northumberland or the *Corporation* which is maintained so as to provide access to adjacent properties throughout the year.

**Structure**

Means anything that is *erected*, built or constructed of parts joined together and *attached* or fixed permanently to the ground or any other *structure*. For the purpose of this By-law, a fence that has a *height* of 1.8 metres or less, a retaining wall that has a *height* of 1 metre or less, a light standard and a sign shall be deemed not to be *structures*.

**Suite**

Means a single room or series of rooms of complementary use, operated under a single tenancy and includes *dwelling units*, individual *guest rooms* in *motels*, *hotels*, *boarding houses*, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.

**Supermarket**

Means a *building*, or part thereof, containing a departmentalized food store.

**Swimming Pool**

Means any body of water contained by artificial means located outdoors on privately owned property in which the depth of the water at any point can exceed 0.6 metres and shall include any accessory *deck* or support *structure*.

**Theatre**

Means a *premises* with fixed seating that is used for the showing of motion pictures or for dramatic, musical or live performances, but does not an *adult entertainment parlour*.

**Top-of-Bank**

Means a line delineated at points where the oblique plane of a slope meets the horizontal plane.

**Travel Trailer**

Means a vehicle designed to be towed by a *motor vehicle* and providing temporary living, sleeping and eating accommodation for persons, but shall not include a *mobile home*.

**Trailer Park**

Means land used to locate *travel trailers* occupied on a seasonal or temporary basis.

**Veterinary Clinic**

Means a *premises* used for the treatment and temporary accommodation of animals and livestock.

**Water Frontage**

Means the straight line horizontal distance between the two most widely separated points on any one *shoreline* of a *lot*.

**Wayside Pit**

Means a temporary facility for the excavation or extraction of unconsolidated sand, gravel, or stone.

**Yard**

Means an open, uncovered space on a *lot* appurtenant to a *building* and unoccupied by *buildings* or *structures* except as specifically permitted in this By-law.

**Yard, Exterior Side**

Means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

**Yard, Front**

Means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

**Yard, Interior Side**

Means a *yard* other than an *exterior side yard* which extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

**Yard, Maximum**

Means the maximum distance of a *building* wall from a *lot line*. In calculating the maximum *yard*, the minimum horizontal distance from the respective *lot line* shall be used.

**Yard, Minimum Required**

Means the minimum distance of a *yard* required from a *lot line*. No part of a required minimum *yard* for a *building* or *structure* shall be included as part of a required minimum *yard* for another *building* or *structure*. In calculating *minimum required yards*, the minimum horizontal distance from the respective *lot lines* shall be used.

**Yard, Rear**

Means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest *main walls* of the main *building* or *structure* on the *lot*.

## **3.0 Zones**

### **3.1 Established Zones**

For the purposes of this By-law, the following Zones are established:

#### **Residential Zones**

- Urban Residential One (R1) Zone
- Urban Residential Two (R2) Zone
- Urban Residential Three (R3) Zone
- Urban Residential Four (R4) Zone
- Shoreline Residential (SHR) Zone
- Hamlet Residential (HR) Zone
- Rural Residential (RR) Zone

#### **Commercial Zones**

- Core Area (CA) Zone
- Local Commercial (LC) Zone
- Highway Commercial (HC) Zone
- Recreational Commercial (RC) Zone

#### **Industrial Zones**

- General Industrial (M1) Zone
- Rural Industrial (M2) Zone
- Extractive Industrial (EM) Zone

#### **Rural and Agricultural Zones**

- Rural (RU) Zone
- Agricultural (A) Zone

#### **Open Space, Environmental, Community Facility and Future Development Zones**

- Open Space (OS) Zone
- Environmental Protection (EP) Zone
- Community Facility (CF) Zone
- Future Development (FD) Zone

## 3.2 Location of Zones

The zones and zone boundaries are shown on the maps constituting Schedule 'A', attached to and forming part of this By-law.

## 3.3 Determining Zone Boundaries

Where the boundary of any zone is shown on the Schedules forming part of this By-law, the following provisions shall apply:

- i. Where a zone boundary is indicated as approximately following *lot lines* shown on a registered Plan of Subdivision or *lots* registered in a registry office or land titles office, the boundary shall follow such *lot lines*.
- ii. Where a *public street*, private street, *lane*, railway *right-of-way*, electrical transmission line *right-of-way*, or watercourse is shown on the Schedules to this By-law and serves as a boundary between two (2) or more different zones, a line in the middle of such street, *lane*, *right-of-way* or watercourse shall be the boundary between zones unless specifically indicated otherwise.
- iii. In the event a *public street*, road allowance or *right-of-way* is stopped up and closed, the property within such street, road allowance or right- of-way shall be included within the zone category or categories applying to the adjoining lands on either side. Where the adjoining lands on either side of the former street, road allowance or *right-of-way* are subject to two (2) or more different zone categories, the new zone boundaries shall be the *centerline* of the former street, road allowance or *right-of-way*.
- iv. Where a zone boundary is indicated as following the limits of the Municipality of Brighton, the limits of the Municipality of Brighton shall be the boundary.
- v. Where none of the above provisions apply, the zone boundary shall be scaled from the maps comprising Schedule 'A' to this By-law.

## 3.4 Special Zone Symbols

### 3.4.1 Site or Area-specific Zone Provisions

Where the zone symbol designating certain lands on the maps comprising Schedule 'A' to this By-law is followed by a hyphen and a number or letter, or combination thereof, Special Zone provisions apply to those lands so designated on the Schedules. These Special Zone provisions are contained in Section 8. Lands so designated shall be subject to all of the provisions and restrictions of the pertaining zone except as may be otherwise be provided in the Special Zone Provisions.

### **3.4.2 Holding Provisions**

Notwithstanding any other provision in this By-law, where a zone symbol is followed by the letter “H”, no person shall use the land to which the letter “H” applies for any use other than the use which existed on the date this By-law was passed, until the “H” is removed in accordance with the policies of the Official Plan and the *Planning Act*, as amended.

### **3.4.3 Floodplain and Wave Uprush Areas**

- i. Where a zone symbol on the maps comprising Schedule ‘A’ to this By-law is followed by the symbol “F( )” with the brackets containing a number, the said number shall be the minimum required elevation for any and all *building* or *structure* openings, expressed in metres and based upon the Geodetic Survey of Canada (G.S.C.) in accordance with the provisions of Section 4.30.3 of this By-law.
- ii. Where a zone symbol on the maps comprising Schedule ‘A’ to this By-law is followed by the symbol “U”, the general wave uprush provisions of Section 4.30.4 of this By-law shall apply.

## **4.0 General Provisions**

### **4.1 Contents**

The contents of this Section are:

- 4.2 Application
- 4.3 Uses Permitted in all Zones
- 4.4 Prohibited Uses
- 4.5 Uses Permitted in Accessory Buildings and Structures
- 4.6 Temporary Uses
- 4.7 Home Occupations/Home Industries
- 4.8 Group Homes
- 4.9 Dwelling Units
- 4.10 Outdoor Storage
- 4.11 Multiple Uses on One Lot
- 4.12 Multiple Zones on One Lot
- 4.13 Non-complying Buildings and Structures
- 4.14 Non-complying Lots
- 4.15 Non-conforming Uses
- 4.16 Restoration of Non-conforming Uses
- 4.17 Relocation of Buildings or Structures used for Non-conforming Uses
- 4.18 Discontinuation of Use
- 4.19 Lots of Record
- 4.20 Land without Buildings
- 4.21 Frontage on a Public Street
- 4.22 Servicing Requirements
- 4.23 Accessory Buildings, Structures and Uses
- 4.24 Standards for Accessory Buildings
- 4.25 Yard Encroachments
- 4.26 Building Lines
- 4.27 Encroachment Permitted in Required Yards
- 4.28 New Non-Agricultural Uses - Minimum Distance Separation (MDS) I
- 4.29 New or Expanded Livestock Facilities – Minimum Distance Separation (MDS) II
- 4.30 Areas Susceptible to Flooding
- 4.31 Areas Subject to the Resource Reserve Overlay
- 4.32 Sight Triangles
- 4.33 Storage of Garbage

- 4.34 Swimming Pools
- 4.35 Buffer Strip Regulations
- 4.36 Outdoor Furnace
- 4.37 Shipping Container, Truck Bodies and Tractor Trailers
- 4.38 Bed and Breakfast Establishments
- 4.39 Private Home Day Care
- 4.40 Source Water Protection
- 4.41 Backyard Hens
- 4.42 Setbacks on County Roads and Provincial Highways
- 4.43 Cannabis Production Facility

## 4.2 Application

The regulations of this section shall apply to all zones.

## 4.3 Uses Permitted in All Zones

The regulations of this By-law shall not apply to prevent the use of any land for a purpose which serves the immediate community such as a street, or to prevent the installation of utilities which serve the immediate community such as a watermain, sanitary sewer, gas distribution main, telephone line, electric power facilities or other communication lines and accessory *structures* and facilities, provided that no goods, material or equipment shall be stored in the open in a Residential Zone.

### 4.3.1 Public Uses

The provisions of this By-law shall not apply to prevent the use of any land, *building* or *structure* by any *public authority* provided that:

- i. such use, *building* or *structure* complies with the standards of the zone in which it is located;
- ii. no *outdoor storage* is permitted, unless such *outdoor storage* is specifically permitted in the zone; and,
- iii. no *buildings* or *structures* are permitted in an Environmental Protection (EP) Zone except those required for flood and erosion control, and landscape stabilization.

### 4.3.2 Wayside Pits and Quarries

*Wayside pits* and quarries are permitted in all zones, except the Environmental Protection (EP) and all Residential and Open Space (OS) Zones.

### 4.3.3 Temporary Construction and Sales Uses

- i. Nothing in this By-law shall prevent uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other *building or structure* incidental to the construction, only for so long as the same are necessary for work in progress which has neither been finished nor abandoned.
- ii. Nothing in this By-law shall prevent the use of land for a sales office for the sale of residential, industrial or commercial *suites* provided that the *suites* to be sold are to be located on lands within the limits of the Municipality of Brighton.

## 4.4 Prohibited Uses

The following uses are prohibited throughout the Municipality:

- i. uses classified as a health hazard under provincial statute;
- ii. storage or manufacture of coil oil, rock oil, water oil, fuel oil, gasoline, naphtha, benzene, dynamite, dualine, nitro-glycerine, gunpowder, petroleum and petroleum products for commercial purposes; and,
- iii. *adult entertainment parlours*.

### 4.4.1 Mobile Homes Prohibited in all Zones

No person shall locate or use a *mobile home* in any zone for the purposes of residential, commercial, industrial or institutional uses, temporarily or permanently, unless:

- i. the use of a *mobile home* for such purposes is specifically indicated as a permitted use in a particular zone or Special Zone Provision;
- ii. a *mobile home structure* is temporarily used during construction of a *main building or buildings* on a *lot*; or,
- iii. the use of a *mobile home structure* has been temporarily authorized for use as an emergency shelter where a dwelling or other *building* has been damaged by fire or natural disaster.

## 4.5 Uses Permitted in Accessory Buildings and Structures

No *accessory building* or *accessory structure* shall be used for human habitation or an occupation for gain or profit, except if specifically permitted by this By-law.

## 4.6 Temporary Uses

No *travel trailer* or *motor home* shall be used for the living, sleeping or eating accommodation of persons within the Municipality for a period of more than 60 days within any calendar year, unless such use is specifically indicated to be a permitted use in the pertaining zone.

No truck, bus, coach or streetcar body shall be used for human habitation within the Municipality whether or not same is mounted on wheels or any type of temporary or permanent foundation.

## 4.7 Home Occupations / Home Industries

### 4.7.1 Home Occupation

Where a *home occupation* is permitted in a zone, the *home occupation*:

- i. shall clearly be a secondary use of the *lot*;
- ii. shall be conducted entirely within a detached *accessory building* and / or the *main building* on the *lot*;
- iii. shall be conducted by at least one (1) of the residents of a *dwelling unit* located on the same *lot*;
- iv. shall not occupy more than 25 % of the *gross floor area* of the *dwelling unit*, if the *home occupation* is contained in a *dwelling unit* in the *main building* on the *lot*;
- v. shall not occupy more than 50 % of the *gross floor area* of a detached *accessory building*, if the *home occupation* is contained within a detached *accessory building*;
- vi. shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the *dwelling unit* or detached *accessory building*;
- vii. shall not employ more than one employee, in addition to members of the household;
- viii. shall not involve the *outdoor storage* or outdoor display of materials or finished products;
- ix. shall not consist of an occupation that involves the sale of a commodity not produced on the *premises*, except that telephone or mail order sales of goods is permitted;
- x. if involving instructional activity, shall not be occupied by more than four (4) students at any one (1) time for such an activity; and,
- xi. shall not require receipt or delivery of merchandise, goods or equipment by other than a passenger *motor vehicle* or by parcel or letter carrier mail service using *motor vehicles* typically employed in residential deliveries.

### 4.7.2 Home Industry

Where a *home industry* is permitted in a zone, the *home industry* shall comply with the regulations of Section 4.7.1. Notwithstanding the provisions of Section 4.7.1, however, such a use may employ two employees in addition to members of the household, and may be located in agricultural *buildings* on a *lot*, as well as an *accessory building*.

## 4.8 Group Homes

Group homes are subject to the following provisions.

### 4.8.1 Group Home - Type One

A *Group Home - Type One (1)* is permitted in a *single detached dwelling* wherever such dwellings are permitted in any zone, subject to the further provisions outlined in Section 4.8.3.

### 4.8.2 Group Home - Type Two

A *Group Home - Type Two (2)* is permitted in a *single detached dwelling*, only on a *lot* having both frontage and access exclusively onto a Provincial Highway or Arterial Road as designated in the Municipality of Brighton Official Plan, and subject to the further provisions of Section 4.8.3.

### 4.8.3 Minimum Distance Separation

Notwithstanding any other provisions of this By-law, group homes shall only be permitted on *lots* complying with the minimum distance separation criteria in the table below, in relation to other *lots* containing such facilities, with such minimum distance to be measured between the nearest *lot lines* of the two (2) *lots*.

Group Home Type	Minimum Distance Separation
Type One (1) and <i>Group Home - Type One (1)</i>	4000 metres
Type One (1) and <i>Group Home - Type Two (2)</i>	8000 metres
Type Two (2) and <i>Group Home - Type Two (2)</i>	8000 metres

### 4.8.4 Compliance with Zoning By-law

No *building* shall be used for a group home unless such *building* and the *lot* on which it is located comply with all of the applicable zone provisions of this By-law.

### 4.8.5 Registration of Group Homes

No *building* shall be used for the purpose of a group home unless such group home is registered with the Municipality of Brighton.

## 4.9 Dwelling Units

### 4.9.1 Dwelling per Lot

Unless otherwise specified by this By-law, no more than one *dwelling unit* is permitted on a *lot*.

## 4.9.2 Agricultural or Rural Zone

Notwithstanding the provisions of subsection 4.9.1, if a parcel of land within an Agricultural or Rural Zone used for the purposes of an *agricultural use* is enlarged by the consolidation or addition of additional lands used for the purposes of an *agricultural use* and containing a separate *dwelling unit*, the second *dwelling unit* shall be a permitted use.

## 4.9.3 Additional Residential Units

In all Residential Zones, an *additional residential unit* shall be permitted in accordance with the following regulations:

- i. Within a *single detached dwelling, semi-detached dwelling* or *rowhouse*, two (2) *additional residential units* are permitted on a property; and,
- ii. One (1) *additional residential unit* is permitted within an ancillary *building* or *structure* to a *single detached dwelling, semi-detached dwelling* or *rowhouse* if the *single detached dwelling, semi-detached dwelling* or *rowhouse* contains a single residential unit.

In the Rural and Agricultural Zones, an *additional residential unit* shall be permitted in accordance with the following regulations:

- i. Within a *single detached dwelling, semi-detached dwelling* or *rowhouse*, one (1) *additional residential unit* is permitted on a property; and,
- ii. One (1) *additional residential unit* is permitted within an ancillary *building* or *structure* to the principle residential *building*.

The following general provisions apply to all zones containing an *additional residential unit*:

- i. The uses above are subject to the availability of adequate servicing whether such servicing is provided via municipal services or private individual on-site services;
- ii. *Additional residential units* shall not be permitted on a parcel of land, which is located on a *private road* that is not assumed and maintained year-round by the Municipality and where emergency access may be limited;
- iii. *Additional residential units* located within an *accessory building* or *structure* may not be severed as a separate conveyable parcel from the principle dwelling;
- iv. The *additional residential unit* shall be of a size which is less than the *gross floor area* of the principle residential unit;
- v. One (1) off-street *parking space* shall be provided for an *additional residential unit*, in addition to any *parking space* required by the By-law for the principle residential unit;

- vi. That the *additional residential unit* complies with the requirements of the Ontario Building and Fire Code;
- vii. Prohibit *additional residential units* within 10 metres from an Environmental Protection (EP) Zone boundary, or 30 metres from a top-of-bank as defined in Section 2.0 of the By-law;
- viii. Any *additional residential unit* within a floodplain or wave uprush shall comply with Section 4.30.3 and 4.30.4, respectively; and,
- ix. *Additional residential units*, which are located in *accessory buildings* and are detached from the principle dwelling, shall comply with the *accessory building* standards of Section 4.24.

#### **4.9.4 Shared Housing**

*Shared housing* is permitted in all Residential Zones subject to the governing zoning district and parking provisions.

### **4.10 Outdoor Storage**

#### **4.10.1 Accessory Outdoor Storage**

The accessory *outdoor storage* of goods or materials associated with a main industrial or commercial use is only permitted within an *interior side* or *rear yard*. In such cases, the *outdoor storage* area shall be screened with a solid fence, landscaped berm or other opaque barrier a minimum of 2.4 metres in *height*. The *height* of goods or materials within the *outdoor storage* area shall not exceed 4.5 metres.

#### **4.10.2 Outdoor Storage as the Main Use of a Lot**

Where the main use of a *lot*, goods or materials stored outdoors shall not be located closer than 7.5 metres to any *lot line*. The *front* and *exterior side yards* of a *lot* containing an *outdoor storage use* shall be screened with a landscaped berm a minimum of 3.0 metres in *height*. The *interior side* and *rear yards* of a *lot* containing an *outdoor storage use* shall be screened with a landscaped berm, solid fence, or other opaque barrier a minimum of 3.0 metres in *height*.

### **4.11 Multiple Uses on One Lot**

Where any *building, structure* or land is used for more than one purpose as provided in Section 6.0 of this By-law, the said *building, structure* or land shall comply with the provisions of this By-law relating to each use. In the case of a conflict, the more stringent provision shall apply.

## **4.12 Multiple Zones on One Lot (Divided Lot)**

Where a *lot* is divided into more than one zone, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable zone.

## **4.13 Non-Complying Buildings and Structures**

### **4.13.1 Enlargement, Repair, or Renovation**

A *non-complying building* or *structure* may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- i. Does not further increase a situation of non-compliance; and,
- ii. Complies with all other applicable provisions of this By-law.

### **4.13.2 Non-Compliance as a Result of Expropriation**

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public authority*, such acquisition results in a contravention of this By-law relating to minimum *yards* and / or setbacks, *lot coverage* or maximum permitted *gross floor area* or *net floor area*, then the lands so acquired shall be deemed to continue to form part of the *lot* upon which the *building* or *buildings* are located in determining compliance with this By-law.

### **4.13.3 Restoration of Non-Complying Buildings or Structures**

A *non-complying building* destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided construction is commenced within one year from the date of destruction and provided that the *building* is completed within a reasonable time thereafter.

## **4.14 Non-Complying Lots**

### **4.14.1 Non-Complying Lots**

A *lot* in existence prior to the effective date of this By-law that does not meet the *lot area* and / or *lot frontage* requirements of the applicable zone, may be used and *buildings* thereon may be *erected*, enlarged, repaired or renovated provided the use conforms with the By-law and the *buildings* or *structures* comply with all of the other provisions of this By-law.

### **4.14.2 Non-Compliance as a Result of Expropriation**

Notwithstanding any other provision of this By-law, where, as a result of the acquisition of part of a *lot* by a *public authority*, the *lot*, after the acquisition, is a *non-complying lot*, such *non-complying lot* may be used for any purpose permitted by this By-law within the zone in which the *lot* is located.

## **4.15 Non-Conforming Uses**

No lands shall be used and no *building* or *structure* shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing of this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to any By-law in force at that time.

## **4.16 Restoration of Non-Conforming Uses**

Where the use of a *building* or *structure* is legal non-conforming and said *building* or *structure* is damaged or destroyed by fire or natural disaster, no provision of this By-law shall prevent the reconstruction or repair of the *building* or *structure* for the continuation of the legal *non-conforming use* provided an application for a *building* permit is made within 1 year of the event.

## **4.17 Relocation of Buildings or Structures used for Non-Conforming Uses**

A *building* or *structure* used for a *non-conforming use* may be relocated upon the same *lot* provided the relocation of the *building* increases its conformity with the provisions of this By-law to the maximum extent possible.

## **4.18 Discontinuation of Use**

Where a use, *building* or *structure* established prior to the date of passing of this By-law has been used for a purpose not permitted by the pertaining zone category, and said use has been discontinued for a period of 12 consecutive months or longer, or in the case of barns 4 years or longer, the said *building* or *structure* may only be used again for a use which conforms with the provisions of this By-law.

## **4.19 Lots of Record**

Notwithstanding any provision of this By-law, *lots of record* or *lots* created by expropriation including *lots* with less than the required frontage, depth or area may be developed for the uses specified in the pertaining zone provided all other provisions of this By-law are met and, where needed, the *lot* can be adequately serviced with an approved water supply and sewer services. For a *lot* within an Agricultural or Rural Zone, such uses include a *single detached dwelling* provided all other regulations of this By-law are complied with. Should the size of a *lot of record* be increased after the date of passing of this By-law, the provisions of this section shall continue to apply.

## **4.20 Land without Buildings**

Where land is used for, or in association with *residential*, commercial, *industrial* or institutional uses without any *buildings* or *structures* thereon, all *yards* required by this By-law shall be provided and maintained as required *yards*, and all other applicable provisions of the pertaining zone category shall apply.

## **4.21 Frontage on a Public Street**

### **4.21.1 Frontage on a Public Street**

Unless otherwise specified by this By-law, no person shall *erect* any *building* or *structure* and no person shall use any *building* or *structure*, *lot* or parcel unless the *lot* or parcel to be so used, or upon which the *building* is situated or *erected* or proposed to be *erected*, abuts or fronts on a *public street* in accordance with the pertaining standards of the Development Standards tables in Section 7.0 of this By-law, which is assumed by a *public authority* for maintenance purposes or is being constructed pursuant to a Subdivision or Development Agreement with a *public authority*.

### **4.21.2 Separated Lot**

A *lot* that is separated from a *public street* by lands in the Open Space (OS) Zone is deemed to have frontage on the *public street*.

### **4.21.3 Frontage on a Private Road**

Notwithstanding the provisions of section 4.21.1 a person may *erect* a *building* or *structure* and use said *building* or *structure* for a conforming use on a *lot* within a Shoreline Residential (SR) Zone which fronts on a *private road existing* as of the date of passing of this By-law, or on a navigable waterway.

## **4.22 Servicing Requirements**

### **4.22.1 Non-Residential Development**

No person shall use any *lot*, or *erect* or use any *building* or *structure* for residential purposes unless an approved water supply and sanitary sewer system are available and of sufficient capacity to service such *building*, *structure* or *lot*, except as otherwise permitted by site or area-specific provisions in this By-law.

### **4.22.2 Change to Residential Use**

No person shall change to residential the use of any *building*, *structure* or *lot*, unless an approved water supply and sanitary sewer system are available and of sufficient capacity to service such *building*, *structure* or *lot*, except as otherwise permitted by site or area-specific provisions in this By-law.

### **4.22.3 Existing Residential Uses**

The provisions of this subsection shall not apply to *residential uses* which existed on the date of passing of this By-law. Any proposal to increase the number of *dwelling units* or *guest rooms existing* on the date of passing of this By-law shall only be permitted if an approved water supply and sanitary sewer system are available and of sufficient capacity to service such *building, structure* or *lot*, except as otherwise permitted by site or area-specific provisions in this By-law.

## **4.23 Accessory Buildings, Structures, and Uses**

Where this By-law provides that land may be used or a *building* or *structure* may be *erected* or used for a purpose, that purpose may include any *accessory buildings, accessory structures* or *accessory uses* located on the same *lot* as the primary use to which they are related.

## **4.24 Standards for Accessory Buildings**

### **4.24.1 Setbacks for Accessory Buildings**

*Accessory buildings* shall be located:

- i. A minimum distance from the *front lot line* equal to the *front yard* requirement for the *main building* from the *front lot line*;
- ii. A minimum distance from an *exterior side lot line* equal to the *exterior side yard* requirement for the *main building* from the *exterior side lot line*;
- iii. A minimum of 1.2 metres from the *interior side lot line*;
- iv. A minimum of 1.2 metres from the *rear lot line*;
- v. Notwithstanding subsections (i) through (iv), in no case shall an *accessory building* be located closer than 2.0 metres to the *main building* on the *lot*; and
- vi. Notwithstanding any other provisions of this By-law to the contrary, an *additional residential unit* which is located in an *accessory building* and is detached from the principle dwelling, is not permitted within 30 metres of the *high water mark* of any waterbody.

### **4.24.2 Encroachment of Eaves, Gutters, and Roof Overhangs**

Eaves, gutters and roof overhangs may encroach into any setback area required by Section 4.24.1 a distance of no more than 0.6 metres.

### 4.24.3 Maximum Height

The maximum permitted *height* of any *accessory building* on a *lot* is 4.5 metres. Notwithstanding this provision, the maximum permitted *height* may be increased to 6 metres if the *rear lot line* abuts a *public street* from which no vehicular access to the *lot* exists and provided the entire rear wall of the *accessory building* is located between 1.2 metres and 3 metres from the *rear lot line*.

#### 4.24.3.1 Height Exemptions

Notwithstanding Section 4.24.3, or any other provision of this By-Law to the contrary, the *height* restrictions shall not apply to any of the following *structures*:

- i. Barn;
- ii. Antenna;
- iii. Belfry;
- iv. Chimney;
- v. Clock Tower;
- vi. Flag Pole;
- vii. Grain Elevator or Storage;
- viii. Grain Dryer;
- ix. Transmission Tower;
- x. Silo;
- xi. Spire;
- xii. Steeple;
- xiii. Ornamental *Structure*;
- xiv. Radio Antenna; and,
- xv. Crushing, Washing, Screening, Processing or Asphalt Plant.

### 4.24.4 Temporary Accessory Buildings and Structures

(added by 548-2008)

Temporary *accessory buildings* and *structures* associated with a *residential use* may be *erected* within a required *interior side* or *rear yard* of any Residential Zone provided that such *accessory building* or *structure* is not closer than 1.2 metres (4 feet) to the *interior side* or *rear lot line*. In no case shall such *accessory building* or *structure* be located closer to a *front* or *exterior lot line* than the dwelling on the *lot*. Temporary *accessory buildings* and *structures* shall be subject to the maximum *height* provisions set out in subsection 4.24.3.

## 4.25 Yard Encroachments

(amended by 548-2008)

Notwithstanding the *yard* and setback provisions of this By-law to the contrary, *decks*, unenclosed *porches*, balconies, steps and patios, covered or uncovered, that are not more than 1.8 metres (6 feet) above *grade*, exclusive of hand railings or other similar appurtenances; and exterior stairs and landings may project:

- i. Into a required *rear yard* a maximum distance of 3 metres (10 feet), but not closer than 4.5 metres (15 feet) to the rear *lot line*; and,
- ii. Into any other required *yard* a maximum distance of 1.5 metres (5 feet), but not closer than 1.2 metres (4 feet) to any *lot line*.

## 4.26 Building Lines

### 4.26.1 Front Wall

Where this By-law regulates the location of the walls of a *building* that face the *front lot line* in relation to a *building line*, the *building line* shall be located as follows:

- i. Where both the *interior side lot lines* intersect with the *front lot line* at a 90 degree angle and the *front lot line* is straight, the *building line* shall be located parallel to the *front lot line* a distance equal to the required *front yard*;
- ii. Where one or both of the *interior side lot lines* intersect(s) with the *front lot line* at an angle greater than or less than 90 degrees, or if the *front lot line* is not straight, the *building line* shall be set back from the mid-point of the *front lot line* a distance equal to the required *front yard* and shall be parallel to a line joining the points where the *front lot line* intersects with the *interior side lot lines*; and,
- iii. Where the *lot* is a *corner lot*, the *building line* shall be located on the *lot* by extending the *building line* on the nearest *lot* that fronts on the same side of the street to the *exterior side lot line*.

### 4.26.2 Exterior Side Wall

Where this By-law regulates the location of the walls of a *building* that face the *exterior side lot line* in relation to a *building line*, the *building line* shall be located parallel to the *exterior side lot line* a distance equal to the required *exterior side yard*.

### 4.26.3 Established Building Line

Notwithstanding any *front yard* or *exterior side yard* setback provisions of this By-law to the contrary, where a permitted *building* is to be *erected* within a built-up area where there is an established *building line* extending on both sides of the proposed *building* site, the proposed *building* may be *erected* closer to the *street line* than required by this By-law provided such *building* is not *erected* closer to the *street line* than the established *building line existing* on the date of passing of this By-law.

## 4.27 Encroachment Permitted in Required Yards

### 4.27.1 Architectural Features and Balconies

Architectural features such as sills, belt courses, cornices, eaves or gutters, chimney breasts, pilasters, roof overhangs, cantilevered window bays and balconies may encroach:

- i. Into the required *front yard* a distance of no more than 3 metres, but in no case shall the architectural feature or *balcony* be located closer than 1.5 metres to the *front lot line*;
- ii. Into the required *rear yard* a distance of no more than 2 metres;
- iii. Into the required *exterior side yard* a distance of no more than 50 % of the required *exterior side yard* for the main *building* on the *lot*; and,
- iv. Into the required *interior side yard* a distance of no more than 50 % of the required *interior side yard* for the main *building* on the *lot*.

Notwithstanding any of the above provisions, any of the features identified in this Section are permitted to encroach into the required *front yard* to the *front lot line* and into the required *exterior side yard* to the *exterior side lot line* if they are associated with an apartment, office or institutional *building* in a Core Area (CA) Zone.

### 4.27.2 Deleted by By-law 220-2004

### 4.27.3 Encroachment of Stairs, Landings, and Ramps Used to Access a Main Building

Stairs, landings and wheelchair ramps that access any part of the *main building* on the *lot*, and which are not associated with a *deck* or *porch*, may encroach:

- i. Into the required *front yard* provided no part of the stairs, landing or ramp is located closer than 3 metres to the *front lot line*;
- ii. Into the required *exterior side yard* a distance of no more than 50 % of the required *exterior side yard* for the *main building* on the *lot*; and,
- iii. Into the required *rear yard* a distance of no more than 2 metres.

Notwithstanding any of the above provisions, stairs, landings and ramps used to access a *main building* in the Core Area (CA) Zone are permitted to encroach into the required *front yard* to the *front lot line* and into the required *exterior side yard* to the *exterior side lot line*.

## **4.28 New Non-Agricultural Uses - Minimum Distance Separation (MDS) I**

(amended by By-law 220-2004)

The establishment of any *residential*, institutional, commercial, *industrial* or active *recreational use* shall comply with the requirements of the Minimum Distance Separation Criteria (MDS I) calculated using Appendix A of this By-law. Where a legal *lot* of record with an area of 1 hectare (2.47 acres) or less, existed as of the date of adoption of this By-law, the provisions of this Section shall not serve to preclude the issuance of a *building* permit for a permitted *building* or *structure*, provided all other requirements of this By-law are met.

## **4.29 New or Expanded Livestock Facilities - Minimum Distance Separation (MDS) II**

(amended by By-law 220-2004)

No livestock facility, permitted in a General Industrial (M1), Rural Industrial (M2), Extractive Industrial (EM), Rural (RU) or Agricultural (A) Zone, shall be constructed, established or expanded unless it complies with the Minimum Distance Separation Criteria (MDS II) calculated by using Appendix B of this By-law.

Notwithstanding the above, in no case shall a livestock facility be constructed, established or enlarged with less than the applicable minimum setbacks (*yards*) required for the zone in which such facility is to be constructed, *erected* or enlarged.

## **4.30 Areas Susceptible to Flooding**

### **4.30.1 Designated Areas**

Areas which have been identified as being susceptible to flooding from watercourses or water bodies are designated on the maps constituting Schedule 'A' to this By-law by the "Floodplain Zone" overlay shading outlined on, and referenced in the legends to the maps.

### **4.30.2 Setback from Waterbodies and Watercourses**

Notwithstanding any other provisions of the By-law, unless otherwise permitted by site or area specific provisions in Section 8.0 of this By-law or by the provisions of Section 4.30.3 of this By-law, a *main building* within any zone category is not permitted within 10 metres of the *high water mark* of any water body or watercourse.

### 4.30.3 Construction Requirements

The construction of any *building* or *structure* which requires the issuance of a *building* permit and is located within a Floodplain Zone on the maps comprising Schedule 'A' to this By-law shall not be permitted except in accordance with the provisions of Section 4.30.2 and Section 4.30.3 i).

However, where the lands in the Floodplain Zone are subject to a zone category followed by the symbol "F(\_)" pursuant to Section 3.4.3, the construction of any *building* or *structure* which requires a *building* permit, shall only be permitted provided that the *building* or *structure* has been flood proofed in accordance with the provisions of subsection ii. of this Section.

- i. All *buildings* and *structures* shall be designed and constructed to withstand the hydrostatic forces resulting from flooding as detailed and approved by the Ontario Ministry of Natural Resources and / or the area Conservation Authority, and in accordance with the standards and requirements of the Ontario Building Code, as amended; and,
- ii. The minimum elevation of the ground floor or *first storey* of any *building*, other than a non-residential *accessory building*, and of any exterior *building* opening, shall not be less than the minimum elevation for flood proofing specified by the number contained within the brackets following the letter "F" on the maps comprising Schedule 'A' hereto, as specified in metres and based upon the Geodetic Survey of Canada (G.S.C.).

### 4.30.4 Wave Uprush ("U") Provisions

The construction of any *building* or *structure* which requires the issuance of a *building* permit and is located within or is subject to a zone category followed by the symbol "U" pursuant to Section 3.4.3, shall only be permitted provided the *building* or *structure* has been flood proofed. The minimum elevation for flood proofing of the ground floor or *first storey* level of any *building*, and of any exterior *building* opening, shall not be less than 76.4 metres G.S.C. (Geodetic Survey of Canada), or as otherwise demonstrated through a study prepared by a qualified professional to the satisfaction of the conservation authority and Municipality except where the symbol "U" is followed by a number other than 76.4, in which case the alternate number following the "U" shall supersede and apply.

## 4.31 Areas Subject to the Resource Reserve Overlay

### 4.31.1 Designated Areas

Areas subject to the Resource Reserve provisions of this By-law are designated on the maps constituting Schedule 'A' to this By-law by the "Resource Reserve" overlay shading outlined on, and referenced in the legends to the maps.

### **4.31.2 Permitted Uses**

Within the areas so designated, a *single detached dwelling*, *accessory structures*, *home occupations*, *home industries* and *farm buildings* are only permitted in conjunction with an *agricultural use*. Conservation and *forestry uses* are also permitted.

### **4.32 Sight Triangles**

Within any area defined as a *sight triangle*, the following uses and facilities are prohibited:

- i. *Buildings and structures*;
- ii. Above ground service modules, boxes or facilities;
- iii. Mail boxes;
- iv. A fence, tree or other plant material the *height* of which exceeds the median elevation of the centrelines of the abutting streets by 1 metre or more; and,
- v. A finished *grade* exceeding the elevation of the *street lines* by 0.6 metres or more.

### **4.33 Storage of Garbage**

All garbage generated by uses in any multiple unit *building* in any Residential, or Commercial Zone, and by any *restaurant* use, shall be stored completely inside a fully enclosed *building* or *structure*.

### **4.34 Swimming Pools**

A private *swimming pool* may be permitted as an *accessory use* to a permitted *residential use* provided that:

- i. The private pool is located within the *interior side yard*, *rear yard* or in the case of a waterfront *lot*, the *yard* abutting the *shoreline*;
- ii. No interior wall surface of any pool is located closer than 1.5 metres to any *rear*, side or *front lot line*, or closer than 3 metres to any portion of a *rear lot line* which constitutes a side *lot line* of an adjoining *lot*; and,
- iii. No water circulation or filtration equipment is located closer than 3 metres to any side or *rear lot line*.

#### **Lot Coverage Exemption**

A *swimming pool* shall not be included in calculating *lot coverage*.

## 4.35 Buffer Strip Regulations

### 4.35.1 Contents

A “*buffer strip*” as defined in this By-law, shall consist of a visual screen having a minimum *height*, unless specified by other specific provisions in Section 7.0 of this By-law, of 1.5 metres above the surrounding ground level and which is uninterrupted except for *driveways* or *walkways*. A *buffer strip* shall include a planting screen, or landscaped earth berm, or a combination of these features. The minimum width of a *buffer strip*, unless specified by other provisions in Section 7.0 of this By-law, shall be 3 metres, subject to the further provision that the minimum width where an earth berm is to be constructed, shall be the minimum width required to construct a stable berm having slopes no greater than a 3:1 horizontal to vertical ratio.

### 4.35.2 Landscaped Open Supplement

A *buffer strip* required by the provisions of this By-law may form part of the minimum *landscaped open space* requirements of this By-law.

### 4.35.3 Maintenance

Where a *buffer strip* is required by the provisions of this By-law, said *buffer strip* shall be constructed and maintained by the owner(s) of the *lot* upon which the *buffer strip* is located.

## 4.36 Outdoor Furnace

(added by By-law 220-2004)

Notwithstanding any other provisions of this By-law to the contrary, an *outdoor furnace* shall only be permitted within an Agricultural (A) Zone or a Rural (RU) Zone and shall comply with the following regulations:

- i. Minimum setback from:
  - a. A *lot line* abutting any Residential Zone - 50 metres
  - b. Any other *lot line* - 30 metres
- ii. The installation of such unit shall require a *building* permit.

## 4.37 Shipping Containers, Truck Bodies and Tractor Trailers

(added by By-law 220-2004)

- i. Residential Zones

Shipping containers, truck bodies, tractor-trailers and other similar containers shall not be situated in any Residential Zone for use as an *accessory building* or *structure* or storage *structure* or *building*.

ii. Industrial and Commercial Zones

Shipping containers, truck bodies, tractor-trailers and other similar containers may be situated in an Industrial or Commercial Zone for use as an *accessory building* or *structure* or storage *structure* or *building* subject to the following provisions:

- a) In no case shall such unit be situated in a *front yard* or *exterior side yard*.
- b) Minimum setback from:
  - 1) A *lot line* abutting any Residential Zone - 20 metres
  - 2) Any other *lot line* - 10 metres

iii. Agricultural and Rural Zones

Shipping containers, truck bodies, tractor-trailers and other similar containers may be situated in an Agricultural or Rural Zone for use as an *accessory building* or *structure* or storage *structure* or *building* subject to the following provisions:

- a) Minimum setback from:
  - 1) A *lot line* abutting any Residential Zone: 50 metres
  - 2) Any other *lot line*: 30 metres

### 4.38 Bed and Breakfast Establishments

(added by By-law 220-2004)

The following provisions shall apply to the establishment of a *bed and breakfast establishment*:

- i. A *bed and breakfast establishment* shall only be permitted in a *single detached dwelling* and shall be limited to a maximum of three (3) *guest rooms* per establishment;
- ii. A *bed and breakfast establishment* shall not be established or operated in an *accessory building*;
- iii. One *parking space* shall be provided per *guest room* in addition to the required spaces for the dwelling. Such *parking spaces* shall be on the same *lot* as the use and shall comply with the requirements of Section 5.0, of this By-law;
- iv. *Bed and breakfast establishments* shall be deemed an *accessory use* to a *residential use* and shall be permitted only in zones where expressly provided for as a permitted use;
- v. *Bed and breakfast establishments* shall conform to all regulations and requirements of the zone where permitted;
- vi. A *bed and breakfast establishment* shall not detract from the general character of the neighbourhood nor be a nuisance in terms of noise, traffic, parking and visual character; and,
- vii. A *bed and breakfast establishment* may have a sign(s) in accordance with the Municipal Sign By-law.

### **4.39 Private Home Day Care**

(added by By-law 220-2004)

A private home day care, as defined in this By-law shall be subject to the following regulations:

- i. Such use shall only be established in zones where it is expressly listed as a permitted use; and,
- ii. Such use shall only be established as an *accessory use* to a permitted *single detached dwelling*.

### **4.40 Source Water Protection**

This section applies to lands within the Well Head Protection Area (WHPA-A). The regulations set forth in this section shall apply to the applicable overlay zone and shall be in addition to those regulations set forth in the underlying zone. In the event of a conflict between the provisions of the regulations of this overlay zone and the provisions of the underlying zone, the provisions of the overlay zone shall prevail.

Within the WHPA-A overlay zone, the following uses are prohibited:

- i. Sewage systems;
- ii. Agricultural activities;
- iii. Non-agricultural source material;
- iv. Commercial fertilizer including handling and storage;
- v. Pesticide;
- vi. Road salt including handling and storage;
- vii. Fuel;
- viii. A dense non-aqueous phase liquid (DNAPL);
- ix. Organic solvents;
- x. Waste disposal sites; and,
- xi. Snow storage.

Within the WHPA-A Overlay Zone, any non-residential use that is proposed and listed in this section or any non-residential use that is proposed and has the potential to use or store any of the items listed in this section, shall be prohibited.

#### **4.41 Backyard Hens**

Within the Residential Zones, the following regulations apply respecting the keeping of backyard hens:

- i. A maximum of four (4) hens, at a minimum age of four (4) months may be permitted in the RR, R1, R2, R3, HR Zones, on a *lot* that meets the required *lot area* and frontage and where the hens are contained to the *rear yard* within a coop. A coop must meet the side and *rear yard* setbacks for the zone, be a maximum of 10 square metres in size and be at least 3 metres away from any neighbouring windows or doors.
- ii. Hens shall only be kept for the purposes of egg production and the hens shall not be consumed. Eggs are to be consumed by the property owners and shall not be for sale or distribution to the public.
- iii. Home slaughter of hens is prohibited and any deceased hens shall be disposed of at a livestock disposal facility or through the services of a veterinarian.
- iv. Roosters shall not be permitted.

#### **4.42 Setbacks on County Roads and Provincial Highways**

Notwithstanding the setback requirements established in any other zone of this By-law, on *lots* fronting on a County Road, no *building* or part thereof shall be *erected*, altered or used except in accordance with the requirements of the County of Northumberland Official Plan and the Ministry of Transportation (MTO) guidelines.

#### **4.43 Cannabis Production Facility**

The following provisions shall apply to regulate the location and operation of a *cannabis production facility*, as defined in this By-law:

- a) A *cannabis production facility* shall only be permitted where full municipal services are available, and where there is sufficient municipal sewer and water capacity to support the facility;
- b) Where a *cannabis production facility* is located on a *lot*, no other use shall be permitted on the same *lot*;
- c) A *cannabis production facility* shall not be permitted to locate on a *lot* where any part of the *lot* is closer than 70 metres to a *lot* in the Residential, Commercial, Open Space, Future Development or Community Facility Zones; and,
- d) Where a *cannabis production facility* abuts a non-industrial use, a landscape buffer having a minimum width of 9 metres is to be provided and maintained adjacent to all *lot lines*, and is uninterrupted except by *driveways* and railways.

## 5.0 Parking and Loading Standards

### 5.1 Parking Standards

#### 5.1.1 General

No person shall use any land, *building* or *structure* in any zone for any purpose permitted by this By-law, unless *parking spaces* are provided on the same *lot* in accordance with the provisions of this section. The number of *parking spaces* required shall be calculated in accordance with the standards set out in the following Parking Standards Tables A, B, and C.

#### 5.1.2 Cash in Lieu of Parking

Notwithstanding the provisions of Section 5.1.1, in the Core Area (CA) Zone, the Municipality may enter into an agreement exempting an owner or occupant from providing or maintaining some or all of the required *parking spaces* and such an agreement shall provide for the making of one or more payments to the Municipality in lieu of the provision of parking.

**Table A - Minimum Off-Street Parking Requirements for Residential Uses**

<b>Residential Use</b>	<b>Requirements</b>
<i>Single and Semi-Detached Dwellings</i>	<i>2 parking spaces per dwelling unit</i>
<i>Duplex, Triplex, Fourplex and Multiple Dwellings</i>	<i>1.5 parking spaces per dwelling unit</i>
<i>Apartment Dwellings</i>	<i>1.25 parking spaces per dwelling unit</i>
<i>Rowhouse Dwellings</i>	<i>2 parking spaces per dwelling unit</i>
<i>Nursing Home or Retirement Home</i>	<i>1 parking space for every 4 dwelling units or guest rooms</i>
<i>Bed and Breakfast Establishment, Boarding or Lodging House</i>	<i>1 parking space per dwelling unit plus 1 parking space per guest room</i>
<i>Accessory Dwelling Unit</i>	<i>1 parking space</i>
<i>Additional Residential Unit</i>	<i>1 parking space per unit</i>
<i>Shared Housing</i>	<i>Number of parking spaces required is based upon the residential use in Table A plus one (1) additional parking space for any staff, if applicable</i>
<i>Other Residential Uses not specified above in this Table</i>	<i>1 parking space per dwelling unit</i>

**Table B - Minimum Off-Street Parking Requirements for Non-Residential Uses**

<b>Non-Residential Use</b>	<b>Requirements</b>
Arena	1 <i>parking space</i> per 6 seats
Art Gallery	1 <i>parking space</i> per 93 square metres of <i>gross floor area</i>
Assembly Hall	1 <i>parking space</i> per 10 square metres of <i>gross floor area</i>
Banquet Hall	1 <i>parking space</i> per 9 square metres of <i>gross floor area</i>
Basement, Cellar or Mezzanine used for storage	1 <i>parking space</i> per 93 square metres of <i>gross floor area</i>
Bowling Alley	4 <i>Parking spaces</i> per lane
Business or Professional Office	1 <i>parking space</i> per 30 square metres of <i>gross floor area</i>
Casino	1 <i>parking space</i> per 10 square metres of <i>gross floor area</i>
Commercial Fitness Centre	1 <i>parking space</i> per 30 square metres of <i>gross floor area</i>
Commercial School	1 <i>parking space</i> per 20 square metres of <i>gross floor area</i>
Community Centre	1 <i>parking space</i> per 15 square metres of <i>gross floor area</i>
Curling Rink	4 <i>parking spaces</i> per sheet
Day Nursery	1.5 <i>parking spaces</i> per classroom plus 1 <i>queued parking space</i> per every five children capacity
Golf Driving Range	1.5 <i>parking spaces</i> per tee
Financial Institution	1 <i>parking space</i> per 20 square metres of <i>gross floor area</i>
Funeral Home	1 <i>parking space</i> per 20 square metres of <i>gross floor area</i> or 1 <i>parking space</i> per 4 seats in a chapel, whichever is greater. For the purposes of this standard, each 50 centimetres of bench length equals 1 seat.
Golf Course	11 <i>parking spaces</i> per hole
Group Home	0.5 <i>parking spaces</i> per bed

<b>Non-Residential Use</b>	<b>Requirements</b>
Home Furnishings Store	1 <i>parking space</i> per 40 square metres of <i>gross floor area</i>
Hospital	1 <i>parking space</i> per 4 beds or 1 <i>parking space</i> per 40 square metres of <i>gross floor area</i> , whichever is greater
<i>Hotel</i>	0.85 <i>parking spaces</i> per <i>suite</i> plus 1 <i>parking space</i> for every 10 square metres of <i>gross floor area</i> devoted to <i>assembly hall</i> uses
<i>Industrial Uses:</i> a. <i>gross floor area</i> of each <i>premises</i> up to 1200 square metres b. <i>gross floor area</i> of each <i>premises</i> between 1200 and 6000 square metres c. <i>gross floor area</i> of each <i>premises</i> in excess of 6000 square metres	1 <i>parking space</i> per 40 square metres of <i>gross floor area</i>  1 <i>parking space</i> per 100 square metres of <i>gross floor area</i>  1 <i>parking space</i> per 200 square metres of <i>gross floor area</i>
Industrial Warehouse: a. with a <i>gross floor area</i> of less than 5,000 square metres b. with a <i>gross floor area</i> of 5,000 square metres or greater	1 <i>parking space</i> per 100 square metres of <i>gross floor area</i>  1 <i>parking space</i> per 200 square metres of <i>gross floor area</i>
Laundromat	1 <i>parking space</i> for each 3 washing machines
<i>Library</i>	1 <i>parking space</i> per 40 square metres of <i>gross floor area</i>
<i>Marina</i>	1 <i>parking space</i> per 20 square metres of retail and <i>restaurant floor area</i> plus 1 <i>parking space</i> per 2 boat slips
<i>Miniature Golf Course</i>	1.5 <i>parking spaces</i> per tee
<i>Medical Clinic</i>	1 <i>parking space</i> per 9.5 square metres of <i>gross floor area</i>
<i>Motel</i>	1 <i>parking space</i> per room
<i>Motor Vehicle Sales Establishment</i>	A minimum of 10 <i>parking spaces</i> in addition to outdoor display areas
<i>Motor Vehicle Service Station</i>	1 <i>parking space</i> per 20 square metres of <i>gross floor area</i>

Non-Residential Use	Requirements
Museum	1 <i>parking space</i> per 40 square metres of <i>gross floor area</i>
<i>Nightclub</i>	1 <i>parking space</i> per 7.5 square metres of <i>gross floor area</i>
Nursery/Garden Centre	1 <i>parking space</i> per 20 square metres of <i>gross floor area</i>
Personal Service Shop	1 <i>parking space</i> per 30 square metres of <i>gross floor area</i>
<i>Place of Worship</i>	1 <i>parking space</i> per 10.0 square metres of <i>gross floor area</i> or 1 <i>parking space</i> per 4 seats, whichever is greater. Where the seating is provided by open benches, every 50 cm of bench length shall be considered as one seat for the purpose of this By-law. If an <i>assembly hall</i> is included, the parking requirement shall be calculated separately and if the number of <i>parking spaces</i> for only the <i>assembly hall</i> is greater than what would be required for a <i>place of worship</i> without an <i>assembly hall</i> , the number of <i>parking spaces</i> required for the <i>assembly hall</i> shall be the only <i>parking spaces</i> required on the <i>lot</i> .
<i>Private Club</i>	1 <i>parking space</i> per 30 square metres of <i>gross floor area</i>
<i>Restaurant</i> (all types)	The greater of: 1 <i>parking space</i> per 15 square metres of <i>gross floor area</i> or 1 <i>parking space</i> per 4 person design capacity of the dining room. Any outdoor patio area associated with a <i>restaurant</i> not exceeding 50 % of the total <i>gross floor area</i> of the <i>restaurant</i> shall be exempt from this requirement. Outdoor patio area in excess of 50 % of the total <i>gross floor area</i> of the <i>restaurant</i> shall require parking at the above rate. In addition to the above, a <i>restaurant</i> with <i>drive-through</i> facilities shall provided stacking capacity within the designated vehicular aisle for not less than 10 vehicles.

Non-Residential Use	Requirements
<p><i>Retail Store</i></p> <p>a. with a <i>gross floor area</i> of less than 6,000 square metres</p> <p>b. with a <i>gross floor area</i> of 6,000 square metres or greater</p>	<p>1 <i>parking space</i> per 30 square metres of <i>gross floor area</i></p> <p>1 <i>parking space</i> per 20 square metres of <i>gross floor area</i></p>
<p>School, Elementary</p>	<p>The greater of 1.5 <i>parking spaces</i> per classroom or 1 <i>parking space</i> per 3.5 square metres of <i>floor area</i> devoted to a gymnasium or <i>auditorium</i></p>
<p>School Secondary</p>	<p>4 <i>parking spaces</i> per classroom</p>
<p>Shooting Gallery or Range</p>	<p>1 <i>parking space</i> per person design capacity</p>
<p><i>Shopping Centre</i></p>	<p>1 <i>parking space</i> per 18.5 square metres of <i>gross leasable floor area</i>.</p> <p>1 <i>parking space</i> per 30 square metres of <i>gross floor area</i> for business or professional offices on any <i>storey</i> above the <i>first storey</i> is also required.</p> <p>Restaurants are subject to the following requirements:</p> <p>1 <i>parking space</i> per 18.5 square metres of <i>gross leasable floor area</i> for that portion that occupies 20% or less of the <i>gross leasable floor area</i> of the <i>shopping centre</i>.</p> <p>1 <i>parking space</i> per 9 square metres of <i>gross leasable floor area</i> for that portion that occupies more than 20% of the <i>gross leasable floor area</i> of the <i>shopping centre</i>.</p>
<p>Stadium</p>	<p>1 <i>parking space</i> per 6 seats. Where the seating is provided by open benches, every 50 centimetres of bench length shall be considered as one seat for the purpose of this By-law.</p>
<p><i>Supermarket</i></p>	<p>1 <i>parking space</i> per 20 square metres of <i>gross floor area</i></p>
<p><i>Theatre</i></p>	<p>1 <i>parking space</i> per 6 seats</p>
<p>Trade or Convention Centre</p>	<p>1 <i>parking space</i> per 20 square metres of <i>gross floor area</i></p>
<p><i>Veterinary Clinic</i></p>	<p>1 <i>parking space</i> per 9.5 square metres of <i>gross floor area</i></p>
<p>Any use not specified above</p>	<p>1 <i>parking space</i> per 30 square metres of <i>gross floor area</i></p>

## 5.2 Parking for the Physically Disabled

*Parking spaces* for the physically disabled are required for non-residential uses in accordance with the following table:

**Table C – Minimum Off-Street Barrier Free Parking Spaces**

Number of Required Parking Spaces	Number of Required Barrier Free Parking Spaces
Column A	Column B
Less than 10	0
11 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of the total
1001 and over	20 plus 1 for each 100 over 1000

## 5.3 Extension or Enlargement of Existing Uses and Changes in Use Requiring Additional Parking

- i. Where a use *existing* as of the date of passing of this By-law conforms with the pertaining permitted use provisions of this By-law for the Core Area (CA) Zone but does not comply with the minimum parking requirement of this By-law, such use may be extended or enlarged provided the additional parking required solely for the extension or enlargement is also provided on the *lot*.
- ii. Where a use *existing* as of the date of passing of this By-law and located in a Core Area (CA) Zone does not comply with the minimum parking requirement for that use, and is proposed to be changed to an alternate use which conforms with the permitted use provisions of this By-law for said zones, the proposed change of use is permitted provided the order of magnitude of the parking deficiency for the *existing* use is not increased.

## **5.4 Parking Area and Driveway Regulations**

### **5.4.1 Regulations for Parking Areas**

#### **5.4.1.1 Location of required parking spaces**

*Parking spaces* required by this By-law in accordance with Sections 5.1 and 5.2 shall be provided on the same *lot* as the *building, structure* or use requiring the parking.

#### **5.4.1.2 Location of parking in Residential Zones**

(amended by By-law 339-2005)

Uncovered surface *parking areas* shall be permitted in all *yards*.

#### **5.4.1.3 Number of required parking spaces permitted on a driveway**

No more than one (1) required *parking space* associated with a *single detached, semi-detached* or *rowhouse dwelling unit* shall be located on a *driveway* within the *front yard* or the *exterior side yard* of a *lot*.

#### **5.4.1.4 Size of required parking spaces**

Each required *parking space* in a *parking area* shall have a width of not less than 2.7 metres and a length of not less than 5.8 metres with the exception of a *parking space* for the physically disabled, which shall have a width of not less than 3.9 metres and a length of not less than 5.8 metres.

#### **5.4.1.5 Setbacks for parking garages below grade**

No setbacks or *yards* shall be required for any portion of a private garage or *parking garage* if it is constructed completely below the established *grade*.

#### **5.4.1.6 Regulations for tandem parking spaces**

*Tandem parking spaces* are permitted on *lots* with *buildings* containing no more than two (2) *dwelling units*.

### **5.4.2 Regulations for Driveways**

#### **5.4.2.1 Surface of driveway to a parking area or a parking lot**

A *driveway* to any *parking area* or parking lot shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

#### **5.4.2.2 Width of driveways leading to a parking area or a parking lot**

*Driveways* that cross a *front* or *exterior side lot line* and lead to a *parking area* or parking lot shall be a minimum of 3 metres in width for one-way traffic and a minimum of 6.7 metres in width for two-way traffic.

#### **5.4.2.3 Setbacks for driveways**

*Driveways* that cross a *front* or *exterior side lot line* of a *lot* within any Residential Zone shall be located no closer than:

- i. 1.0 metre to an *interior lot line*, where the *driveway* crosses the *front lot line*; and,
- ii. 6.0 metres to an *exterior side lot line*, where the *driveway* crosses the *front lot line*.

Notwithstanding the above requirements, a *driveway* may be located closer than 1.0 metre to the *interior side lot line* if the *driveway* crosses the *front lot line* and is to be shared with a *driveway* on an abutting *lot* and / or the *driveway* accesses a detached garage in the *rear yard*.

- iii. The minimum distance between two (2) separate *driveway* entrances on one (1) *lot*, measured along the *street line*, shall be 7.5 metres.
- iv. The minimum distance between a *driveway* and an intersection of *street lines*, measured along the *street line* crossed by such *driveway*, shall be 9.5 metres for all *residential uses* in any Residential Zone, and 15 metres for all uses in all other zones.

### **5.5 Parking of Commercial and Recreational Trailers / Vehicles and Boats**

No person shall use any *parking area* or *parking space* in any Urban Residential Zone except in accordance with the following provisions:

- i. Commercial and Recreational Vehicle Parking / Storage:
  - a. Not more than one vehicle per *dwelling unit* shall be a commercial *motor vehicle* as defined in The Highway Traffic Act, as amended from time to time.
  - b. The rated capacity of any such commercial *motor vehicle* shall not exceed one (1) tonne.
  - c. The parking or storing of a commercial or recreational vehicle shall be permitted within an *interior side yard* or *rear yard* on a *lot*.
  - d. The parking of a commercial or recreational vehicle weighing in excess of 2,725 kilograms shall be prohibited on the *lot*.

- e. Commercial or recreational vehicles weighing less than 2,725 kilograms may be parked on a *lot* providing the operator of the vehicle resides in a dwelling on a *lot*.
- f. No person shall park in the open any boat, trailer or *travel trailer* in excess of 7.6 metres in length within 1.2 metres of any side or *rear lot line* or within any *front yard* on the *lot*.
- g. No person shall park any boat, trailer or *travel trailer*, regardless of length within 0.3 metres of any side or *rear lot line*.
- h. Where the length of the boat, *motor home* or *travel trailer* exceeds 7.6 metres, such vehicle may be parked or stored on a *lot* in an Urban Residential Zone for a period of no more than 72 hours in any calendar month, unless it is stored within a fully enclosed *building*.
- i. The parking or storage of such a boat, *motor home* or trailer is permitted within any other zone provided all provisions of this By-law are complied with.
- j. Parking and storage of the following vehicles are prohibited in all urban residential zones:
  - Two (2) or more unlicensed vehicles;
  - Vehicles equipped with more than three (3) axles, excluding space wheels designed to support the vehicle when parked or stored;
  - Bus;
  - Vehicles designed to run only on rails;
  - *Farm* tractors;
  - Construction vehicles;
  - Tracked vehicles, except for snowmobiles; and,
  - Vehicles in a wrecked, dismantled or inoperative condition.

## 5.6 Loading Space Requirements

### 5.6.1 Number of loading spaces required

*Loading spaces* shall be provided for all non-residential uses in accordance with the standards below:

- i. If the use, or a combination of uses, has a *gross floor area* of less than 300 square metres, no *loading spaces* are required;
- ii. If the use, or a combination of uses, has a *gross floor area* of between 300 and 2000 square metres, one *loading space* is required; and,
- iii. If the use, or a combination of uses, has a *gross floor area* greater than 2000 square metres, a minimum of two *loading spaces* are required.

### **5.6.2 Permitted location for loading spaces**

- i. *Loading spaces* shall be located only in an *interior side yard* or *rear yard* and on the same *lot* as the use, or combination of uses, requiring the *loading spaces*.
- ii. Notwithstanding the provisions set out in subsection i above, within the General Industrial (M1) Zone *loading spaces* may be permitted in a *front yard* or *exterior side yard* provided such *loading space* is located a minimum of 9 metres from the *street line* and is not located within a site triangle as defined in this By-law.  
(added by By-law 220-2004).

## 6.0 Permitted Uses

### 6.1 Zones

Uses which are permitted in the following zones are identified on the following Permitted Use tables:

Zone Category	Table	Section
Urban Residential One (R1) Zone Urban Residential Two (R2) Zone Urban Residential Three (R3) Zone Urban Residential Four (R4) Zone Shoreline Residential (SHR) Zone Rural Residential (RR) Zone Hamlet Residential (HR) Zone	1	6.2
Local Commercial (LC) Zone Core Area (CA) Zone Highway Commercial (HC) Recreational Commercial (RC) Zone	2	6.3
General Industrial (M1) Zone Rural Industrial (M2) Zone Extractive Industrial (EM) Zone	3	6.4
Rural (RU) Zone Agricultural (A) Zone	4	6.5
Open Space (OS) Zone Community Facility (CF) Zone Environmental Protection (EP) Zone	5	6.6
Future Development (FD) Zone	6	6.7

Permitted uses in a zone are noted by the symbol 'X' in the column for that zone corresponding with the row for a specific permitted use. A number or numbers following the symbol 'X', or following the zone heading, or following the name of a permitted use, indicates that one or more special provisions apply to the noted use or zone. Special provisions are listed at the end of each table.

## 6.2 Residential Zones

Table 1 – Residential Zones

Permitted Uses							
Use	(R1)	(R2)	(R3)	(R4)	(SHR)	(RR)	(HR)
<i>Additional Residential Unit</i>	X (8)	X (8)	X (8)	X (8)	X (8)	X (8)	X (8)
<i>Apartment Dwelling</i>				X			
<i>Single Detached dwelling</i>	X	X			X (4)	X	X
<i>Semi-Detached dwelling</i>		X	X				X
<i>Duplex Dwelling</i>	X	X	X				X
<i>Triplex Dwelling</i>			X				
<i>Fourplex Dwelling</i>			X	X			
<i>Rowhouse Dwelling</i>				X			
<i>Bed and Breakfast Establishment</i>	X (6)	X (6)			X (5) (6)	X (6)	X (6)
<i>Boarding or Lodging House</i>			X (7)	X (7)			
<i>Convenience Retail Store</i>			X (2)	X			
<i>Group Home</i>	X (3)	X (3)	X (3)			X (3)	X (3)
<i>Home Occupation</i>	X (1)	X (1)	X (1)	X	X (1) (5)	X (1)	X (1)
<i>Home Industry</i>						X (1)	
<i>Nursing Home</i>			X	X		X	
<i>Personal Service Shop</i>			X (2)	X			
<i>Private Club</i>			X (2)	X (2)			
<i>Private Home Day Care</i>	X	X	X	X	X	X	X
<i>Shared Housing</i>	X	X	X	X	X		X
<i>Retirement Home</i>				X			X

**Explanation of Special Provisions (#)**

- (1) Subject to the General Provisions of Section 4.7
- (2) Permitted only within the *first storey* of a multiple *storey apartment building*. The maximum permitted *gross floor area* is 300 m<sup>2</sup>.
- (3) Subject to the General Provisions of Section 4.8.
- (4) If a *lot* is accessed by a *private road*, a dwelling is only permitted where the dwelling existed as of the date of passing of this By-law, or new dwellings on a *lot* of record.
- (5) Only permitted where the *lot* is accessed by a *public street*.
- (6) Subject to the General Provisions of Section 4.38.
- (7) The maximum permitted number of *guest rooms* is ten (10).
- (8) Subject to the General Provisions of Section 4.9.3.

## 6.3 Commercial Zones

Table 2 – Commercial Zones

<b>Permitted Uses</b>				
<b>Use</b>	<b>(LC) (5)</b>	<b>(CA)</b>	<b>(HC)</b>	<b>(RC)</b>
<i>Agricultural Service Use</i>			X	
<i>Agricultural Produce Sales Outlet</i>			X	
<i>Arcade</i>	X	X		X
<i>Art Gallery</i>		X	X	X
<i>Assembly Hall</i>		X	X	X
<i>Bake Shop</i>	X (1)	X	X	
<i>Banquet Hall</i>		X	X	X
<i>Building Supply Outlet</i>			X	
<i>Business or Professional Office</i>	X	X	X	X
<i>Campground</i>				X
<i>Casino</i>			X	
<i>Commercial Club</i>		X		X
<i>Commercial Fitness Centre</i>		X	X	X
<i>Commercial Greenhouse</i>			X	
<i>Commercial Parking Lot</i>		X (6)	X	
<i>Convenience Retail Store</i>	X (1)	X	X	X
<i>Custom Workshop</i>		X	X	
<i>Day Nursery</i>		X	X	X
<i>Dwelling Unit, Apartment</i>	X	X (3)	X	
<i>Financial Institution</i>		X	X	X
<i>Funeral Home</i>		X	X	
<i>Gas Bar</i>			X	X
<i>Golf Course</i>				X

<b>Permitted Uses</b>				
<b>Use</b>	<b>(LC) (5)</b>	<b>(CA)</b>	<b>(HC)</b>	<b>(RC)</b>
<i>Golf Course Driving Range</i>				<b>X</b>
<i>Home Furnishing Store</i>		<b>X (1)</b>	<b>X (1)</b>	
<i>Home Occupation</i>		<b>X (4)</b>		<b>X (1)</b>
<i>Hotel</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Library</i>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Marina</i>				<b>X</b>
<i>Medical Clinic</i>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Motel</i>			<b>X</b>	<b>X</b>
<i>Motor Vehicle Repair Shop</i>			<b>X</b>	
<i>Motor Vehicle Sales Establishment</i>			<b>X</b>	
<i>Motor Vehicle Service Station</i>			<b>X</b>	
<i>Museum</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Night Club</i>			<b>X</b>	
<i>Plant Nursery</i>			<b>X</b>	
<i>Personal Service Shop</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Place of Entertainment</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Place of Worship</i>		<b>X</b>	<b>X</b>	
<i>Private Club</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Recreational Use</i>		<b>X</b>		<b>X</b>
<i>Repair Shop</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Restaurant</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Restaurant, Take Out</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Retail Store</i>	<b>X (1)</b>	<b>X</b>	<b>X</b>	
<i>Riding School</i>				<b>X</b>
<i>School, Commercial</i>		<b>X</b>	<b>X</b>	
<i>School, Private</i>		<b>X</b>		

<b>Permitted Uses</b>				
<b>Use</b>	<b>(LC) (5)</b>	<b>(CA)</b>	<b>(HC)</b>	<b>(RC)</b>
<i>Shopping Centre</i>			<b>X (1)(2)</b>	
<i>Supermarket</i>		<b>X (1)</b>	<b>X</b>	
<i>Theatre</i>		<b>X</b>	<b>X</b>	<b>X</b>
<i>Veterinary Clinic</i>		<b>X</b>	<b>X</b>	

**Explanation of Special Provisions (#)**

- (1) *Outdoor storage* and display are not permitted.
- (2) The minimum permitted *gross floor area* of a *shopping centre* is 1400 m<sup>2</sup>, in addition in a multi-unit *building*, the *gross floor area* of an individual unit or store shall be 375 m<sup>2</sup>.
- (3) Permitted on any *storey* above the *first storey*.
- (4) Subject to the General Provisions of Section 4.7.
- (5) The maximum permitted *gross floor area* of any individual premise is 300 m<sup>2</sup>.
- (6) A landscape *buffer strip* with a minimum depth of 3 metres is required along the *front* and *exterior side lot line*. A landscape *buffer strip* with a minimum depth of 2 metres is required along an *interior side* and *rear lot line*.

## 6.4 Industrial Zones

Table 3 – Industrial Zones

<b>Permitted Uses</b>			
<b>Use</b>	<b>(MI)</b>	<b>(M2)</b>	<b>(EM)</b>
<i>Agricultural Use</i>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Agricultural Industrial Use</i>	<b>X</b>	<b>X</b>	
<i>Agricultural Processing Use</i>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Agricultural Produce Sales Outlet</i>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Agricultural Service Use</i>	<b>X</b>	<b>X</b>	<b>X</b>
<i>Animal Hospital</i>	<b>X</b>		
<i>Banquet Hall</i>	<b>X</b>		
<i>Building Supply Outlet</i>	<b>X</b>	<b>X</b>	
<i>Business or Professional Office</i>	<b>X</b>	<b>X</b>	
<i>Cannabis Production Facility</i>	<b>X (5)</b>		
<i>Commercial Club</i>	<b>X</b>		
<i>Commercial Fitness Centre</i>	<b>X</b>		
<i>Contractor's Yard</i>	<b>X</b>	<b>X</b>	
<i>Custom Workshop</i>	<b>X</b>	<b>X</b>	
<i>Day Nursery</i>	<b>X</b>		
<i>Dry Industrial Use</i>		<b>X</b>	
<i>Dwelling Unit, Accessory</i>	<b>X</b>	<b>X</b>	
<i>Extraction Pit</i>			<b>X</b>
<i>Factory Sales Outlet</i>	<b>X (1)</b>	<b>X (1)</b>	
<i>Industrial Use</i>	<b>X (4)</b>		
<i>Marina</i>	<b>X</b>	<b>X</b>	
<i>Motor Vehicle Body Shop</i>	<b>X</b>	<b>X</b>	
<i>Motor Vehicle Storage Compound</i>	<b>X</b>	<b>X</b>	

<b>Permitted Uses</b>			
<b>Use</b>	<b>(MI)</b>	<b>(M2)</b>	<b>(EM)</b>
<i>Night Club</i>	<b>X</b>		
<i>Outdoor Storage Use</i>	<b>X (3)</b>	<b>X (3)</b>	
<i>Personal Service Shop</i>	<b>X (2)</b>		
<i>Printing or Publishing Establishment</i>	<b>X</b>		
<i>Repair Shop</i>	<b>X</b>	<b>X</b>	
<i>Restaurant</i>	<b>X</b>		
<i>Saw Mill or Planing Mill</i>	<b>X</b>	<b>X</b>	
<i>Self Storage Facility</i>	<b>X</b>	<b>X</b>	
<i>Trade or Convention Centre</i>	<b>X</b>		
<i>Transport Terminal</i>	<b>X</b>	<b>X</b>	
<i>Motor Vehicle Repair Shop</i>	<b>X</b>	<b>X</b>	

**Explanation of Special Provisions (#)**

- (1) The total *floor area* of a factory sales outlet shall not exceed 20% of the total *gross floor area* of the *building* containing the *industrial use* with which it is associated.
- (2) Permitted only within a *hotel* or a trade or convention centre.
- (3) Subject to the General Provisions of Section 4.10.
- (4) *Outdoor storage* associated with an *industrial use* is subject to the General Provisions of Section 4.10.
- (5) Subject to the General Provisions of Section 4.43.

## 6.5 Rural and Agricultural Zones

Table 4 – Rural and Agricultural Zones

<b>Permitted Uses</b>		
<b>Use</b>	<b>(RU)</b>	<b>(A)</b>
<i>Additional Residential Unit</i>	<b>X (5)</b>	<b>X (5)</b>
<i>Agricultural Use</i>	<b>X</b>	<b>X</b>
<i>Agricultural Processing Use</i>	<b>X</b>	<b>X</b>
<i>Agricultural-Related Use</i>	<b>X</b>	<b>X</b>
<i>Agri-Tourism Use</i>	<b>X</b>	<b>X</b>
<i>Airfield</i>	<b>X (1)</b>	
<i>Bed and Breakfast Establishment</i>	<b>X</b>	<b>X</b>
<i>Bunkhouse</i>	<b>X (2)</b>	<b>X (2)</b>
<i>Commercial Greenhouse</i>	<b>X</b>	<b>X</b>
<i>Conservation Use</i>	<b>X</b>	<b>X</b>
<i>Dwelling, Single Detached</i>	<b>X</b>	<b>X</b>
<i>Dwelling, Semi-Detached</i>	<b>X</b>	<b>X</b>
<i>Dwelling, Duplex</i>	<b>X</b>	<b>X</b>
<i>Equestrian Use</i>	<b>X</b>	<b>X</b>
<i>Forestry Use</i>	<b>X</b>	<b>X</b>
<i>Group Home</i>	<b>X (3)</b>	<b>X (3)</b>
<i>Home Occupation</i>	<b>X (4)</b>	<b>X (4)</b>
<i>Home Industry</i>	<b>X (4)</b>	<b>X (4)</b>
<i>On-Farm Diversified Uses</i>	<b>X</b>	<b>X</b>
<i>Private Home Daycare</i>	<b>X</b>	<b>X</b>

**Explanation of Special Provisions (#)**

- (1) Permitted only as an *accessory use*.
- (2) Permitted only as an *accessory use* to a principle *agricultural use*.
- (3) Subject to the General Provisions of Section 4.8
- (4) Subject to the General Provisions of Section 4.7
- (5) Subject to the General Provisions of Section 4.9.3

## 6.6 Open Space, Community Facility and Environmental Protection Zones

**Table 5 - Open Space, Community, Facility, and Environmental Protection Zones**

<b>Permitted Uses</b>			
<b>Use</b>	<b>(OS)</b>	<b>(CF)</b>	<b>(EP)</b>
<i>Arena</i>		X	
<i>Art Gallery, Public</i>		X	
<i>Assembly Hall or Auditorium</i>		X	
<i>Community Centre, Public</i>		X	
<i>Conservation Use</i>	X	X	X
<i>Curling Rink</i>		X	
<i>Day Nursery</i>		X	
<i>Fire Hall</i>		X	
<i>Forestry Use</i>	X	X	X
<i>Fraternal Lodge</i>		X	
<i>Hospital</i>		X	
<i>Library</i>		X	
<i>Museum, Public or Private</i>		X	
<i>Nursing Home</i>		X	
<i>Park, Public or Private</i>	X (1)	X (1)	X (3)
<i>Parking Lot</i>	X (2)	X (2)	
<i>Parking Garage</i>		X (2)	
<i>Place of Worship</i>		X	
<i>Police Station</i>		X	
<i>Post Office</i>		X	
<i>Private Club</i>		X	
<i>Public or Private School</i>		X	
<i>Municipal Well</i>	X		
<i>Utilities Uses</i>		X	

**Explanation of Special Provisions (#)**

- (1) The only permitted *buildings* and *structures* are picnic shelters, playgrounds, pedestrian walkways, pedestrian bridges, boardwalks, washrooms, exercise equipment or *structures*, docks, bicycle paths and related accessory *structures*.
- (2) Permitted as an *accessory use* only.
- (3) Passive *recreational uses* such as a trail are permitted.

**6.7 Future Development Zone**

**Table 6 – Future Development Zone**

Permitted Uses	
Use	(FD)
Any uses, <i>buildings</i> and <i>structures</i> legally existing at the date of adoption of this By-law, including <i>home occupation</i> and <i>accessory uses</i>	<b>X</b>
New <i>home occupation</i> uses	<b>X</b>
New uses and <i>buildings</i> accessory to the permitted uses	<b>X</b>

## 7.0 Development Standards

### 7.1 Zones

Standards for the following zones are shown on the following Zone Standards tables:

<b>Zone Categories</b>	<b>Table</b>	<b>Section</b>
Urban Residential One (R1) Zone	Table 6	7.2
Urban Residential Two (R2) Zone	Table 7	7.3
Urban Residential Three (R3) Zone	Table 8	7.4
Urban Residential Four (R4) Zone	Table 9	7.5
Rural Residential (RR) Zone Hamlet Residential (HR) Zone Shoreline Residential (SHR) Zone	Table 10	7.6
Local Commercial (LC) Zone Core Area (CA) Zone Highway Commercial (HC) Zone Recreational Commercial (RC) Zone	Table 11	7.7
General Industrial (MI) Zone Rural Industrial (M2) Zone Extractive Industrial (EM) Zone	Table 12	7.8
Rural Zone (RU) Zone Agricultural (A) Zone	Table 13	7.9
Open Space (OS) Zone Community Facility (CF) Zone Environmental Protection (EP) Zone	Table 14	7.10
Future Development (FD) Zone	Table 15	7.11

A number or numbers in brackets following the zone standard, the zone heading or the description of the standard, indicate that a Special Provision or Provisions apply to the noted zone or requirement. Special Provisions are listed at the end of the table.

## 7.2 Standards for the Urban Residential One (R1) Zones

Table 6 - Standards for the Urban Residential One (R1) Zones

Standards for (R1) Zone	
Minimum <i>Lot Frontage</i>	
<ul style="list-style-type: none"> <li>• <i>Interior Lot</i></li> <li>• <i>Corner Lot</i></li> </ul>	<p>16.7 metres</p> <p>19.5 metres</p>
Minimum <i>Lot Area</i>	340 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	40 %
Minimum <i>Landscaped Open Space</i>	40 %
Minimum <i>Front Yard</i>	4.5 metres (1)
Minimum <i>Exterior Side Yard</i>	4.0 metres (1)
Minimum <i>Interior Side Yard</i>	1.2 metres (1)
Minimum <i>Rear Yard</i>	7.5 metres (1)
Maximum <i>Height</i>	
<ul style="list-style-type: none"> <li>• <i>Main Building</i></li> <li>• <i>Accessory Building</i></li> </ul>	<p>11.0 metres</p> <p>4.5 metres</p>

### Explanation of Special Provisions (#)

- (1) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building* or *structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

### 7.3 Standards for the Urban Residential (R2) Zone

Table 7 - Standards for the Urban Residential (R2) Zone

<b>Standards for the (R2) Zone</b>			
<b>Zone Provisions</b>	<i>Single Detached Dwelling</i>	<i>Semi-Detached Dwelling</i>	<i>Duplex Dwelling</i>
Minimum <i>Lot Frontage</i> : <ul style="list-style-type: none"> <li>• <i>Interior lot</i></li> <li>• <i>Corner lot</i></li> </ul>	15.0 metres 17.4 metres	10 metres/unit 14.5 metres/unit	20.0 metres 26.0 metres
Minimum <i>Lot Area</i>	340.0 m <sup>2</sup>	300 m <sup>2</sup> /unit	600 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	40 %	40 %	40 %
Minimum <i>Landscaped Open Space</i>	30 %	30 %	30 %
Maximum Residential Density	N/A	N/A	N/A
Minimum <i>Front Yard</i>	4.5 metres (1)	4.5 metres (1)	6.0 metres (1)
Minimum <i>Exterior Side Yard</i>	2.4 metres (1)	4.5 metres (1)	6.0 metres (1)
Minimum <i>Interior Side Yard</i>	1.2 metres (1)	1.2 metres on one side Nil on the <i>attached</i> side	1.2 metres (1)
Minimum <i>Rear Yard</i>	7.5 metres (1)	7.5 metres (1)	7.5 metres (1)
Maximum <i>Height</i> : <ul style="list-style-type: none"> <li>• <i>Main Building</i></li> <li>• <i>Accessory Building</i></li> </ul>	11.0 metres 4.5 metres	11.0 metres 4.5 metres	11.0 metres 4.5 metres

#### Explanation of Special Provisions (#)

- (1) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building* or *structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

## 7.4 Standards for the Urban Residential (R3) Zone

**Table 8 - Standards for the Urban Residential (R3) Zone**

7.4.1 *Semi-detached* and *duplex dwelling* uses as permitted in the R2 Zone are also permitted in R3 Zone.

<b>Standards for the (R3) Zone</b>				
<b>Zone Provisions</b>	<i>Triplex Dwelling</i>	<i>Fourplex Dwelling</i>	<i>Boarding or Lodging</i>	<i>Nursing or Retirement Home</i>
Minimum <i>Lot Frontage</i>	23.0 metres	30.0 metres	30.0 metres	30.0 metres
Minimum <i>Lot Area</i>	695 m <sup>2</sup>	1000 m <sup>2</sup>	1000 m <sup>2</sup>	1000 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	4 0%	45 %	40 %	55 %
Maximum Residential Density	N/A	N/A	N/A	60 units/ net hectare
Minimum <i>Front Yard</i>	6.0 metres	6.0 metres	6.0 metres (1)	6.0 metres
Minimum <i>Exterior Side Yard</i>	6.0 metres (1)	6.0 metres (1)	6.0 metres (1)	6.0 metres (1)
Minimum <i>Interior Side Yard</i> Maximum <i>Interior Side Yard</i>	4.5 metres (1)	4.5 metres (1)	4.5 metres (1)	4.5 metres/ <i>storey</i> (1) 11.0 metres
Minimum <i>Rear Yard</i> Maximum <i>Rear Yard</i>	6.0 metres (1)	6.0 metres (1)	6.0 metres (1)	6.0 metres/ <i>storey</i> (1) 12.0 metres
Maximum <i>Height</i>				
• <i>Main Building</i>	11.0 metres (1)	11.0 metres (1)	11.0 metres	11.0 metres (1)
• <i>Accessory Building</i>	4.5 metres	4.5 metres	4.5 metres	4.5 metres
Minimum <i>Landscaped Open Space</i>	30 %	30 %	30 %	30 %

### Explanation of Special Provisions (#)

- (1) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building* or *structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

## 7.5 Standards for the Urban Residential Four (R4) Zone

7.5.1 *Fourplex, boarding and lodging house and nursing and retirement home uses as permitted in the R3 Zone are also permitted in R4 Zone.*

**Table 9 - Standards for the Urban Residential Type (R4) Zone**

<b>Standards for the (R4) Zone</b>		
<b>Zone Provisions</b>	<b>Rowhouse Building</b>	<b>Apartment Building</b>
Minimum <i>Lot Frontage</i>	6.0 metres/unit (1) (2)	30.0 metres
Minimum <i>Lot Area per Dwelling Unit</i>	190 m <sup>2</sup>	100 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	40 %	35 %
Minimum <i>Front Yard</i>	4.5 metres (3)	9.0 metres (3)
Minimum <i>Exterior Side Yard</i>	4.5 metres (3)	9.0 metres (3)
Minimum <i>Interior Side Yard</i> Maximum <i>Interior Side Yard</i>	Nil for an interior unit. 3.0 metres for an end unit (3)	6.0 metres (3) 12.0 metres
Minimum <i>Rear Yard</i> Maximum <i>Rear Yard</i>	6.0 metres (3)	3.0 metres/storey 12.0 metres (3)
Maximum <i>Height</i> <ul style="list-style-type: none"> <li>• <i>Main Building</i></li> <li>• <i>Accessory Building</i></li> </ul>	11.0 metres 4.5 metres	24.0 metres 4.5 metres
Minimum <i>Landscaped Open Space</i>	30 %	30 %

### Explanation of Special Provisions (#)

- (1) The minimum required *lot frontage* for an end unit on an *interior lot* is 9 metres.  
The minimum required *lot frontage* for an end unit on a *corner lot* is 10.5 metres.
- (2) The minimum required *lot frontage* for a *rowhouse building* or *buildings* internally accessed by a *private road* is 30 metres.
- (3) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building* or *structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

## 7.6 Standards for the Rural, Shoreline and Hamlet Residential Zones

Table 10 - Standards for the Rural, Shoreline and Hamlet Residential Zones

Standards for the (RR), (SHR) and (HR) Zones			
Zone Provisions	(RR)	(SHR)	(HR)
Minimum <i>Lot Frontage</i>	45.0 metres	45.0 metres	45.0 metres
Minimum <i>Lot Area</i>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	30 %	30 %	30 %
Minimum <i>Front Yard</i>	14.0 metres (1) (2)	10.0 metres (1) (2)	6.0 metres (1) (2)
Minimum <i>Exterior Side Yard</i>	14.0 metres (1) (2)	10.0 m (1) (2)	6.0 m (1) (2)
Minimum <i>Interior Side Yard</i>	9.0 metres (1) (2)	6.0 metres (1) (2)	3.0 metres (1) (2)
Minimum <i>Rear Yard</i>	9.0 metres (1) (2)	7.5 metres (1) (2)	7.5 metres (1) (2)
Minimum <i>Water Yard</i>	N/A	30 metres	N/A
Maximum <i>Height</i>			
• <i>Main Building</i>	11.0 metres	11.0 metres	11.0 metres
• <i>Accessory Building</i>	4.5 metres	4.5 metres	4.5 metres

### Explanation of Special Provisions (#)

- (1) Subject to the General Provisions of Section 4.30.
- (2) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building* or *structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

## 7.7 Standards for Commercial Zones

Table 11 - Standards for Commercial Zones

<b>Standards for the (LC), (CA), (HC) and (RC) Zones</b>				
<b>Zone Provisions</b>	<b>(LC)</b>	<b>(CA)</b>	<b>(HC)</b>	<b>(RC)</b>
Minimum <i>Lot Frontage</i>	20.0 m	12.0 m	20.0 m	45 m
Maximum <i>Lot Area</i>	6000 m <sup>2</sup>	N/A	N/A	N/A
Minimum <i>Lot Area</i> :				
• <i>lot serviced with municipal water supply and sanitary sewers</i>	500 m <sup>2</sup>	400 m <sup>2</sup>	500 m <sup>2</sup>	500 m <sup>2</sup>
• <i>not serviced with municipal water supply and sanitary sewers</i>	4000 m <sup>2</sup>	(3)	4000 m <sup>2</sup>	4000 m <sup>2</sup>
Maximum <i>Lot Coverage</i>	40 %	75 %	40 %	35 %
Minimum <i>Front Yard</i>	3.0 metres	0.6 metres	6.0 metres (4)	14.0 metres
Maximum <i>Front Yard</i>	9.0 metres	3.0 metres	12.0 metres	N/A
Minimum <i>Exterior Side Yard</i>	3.0 metres	0.6 metres	6.0 metres (4)	6.0 metres
Maximum <i>Exterior Side Yard</i>	N/A	3.0 m	12.0 m	N/A
Minimum <i>Interior Side Yard</i>	9.0 metres (1)	0.0 metres (2)	6.0 metres (2) (4) (5)	7.5 metres
Minimum <i>Rear Yard</i>	9.0 metres	6.0 metres	7.5 metres (2) (4) (6)	7.5 metres
Maximum <i>Height</i>				
• <i>Main Building or Structure</i>	11.0 metres	12.0 metres	12.0 metres	12.0 metres
• <i>Accessory Building or Structure</i>	2.4 m	2.4 metres	3.0 metres	3.0 metres
Minimum <i>Landscaped Open Space</i>	20 % (2)	Nil	25 % (7)	30 %

**Explanation of Special Provisions (#)**

- (1) Where a side *lot line* abuts another *lot* within a commercial zone, no *interior side yard* is required on that side of the *lot*.
- (2) Where any *lot line* or lines adjoin a *lot* in any residential zone, a minimum 3 metre landscape *buffer strip* is required abutting the affected *lot line*.
- (3) Not permitted.
- (4) No gasoline pump or portion of a gasoline pump island is permitted within 4.5 metres of a *lot line*. On a *corner lot*, no gasoline pump or portion of a gasoline pump island is permitted within 3 metres of a straight line between a point on the *front lot line* and a point on the *exterior side lot line*, such points being 15 metres distant from the point of intersection of said *lot lines*.
- (5) Where an *interior side lot line* adjoins a *lot* in any residential zone, the minimum required *interior side yard* is 9 metres
- (6) Where a *rear lot line* adjoins a *lot* in any residential zone, the minimum required *rear yard* is 9 metres.
- (7) A landscape *buffer strip* with a minimum width/depth of 3 metres is required along the *front lot line* and the exterior *lot line*.

## 7.8 Standards for Industrial Use

Table 12 - Standards for Industrial Use

Standard for the (M1), (M2) and (EM) Zones			
Zone Provisions	(M1)	(M2)	(EM)
Minimum <i>Lot Frontage</i>	45.0 metres	100.0 metres	100.0 metres
Minimum <i>Lot Area</i>	1800 m <sup>2</sup>	4000 m <sup>2</sup>	N/A
Maximum <i>Lot Coverage</i>	70 %	40 %	N/A
Minimum <i>Front Yard</i>	15.0 metres	15.0 metres	30.0 metres (2) (3)
Minimum <i>Exterior Side Yard</i>	15.0 metres	15.0 metres	30.0 metres (2) (3)
Minimum <i>Interior Side Yard</i>	6.0 metres (1)	6.0 metres (1)	30.0 metres (2) (3)
Minimum <i>Rear Yard</i>	9.0 metres (1)	9.0 metres (1)	30.0 metres (2) (3)
Maximum <i>Height</i>			
• <i>Main Building or Structure</i>	20.0 metres	7.0 metres	9.0 metres
• <i>Accessory Building</i>	4.5 metres	4.5 metres	4.5 metres
Minimum <i>Landscaped Open Space</i>	15 %	10 %	(2)

### Explanation of Special Provisions (#)

- (1) Where the *industrial use* abuts a *residential use* or zone, the minimum required *interior side* and *rear yards* shall be increased to 15 metres.
- (2) The *front*, *exterior side*, *interior side* and *rear yards* of an extractive *industrial use*, other than entrances and exits, shall be landscaped, including a landscaped berm a minimum of 6 metres in *height*. *Height* in such circumstances shall be measured from the elevation of the centreline of adjoining streets or highways.
- (3) Any portion of an open mining or excavation operation shall be set back a minimum of 60 metres from a *lot line* or an EM zone boundary.

## 7.9 Standards for Agricultural and Rural Zones

Table 13 - Standards for Agricultural and Rural Zones

Standards for the (A) and (RU) Zones		
Zone Provisions	(A)	(RU)
Minimum <i>Lot Frontage</i>	300.0 metres	90.0 metres
Minimum <i>Lot Area</i>	40 hectares	10 hectares
Maximum <i>Lot Coverage</i>	10 %	10 %
Minimum <i>Front Yard</i>	14.0 metres (1) (2)	14.0 metres (1) (2)
Minimum <i>Exterior Side Yard</i>	14.0 metres (1) (2)	14.0 metres (1) (2)
Minimum <i>Interior Side Yard</i>	9.0 metres (1) (2)	9.0 metres (1) (2)
Minimum <i>Rear Yard</i>	9.0 metres (1) (2)	9.0 metres (1) (2)
Maximum <i>Height</i>		
• Dwelling	11.0 metres	11.0 metres
• <i>Accessory Building or Structure</i>	4.5 metres	4.5 metres

### Explanation of Special Provisions (#)

- (1) The establishment of new or the enlargement of *existing* livestock facilities and manure facilities is subject to the Minimum Distance Separation (MDS) II requirements as set out in Section 4.29.
- (2) No part of a *main building* shall be constructed within 10 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

No part of an *accessory building or structure* shall be constructed within 7.5 metres of an Environmental Protection (EP) Zone boundary, or a *top-of-bank* as defined in Section 2.0 of this By-law.

## 7.10 Standards for the Open Space, Community Facility and Environmental Protection Zones

**Table 14 - Standards for the Open Space, Community Facility and Environmental Protection Zones**

<b>Standards for the (OS), (CF) and (EP) Zones</b>			
<b>Zone Provisions</b>	<b>(OS)</b>	<b>(CF)</b>	<b>(EP)</b>
Minimum <i>Lot Frontage</i>	N/A	N/A	N/A
Minimum <i>Lot Area</i>	N/A	N/A	N/A
Minimum <i>Front Yard</i>	5.5 metres	6.0 metres	7.5 metres
Minimum <i>Exterior Side Yard</i>	7.5 metres	6.0 metres	7.5 metres
Minimum <i>Interior Side Yard</i>	3.0 metres (1)	7.5 metres	7.5 metres
Minimum <i>Rear Yard</i>	7.5 metres	7.5 metres	7.5 metres
Maximum <i>Height</i>			
• <i>Main Building or Structure</i>	4.5 metres	12.0 metres	4.5 metres
• <i>Accessory Building</i>	4.5 metres	4.5 metres	4.5 metres

### Explanation of Special Provisions (#)

- (1) Where the Open Space (OS) Zone abuts a residential zone, the minimum required *interior side yard* shall be 7.5 metres.

## 7.11 Standards for the Future Development (FD) Zone

Enlargement or replacement of legally *existing buildings* and *structures* and the *erection* of new *accessory buildings* and *structures* will be permitted subject to the regulations of this table:

**Table 15 - Standards for the Future Development (FD) Zone**

<b>Standards for the Future Development (FD) Zone</b>	
Minimum <i>Lot Area</i>	The <i>lot area existing</i> as of the date of passage of this By-law shall not be reduced.
Minimum <i>Lot Frontage</i>	The <i>lot frontage existing</i> as of the date of passage of this By-law shall not be reduced.
Minimum <i>Lot Coverage</i>	30 %
Minimum <i>Front Yard</i>	1.5 metres
Minimum <i>Exterior Side Yard</i>	1.5 metres
Minimum <i>Interior Side Yard</i>	1.5 metres
Minimum <i>Rear Yard</i>	1.5 metres
Maximum <i>Height</i> <ul style="list-style-type: none"> <li>• <i>Main Building or Structure</i></li> <li>• <i>Accessory Building</i></li> </ul>	11.0 metres 4.5 metres

## 8.0 Special Zone Categories

### 8.1 Residential Zones

#### 8.1.1 Urban Residential (R1) Zone

##### 8.1.1.1 R1-1 Zone

Notwithstanding Subsection 4.22 “Servicing Requirements” of this By-law, the lands designated “R1-1” on the maps comprising Schedule “A” hereto may be developed with a private on-site sewage disposal system provided a piped municipal water supply is available, subject to the following:

- i. Minimum *lot area*: 1,390 square metres (amended by By-law 220-2004)
- ii. Minimum *lot frontage*: 30 metres

All other provisions of the Residential (R1) Zone shall apply within Special Zone Category R1-1.

##### 8.1.1.2 R1-2 Zone

Notwithstanding Subsection 4.22 “Servicing Requirements” of this By-law, the lands designated “R1-2” on the maps comprising Schedule “A” hereto may be developed with private on-site sewage disposal and water supply systems, subject to the following:

- i. Minimum *lot area*: 2,000 square metres (amended by By-law 220-2004)
- ii. Minimum *lot frontage*: 45 metres

All other provisions of the Residential (R1) Zone shall apply within Special Zone Category R1-2.

##### 8.1.1.3 R1-3 Zone

Notwithstanding any other provisions of this By-law for the lands designated as “R1-3” on Schedule “A” hereto, an *existing* construction business office and equipment storage *yard* shall be a permitted use. All other provisions of the Residential (R1) Zone shall apply within Special Zone Category R1-3.

##### 8.1.1.4 R1-4 Zone

Notwithstanding any other provisions of this By-law, the following special provisions shall apply to the lands designated “R1- 4” on Schedule ‘A’, hereto:

- i. Minimum *lot area*: 589.6 square metre
- ii. Minimum *lot frontage*: 3.45 metres
- iii. Minimum *interior side and rear yards for existing accessory buildings*: 1 metre

All other provisions of the Residential One (R1) Zone which are not specifically altered by these requirements shall apply within Special Zone Category R1-4.

#### **8.1.1.5 R1-5 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* for an *existing structure* on the lands designated “R1-5” on Schedule ‘A’ hereto is 0.35 metres. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Zone Category R1-5.

#### **8.1.1.6 R1-6 Zone**

Notwithstanding any other provisions of this By-law, the maximum permitted *lot coverage* for the lands designated “R1-6” on Schedule ‘A’, hereto is 43%. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Zone Category R1-6.

#### **8.1.1.7 R1-7 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* for the lands designated “R1-7” on Schedule ‘A’ hereto is 3.5 metres. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Zone Category R1-7.

#### **8.1.1.8 R1-8 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* for the lands designated “R1-8” on Schedule ‘A’ hereto is 3 metres. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Zone Category R1-8.

#### **8.1.1.9 R1-9 Zone**

Notwithstanding any other provision of this By-law, on the lands designated as “R1-9” on Schedule ‘A’ hereto, no residential *building* shall be constructed within 7.5 metres of the *top-of-bank* of any watercourse or waterbody or the boundary of an Environmental Protection ‘EP’ zone. All other provisions of the Residential One (R1) Zone not specifically altered by these requirements shall apply within Special Zone Category R1-9.

#### **8.1.1.10 R1-10 Zone**

Notwithstanding any other provision of this By-law, on the lands designated as “R1-10” on Schedule ‘A’ hereto, the minimum required *lot frontage* is 14.3 metres. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Zone Category R1-10.

#### **8.1.1.11 R1-11 Zone: Reserved**

#### **8.1.1.12 R1-12 Zone**

Notwithstanding any other provisions of this By-law, on the lands designated as “R1-12” on Schedule ‘A’ hereto, *buildings* and *structures* are only permitted within the area specifically outlined on of Schedule ‘A’ hereto. Permitted uses may be serviced with private water supply and sewage disposal systems. All other provisions of the Residential One (R1) Zone not specifically altered by these requirements shall apply within Special Zone Category R1-12.

#### **8.1.1.13 R1-13 Zone**

Notwithstanding any other provisions of this By-law, on the lands designated as “R1-13” on Schedule ‘A’ hereto, the *existing* 72 square metre *motor vehicle repair shop* shall be a permitted use in accordance with the following regulations:

- i. The *motor vehicle repair shop* shall only be operated by the owners/occupants of the *dwelling unit* on the *lot*;
- ii. A maximum of one person not resident on the *lot* may be employed in the operation;
- iii. All repair and service operations shall be conducted entirely within the *existing building*;
- iv. External display and advertising signage for the vehicle repair operation is prohibited;
- v. The *outdoor storage* of damaged, inoperative, or dismantled vehicles is prohibited;
- vi. The display of vehicles or parts for sale on the *lot* is prohibited; and,
- vii. Expansion or enlargement of the *existing* 72 square metre *building* for the purposes of the vehicle repair operation is prohibited.

All other provisions of the Residential One (R1) Zone not specifically altered by these requirements shall apply within Special Zone Category R1-13.

#### **8.1.1.14 R1-14 Zone**

Notwithstanding any other provision of this By-law, on those lands designated “R1-14” on Schedule “A” hereto, only a single family dwelling house shall be permitted and the *building* envelope as shown on Schedule “A” here to. All other provisions of the Residential One (R1) Zone not specifically altered by this requirement shall apply within Special Category R1-14.

Notwithstanding any other provision of this By-law to the contrary, no use on the subject lands shall be permitted until the (H) Holding Symbol is removed by amendment to this By-law.

The release of the Holding Provisions (H) will be contingent on the successful completion of the following conditions:

- i. The submission and implementation of a Scoped Environmental Impact Study for the subject lands to the satisfaction of the Town and the Ministry of Natural Resources;
- ii. The installation of an engineering retaining wall along the western and northern property lines as shown on Schedule “A” to the satisfaction of the Town, in consultation with the Lower Trent Region Conservation Authority;
- iii. The completion of a grading plan to the satisfaction of the Town showing the overland drainage from the subject lands being directed away from the adjoining lands to the north;
- iv. Payment to the Town of a portion of the cost of the services installed by the Subdivider, James H. Knight, on Cedar Street, south of Harbour Street, as determined in accordance with the provisions of a subdivision agreement, registered as Instrument No. 109927 on June 22, 1982; and,
- v. The registration of a duly executed Site Plan Agreement in accordance with the provisions of Section 41 of the Planning Act, R.S.O., 1990, containing provisions to the satisfaction of the Town, in consultation with the Lower Trent Region Conservation Authority and the Ministry of Natural Resources.

#### **8.1.1.15 R1-15 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “R1-15” on Schedule “A”:

- i. Minimum *front yard* setback: 3 metres
- ii. Minimum setback from Environmental Protection (EP) Zone: 7.5 metres
- iii. Parking requirements must be located off Queen Street East.

#### **8.1.1.16 R1-16 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “R1-16” on Schedule “A”:

- i. Development may occur with private on-site sewage disposal and water supply systems.
- ii. Minimum *lot area*: 2,000 square metres
- iii. Minimum *lot frontage*: 28 metres
- iv. Maximum *building* setback from *street line*: 35 metres

#### **8.1.1.17 R1-17 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “R1-17” on Schedule “A”:

- i. All development shall be setback a minimum of 30 metres from the *top of bank*.

#### **8.1.1.18 R1-18 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned “R1- 18” on Schedule “A”, the following shall apply:

- i. A business office shall be permitted in an *accessory building*;
- ii. The maximum *floor area* of the business office shall be 48 square metres;
- iii. Minimum number of *parking spaces* for the business office use two (2);
- iv. Maximum number of business signs shall be two (2), each not exceeding 1 square metre in sign area; and,
- v. In addition to the two permitted business signs, an awning sign with the business name shall be permitted across the *front* of the *accessory building*.

#### **8.1.1.19 R1-19 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned “R1-19” on Schedule “A”, the following shall apply:

- i. Minimum *lot* frontage: 9 metres
- ii. Minimum *lot* area: 300 square metres

#### **8.1.1.20 R1-20 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned “R1- 20” on Schedule “A”, the following shall apply:

- i. Minimum *lot* frontage: 5 metres
- ii. Minimum *lot* area: 180 square metres

#### **8.1.1.21 R1-21 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “R1-21” on Schedule “A”:

- i. Lands zoned Environmental Protection (EP) Zone on a *lot* may be used in the calculation of the minimum *lot area*.
- ii. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary.

#### **8.1.1.22 R1-22 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “R1-22” on Schedule “A”:

- i. The following requirements shall be addressed to the satisfaction of the Municipality as a prerequisite to the approval of a By-law to remove the Holding Symbol from the zoning as it applies to *lot* 18:
  - a. The *building* foundation and grading design shall be approved by a Geotechnical Engineer.

#### **8.1.1.23 R1-23 Zone**

Notwithstanding the provisions of this By-law to the contrary, for lands zoned “R1-23” on Schedule “A”, the following provisions shall apply:

- i. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary.

#### **8.1.1.24 R1-24 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned ‘R1-24’ on Schedule ‘A’, the following shall apply:

- i. Minimum *lot* area: 0.115 hectares (0.28 acres)
- ii. Minimum *lot* frontage: 24.3 metres (80 feet)
- iii. Development serviced with a private on-site sewage disposal system and municipal water supply is permitted.

#### **8.1.1.25 R1-25 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned ‘R1-25’ on Schedule ‘A’, the following shall apply:

- i. Minimum *lot* area: 0.115 ha (0.28 acres)
- ii. Minimum *lot* frontage: 24.3 metres (80 ft)
- iii. Development will only be permitted with municipal sanitary sewer services and municipal water services.

#### **8.1.1.26 R1-26 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned ‘R1-26’ on Schedule ‘A’, the following shall apply:

- i. That the maximum total *floor area* denoted to a *home occupation* shall not exceed 165 m<sup>2</sup>.

#### **8.1.1.27 R1-27 Zone**

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands zoned 'R1-27' on Schedule 'A':

- i. A *carport* shall be permitted to locate in the *front yard* as defined herein:  
**carport** means a permanent *accessory building* or *structure* which is wholly open on all sides, and is used for the parking or storage of one *motor vehicle*.
- ii. Maximum ground cover area of any *carport* shall not exceed 18 square metres.
- iii. The minimum *front lot line* setback for any *carport* shall be 0.82 metres.
- iv. Minimum required interior (west) side *yard* shall be 2.5 metres.

#### **8.1.1.28 R1-28 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provision shall apply to lands zoned 'R1-28' on Schedule 'A':

- i. the minimum *rear yard* setback shall be 7 metres.

#### **8.1.1.29 R1-29 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'R1-29' on Schedule 'A'

- i. Restrict the *height* of a *dwelling unit* to a single *storey*;
- ii. Increase the *interior side yard* setback on the west side of the severed *lot* from the required 1.2 metres to 4.5 metres; and,
- iii. The *existing* garage (as of the passing of this By-law) be removed or moved to meet the *front yard* setback for the Urban Residential One (R1) Zone within two (2) years of the passing of the By-law.

#### **8.1.1.30 R1-30 Zone**

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands zoned 'R1-30' on Schedule 'A':

- i. Minimum *lot* frontage: 16 metres

#### **8.1.1.31 R1-31 Zone**

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to the lands zoned 'R1-31' on Schedule 'A':

- i. Minimum *exterior side yard*: 2.7 metres
- ii. Minimum *rear yard*: 1.9 metres

### **8.1.1.32 R1-32 Zone**

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'R1-32' on Schedule 'A':

- i. Lands zoned 'EP-6 Zone' on the same *lot* may also be included in the calculation for minimum *lot area* and minimum *lot frontage*;
- ii. There shall be no requirement for a setback from an 'EP-6 Zone' boundary.

All other provisions of this By-law, not specifically altered by these requirements and as they apply to the 'Urban Residential One (R1) Zone' shall apply within Special Zone Category 'Urban Residential One Exception No. Thirty-Two (R1-32) Zone'.

## **8.1.2 Urban Residential (R2) Zone**

### **8.1.2.1 R2-1 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *lot frontage* for the lands designated "R2-1" on Schedule 'A' hereto is 10.06 metres. All other provisions of the Residential Two (R2) Zone not specifically altered by this requirement shall apply within Special Zone Category R2-1.

### **8.1.2.2 R2-2 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* setback for the lands designated as "R2-2" on Schedule 'A' hereto is 3.7 metres. All other provisions of the Residential (R2) Zone not specifically altered by this *front yard* setback requirement shall apply within Special Zone Category R2-2.

### **8.1.2.3 R2-3 Zone**

Notwithstanding any other provisions of this By-law, the minimum required setback from the *top of bank* of any watercourse or waterbody or from an Environmental Protection (EP) Zone boundary for a *main building* on the lands designated as "R2-3" on Schedule 'A' hereto is 7.5 metres and the maximum permitted *lot coverage* for *single detached dwellings* is 45%. All other provisions of the Residential (R2) Zone not specifically altered by this requirement shall apply within Special Zone Category R2-3.

### **8.1.2.4 R2-4 Zone**

Notwithstanding any other provisions of this By-law for the lands designated as "R2-4" on Schedule 'A' hereto, the minimum required *interior side yard* is 3.0 metres, and the minimum required *rear yard* is 5 metres. All other provisions of the Residential (R2) Zone not specifically altered by these requirements shall apply within Special Zone Category R2-4.

#### **8.1.2.5 R2-5 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *rear yard* for the lands designated as “R2-5” on Schedule ‘A’ hereto is 3.0 metres. All other provisions of the Residential (R2) Zone not specifically altered by this requirement shall apply within Special Zone Category R2-5.

#### **8.1.2.6 R2-6 Zone**

Notwithstanding any other provisions of this By-law for the lands designated as “R2-6” on Schedule ‘A’ hereto, the minimum required *lot frontage* is 22.8 metres, the minimum required *front yard* depth is 1.3 metres, and the minimum required *interior side yard* is 3 metres. All other provisions of the Residential (R2) Zone not specifically altered by these requirements shall apply within Special Zone Category R2-6.

#### **8.1.2.7 R2-7 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘R2-7’ on Schedule ‘A’:

- i. Permitted uses shall include one link dwelling house.
- ii. Minimum *lot frontage*: 10 metres
- iii. Minimum *lot area*: 325 square metres
- iv. Minimum *front yard* setback: 6 metres
- v. Minimum *interior side yard* setback: 1.2 metres

#### **8.1.2.8 R2-8 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘R2-8’ on Schedule ‘A’:

- i. Permitted uses shall include one link dwelling house.
- ii. Minimum *lot frontage*: 11 metres
- iii. Minimum *lot area*: 325 square metres
- iv. Minimum *front yard* setback to front wall of dwelling: 4.5 metres
- v. Minimum *front yard* setback to front wall of garage: 6 metres
- vi. Minimum *interior side yard* setback on the linked side: 1 metre
- vii. Minimum *interior side yard* setback; non-link side: 1.2 metres

#### **8.1.2.9 R2-9 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned ‘R2-9’ on Schedule ‘A’, the following shall apply:

- i. Minimum *rear yard*: 6 metres

#### **8.1.2.10 R2-10 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-10' on Schedule 'A', the following shall apply:

- i. Minimum *lot* area: 345 square metres

#### **8.1.2.11 R2-11 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-11' on Schedule 'A', the following shall apply:

- i. Minimum *rear* yard: 1.2 metres
- ii. Maximum *lot* coverage: 32 %

#### **8.1.2.12 R2-12 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-12' on Schedule 'A', the following shall apply:

- i. Minimum *rear* yard: 6 metres

#### **8.1.2.13 R2-13 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-13' on Schedule 'A', the following shall apply:

- i. Minimum *lot* frontage: 7.5 metres

#### **8.1.2.14 R2-14 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-14' on Schedule 'A', the following shall apply:

- i. Minimum *rear* yard: 3 metres
- ii. Maximum *lot* coverage: 50 %
- iii. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary

#### **8.1.2.15 R2-15 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-15' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage*: 13 metres

#### **8.1.2.16 R2-16 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-16' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage*: 14 metres
- ii. Minimum *rear yard* for an *existing accessory building*: 0.7 metres
- iii. Minimum *exterior side yard* for an *existing accessory building*: 0.0 metres

#### **8.1.2.17 R2-17 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-17' on Schedule 'A', the following shall apply:

1. For a *single detached dwelling*
  - i. Minimum *front yard* (for dwelling): 3 metres
  - ii. Minimum *rear yard* (for dwelling): 7.5 metres
  - iii. Minimum *rear yard* (wall of private garage that contains the opening for vehicular access): 6 metres
2. For a *semi-detached dwelling*
  - i. Minimum *lot frontage, interior lot* (per unit): 9.5 metres
  - ii. Minimum *lot frontage, corner lot* (per unit): 13 metres
  - iii. Minimum *lot area* (per unit): 275 square metres
  - iv. Maximum *lot coverage*: 50 %
  - v. Minimum *front yard* (for dwelling): 3 metres
  - vi. Minimum *exterior side yard*: 2.4 metres
  - vii. Minimum *interior side yard*: 1.2 metres on one side, 0 metres on *attached* side
  - viii. Minimum *rear yard* (for dwelling): 7.5 metres
  - ix. Minimum *rear yard* (wall of private garage that contains the opening for vehicular access): 6 metres

#### **8.1.2.18 R2-18 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-18' on Schedule 'A', the following shall apply for a *single detached dwelling*:

- i. Minimum *front yard* (for dwelling): 3 metres
- ii. Minimum *rear yard* (for dwelling): 7.5 metres
- iii. Minimum *rear yard* (wall of private garage that contains the opening for vehicular access): 6 metres

### **8.1.2.19 R2-19 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-19' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage* for a *single detached dwelling*: 11 metres

### **8.1.2.20 R2-20 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-20' on Schedule 'A', the following shall apply:

- i. A three unit *rowhouse dwelling* shall also be permitted.
- ii. The following provisions shall apply to a three (3) unit *rowhouse dwelling*:
  - a) Minimum *lot frontage*: 15 metres
  - b) Minimum *lot area*: 735 m<sup>2</sup>
  - c) Minimum *front yard*: 16 metres
  - d) Minimum north side *yard*: 1.8 metres
  - e) Minimum south side *yard*: 3.5 metres
  - f) Minimum *rear yard*: 5.5 metres
  - g) Maximum *lot coverage*: 40 %
  - h) Minimum landscaped area: 30 %
  - i) Maximum *driveway* width: 6.1 metres
  - j) Minimum number of *parking spaces*: five (5)

### **8.1.2.21 R2-21 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-21' on Schedule 'A', the following shall apply:

- i. Lands on the same *lot*, within the Environmental Protection (EP) Zone may be included for the purposes of calculating minimum *lot area* and minimum *lot frontage*.

All other provisions of By-law No.140-2002, as amended and the Residential Two (R2) Zone, not specifically altered by this requirement shall apply within Special Zone Category R2-21.

### 8.1.2.22 R2-22 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-22' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage*: 11 metres

All other provisions of By-law No. 140-2002, as amended and the Residential Two (R2) Zone, not specifically altered by this requirement shall apply within Special Zone Category R2-22.

### 8.1.2.23 R2-23 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-23' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage - interior lot*: 12 metres
- ii. Minimum *lot frontage - corner lot*: 16 metres
- iii. Maximum *lot coverage*: 45 %

### 8.1.2.24 R2-24 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-24' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage - interior lot*: 9.25 metres
- ii. Minimum *lot frontage - corner lot* : 12.75 metres
- iii. Maximum *lot coverage*: 47 %R2-25 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-25' on Schedule 'A', the following shall apply:

- i. A maximum of three (3) *dwelling units* shall be permitted, consisting of a *single detached dwelling* and a two (2) unit dwelling.
- ii. The following provisions shall apply:

a.	Minimum <i>lot frontage</i>	15 metres
b.	Minimum <i>lot area</i>	720 m <sup>2</sup>
c.	Minimum <i>front yard</i>	6 metres
d.	Minimum north side <i>yard</i>	3.35 metres
e.	Minimum south side <i>yard</i>	1.2 metres
f.	Minimum <i>rear yard</i>	5.4 metres
g.	Maximum <i>lot coverage</i>	40 %
h.	Minimum landscaped area	30 %
i.	Maximum <i>driveway width</i>	6.1 metres
j.	Minimum number of <i>parking spaces</i>	4 spaces

#### **8.1.2.25 R2-26 Zone**

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands zoned 'R2-36' on Schedule 'A':

- i. Minimum *rear yard* setback: 5 metres
- ii. The minimum *exterior side yard* setback of any residential dwelling *existing* on the date this By-law was enacted and illustrated on Schedule 'B' attached to and forming part of this By-law.

#### **8.1.2.26 R2-27 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-27' on Schedule 'A', the following shall apply:

- i. The minimum *lot frontage* requirements shall be:
  - a. *single detached dwelling*: 11 metres
  - b. *semi-detached dwelling*: 9 metres per unit
- ii. Maximum *lot coverage*: 45 %

#### **8.1.2.27 R2-28 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-28' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage* per unit for a *semi-detached dwelling*: 9 metres
- ii. Minimum *front yard* setback: 7.5 metres

#### **8.1.2.28 R2-29 Zone**

In addition to the special provisions of the 'R2-29' Zone of By-law No. 038-2015, on lands zoned R2-29 on Schedule 'A', the following shall apply for *single detached dwellings*:

- i. Minimum *lot area*: 375 square metres

#### **8.1.2.29 R2-30 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-30' on Schedule 'A', the following shall apply for *semi-detached dwellings*:

- i. Maximum *lot coverage*: 45 %

#### **8.1.2.30 R2-31 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-31' on Schedule 'A', the following shall for *semi-detached dwellings*:

- i. Minimum *lot frontage - interior lot*: 9.5 metres
- ii. Minimum *lot frontage - corner lot*: 12.4 metres

#### **8.1.2.31 R2-32 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-32' on Schedule 'A', the following shall for *semi-detached dwellings*:

- i. Minimum *driveway width*: 6.1 metres

#### **8.1.2.32 R2-33 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-33' on Schedule 'A', the following shall apply to *single detached dwellings*:

- i. Minimum *lot frontage - interior lot*: 14.0 metres
- ii. Minimum *lot frontage - corner lot*: 16.6 metres

All other provisions of this By-law, as amended, for the 'Urban Residential Two (R2) Zone not specifically altered by these requirements shall continue to apply within the Special Zone Category R2-33.

#### **8.1.2.33 R2-34 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-34' on Schedule 'A', the following shall apply to *single detached dwellings*:

- i. Minimum *lot frontage - interior lot*: 12.6 metres
- ii. Minimum *lot area*: 385 square metres
- iii. Maximum *lot coverage*: 45 %

All other provisions of this By-law, as amended, for the 'Urban Residential Two (R2) Zone not specifically altered by these requirements shall continue to apply within the Special Zone Category R2-34.

#### **8.1.2.34 R2-35 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned R2-35 on Schedule 'A', the following shall apply to *semi-detached dwellings*:

- i. Maximum *lot coverage*: 45 %

All other provisions of this By-law, as amended, for the 'Urban Residential Two (R2) Zone not specifically altered by these requirements shall continue to apply within the Special Zone Category R2-35.

#### **8.1.2.35 R2-36 Zone**

- a) Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands zoned 'R2-36' on Schedule 'A':

- i. Minimum *rear yard* setback: 5 metres
- ii. The minimum *exterior side yard* setback of any residential dwelling *existing* on the date this By-law was enacted and forming part of this By-law.: 0.0 metres

#### **8.1.2.36 R2-37 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R2-37' on Schedule 'A', the following shall apply for *semi-detached dwellings*:

- i. Minimum *lot frontage - interior lot*: 9 metres
- ii. Minimum *lot frontage - corner lot*: 12.3 metres
- iii. Minimum *lot area*: 279 square metres
- iv. Maximum *lot coverage*: 50 %

#### **8.1.2.37 R2-38 Zone**

Notwithstanding any other provision of this By-law to the contrary, on lands zoned 'R2-38' on Schedule 'A', the following shall apply:

- i. A *medical clinic* shall also be permitted.
- ii. The following provisions shall apply:
  - a. Minimum number of *parking spaces*: 14
  - b. Minimum *landscaped open space*: 24 %

### **8.1.3 Urban Residential (R3) Zone**

#### **8.1.3.1 R3-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “R3-1” on Schedule “A” hereto:

- i. Minimum required *lot area*: 640 square metres
- ii. Maximum *lot coverage*: 41 %
- iii. Minimum *interior side yard*: 4 metres
- iv. Minimum *parking space* requirement: 9 *Parking Spaces*
- v. Minimum *landscaped open space*: 20 %

All other provisions of the Residential (R3) Zone not specifically altered by these requirements shall apply within Special Zone Category R3-1.

#### **8.1.3.2 R3-2 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “R3-2” on Schedule “A” hereto:

- i. Minimum *lot frontage*: 10.5 metres
- ii. Minimum setback from an ‘EP’ zone boundary: 7.5 metres
- iii. Minimum separation between main detached dwellings: 2.4 metres
- iv. Permitted uses shall be limited to a maximum of four (4) detached *dwelling units* and uses and *structures* accessory thereto.

All other provisions of the Residential (R3) Zone not specifically altered by these requirements shall apply within Special Zone Category R3-2.

#### **8.1.3.3 R3-3 Zone (By-law 142-2003)**

Notwithstanding any other provisions of this By-law, the minimum required setback from the *top of bank* of any watercourse or waterbody or from an Environmental Protection (EP) Zone boundary for a *main building* on the lands designated as “R3-3” on Schedule “A” hereto is 7.5 metres and a marine-related commercial office is permitted as an *accessory use* on the ground floor of the principle *building* to a maximum of 350 square metres. All other provisions of the Residential (R3) Zone not specifically altered by this requirement shall apply within the Special Category R3-3.

### **R3-3 Zone (By-law 431-2007)**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R3-3' on Schedule 'A', the following shall apply:

- i. Minimum *interior side yard* for a rowhouse end unit: 2 metres
- ii. Maximum *main building height*: 6 metres
- iii. Maximum *lot coverage*: 42 %

#### **8.1.3.4 R3-4 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R3-4' on Schedule 'A', the following shall apply:

- i. Minimum number of off-street *parking spaces* one (1) per *dwelling unit*
- ii. Maximum *main building height*: 6 metres
- iii. Maximum *lot coverage*: 52 %

#### **8.1.3.5 R3-5 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R3-5' on Schedule 'A', the following shall apply:

- i. Maximum *main building height*: 6 metres
- ii. Maximum *lot coverage*: 52 %

#### **8.1.3.6 R3-6 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R3-6' on Schedule 'A', the following shall apply:

- i. Minimum *front yard*: 3 metres
- ii. Minimum *front yard* to front wall of private garage: 4.5 metres
- iii. Maximum *main building height*: 6 metres
- iv. Maximum *lot coverage*: 55 %

#### **8.1.3.7 R3-7 Zone**

Notwithstanding the provisions of the Urban Residential Three (R3) Zone to the contrary, for lands designated 'R3-7' on Schedule 'A' the following provisions shall apply:

- i. Minimum *front yard* setback: 3 metres
- ii. Minimum *rear yard* setback: 5 metres
- iii. Minimum east *interior side yard* setback, below *grade*: 0 metres
- iv. Minimum east *interior side yard* setback, above *grade*: 1.2 metres

#### **8.1.3.8 R3-8 Zone**

Notwithstanding the provisions of the Urban Residential Three (R3) Zone to the contrary, for lands zoned 'R3-8' on Schedule 'A' the following provisions shall apply:

- i. Permitted uses shall be limited to a three (3) unit *rowhouse dwelling* and uses, *buildings* and *structures* accessory thereto.
- ii. Maximum *lot coverage*, interior unit: 55 %
- iii. Maximum *lot coverage*, end unit: 45 %
- iv. Minimum *exterior side yard*: 3 metres
- v. Minimum *interior side yard*, interior *attached*: Nil (0) metres
- vi. Minimum *interior side yard*, end unit: 2.4 metres

#### **8.1.3.9 R3-9 Zone**

Notwithstanding any provisions of this By-law to the contrary on lands zoned 'R3-9' on Schedule 'A', the following provisions shall apply:

- i. Maximum *lot coverage* for rowhouse: 60 %

#### **8.1.3.10 R3-10 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'R3-10', the following shall apply to *rowhouse dwellings*:

- i. Maximum *lot coverage*: 60%.
- ii. Minimum *interior side yard* shall be 1.2 metres for any interior unit.
- iii. Maximum *driveway* width shall be 6.1 metres for any unit having a width of greater than 9.5 metres.

#### **8.1.3.11 R3-11 Zone**

Notwithstanding any other provisions of By-law No. 140-2002, as amended, to the contrary, on lands zoned 'R3-12' on Schedule 'A', the following provisions shall apply:

- i. Maximum residential density: 101 units per net hectare
- ii. Maximum *height of main building*: 13.1 metres

### **8.1.3.12 R3-12 Zone**

Notwithstanding any other provisions of By-law No. 140-2002 to the contrary, on lands zoned 'R3-12' on Schedule 'A', the following provisions shall apply:

- i. Permitted commercial uses shall also include a *business or professional office*.
- ii. Minimum *front yard*: 8 metres
- iii. Minimum easterly side *yard*: 3.6 metres
- iv. Maximum *gross floor area* for any commercial use: 110 square metres
- v. Section 4.35 of By-law No. 140-2002 as amended shall apply to lands zoned 'Urban Residential Three Exception No.12 (R3-12) Zone', save and except the minimum width of a *buffer strip* along the westerly side *lot line* shall be 2.4 metres.

## **8.1.4 Rural Residential (RR) Zone**

### **8.1.4.1 RR-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as "RR-1" on Schedule "A" hereto:

- i. Minimum *rear yard*: 27 metres

All other provisions of the Rural Residential (RR) Zone not specifically altered by these requirements shall apply within Special Zone Category RR-1.

### **8.1.4.2 RR-2 Zone**

Notwithstanding any other provisions of this By-law, access to the lands designated as "RR- 2" on Schedule "A" to this By-law may be provided via a *private road or lane*. All other provisions of the Rural Residential (RR) Zone not specifically altered by this provision shall apply within Special Zone Category RR-2.

### **8.1.4.3 RR-3 Zone**

Notwithstanding any other provisions of this By-law, a garden suite of less than 92.9 sq. metres in size may be permitted on the lands designated "RR-3" on Schedule "A" to this By-law on a temporary basis until 2009. All other provisions of the Rural Residential (RR) Zone not specifically altered by this provision shall apply within Special Zone Category RR-3.

### **8.1.4.4 RR-4 Zone**

Notwithstanding any other provisions of this By-law a *rear yard* setback of 60 metres is required on lands designated "RR-4" on Schedule "A" in addition to all the other pertaining standards of Table Nine of Section 7 for uses in the Rural Residential Zone.

#### **8.1.4.5 RR-5 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated “RR-5” on Schedule “A” of this By-law may include a *bed and breakfast establishment*, with the number of rooms and in the *building existing* at the date of adoption of this By-law in accordance with the pertaining standards in Table Nine of Section 7 of this By-law for the RR Zone.

#### **8.1.4.6 RR-6 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *lot area* on the lands designated “RR-6” on Schedule “A” shall be 2,975 square metres. All other provisions of the Rural Residential (RR) Zone shall apply within Special Zone Category RR-6.

#### **8.1.4.7 RR-7 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *rear yard* for all lands designated “RR-7” on Schedule “A” hereto is 40 metres. All other provisions of the Rural Residential (RR) Zone not specifically altered by this requirement shall apply within Special Zone Category RR-7.

#### **8.1.4.8 RR-8 Zone**

Notwithstanding any other provisions of this By-law, the minimum required north side *yard* for all lands designated “RR-8” on Schedule “A” hereto is 6 metres where the *front* and north side *yard* setbacks intersect and will increase to 38 metres where the *rear yard* and north side *yard* setbacks intersect. All other provisions of the Rural Residential (RR) Zone not specifically altered by this requirement shall apply within Special Zone Category RR-8.

#### **8.1.4.9 RR-9 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* for all lands designated “RR-9” on Schedule “A” hereto is 10 metres and the minimum required *lot frontage* is 41 metres. All other provisions of the Rural Residential (RR) Zone not specifically altered by these requirements shall apply within Special Zone Category RR-9.

#### **8.1.4.10 RR-10 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *front yard* for all lands designated “RR-10” on Schedule “A” hereto is 10 metres. All other provisions of the Rural Residential (RR) Zone not specifically altered by these requirements shall apply within Special Zone Category RR-10.

#### **8.1.4.11 RR-11 Zone**

Notwithstanding the minimum *front yard* requirement of the Rural Residential (RR) Zone to the contrary, for lands designated “RR-11” on Schedule “A” the minimum *front yard* requirement shall be 30 metres.

#### **8.1.4.12 RR-12 Zone**

Notwithstanding the minimum *lot frontage* requirement of the Rural Residential (RR) Zone to the contrary, for lands designated “RR-12” on Schedule “A” the minimum *lot frontage* requirement shall be 40 metres.

#### **8.1.4.13 RR-13 Zone**

Notwithstanding the minimum *front yard* requirement of the Rural Residential (RR) Zone to the contrary, for lands designated “RR-13” on Schedule “A” the minimum *front yard* requirement shall be 45 metres.

#### **8.1.4.14 RR-14 Zone**

In addition to the *yard* requirements of the Rural Residential (RR) Zone, for lands designated “RR-14” on Schedule “A”, all development shall be setback a minimum of 30 metres from the south east corner of the *lot*.

#### **8.1.4.15 RR-15 Zone**

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Residential Exception No.15 (RR-15) Zone the following provisions shall apply:

- i. A *home industry* with a maximum *floor area* of 117 square metres, shall be permitted within an *accessory building*.

#### **8.1.4.16 RR-16 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘RR-16’ on Schedule ‘A’:

- i. Minimum *lot area*: 0.2 hectares

#### **8.1.4.17 RR-17 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘RR-17’ on Schedule ‘A’:

- i. Minimum *exterior side yard*: 6.0 metres

#### **8.1.4.18 RR-18 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘RR-18’ on Schedule ‘A’:

- i. Maximum *front yard*: 1.5 metres

#### **8.1.4.19 RR-19 Zone**

In addition to the *yard* requirements of the Rural Residential (RR) Zone, for lands zoned 'RR-19' on Schedule 'A' a dwelling shall be set back a minimum of 50 metres from the north east corner of the *lot*.

##### **RR-19a Zone**

Notwithstanding the minimum *lot area* and minimum *lot frontage* requirements of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-19a' on Schedule 'A' the following shall apply:

- i. Minimum *lot area*: 0.18 hectares
- ii. Minimum *lot frontage*: 30 metres
- iii. Minimum *interior side yard*, east side: 7 metres

#### **8.1.4.20 RR-20 Zone**

Notwithstanding the minimum *lot area* and minimum *lot frontage* requirements of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-20' on Schedule 'A' the following shall apply:

- i. Minimum *lot area*: 1.8 hectares

#### **8.1.4.21 RR-21 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-21' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 8 hectares
- ii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.1.4.22 RR-22 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-22' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 67 metres (220 feet)
- ii. Maximum depth of development from the south property line: 70 metres (230 feet)

#### **8.1.4.23 RR-23 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-23' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 0.3 hectares (0.74 acres)

#### **8.1.4.24 RR-24 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-24' on Schedule 'A' the following provisions shall apply:

- i. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.1.4.25 RR-25 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-25' on Schedule 'A' the following provisions shall apply:

- i. Minimum *interior side yard*: 3.0 metres

#### **8.1.4.26 RR-26 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-26' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 1.0 hectares

#### **8.1.4.27 RR-27 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands designated 'RR-27' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 2.0 hectares
- ii. Minimum *lot frontage*: 13 metres
- iii. Lands within the Environmental Protection (EP) Zone, on the same *lot* may be included in the calculation of *lot area*.
- iv. *Existing accessory buildings* and barns shall be used for dry storage only.

#### **8.1.4.28 RR-28 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated 'RR-28' on Schedule 'A' the following provisions shall apply:

- i. An *outdoor furnace* shall be permitted.
- ii. The minimum setback for an *outdoor furnace* from a side *lot line* shall be 10 metres.
- iii. The minimum setback for an *outdoor furnace* from the rear *lot line* shall be 47 metres.

#### **8.1.4.29 RR-29 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands zoned 'RR-29', on Schedule 'A' the following provisions shall apply:

- i. Development shall be setback a minimum of 30 metres from the centreline of the watercourse;
- ii. *Building and structures* shall be setback a minimum of 30 metres from the *centreline* of County Road 27; and,
- iii. Lands within the Environmental Protection (EP) Zone may be included by the purpose of calculating *lot area*.

#### **8.1.4.30 RR-30 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-30' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 0 metres
- ii. Minimum *lot area*: 2 hectares

#### **8.1.4.31 RR-31 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-31' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 90 metres
- ii. Minimum *lot area*: 1 hectare

#### **8.1.4.32 RR-32 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-32' on Schedule 'A' the following provisions shall apply:

- i. Minimum *rear yard* setback for *residential uses*: 100 metres

#### **8.1.4.33 RR-33 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-33' on Schedule 'A' the following provisions shall apply:

- i. Minimum *rear yard* setback for *residential uses*: 100 metres

#### **8.1.4.34 RR-34 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-34' on Schedule 'A' the following provisions shall apply:

- i. Minimum *front yard* setback for *residential uses* and in-ground sewage disposal systems: 200 metres
- ii. Minimum *rear yard* setback for *residential uses*: 125 metres

#### **8.1.4.35 RR-35 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-35' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 85 metres
- ii. Minimum *lot area*: 1.2 hectares
- iii. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary.
- iv. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.1.4.36 RR-36 Zone**

Notwithstanding the provisions of the Rural Residential (RR) Zone to the contrary, for lands zoned 'RR-36' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 35 metres

#### **8.1.4.37 RR-37 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated 'RR-37' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 36 metres

#### **8.1.4.38 RR-38 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RR-38' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage*: 42 metres

#### **8.1.4.39 R-39 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RR-39' on Schedule 'A', the following shall apply:

- i. All development including *buildings, structures* and in ground sewage disposal systems shall be setback a minimum of 40 metres from the adjacent wetland.

#### **8.1.4.40 RR-40 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RR-39' on Schedule 'A', the following shall apply:

- i. Minimum *lot area*: 1 hectare.

#### **8.1.4.41 RR-41 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RR-41' on Schedule 'A', the following shall apply:

- i. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary.
- ii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot area*.

#### **8.1.4.42 RR-42 Zone**

Notwithstanding any other provision as set out in Section 7.5 of By-law No. 140-2002 as they apply to the Rural (RU) Zone; the following shall apply to any Rural Residential Exception No. 42 (RR-42) Zone:

- i. Minimum *lot frontage*: 36 metres

#### **8.1.4.43 RR-43 Zone**

Notwithstanding any other provision of By-law No. 140-2002, as amended as they apply to the Rural Residential (RR) Zone; the minimum required *front yard* setback in any Rural Residential Exception No. 43 (RR-43) Zone shall be 1.8 metres.

#### **8.1.4.44 RR-44 Zone**

Notwithstanding any provisions of this By-law No.140-2002, as amended as they apply to the Rural Residential (RR) Zone; a secondary *dwelling unit* shall be permitted in an ancillary *structure* on lands zoned 'RR-44' on Schedule 'A'.

#### **8.1.4.45 RR-45 Zone**

Notwithstanding any provisions of this By-law No. 140-2002, as amended as they apply to the Rural Residential (RR) Zone; the *exterior side yard* setback is reduced to 6.7 metres (22ft.) for a detached garage in lands zoned 'RR-45' on Schedule 'A'.

#### **8.1.4.46 RR-46 Zone**

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply to lands zoned 'RR-46' on Schedule 'A':

- i. Minimum *lot area*: 2,000 square metres
- ii. Any *buildings* and / or *structures* shall be permitted as *existing* at the time of the passing of this By-law

#### **8.1.4.47 RR-47 Zone**

Notwithstanding any other provision of this By-law to contrary, the following provisions shall apply to lands zoned ‘RR-47’ on Schedule ‘A’:

- i. Maximum *height* of an *accessory building* (barn): 10 metres
- ii. A barn as *existing* on the date of the passing of this by-law shall be used only for dry storage and not for the keeping or housing of livestock.

#### **8.1.5 Shoreline Residential (SHR) Zone**

##### **8.1.5.1 SHR-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “SHR-1” on the Maps comprising Schedule “A” hereto:

- i. No portion of any opening in any *building* shall be located below an elevation of 76.1 metres G.S.D.C.

##### **8.1.5.2 SHR-2 Zone**

Notwithstanding any other provisions of this By-law, a permanent dwelling on a *private road* is permitted on lands designated “SHR-2” on Schedule “A” in accordance with the pertaining standards of Table 9 of Section 7 for uses in the Shoreline Residential (SHR) Zone, with the exception that the minimum *lot frontage* shall be 31 metres.

##### **8.1.5.3 SHR-3 Zone**

Notwithstanding any other provisions of this By-law, the following standards shall apply to the permitted uses in the “SHR-3” Zone on Schedule “A” instead of the requirements for *lot area*, *lot frontage* and *interior side yard* in Table Nine of Section 7:

- i. Minimum *lot area*: 1336 square metres
- ii. Minimum *lot frontage*: 35.7 metres
- iii. Minimum *interior side yard*: 5.1 metres

##### **8.1.5.4 SHR-4 Zone (By-law 140-2002)**

Notwithstanding any other provisions of this By-law, the minimum *interior side yard* for the permitted uses in the ‘SHR-4’ Zone on Schedule ‘A’ shall be 3 metres instead of the requirement in Table Nine of Section 7.

#### **SHR-4 Zone (By-law 220-2004)**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'SHR-4' on Schedule 'A':

- i. The only permitted use shall be a maximum 20 cabin sites for seasonal use. For the purposes of the SHR-4 Zone "seasonal" shall be defined as occupancy and use from May 1 to November 1 in a calendar year.
- ii. The only permitted *buildings* and *structures* shall be private cabins and *buildings* and *structures* accessory and incidental thereto.
- iii. Maximum ground *floor area* of a cabin: 93 square metres (1000 sq. ft.)
- iv. Maximum *height* of a cabin: one (1) *storey*
- v. Each cabin shall be serviced with an individual well.
- vi. Each cabin shall be serviced with an individual sewage system as approved by the appropriate regulatory authority.

#### **8.1.5.5 SHR-5 Zone**

Notwithstanding the minimum *lot area* requirement of the Shoreline Residential (SHR) Zone to the contrary, for lands designated 'SHR-5' on Schedule 'A' the minimum *lot area* requirement shall be 0.19 hectares.

#### **8.1.5.6 SHR-6 Zone**

Notwithstanding any provisions of the Shoreline Residential (SHR) Zone to the contrary, for lands designated 'SHR-6' on Schedule 'A' the following shall apply:

- i. A private garage shall be a permitted use as a principle use.
- ii. The minimum set back from the south property line shall be 6 metres.
- iii. Development shall not extend beyond 15.5 metres from the south property line.
- iv. The minimum side *yard* setback shall be 3 metres.
- v. The maximum *height* of a private garage shall be 4.5 metres.
- vi. The finished floor elevation shall be a minimum of 76.11 metres G.S.C. (Geodetic Survey of Canada).
- vii. The maximum *floor area* of a private garage shall be 93 square metres.
- viii. *Residential uses* shall not be permitted.
- ix. No setback from the Environmental Protection (EP) Zone boundary is required.

#### **8.1.5.7 SHR-7 Zone**

Notwithstanding any provisions of the Shoreline Residential (SHR) Zone to the contrary, for lands designated 'SHR-7' on Schedule 'A' the following shall apply:

- i. The minimum set back for a dwelling from the *top-of-bank* or an Environmental protection (EP) Zone shall be 10 metres.
- ii. Notwithstanding the minimum setback from the *top-of-bank* or an Environmental Protection (EP) Zone; *decks*, unenclosed *porches*, exterior stairs and patios, covered or uncovered may encroach a maximum of 4 metres.
- iii. The finished floor elevation of a dwelling shall be a minimum of 76.1 metres G.S.C. (Geodetic Survey of Canada) as determined by an Ontario Land Surveyor.
- iv. A *buffer strip*, comprised of native species, with a minimum width of 3 metres shall be established and maintained adjacent to the *top-of-bank*.

#### **8.1.5.8 SHR-8 Zone**

Notwithstanding any provisions of the Shoreline Residential (SHR) Zone to the contrary, for lands designated 'SHR-8' on Schedule 'A' the following provisions shall apply:

- i. The minimum required setback from the boundary of an Environmental Protection (EP) Zone shall be 0 metres (0 feet).

#### **8.1.5.9 SHR-9 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'SHR-9' on Schedule 'A', the following shall apply:

- i. Minimum *exterior side yard* (dwelling): 5 metres
- ii. Minimum *exterior side yard* (garage): 6 metres
- iii. Minimum *interior side yard*: 3 metres
- iv. Minimum *rear yard* (north side of *lot*): 6 metres
- v. Vehicular access shall only be permitted across the west side *lot line*

#### **8.1.5.10 SHR-10 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'SHR 10' on Schedule 'A', the following shall apply:

- i. Minimum *interior side yard*: 1.4 metres
- ii. Minimum *front yard*: 6.4 metres
- iii. Minimum setback from *top-of-bank*: 8.8 metres

#### **8.1.5.11 SHR-11 Zone (By-law 042-2014)**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned ‘SHR-11’ on Schedule ‘A’, the following shall apply:

- i. Minimum *interior side yard* – east side: 1.4 meters
- ii. Minimum *front yard*: 5.9 meters
- iii. Minimum setback from *top-of-bank*: 1.2 meters

#### **SHR-11 Zone (By-law 065-2015)**

Notwithstanding any other provision as set out in Section 7.6 of By-law No. 140-2002 as they apply to the Shoreline Residential (SHR) Zone; the following shall apply to any Shoreline Residential Exception No. 11 (SHR-11) Zone:

- i. Minimum easterly side *yard* setback: 4 metres
- ii. Minimum westerly side *yard* setback: 2 metres

Notwithstanding any other provision as set out in Sections 4.24.1 and 4.24.3 of By-law No. 140-2002; the following shall apply to any *Shoreline* Residential Exception No. 11 (SHR-11) Zone:

- i. Minimum *interior side lot line* setback: 0.6 metres
- ii. Maximum *height*: 5.5 metres

#### **8.1.5.12 SHR- 12 Zone**

Notwithstanding any other provision as set out in Section 7.5 of By-law No.140-2002 as amended, as they apply to the Shoreline Residential (SHR) Zone; the following shall apply to any Shoreline Residential Exception No. 12 (SHR-12) Zone;

- i. Minimum *lot area*: 1940 square metres
- ii. The provisions of Section 4.21.3 shall prevail in respect of *lot frontage* being on an *existing private road*.

#### **8.1.5.13 SHR- 13 Zone**

Notwithstanding any other provision as set out in Sections 7.5 of By-law No. 140-2002, as amended, as they apply to the Shoreline Residential (SHR) Zone; the following shall apply to any Shoreline Residential Exception No.13 (SHR-13) Zone;

- i. Minimum *lot area*: 2750 square metres
- ii. The provisions of Section 4.21.3 shall prevail in respect of *lot frontage* being on an *existing private road*.
- iii. Minimum setback between *main building* and an Environmental Protection (EP) Zone boundary: 2.5 metres

## **8.1.6 Hamlet Residential (HR) Zone**

### **8.1.6.1 HR-1 Zone**

Notwithstanding any other provisions of this By-law any dwelling on lands designated “HR-1” on Schedule “A” shall be set back 15 metres from the stream on the *lot*, in addition to the pertaining standards of Table One of Section 7.0.

### **8.1.6.2 HR-2 Zone**

Notwithstanding any other provisions of this By-law, the minimum frontage for a *lot* designated “HR-2” Zone on Schedule “A” shall be 12.2 metres in addition to the pertaining standards of Table One of Section 7.0.

### **8.1.6.3 HR-3 Zone**

Notwithstanding any other provisions of this By-law, the following standards shall apply to the lands in the “HR-3” Zone on Schedule ‘A’ instead of the requirements for *front yard*, north *interior side yard* and frontage in Table One of Section 7.0.

- i. Minimum *front yard*: 91.44 metres
- ii. Minimum north *interior side yard*: 70 metres
- iii. Minimum *lot frontage*: 30.5 metres

### **8.1.6.4 HR-4 Zone**

Notwithstanding any other provisions of this By-law, in addition to the permitted uses in the HR Zone, the permitted uses of the lands designated as “HR-4” on Schedule “A”, may include a retail commercial use in the garage and workshop *building existing* as of November, 1991 which is located on the easterly 15 metres of the property subject to the regulations of Table 1, Section 7.0 with the exception that the following regulations shall apply:

- i. Minimum *lot area*: 1,225 square metres
- ii. Minimum *lot frontage*: 20 metres
- iii. Minimum *front yard*: 6 metres
- iv. Minimum northerly *interior side yard*: 1 metre
- v. Parking and loading:
  - a. The minimum number of *parking spaces* shall be eight (8)
  - b. The maximum number of *driveways* shall be one (1)

#### **8.1.6.5 HR-5 Zone**

Notwithstanding any other provisions of this By-law, in addition to the permitted uses in the HR Zone, the permitted uses of the lands designated as “HR-5” on Schedule “A”, may include a greenhouse retail outlet confined to a 167 m<sup>2</sup> accessory greenhouse *building* with a minimum *interior side yard* of 0 metres. All other provisions of the Hamlet Residential (HR) Zone not specifically altered by these requirements shall apply within Special Zone Category HR-5.

#### **8.1.6.6 HR-6 Zone**

Notwithstanding any other provisions of this By-law, the minimum permitted *lot frontage* of the lands designated “HR-6” on Schedule “A” hereto is 36 metres. All other provisions of the Hamlet Residential (HR) Zone not specifically altered by this requirement shall apply within Special Zone Category HR-6.

#### **8.1.6.7 HR-7 Zone**

Notwithstanding any other provisions of this By-law, the minimum permitted *lot frontage* of the lands designated “HR-7” on Schedule “A” hereto is 13.7 metres. All other provisions of the Hamlet Residential (HR) Zone not specifically altered by this requirement shall apply within Special Zone Category HR-7.

#### **8.1.6.8 HR-8 Zone**

Notwithstanding the minimum *lot area* requirement of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-8” on Schedule “A” the minimum *lot area* requirement shall be 0.34 hectares.

#### **8.1.6.9 HR-9 Zone**

Notwithstanding the minimum *lot area* and minimum *lot frontage* requirements of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-9” on Schedule “A” the following shall apply:

- i. Minimum *lot area*: 0.18 hectares
- ii. Minimum *lot frontage*: 30 metres

#### **8.1.6.10 HR-10 Zone**

Notwithstanding the minimum *lot area* and minimum *lot frontage* requirements of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-10” on Schedule “A” the following shall apply:

- i. Minimum *lot area*: 0.29 hectares

#### **8.1.6.11 HR-11 Zone**

Notwithstanding the minimum *lot frontage* requirements of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-11” Schedule “A” the minimum *lot frontage* shall be 40 metres. In addition, lands within the Environmental Protection (EP) Zone on the same *lot* may be used in the calculation of the minimum *lot area*.

#### **8.1.6.12 HR-12 Zone**

Notwithstanding the minimum *front yard* setback requirement of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-13” on Schedule “A” the following shall apply:

- i. Minimum *front yard*: 7.5 metres

For lands designated “HR-12” on Schedule “A” lands within the Environmental Protection (EP) Zone on the same *lot* may be used in the calculation of the minimum *lot area*.

The Holding provision as it applies to land within HR-12 Zone may be removed by amendment to this By-law passed pursuant to Section 36 of the Planning Act, when the following matters have been addressed:

- i. The submission of a site plan acceptable to the Municipality and Lower Trent Conservation that addresses the following:
  - a. Location of dwelling and other proposed *buildings* and *structures*.
  - b. Location of proposed in ground sewage disposal facilities and well.
  - c. *Building* setbacks.
  - d. Placement of *fill* on the *lot* and grading and drainage.
  - e. Location of *driveway*.
- ii. The execution of an agreement between the owner and the Municipality to address cost sharing for the construction of a turn around at the east end of Hunt Lane; and
- iii. The decommissioning of the *existing* dug well.

#### **8.1.6.13 HR-13 Zone**

Notwithstanding the minimum *lot area* and minimum *lot frontage* requirements of the Hamlet Residential (HR) Zone to the contrary, for lands designated “HR-13” on Schedule “A” the following shall apply:

- i. Minimum *lot frontage*: 40 metres
- ii. Minimum *lot area*: 0.18 hectares

The Holding provision as it applies to land within HR-13 Zone may be removed by amendment to this By-law passed pursuant to Section 36 of the Planning Act, when the following matters have been addressed:

- i. The submission of a site plan acceptable to the Municipality that addresses the following:
  - a. Location of dwelling and other proposed *buildings* and *structures*.
  - b. Location of proposed in ground sewage disposal facilities and well.
  - c. *Building* setbacks.
  - d. Placement of *fill* on the *lot* and grading and drainage.
  - e. Location of *driveway*.
- ii. The execution of an agreement between the owner and the Municipality to address cost sharing for the construction of a turn around at the east end of Hunt Lane.

#### **8.1.6.14 HR-14 Zone**

Notwithstanding any other provisions of this By-law to the contrary, for lands designated “HR-14” on Schedule “A” the following shall apply:

- i. Minimum *lot frontage* 28 metres.
- ii. Lands zoned Environmental Protection (EP) Zone on a *lot* may be used in the calculation of the minimum *lot area*.
- iii. There shall be no requirement for a setback from an Environmental Protection (EP) Zone boundary.

## **8.2 Commercial Zones**

### **8.2.1 Core Area (CA) Zone**

#### **8.2.1.1 CA-1 Zone**

Notwithstanding any other provisions of this By-law, the lands designated as “CA-1” on Schedule “A” hereto are not required to comply with the minimum off-street parking requirements of Section 5 of this By-law.

#### **8.2.1.2 CA-2 Zone**

Notwithstanding any other provisions of this By-law, the permitted commercial uses of the lands designated as “CA-2” on Schedule “A” hereto shall be limited to *business or professional offices*. All other provisions of the Core Area (CA) Zone not specifically altered by this provision shall apply within Special Zone Category CA-2.

### 8.2.1.3 CA-3 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “CA-3” on Schedule “A” hereto:

- i. Permitted commercial uses shall be restricted to:
  - a. *Business or professional offices.*
  - b. Craft shops.
  - c. Retail stores.
- ii. Minimum required *interior side yard*: 1.8 metres
- iii. Minimum required *front yard*: 3 metres
- iv. Minimum off-street parking: two (2) *parking spaces*
- v. Permitted commercial uses shall not exceed 55 square metres *gross floor area*.
- vi. *A home occupation* shall be allowed in the residential portion of the *building*.

All other provisions of the Core Area (CA) Zone not specifically altered by these requirements shall apply within Special Zone Category CA-3.

### 8.2.1.4 CA-4 Zone

Notwithstanding any other provisions of this By-law to the contrary, the following provisions apply to the lands zoned “CA-4” on Schedule “A”:

- i. Permitted uses shall be restricted to:
  - a. *Medical clinic.*
  - b. *Business or professional offices.*
  - c. Craft shops.
  - d. Retail stores.
  - e. *Accessory dwelling unit.*
  - f. *Apartment dwelling unit.*
- ii. Minimum required *interior side yard*: 1.6 metres
- iii. Minimum off-street parking as required in Section 5.0 of this By-law.
- iv. Maximum total *gross floor area* for commercial and *medical clinic* uses: 80 square metres.

All other provisions of the Core Area (CA) Zone not specifically altered by these requirements shall apply within Special Zone Category CA-4.

#### **8.2.1.5 CA-5 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “CA-5” on Schedule “A” hereto:

- i. Minimum south side *yard*: 1.37 metres
- ii. Minimum *front yard*: 3.35 metres
- iii. No required *buffer strip* between commercial and residential zones

All other provisions of the Core Area (CA) Zone not specifically altered by these requirements shall apply with Special Zone Category CA-5.

#### **8.2.1.6 CA-6 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “CA-6” on Schedule “A” hereto:

- i. *Existing buffer strips* be maintained.
- ii. Minimum south side *yard*: 2.7 metres

All other provisions of the Core Area (CA) Zone not specifically altered by these requirements shall apply with Special Zone Category CA-6.

#### **8.2.1.7 CA-7 Zone**

Notwithstanding any other provisions of this By-law to the contrary, within the Core Area Exception No. 7 (CA-7) Zone an outdoor patio shall only be permitted subject to the following provisions:

- i. Located to the north of the *existing building* and not within the *existing front yard*.
- ii. Maximum patio area: 33.5 square metres (360 square feet)
- iii. An outdoors-sound system shall not be permitted.

#### **8.2.1.8 CA-8 Zone**

Notwithstanding the provisions of the Core Area (CA) Zone to the contrary, for lands designated “CA-8” on Schedule “A” the following provisions shall apply:

- i. Maximum *front yard*: 20 metres
- ii. Minimum setback from the south property line: 4 metres
- iii. Minimum *rear yard* setback: 4 metres
- iv. *Parking spaces* may be located in the *front yard* provided they are setback a minimum of 1 metre from the *front lot line*.

### 8.2.1.9 CA-9 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'CA-9' on Schedule 'A', the following shall apply:

- i. Minimum *front yard*: 0.4 metres
- ii. Minimum *rear yard*: 1 metre

### 8.2.1.10 CA-10 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'CA-10' on Schedule 'A', the following shall apply:

- i. A *gas bar* shall also be a permitted use
- ii. Maximum *front yard*: 10.2 meters
- iii. Minimum *rear yard*: 4.6 meters
- iv. Maximum *accessory building height*: 5.9 meters
- v. Permitted encroachment into required *yard* 100 % for a concrete patio.

### 8.2.1.11 CA-11 Zone

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to the lands zoned 'CA-11' on Schedule 'A':

- i. Permitted Uses shall be restricted to:
  - a. *Medical clinic*.
  - b. *Business or professional office*.
  - c. Personal service shop.
  - d. Two (2) second *storey* apartment units.
- ii. Minimum required interior westerly side *yard* abutting a residential zone shall be 5.3 metres.
- iii. Minimum required interior easterly side *yard* abutting a residential zone shall be 0.6 metres.
- iv. Maximum total *gross floor area* for non-residential uses shall be 225 metres squared.
- v. Maximum total *gross floor area* for second *storey residential uses* shall be 225 metres squared.
- vi. Minimum required *buffer strip* provided a 1.8 metre opaque fence is provided adjacent to a residential zone, in conjunction with the required *buffer strip* 0.6 metres.
- vii. Minimum number of on-site *parking spaces* shall be ten (10).

### **8.2.1.12 CA-12 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to the lands zoned 'CA-12' on Schedule 'A':

- i. Permitted Uses shall be restricted to:
  - a. *Business or professional office*
  - b. Personal service shop
- ii. Minimum required interior westerly side yard 2.2 metres

That all other provisions of the Core Area (CA) Zone not specifically altered by these requirements shall apply to special category CA-12.

## **8.2.2 Local Commercial (LC) Zone**

### **8.2.2.1 LC-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as "LC-1" on Schedule "A" hereto:

- i. Permitted use limitation:
  - a. *Convenience retail stores*, service shops and personal service shops are not permitted.
- ii. Minimum required *front yard*: 12 metres
- iii. Minimum required *interior side yard*: 3 metres
- iv. Minimum required *rear yard*: 5.6 metres

All other provisions of the Local Commercial (LC) Zone not specifically altered by these requirements shall apply within Special Zone Category LC-1.

## **8.2.3 Highway Commercial (HC) Zone**

### **8.2.3.1 HC-1 Zone**

Notwithstanding any other provisions of this By-law for the lands designated as "HC-1" on Schedule "A" hereto, *residential uses existing* as of the date of passing of this By-law are permitted. All other provisions of the Highway Commercial (HC) Zone not specifically altered by this provision shall apply within Special Zone Category HC-1.

### **8.2.3.2 HC-2 Zone**

Notwithstanding any other provisions of this By-law for the lands designated as "HC-2" on Schedule "A" hereto, a *bed and breakfast establishment* is permitted in accordance with the pertaining standards outlined in Table Six of Section 7 for the R1 Zone. All other provisions of the Highway Commercial (HC) Zone not specifically altered by this provision shall apply within Special Zone Category HC-2.

### **8.2.3.3 HC-3 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “HC-3” on Schedule “A” hereto:

- i. Minimum required *lot frontage*: 17 metres
- ii. Minimum required *rear yard*: 6 metres
- iii. Minimum required *interior side yard*: 1.8 metres
- iv. A *loading space* or spaces are not required.
- v. Minimum off-street parking: two (2) *parking spaces*

All other provisions of the Highway Commercial (HC) Zone not specifically altered by these requirements shall apply within Special Zone Category HC-3.

### **8.2.3.4 HC-4 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “HC-4” on Schedule “A” hereto:

- i. Minimum required *interior side yard*: Nil
- ii. Minimum required *rear yard*: 0.3 metres
- iii. Minimum parking requirement: one (1) *parking space* per 60 square metres *gross floor area*.

All other provisions of the Highway Commercial (HC) Zone not specifically altered by these requirements shall apply within Special Zone Category HC-4.

### **8.2.3.5 HC-5 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated as “HC-5” on Schedule “A” to this By-law may include a *self storage facility* as defined in Section 2 of this By-law, in accordance with the pertaining standards outlined in Table 10 of Section 7 for such uses.

### **8.2.3.6 HC-6 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated as “HC-6” on Schedule “A” to this By-law may include construction related uses in accordance with the pertaining standards outlined in Table 10 of Section 7 for uses in the Highway Commercial Zone.

### **8.2.3.7 HC-7 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated “HC-7” on Schedule “A” of this By-law may include an outdoor ornamental furnishings outlet in accordance with the pertaining standards outlined in Table 10 of Section 7 for uses in the Highway Commercial Zone with the exception that open storage shall be permitted in all *yards*, provided such uses are located a minimum of 0.9 metres from the *street line*.

### **8.2.3.8 HC-8 Zone**

Notwithstanding any other provisions of this By-law, the permitted use of the lands designated “HC-8” on Schedule “A” of this By-law may include a ceramic production and sales outlet in accordance with the pertaining standards outlined in Table 10 of Section 7 for uses in the Highway Commercial Zone.

### **8.2.3.9 HC-9 Zone**

Notwithstanding any other provisions of this By-law, the minimum *interior side yard* for the lands designated “HC-9” on Schedule “A” shall be 3 metres. All other provisions of the Highway Commercial Zone not specifically altered by this requirement shall apply within the HC-9 Zone.

### **8.2.3.10 HC-10 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated ‘HC-10’ on Schedule ‘A’ may only include the following in accordance with the pertaining standards outlined in Table Ten of Section 7 for uses in the Highway Commercial Zone:

- i. Recreational vehicle parts store.
- ii. Recreational vehicle office.
- iii. Recreational vehicle storage.
- iv. One *building* to accommodate the parts store and office use.
- v. Parking where such use is accessory and incidental to a permitted use specific herein.
- vi. The parts store and office use shall be permitted on the lands in the HC-10 Zone for a maximum period of three (3) years from November 4, 2002.

### **8.2.3.11 HC-11 Zone**

Notwithstanding any other provisions of this By-law, in addition to the other permitted uses, the permitted uses of the lands designated ‘HC-11’ on Schedule ‘A’ may include a *duplex dwelling* in accordance with the pertaining standards of Table 10 of Section 7 for uses in the Highway Commercial Zone with the exception that the *exterior side yard* and *front yard* shall be that *existing* on April 21, 1988.

### 8.2.3.12 HC-12 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated 'HC-12' on Schedule 'A' hereto:

- i. Residential uses prohibited.
- ii. Minimum setback from Elizabeth Street shall be 40 metres.
- iii. Minimum setback from Elizabeth Street for a *gas bar* and accessory kiosk shall be 23 metres. (Added by By-law 294-2005).
- iv. Minimum setback from Elizabeth Street for a *drive-through restaurant* centre shall be 12 metres.

All other provisions of the Highway Commercial (HC) Zone not specifically altered by these requirements shall apply within Special Zone Category 'HC-12'. However, in accordance with Section 36 of the Planning Act for those lands shown on Schedule 'A' to this By-law as Highway Commercial Special Zone Category 12 Holding (HC-12-H) Zone the uses permitted shall be those *existing* at the date of adoption of this By-law. The Holding provision may be removed or the permitted uses modified by amendment to this By-law when the following matters have been addressed:

- i. A Public Meeting has been held on the Site Plan for these lands;
- ii. A Site Plan has been prepared which addresses the following:
  - a. Exterior lighting
  - b. *Building* setbacks
  - c. Landscaping
  - d. Refuse disposal location
  - e. Loading areas
  - f. A Site Plan Agreement has been executed;
- iii. A Retail Market Analysis has been completed if the total *gross floor area* on the lands exceeds 1,400 square metres;
- iv. A Transportation Impact Analysis has been completed and the traffic measures recommended are included in an Agreement to ensure implementation; and,
- v. A Stormwater Management Plan has been completed and the recommendations are included in an agreement to ensure implementation.

### 8.2.3.13 HC-13 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'HC-13' on Schedule 'A', the following shall apply:

- i. Permitted non-residential uses shall be limited to the following:
  - a. *Motor vehicle repair shop.*
  - b. *Motor vehicle sales establishment.*
  - c. *Motor vehicle and recreational vehicle storage compound.*
  - d. *Recreational vehicles sales and service establishment.*
  - e. *Self storage facility.*
- ii. *A single detached dwelling and uses, buildings and structures accessory thereto shall be permitted.*
- iii. *Minimum lot area 3.2 hectares (8.0 acres).*
- iv. *Maximum area for outdoor display of vehicles for sale 233 m<sup>2</sup> (2500 sq. ft.).*
- v. *Maximum number of motor vehicles on sale that may be displayed 15.*
- vi. *Maximum area for outdoor storage compound 1858 m<sup>2</sup> (20,000 sq. ft.).*
- vii. *Maximum gross floor area for the sales, service and repair of vehicles 588 m<sup>2</sup> (6324 sq. ft.).*
- viii. *Opaque fencing with a minimum height of 1.8 metres (6 ft.) shall be used to screen the boundaries of the outdoor storage compound.*
- ix. *Outdoor lighting shall be directed away from adjacent properties.*

### 8.2.3.14 HC-14 Zone

Notwithstanding any other provisions of this By-law, the permitted highway commercial uses of the lands designated 'HC-14' on Schedule 'A' may only include an establishment for *motor vehicle* cleaning and detailing. All other provisions of the Highway Commercial Zone not specifically altered by this requirement shall apply within the Special Zone Category HC-14 Zone.

### 8.2.3.15 HC-15 Zone

Notwithstanding any provisions of this By-law to the contrary, the only uses permitted on lands zoned 'HC-15' on Schedule 'A' are the following:

- i. *Recreational vehicle sales and service establishment;*
- ii. *Recreational vehicle storage;*
- iii. *One (1) building to accommodate the sales and service establishment; and,*
- iv. *Parking where such use is accessory and incidental to a permitted use as specified herein.*

**8.2.3.16 HC-16 Zone**

Notwithstanding any other provisions of this By-law to the contrary, the following provisions apply to the lands zoned ‘HC-16’ on Schedule ‘A’ hereto:

- i. In addition to the uses permitted in the HC Zone, a Home & Auto Supply Store and Home Improvement Store shall be permitted.
- ii. In addition to the uses permitted in the HC Zone, a maximum of two (2) drive through facilities shall be permitted as *accessory use* to any permitted use. In addition to the drive through facilities permitted above, a free standing *financial institution* drive through kiosk not connected to a *building* but accessory to a *financial institution* on the lands zoned HC-16 will also be permitted. Notwithstanding the above, a maximum of two (2) of the three (3) drive through facilities shall be permitted prior to January 1, 2012 with the third permitted on or after January 1, 2012.
- iii. Notwithstanding the uses permitted in the HC Zone, a *supermarket*, a department store, and a *dwelling unit* of any kind shall not be permitted.
- iv. A *retail store* shall have a minimum *gross floor area* of 375 square metres.
- v. A stand alone *restaurant* shall have a minimum *gross floor area* of 186 square metres.
- vi. The outdoor display and sale of goods, such as seasonal garden centres, shall be permitted in accordance with the following provisions:
  - a. Shall not be located within a required *yard*.
  - b. Shall not obstruct or occupy any required *parking area*.
  - c. The outdoor display area is to be located on a hard surface material of asphalt, concrete, pavers or similar *building material*.
- vii. Within the HC-16 Zone, the maximum total *gross floor area* for retail and service commercial uses, excluding any area used as a seasonal garden centre shall be 8,825 square metres which may consist of any use permitted in the HC-16 Zone subject to the following maximum *gross floor area* restrictions:

	<b>Use</b>	<b>Maximum Gross Floor Area</b>
a)	Home & Auto Supply Store	4,350 sq. m
b)	Home Improvement Store	4,350 sq. m
c)	<i>Retail Store</i>	2,787 sq. m

- viii. Development may occur in one or two phases. If development proceeds in two (2) phases then Phase 1 means development prior to January 1, 2012 and Phase 2 means development no earlier than January 1, 2012. If the development proceeds in a single phase this means development which occurs no earlier than January 1, 2012.

- a. The maximum total *gross floor area* permitted in Phase 1 for retail and service commercial uses, excluding any area used as a seasonal garden centre, shall be 4,650 square metres.
  - b. If the development proceeds in two phases then Phase 1 shall include an anchor store with a minimum *gross floor area* of 2,320 square metres and a maximum *gross floor area* of 4,350 square metres excluding any area used as a seasonal garden centre.
  - c. If the development proceeds in a single phase (on or after January 1, 2012), then the development shall include an anchor store with a minimum *gross floor area* of 2,320 square metres and a maximum *gross floor area* of 4,350 square metres excluding any area used as a seasonal garden centre, which anchor store shall be constructed in advance of or simultaneously with any other *building* to be constructed as part of the development.
- ix. There shall be no maximum *front yard* requirement.
  - x. *Loading spaces* per *building* shall be provided as follows:
    - a. 0 to 1,860 square metres of *gross floor area*: 0
    - b. 1,861 to 2,787 square metres of *gross floor area*: 1
    - c. Over 2,787 square metres of *gross floor area*: 2
  - xi. Notwithstanding any future land division, the lands municipally known in the year 2009 as 129 Elizabeth Street shall be treated as one (1) parcel for the purposes of meeting zoning standards for setbacks, *lot area*, *lot frontage*, parking, and *lot coverage*.
  - xii. A By-law shall not be enacted to remove the “Holding” (-H) symbol from lands zoned ‘HC-16-H’ on Schedule ‘A’ until such time as a Site Plan Agreement satisfactory to the Municipality has been executed and registered on title of the lands. The Agreement(s) shall address, among other things following:
    - a. Phasing and construction schedule;
    - b. Timing for construction of the anchor store;
    - c. Off-site improvements;
    - d. On-site servicing;
    - e. Noise attenuation measures;
    - f. Exterior lighting;
    - g. Signage;
    - h. Landscaping;
    - i. Refuse disposal locations;
    - j. Loading areas;
    - k. *Parking areas* and spaces;
    - l. Stormwater management; and,
    - m. The provision of appropriate securities.

### 8.2.3.17 HC-17 Zone

- a) Notwithstanding any other provisions of By-law No. 140-2002, as amended, to the contrary, on lands zoned 'HC-17' on Schedule 'A', permitted uses shall be limited to the following:
- i. Art gallery;
  - ii. *Bake shop*;
  - iii. *Business or professional office*;
  - iv. *Commercial fitness centre*;
  - v. *Convenience retail store*;
  - vi. *Day nursery*;
  - vii. *Financial institution*;
  - viii. *Hotel*;
  - ix. Home furnishing store;
  - x. *Medical clinic*;
  - xi. *Personal service*;
  - xii. *Place of entertainment*;
  - xiii. *Place of worship*;
  - xiv. *Restaurant* including *take-out restaurant*;
  - xv. *Retail store*;
  - xvi. Food store; and,
  - xvii. *Shopping centre*.
- b) Notwithstanding any provisions of Section 6.3 (2) of By-law No. 140-2002, as amended, to the contrary the minimum *gross floor area* of an individual unit or store in a multi-unit *shopping centre* shall be 185 square metres.
- c) All other provisions of By-law No. 140-2002, as amended, not specifically altered by these requirements and as they apply to the 'Highway Commercial (HC) Zone' shall apply within Special Zone Category 'Highway Commercial Exception No. 17 (HC-17) Zone'.

### 8.2.3.18 HC-18 (H) Zone

- a) Notwithstanding any other provisions of By-law No. 140-2002, as amended, to the contrary, on lands zoned 'HC-17' on Schedule 'A', permitted uses shall be limited to the following:
- i. Art gallery;
  - ii. *Bake shop*;
  - iii. *Business or professional office*;
  - iv. *Commercial fitness centre*;
  - v. *Convenience retail store*;
  - vi. *Day nursery*;

- vii. *Financial institution;*
  - viii. *Hotel;*
  - ix. Home furnishing store;
  - x. *Medical clinic;*
  - xi. *Personal service;*
  - xii. *Place of entertainment;*
  - xiii. *Place of worship;*
  - xiv. *Restaurant including take-out restaurant;*
  - xv. *Retail store;*
  - xvi. Food store; and,
  - xvii. *Shopping centre.*
- b) Notwithstanding any provisions of Section 6.3 (2) of By-law No. 140-2002, as amended, to the contrary the minimum *gross floor area* of an individual unit or store in a multi-unit *shopping centre* shall be 185 square metres.
- c) All other provisions of By-law No. 140-2002, as amended, not specifically altered by these requirements and as they apply to the ‘Highway Commercial (HC) Zone’ shall apply within Special Zone Category ‘Highway Commercial Exception No. 17 (HC-17) Zone’.

## **8.2.4 Recreational Commercial (RC) Zone**

### **8.2.4.1 RC-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “RC-1” on Schedule “A” hereto:

- i. Permitted Uses  
*A trailer park* as defined in Section 2, in addition to the uses permitted in Table 2 of Section 6.3.
- ii. Permitted *buildings* and *structures*
  - a) Travel trailers;
  - b) Tents; and
  - c) Accessory buildings and structures for the permitted trailer park uses including shower and washroom facilities, recreation facilities, a convenience commercial use, office for the operation, and a maximum of two (2) single detached dwellings or mobile homes for the owner, operator or an employee of the park.
- iii. Development Standards for a *trailer park*
  - a. Minimum *lot area*: 4 hectares
  - b. Minimum *lot frontage*: 60 metres

- c. Minimum *yards*:
  - all *buildings* and *structures*, *travel trailers* and tents shall be set back a minimum of 9 metres from any *lot line*.
- d. Maximum *lot coverage*: 30 %
- e. *Travel trailer* site area: minimum 185 square metres per *travel trailer* site.
- f. Maximum density (number of trailer sites per hectare):
  - Enroute *campground*: 30 sites per hectare
  - Destination *campground*: 20 sites per hectare
  - Combination *campground*: 20 sites per hectare
- g. Minimum *landscaped open space*: 40 %
- h. Maximum *building height*: 9 metres
- i. Prohibition of year round occupancy:

Notwithstanding any other provisions of this By-law, no *travel trailer* shall be used for the living, sleeping or eating accommodation of persons within a *trailer park* for a period of more than 160 days in any period of 12 consecutive months.

#### 8.2.4.2 RC-2 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “RC-2” on Schedule ‘A’ hereto:

- i. Additional Permitted Uses:
  - a. A motorsport racing track in addition to the uses permitted in Table 2 of Section 6.3.
  - b. *Accessory uses*, including the parking of *travel trailers* and *motor homes* for contestants and their assistants only.
- ii. Permitted *buildings* and *structures*:
  - a. *Buildings* and *structures* permitted for the main permitted uses;
  - b. *Accessory buildings* and *structures* for the permitted uses including one *single detached dwelling* and clubhouse facilities.
- iii. Regulations for the uses permitted in the RC-2 Zone:

All regulations in Table 10 of Section 7 for the ‘RC’ Zone shall apply to the permitted uses in the RC-2 Zone.

### 8.2.4.3 RC-3 Zone

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned RC-3 on Schedule “A”:

i. Permitted Uses

Only the following uses shall be permitted in the RC-3 zone:

- a. *Hotel / inn* facility.
  - b. *Restaurant / banquet* facility.
  - c. Outdoor licensed patio.
  - d. *Swimming pool* (Class B).
  - e. *Accessory uses* including an *accessory dwelling unit, home occupation* and *parking areas*.
- ii. Permitted *buildings* and *structures*
- a. *Buildings* and *structures* for the permitted uses.
  - b. *Accessory buildings* and *structures* for the permitted uses.
- iii. Prior to the removal of the Holding Symbol ‘H’, the following restrictions shall apply:
- a. The *hotel / inn* facility shall be restricted to a maximum of nine (9) *guest rooms*.
  - b. The *restaurant / banquet hall* shall be restricted to a maximum *floor area* of 135 square metres.
- iv. Removal of the Holding Symbol

The following requirements shall be addressed to the satisfaction of the Municipality as a prerequisite to the approval of a By-law to remove the Holding Symbol from the zoning:

- a. A servicing investigation and report, prepared by a qualified individual or firm, with respect to water supply and sewage disposal, prepared in accordance with applicable regulations and to the satisfaction of the appropriate approval authority.
- b. A stormwater management report, prepared by a qualified individual or firm, including a grading and drainage plan and a sediment and erosion control plan.
- c. A woodland corridor enhancement plan, prepared by a qualified individual or firm, to protect and enhance the woodland corridor on the property.
- d. The preparation of a site plan that meets all applicable requirements of the Municipality’s Site Plan Control By-law.
- e. The execution of a site plan agreement with the Municipality of Brighton.

v. Regulations for the Permitted Uses

The regulations specified in Table 10 to this By-law for the Recreational Commercial 'RC' Zone shall apply to the permitted uses in RC-3 Zone.

vi. Definitions

For the purposes of the RC-3 Zone the following shall apply:

- a. *Accessory dwelling unit* shall mean a *dwelling unit* located within the commercial *building*, for the sole use and occupancy of the owner or operator of the commercial use.

#### 8.2.4.4 RC-4 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as "RC-4" on Schedule "A" hereto:

- i. Permitted Uses an *existing* fish processing plant is a permitted use.
- ii. Minimum required *lot frontage*: 7.3 metres

#### 8.2.4.5 RC-5-U Zone

Notwithstanding any other provisions of this By-law to the contrary, within the Recreational Commercial Exception No. 5 - Wave Uprush (RC-5-U) Zone, designated as "RC-5-U" on Schedule "A" the following provisions shall apply:

- i. Permitted Uses
  - a. Art gallery
  - b. *Marina*
  - c. Museum
  - d. *Restaurant*
  - e. *Restaurant, take-out*
  - f. *Accessory dwelling unit*
- ii. Regulations
  - a. Minimum *front yard*: 2 metres (6.5 feet)
  - b. Minimum east side *yard*: 3 metres (9.8 feet)
  - c. Maximum depth of development: 15.2 metres (50 feet) from the north property line:
  - d. Maximum *height*: 10 metres (32.8 feet)
  - e. Maximum *lot coverage*: 15 %
  - f. Maximum *gross floor area* index: 20 %

iii. Definitions

For the purposes of the RC-5-U Zone the following shall apply:

- a. *Accessory dwelling unit* shall mean a *dwelling unit* located above the main floor of the commercial *building* in which the *dwelling unit* is situated, for the sole use and occupancy of the owner or operator of the commercial use.
- b. *Gross floor area* index shall mean the ratio of total *floor area* within *buildings* and *structures* on the *lot* to the total *lot area* above the *top of bank*.

**8.2.4.6 RC-5 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned RC-5 on Schedule A:

- i. The minimum *lot frontage* requirement shall be 6.7 metres.
- ii. The permitted uses shall be limited to:
  - a. A commercial operation for the wholesale and retail sale of cleaning supplies, janitorial supplies and safety supplies.
  - b. A residential *dwelling unit* on the second floor.

**8.2.4.7 RC-6 Zone**

Notwithstanding any provisions of Section 6.3 and Section 7.6 of this By-law, the following provisions apply to lands zoned as RC-6 on Schedule 'A' attached hereto:

- i. Permitted Uses  

Uses shall be limited to those deemed to be non-permanent and include boat cradle storage, stockpiling of materials and similar uses.
- ii. Non-Permitted Uses  

*Buildings, structures* and site *alteration* work shall not be permitted.
- iii. Special Regulations  

The provisions of Section 7.6 of the By-law shall not apply to lands zoned "Recreational Commercial Exception No. 6 (RC-6)"; save and except that the minimum *interior* and *rear yards* shall apply.

## 8.3 Industrial Zones

### 8.3.1 General Industrial (M1) Zone

#### 8.3.1.1 M1-1 Zone

Notwithstanding any other provisions of this By-law for the lands designated as “M1- 1” on Schedule ‘A’ hereto, permitted uses may include a wholesale automobile tire warehouse with a subsidiary retail sales outlet. The minimum required *front yard* depth is 9 metres, and the minimum *exterior side yard* width is 8.5 metres. All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-1.

#### 8.3.1.2 M1-2 Zone

Notwithstanding any other provisions of this By-law for the lands designated as “M1- 2” on Schedule ‘A’ hereto, a *retail store* with a maximum *gross floor area* of 38 square metres is permitted. All other provisions of the General Industrial (M1) Zone not specifically altered by this requirement shall apply within Special Zone Category M1-2.

#### 8.3.1.3 M1-3 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “M1-3” on Schedule “A” hereto:

- i. Minimum *interior side yard*: Nil
- ii. Maximum *height of building*: 14.6 metres
- iii. *Front yard* may be used for parking and loading area.

All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-3.

#### 8.3.1.4 M1-4 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “M1-4” on Schedule ‘A’ hereto:

- i. Minimum required *rear yard*: Nil
- ii. Minimum off-street parking: 24 spaces
- iii. *Front and exterior side yards* may be used for parking.
- iv. Minimum setback for outside storage: 13.7 metres

All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-4.

### 8.3.1.5 M1-5 Zone

Notwithstanding any other provisions of this By-law, the minimum parking requirement for the *existing building* on the lands designated as "M1-5" on Schedule 'A' hereto as of the date of passing of this By-law is 24 *parking spaces*. All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-5.

### 8.3.1.6 M1-6 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as "M1-6" on Schedule 'A' hereto:

#### Additional Permitted Uses

- i. Dry cleaning or laundry establishment;
- ii. Equipment sales and / or rental;
- iii. *Farm* related implement and equipment sales and service establishment;
- iv. General contractor's or tradesman's *Yard* and related shop facilities; and,
- v. Outside display and storage of goods and materials where such use is accessory and incidental to a permitted non-residential use otherwise specified hereunder.

All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-6.

### 8.3.1.7 M1-7 Zone

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated as "M1-7" on Schedule 'A' hereto may include an *outdoor storage* and *salvage yard* subject to the following:

- i. Minimum required *front, side* and *rear yards*: 30 metres
- ii. Maximum *height* of a *building* or *structure* shall be 12 metres including *accessory buildings* and *structures*.
- iii. Minimum landscaping requirements:
  - a. A landscape *buffer strip* with a minimum depth of 9 metres is required along the full length of every *lot line*.

All other provisions of the General Industrial (M1) Zone not specifically altered by these requirements shall apply within Special Zone Category M1-7.

### **8.3.1.8 M1-8 Zone**

Notwithstanding any other provisions of this By-law, the following additional uses shall be permitted on the lands designated as “M1-8” on Schedule “A”:

- i. A pet supply store from which the only animals which may be retailed are fish;
- ii. Maximum *floor area*: 38 square metres

All other provisions of the General (M1) Zone not specifically altered by these requirements shall apply with Special Zone Category M1-8.

### **8.3.1.9 M1-9 Zone**

Within the General Industrial Exception No. 9 (M1-9) Zone, designated as “M1-9” on Schedule “A” the following additional provisions shall apply:

- i. An auction hall use shall also be permitted
- ii. The maximum *floor area* of an auction hall shall be 930 square metres.

### **8.3.1.10 M1-10 Zone**

Notwithstanding any other provisions of this By-law, on lands designated as “M1-10” on Schedule ‘A’ hereto an off-leash dog park shall also be a permitted use.

### **8.3.1.11 M1-11 Zone**

Notwithstanding the permitted uses of the General Industrial Zone (M1) as set out in Section 6.4 of Zoning By-law No, 140-2002 as amended, the following uses may also be permitted:

- i. The retail sale of motorcycle and all-terrain vehicle accessories.
- ii. The display and retail sale of trailer tow vehicles and recreational trailers or vehicles/motorhomes.
- iii. That the location and parking/display of trailer tow vehicles and motorhome uses permitted in Section 2.2 of this By-law shall be restricted to the *rear yard*.

### **8.3.1.12 M1-12 Zone**

Notwithstanding any other provisions of this By-law, on lands designated “M1-12”, as shown on Schedule “A” attached hereto the following uses are permitted:

- i. A bulk fuel storage;
- ii. Bulk fuel distribution; and,
- iii. Administration office.

### 8.3.2 Rural Industrial (M2) Zone

#### 8.3.2.1 M2-1 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “M2-1” on Schedule ‘A’ hereto:

i. Additional Permitted Use

A vehicle wrecking or salvage *yard* as defined in Section 2.

ii. Regulations for the Uses permitted in the M2-1 Zone

The regulations in Table Eleven of Section 7 shall apply to the permitted uses in the M2-1 Zone with the exception that a vehicle wrecking or salvage *yard* shall be subject to the following additional regulations:

a. *Outdoor storage*

*Outdoor storage* shall be permitted provided that any storage area is surrounded by a closed fence with a minimum *height* of 3 metres. Further, an *outdoor storage* area shall not be located within any required *yard*.

b. Permitted *dwelling unit*

An accessory *dwelling unit* is permitted within a separate *building* provided said dwelling is not located within an open storage area.

#### 8.3.2.2 M2-2 Zone

a) Notwithstanding any other provision of By-law No.140-2002, as amended, the permitted uses on any lands zoned “M2-2” on Schedule ‘A’ may also include:

i. A pet crematorium.

ii. An accessory *single detached dwelling* for the purpose any lands zoned ‘M2-2’.

A pet crematorium means a facility fitted with appliances for the purpose of cremating household pet and animal remains; but does not include livestock and undomesticated remains.

b) Notwithstanding any other provision of Section 7.7 of By-law No.140- 2002, as amended, the following shall apply to any ‘M2-2’ zone;

i. All operations incidental to a pet crematorium shall be restricted to an internal facility with a maximum *floor area* of 208 m<sup>2</sup>

c) No outside storage shall be permitted.

### 8.3.2.3 M2-3 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned M2-3 on Schedule “A”, the following shall apply:

- i. Permitted uses shall be limited to a *dry industrial use* comprised of a metal bonding facility.
- ii. The metal bonding facility shall be comprised of a preparation *building*, a bonding plant and office *building* and *buildings* and *structures* accessory thereto.
- iii. That maximum *gross floor area* of *buildings* shall be as follows:
  - a) Preparation *building*: 95 square metres
  - b) Bonding plant: 745 square metres
  - c) Office *building*: 115 square metres
- iv. Minimum *lot frontage* of M2-3 Zone shall be 0 metres however direct access from a municipal road allowance is required
- v. Minimum *lot area* of M2-3 Zone: 2.4 hectares
- vi. Minimum setback of all *buildings* and *structures* from a watercourse: 30 metres

### 8.3.2.4 M2-4 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned M2-4 on Schedule “A”, the following shall apply:

1. Additional Permitted Use
  - i. A vehicle wrecking or salvage *yard* as defined in Section 2.
  - ii. A *motor vehicle sales establishment* as defined in Section 2.
2. Regulations for the Uses permitted in the M2-4 Zone

The regulations in Table 11 of Section 7.0 shall apply to the permitted uses in the M2-4 Zone with the exception that the additional permitted uses as set out above shall be subject to the following additional regulations:

- i. *Outdoor storage* for vehicle wrecking or salvage *yard*  
*Outdoor storage* shall be permitted provided that any storage area is surrounded by a closed fence with a minimum *height* of 3 metres. Further, the enclosed *outdoor storage* area shall not be located within any required *yard*.
- ii. *Outdoor storage* of *motor vehicles* that are for sale  
The maximum number of *motor vehicles* for sale that may be displayed outside of an enclosed storage area shall be three (3).
- iii. Permitted *dwelling unit*  
An accessory *dwelling unit* is permitted within a separate *building* provided said dwelling is not located within an *outdoor storage* area.

### **8.3.2.5 M2-5 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned M2-5 on Schedule “A”, the following shall apply:

- i. Permitted uses shall be limited to a *contractor’s yard*.
- ii. Minimum *lot frontage* of M2-5: 41.0 metres
- iii. Minimum *lot area* of M2-5: 1950 square metres

### **8.3.3 Extractive Industrial (EM) Zone**

#### **8.3.3.1 EM-1 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “EM-1” on Schedule ‘A’ hereto:

Regulations for the Uses Permitted in the EM-1 Zone.

The regulations in Table 11 of Section 7.0 hereof shall apply to the permitted uses in the EM-1 Zone and, in addition, the following regulations shall apply:

- i. Notwithstanding the provisions of Table 11 of Section 7 hereof to the contrary, in addition to a permitted gravel pit, nothing shall prevent the establishment in the EM-1 Zone of a conveyor box system used for the transporting of materials derived from a gravel pit provided that such conveyor box system is installed so as to pass under any road allowance located along the route of any such conveyor box system, and further provided that the stockpiling or processing of any aggregate mined within any EM-1 Zone shall not be permitted.
- ii. Notwithstanding any provisions of Table 11 of Section 7 hereof to the contrary, no setbacks shall be required adjacent to a *lot line* which abuts the EM-2 Zone.

#### **8.3.3.2 EM-2 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “EM-2” on Schedule ‘A’ hereto:

Regulations for the Uses Permitted in the EM-2 Zone.

The regulations in Table Eleven of Section 7 shall apply to the permitted uses in the Special EM-2 Zone and, in addition, the following regulations shall apply:

- i. Notwithstanding the provisions of Table 11 of Section 7 hereof to the contrary, the lands zoned “EM-2” shall be used for no purpose other than a gravel pit (exclusive of any processing operation) and an associated conveyor box system provided that the said lands are developed and used in accordance with the following provisions:
  - a. Transporting of mined aggregate:

The only permissible method of transporting the mined aggregate shall be by way of a conveyor box system that shall carry the material from the EM-2 Zone, through the EM-1 Zone, to terminate on the site zoned as EM-1 and located immediately to the northeast of the EM-2 Zone.

b. Processing and stockpiling of mined aggregate:

The stockpiling and processing of any mined aggregate shall be prohibited within the EM-2 Zone and any such mined aggregate shall be carried by way of a conveyor box system to the EM-1 Zone located to the northeast, for stockpiling and processing.

- ii. Notwithstanding the provisions of Table 11 of Section 7 hereof to the contrary, no setback shall be required adjacent to a *lot line* which abuts the EM-1 Zone.

### 8.3.3.3 EM-3 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “EM-3” on Schedule ‘A’ hereto:

i. Required *yards*

- a. Minimum required *front yard*: 30 metres
- b. Minimum required *rear yard*: 15 metres
- c. Minimum required *side yards*:
  - East and west sides 15 metres.
  - North east side *yard* 3 metres.

ii. Location of Gravel Pit

No portion of a gravel pit shall be established or operated within 30 metres of the Eighth Concession Road *street line*, within 15 metres of the northwest and east zone boundaries, nor within 3 metres of the northeast zone boundary.

iii. Screen Planting

The lands within 30 metres of the Eighth Concession Road *street line*, 15 metres of the northwest and east zone boundaries, and within 3 metres of the north east zone boundary shall be used for no other purpose than the planting of grass, shrubs and trees and the *erection* of grassed berms, except that one access road to the gravel pit from the Eighth Concession Road may be permitted.

iv. *Accessory uses* in accordance with Section 4.0.

v. Parking in accordance with Section 5.0.

vi. Definition: For the purposes of this Section the lands zoned EM-3 shall be deemed to be a *lot*.

All other provisions of the Extractive Industrial (EM) Zone not specifically altered by these requirements shall apply within Special Zone Category EM-3.

#### **8.3.3.4 EM-4 Zone**

Notwithstanding any other provisions of this By-law, the lands designated as “EM-4” on Schedule ‘A’ hereto are not required to comply with the minimum *yard* and landscape *buffer strip* provisions in Table 11 of Section 7.0 of this By-law.

All other provisions of the Extractive Industrial (EM) Zone not specifically altered by these requirements shall apply within Special Zone Category EM-4.

#### **8.3.3.5 EM-5 Zone**

Notwithstanding any other provisions of this By-law, the lands designated as “EM-5” on Schedule ‘A’ hereto are not required to comply with the minimum *yard* and landscape *buffer strip* provisions in Table 11 of Section 7.0 of this By-law.

All other provisions of the Extractive Industrial (EM) Zone not specifically altered by these requirements shall apply within Special Zone Category EM-5.

#### **8.3.3.6 EM-6 Zone**

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated “EM-6” on Schedule “A” hereto may include a temporary concrete and asphalt plant. All other provisions of the Extractive Industrial (EM) Zone not specifically altered by these requirements shall apply within the Special Zone Category EM-6.

#### **8.3.3.7 EM-7 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned EM-7 on Schedule “A”, the following shall apply:

- i. In addition to the uses permitted in the Extractive Industrial (EM) Zone the following uses shall be permitted:
  - a) *Accessory buildings and structures* for storage of products and supplies related to the uses permitted on the adjacent lands zoned M2-3 and such *buildings and structures* shall have a maximum total *gross floor area* of 25 square metres.

#### **8.3.3.8 EM-8 Zone**

Notwithstanding any other provisions of this By-law to the contrary, the lands designated as EM-8 on Schedule ‘A’ hereto are not required to comply with the minimum *lot frontage*, minimum *yard* and landscape *buffer strip* provisions in Table Twelve of Section 7 of this By-law.

All other provisions of the Extractive Industrial (EM) Zone not specifically altered by these requirements shall apply within Special Category EM-8.

## 8.4 Rural and Agricultural Exception Zones

### 8.4.1 Rural (RU) Zone

#### 8.4.1.1 RU-1 Zone

Notwithstanding any other provisions of this By-law, the minimum required *lot area* for the lands designated as “RU-1” on the Maps comprising Schedule “A” hereto is 1.2 hectares, and the minimum required *lot frontage* is 45 metres. All other provisions of the Rural (RU) Zone not specifically altered by this requirement shall apply within Special Zone Category RU-1.

#### 8.4.1.2 RU-2 Zone

Notwithstanding any other provisions of this By-law, in addition to the other permitted uses in the RU Zone the permitted uses of the lands designated as “RU-2” on Schedule “A” to this By-law may include a *kennel* in accordance with the pertaining standards outlined in Table 12 of Section 7.0 for uses in the Rural Zone.

#### 8.4.1.3 RU-3 Zone

Notwithstanding any other provisions of this By-law, the permitted use of the lands designated “RU-3” on Schedule “A” to this By-law may include only a spa treatment facility and *accessory uses* including a *residential use, home occupation and parking areas* in accordance with the pertaining standards outlined in Table 12 of Section 7.0 for uses in the Rural Zone, with the exception that the *lot area* and frontage shall be that *existing* on December 1, 2002.

#### 8.4.1.4 RU-4 Zone

Notwithstanding any other provisions of this By-law, the permitted use of the lands designated “RU-4” on Schedule “A” to this By-law may include a maximum of four billboard type signs in addition to the other permitted uses in the Rural (RU) Zone. All other provisions of the Rural (RU) Zone not specifically altered by this requirement shall apply to Special Zone Category RU-4.

#### 8.4.1.5 RU-5 Zone

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned ‘RU-5’ on Schedule ‘A’:

- i. The *existing* barn shall be used only for dry storage and not for the keeping of or housing of livestock;
- ii. The minimum *lot area* shall be 8 hectares; and
- iii. The minimum *lot frontage* shall be 60 metres.

#### **8.4.1.6 RU-6 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-6' on Schedule 'A':

- i. The *existing* barn shall be used only for dry storage and not for the keeping of or housing of livestock;
- ii. The minimum *lot area* shall be 1.4 hectares; and,
- iii. The minimum *lot frontage* shall be 60 metres.

#### **8.4.1.7 RU-7 Zone**

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 7 (RU-7) Zone the following provisions shall apply:

- i. Minimum *lot frontage*: 60 metres

#### **8.4.1.8 RU-8 Zone**

Notwithstanding any other provisions of this By-law to the contrary, within the Rural Exception No. 8 (RU-8) Zone the following provisions shall apply:

- i. Minimum setback from southern boundary of RU-8 Zone: 100 metres

#### **8.4.1.9 RU-9 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-9' on Schedule 'A':

- i. In addition to the uses permitted in the Rural (RU) Zone, a chiropractic clinic shall also be permitted;
- ii. The chiropractic clinic shall be permitted in the *building existing* as of January 1, 2004;
- iii. The minimum *lot area* shall be 0.7 hectares; and,
- iv. The minimum number of on-site *parking spaces* shall be 12.

#### **8.4.1.10 RU-10 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-10' on Schedule 'A':

- i. The minimum *lot area* shall be 7.5 hectares; and,
- ii. The minimum *lot frontage* shall be 80 metres.

#### **8.4.1.11 RU-11 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-11' on Schedule 'A':

- i. In addition to the use permitted in the Rural (RU) Zone, a *motor vehicle repair shop* and sales establishment shall be permitted;
- ii. The minimum *lot area* shall be 3 hectares; and,
- iii. The minimum *lot frontage* shall be 75 metres.

#### **8.4.1.12 RU-12 Zone**

Notwithstanding the uses and provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-12' on Schedule 'A' the following provisions shall apply:

- i. The keeping of livestock shall be prohibited.
- ii. Minimum *lot area*: 1.2 hectares
- iii. Minimum *lot frontage*: 45 metres

#### **8.4.1.13 RU-13 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary and in addition to the permitted uses of the Rural (RU) Zone, for lands designated 'RU-13' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 2.4 hectares
- ii. Minimum *lot frontage*: 45 metres
- iii. A *kennel* shall be permitted, subject to all applicable municipal regulations.

#### **8.4.1.14 RU-14 Zone**

In addition to the permitted uses of the Rural (RU) Zone, for lands designated 'RU-14' on Schedule 'A' the following provisions shall apply:

- i. A *kennel* shall be permitted, subject to all applicable municipal regulations.

#### **8.4.1.15 RU-15 Zone**

Notwithstanding the minimum *lot area* requirement of the Rural (RU) Zone to the contrary, for lands designated 'RU-15' on Schedule 'A' the minimum *lot area* requirement shall be 5 hectares.

#### **8.4.1.16 RU-16 Zone (By-law 313-2005)**

Notwithstanding the minimum *lot area* requirement of the Rural (RU) Zone to the contrary, within the Rural Exception No. 16 (RU-16) as shown on Schedule 'A' the minimum *lot area* shall be 9 hectares.

### **RU-16 Zone (By-law 383-2006)**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-16' on Schedule 'A' the following provisions shall apply:

- i. Minimum western side *yard*: 225 metres (738 feet)

#### **8.4.1.17 RU-17 Zone**

Notwithstanding the minimum *lot frontage* and minimum *lot area* requirements of the Rural (RU) Zone to the contrary, within the Rural Exception No. 17 (RU-17) as shown on Schedule 'A' the following shall apply:

- i. Minimum *lot frontage*: 45 metres
- ii. Minimum *lot area*: 7 hectares

#### **8.4.1.18 RU-18 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-18' on Schedule 'A':

- i. No new uses or *building* or *structures* shall be permitted prior to the removal of the Holding Symbol (-H) from the zoning; and
- ii. Removal of the Holding Symbol (-H) shall only be considered upon receipt of confirmation that the site has been assessed and decommissioned in accordance with the Ontario Liquid Fuels Handling Code to the satisfaction of the Ministry of the Environment, in accordance with the Ontario Environmental Protection Act and / or the Ontario Water Resources Act and to the satisfaction of the Municipality.

#### **8.4.1.19 RU-19 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-19' on Schedule 'A' the following provisions shall apply:

- i. Minimum western side *yard*: 225 metres (738 feet)

#### **8.4.1.20 RU-20 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-20' on Schedule 'A':

- i. The only permitted uses shall be a *retirement home*, including uses, *buildings* and *structures* accessory thereto.

#### **8.4.1.21 RU-21 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-21' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 1.8 hectares
- ii. Minimum *lot frontage*: 80 metres
- iii. Minimum *rear yard* for a barn: 7 metres

#### **8.4.1.22 RU- 22 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for the lands designated 'RU-22' on Schedule 'A' the following provisions shall apply:

- i. A dog *kennel* is a permitted use.
- ii. A *kennel* shall be setback a minimum of 55 meters from the *front lot line*.
- iii. The maximum number of dogs, including adults and puppies, in a *kennel* shall be 24.
- iv. A commercial boarding *kennel* shall not be permitted.

#### **8.4.1.23 RU-23 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for the lands designated 'RU-23' on Schedule 'A' the following provisions shall apply:

- i. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot area*.

#### **8.4.1.24 RU- 24 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-24' on Schedule 'A' the following provisions shall apply:

- i. The maximum number of livestock that may be permitted shall be the equivalent of ten (10) animal units.

#### **8.4.1.25 RU- 25 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-25' on Schedule 'A' the following provisions shall apply:

- i. The maximum number of livestock that may be permitted shall be the equivalent of ten (10) animal units.
- ii. The minimum side *yard* setback from the eastern property line where it abuts the adjacent municipal property on which the Brighton Municipal Water Supply Wells and treatment / storage facility is situated shall be 100 meters.

#### **8.4.1.26 RU- 26 Zone**

Notwithstanding the provisions of the rural (RU) Zone to the contrary, for lands designated 'RU-26' on Schedule 'A' the following provisions shall apply:

- i. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot area*.

#### **8.4.1.27 RU-27 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-27' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 3.6 hectares

#### **8.4.1.28 RU-28 Zone (By-law 497-2008)**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-28' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 3.5 hectares
- ii. The minimum setback for *residential uses* from southeast corner of the *lot* shall be 200 metres.

#### **RU-28 Zone (By-law 482-2007)**

Notwithstanding the provisions of the Rural Exception No.1 (RU) Zone to the contrary, for lands designated 'RU-28' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 120 metres
- ii. Minimum *lot area*: 2.3 hectares
- iii. Minimum *front yard* setback: 120 metres

#### **8.4.1.29 RU-29 Zone**

Notwithstanding the provisions of the Rural Exception No. 1 (RU) Zone to the contrary, for lands designated 'RU-29' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 60 metres
- ii. Minimum *lot area*: 1.2 hectares
- iii. Minimum *front yard* setback: 120 metres

#### **8.4.1.30 RU-30 Zone**

Notwithstanding the provisions of the Rural Exception No. 1 (RU) Zone to the contrary, for lands designated 'RU-30' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 150 metres
- ii. Minimum *lot area*: 3 hectares
- iii. Minimum *front yard setback*: 120 metres
- iv. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.4.1.31 RU-31 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-31' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 45.0 metres
- ii. Minimum *lot area*: 7.5 hectares

#### **8.4.1.32 RU-32 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-32' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 4.25 hectares

#### **8.4.1.33 RU-33 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-33' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 65 metres

#### **8.4.1.34 RU-34 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-34' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 63 metres

#### **8.4.1.35 RU-35 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-35' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 8.0 hectares

#### **8.4.1.36 RU-36 Zone**

Part of Lot 25, Concession A (added by By-law 064-2010, amended by By-law 011-2014).

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-36' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 6.5 hectares

#### **8.4.1.37 RU-37 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-37' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 2.2 hectares
- ii. The maximum number of livestock that may be permitted shall be the equivalent of five (5) animal units.

#### **8.4.1.38 RU-38 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-38' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot area*: 3 hectares
- ii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot area*.

#### **8.4.1.39 RU-39 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-39' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 70 metres
- ii. Minimum *lot area*: 1.3 hectares
- iii. Maximum number of livestock that may be permitted shall be the equivalent of three (3) animal units.

#### **8.4.1.40 RU-40 Zone**

Civic address of 154 Simpson Street.

#### **8.4.1.41 RU-41 Zone**

Notwithstanding the provisions of the Rural (RU) Zone to the contrary, for lands designated 'RU-41' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 60 metres

**8.4.1.42 RU-42 Zone: Reserved**

**8.4.1.43 RU-43 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated 'RU-43' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage* - 0 metres provided the lot abuts and access is available from Brooks Crescent.

**8.4.1.44 RU-44 Zone**

Telephone Road – Schmoll under appeal to OMB

Notwithstanding any provisions of this By-law to the contrary, for lands designated 'RU-44' on Schedule 'A' the following provisions shall apply:

- i. Minimum *lot frontage*: 45 metres

**8.4.1.45 RU-45 Zone (By-law 066-2015)**

Notwithstanding any other provision as set out in Section 7.8 of By-law No. 140-2002 as they apply to the Rural (RU) Zone; the following shall apply to any Rural Exception No. 45 (RU-45) Zone:

- i. Minimum *lot frontage*: 72 metres
- ii. Minimum *lot area*: 9 hectares

**RU-45 Zone (By-law 092-2012)**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RU-45' on Schedule 'A', the following shall apply:

- i. *Residential uses* shall not be permitted.

**8.4.1.46 RU-46 Zone (By-law 049-2013)**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RU-46' on Schedule 'A', the following shall apply:

- i. *Residential uses* shall not be permitted
- ii. *Buildings and structures* shall not be permitted

### **RU- 46 Zone (By-law 076-2015)**

Notwithstanding any other provision of this By-law to the contrary as they apply to the Rural (RU) Zone; the following shall apply to any Rural Exception No. 46 (RU-46) Zone:

- i. Minimum *lot frontage*: 1100.0 metres
- ii. Minimum *lot area*: 22.0 hectares

That notwithstanding any other provision of this By-law, as amended, where any portion of a *lot* is zoned Environmental Protection (EP), then such part may be included in any minimum *lot area* and *lot frontage* determination.

#### **8.4.1.47 RU-47 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RU-47' on Schedule 'A' the following shall apply:

- i. *Residential uses* shall not be permitted
- ii. Minimum *lot frontage*: 75 metres

#### **8.4.1.48 RU-48 Zone**

Notwithstanding any provisions of this By-law to the contrary, on lands zoned 'RU-48' on Schedule 'A', the following shall apply:

- i. Minimum *lot frontage*: 250 metres
- ii. Minimum *lot area*: 6.4 hectares
- iii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.4.1.49 RU-49 Zone: Reserved**

#### **8.4.1.50 RU-50 Zone: Reserved**

#### **8.4.1.51 RU-51 Zone**

Notwithstanding any other provision as set out in Section 6.5 and 7.8 of By-law No. 140-2002 as amended, as they apply to the Rural (RU) Zone; the following shall apply to any Rural Exception No. 51 (RU-51) Zone;

##### Permitted Uses

- i. Uses permitted on lands zoned Rural Exception No. 51 (RU-51)  
Zone shall be restricted to:
  - a. *Agricultural uses* save and except for any *buildings* and / or *structures*.
  - b. A communications tower *existing* as of the date of the passing of this By-law

- ii. Standards
  - a. Minimum *lot area*: 3.5 ha
  - b. The provisions of Section 4.21 shall not apply.

#### **8.4.1.52 RU-52 Zone**

Notwithstanding any other provision as set out in Sections 4.24.1 and 7.8 of By-law No. 140-2002, as amended, as they apply to the Rural (RU) Zone; the following shall apply to any Rural Exception No. 52 (RU-52) Zone:

- i. Minimum *lot area*: 4.5 hectares
- ii. Minimum *lot frontage*: 70 metres
- iii. Minimum side *lot line* 4.2 metres for any principle *building existing* as of the date of this By-law.
- iv. Minimum side *lot line* 0.0 metres for any *accessory building or structure existing* as of the date of the passing of this By-law.

#### **8.4.1.53 RU-53**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned 'RU-53' on Schedule 'A':

- i. The minimum *front yard* setback shall be: 2.7 metres

### **8.4.2 Agricultural (A) Zone**

#### **8.4.2.1 A-1 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *lot area* for the lands designated as "A-1" on the Maps comprising Schedule "A" hereto is 10 hectares, and the minimum required *lot frontage* is 90 metres. All other provisions of the Agricultural (A) Zone not specifically altered by this requirement shall apply within Special Zone Category A-1.

#### **8.4.2.2 A-2 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *lot area* for the lands designated as "A-2" on the Maps comprising Schedule "A" hereto is 1.2 hectares, and the minimum required *lot frontage* is 45 metres. All other provisions of the Agricultural (A) Zone not specifically altered by this requirement shall apply within Special Zone Category A-2.

#### **8.4.2.3 A-3 Zone**

Notwithstanding any other provisions of this By-law, one billboard type sign with the maximum dimensions of 2.4 metres by 3.7 metres may be permitted in an “A-3” Zone on Schedule “A” provided that the billboard is located 100 metres from any property line.

#### **8.4.2.4 A-4 Zone**

Notwithstanding any other provisions of this By-law, the following standards shall apply to the lands in the “A-4” Zone on Schedule “A” instead of the requirements for *lot frontage* in Table Twelve of Section 7.0 and as an additional setback:

- i. Minimum *lot frontage* 67 metres.
- ii. The keeping of livestock in a confined area such as a feedlot, barn *yard* or paddock will not be permitted within 91 metres of the south *lot line*.

#### **8.4.2.5 A-5 Zone**

Notwithstanding any other provisions of this By-law, the total number of livestock units permitted in the “A-5” Zone on Schedule “A” shall be eight calculated according to Appendix A of this By-law. In addition, the minimum *lot* size shall be 1.2 hectares and the minimum *lot frontage* 45 metres. All other provisions of the Agricultural Zone not specifically altered by this requirement shall apply within Special Zone category A-5.

#### **8.4.2.6 A-6 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned A-6 on Schedule “A”:

- i. Minimum *lot frontage*: 35 metres
- ii. Minimum *lot area*: 18 hectares

#### **8.4.2.7 A-7 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “A-7” on Schedule “A”:

- i. Minimum *lot area*: 29 hectares

#### **8.4.2.8 A-8 Zone (By-law 229-2004)**

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 8 (A-8) Zone, on Schedule “A” the following provisions shall apply:

- i. Minimum *lot area*: 10 hectares
- ii. Minimum *lot frontage*: 90 metres

- iii. The minimum *exterior side yard* setback for an *accessory building* located in the *front yard* shall be 1.2 metres, provided the *ground floor area* of such *accessory building* is no greater than 82 square metres.

#### **A-8 Zone (By-law 305-2005)**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 8 (A-8) Zone the following shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot frontage*: 90 metres
- iii. Minimum *lot area*: 30.0 hectares

#### **8.4.2.9 A-9 Zone**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 9 (A-9) Zone the following shall apply:

- i. Minimum *lot area*: 6.4 hectares.
- ii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.4.2.10 A-10 Zone**

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary, for lands designated “A-10” on Schedule “A” the following provisions shall apply:

- i. Minimum *lot frontage*: 95 metres (amended by By-law 057-2012)
- ii. Minimum *lot area*: 7.5 hectares (amended by By-law 057-2012)
- iii. Lands zoned Environmental Protection (EP) on the same *lot* may be included in the calculation of the minimum *lot frontage* and minimum *lot area*.

#### **8.4.2.11 A-11 Zone**

Notwithstanding the provisions of the Agricultural (A) Zone to the contrary, for lands designated “A-11” on Schedule “A” the following provisions shall apply:

- i. Minimum *lot frontage*: 155 metres

#### **8.4.2.12 A-12 Zone (By-law 360-2006)**

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 12 (A-12) Zone the following provisions shall apply:

- i. Minimum *lot area*: 20 hectares (49.5 acres)

#### **A-12 Zone (By-law 339-2005)**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “A-12” on Schedule “A”:

- i. Minimum *lot area*: 4.7 hectares

#### **8.4.2.13 A-13 Zone**

Notwithstanding any other provisions of this By-law to the contrary, within the Agricultural Exception No. 13 (A-13) Zone the following provisions shall apply:

- i. Minimum *lot area*: 26 hectares (64 acres)
- ii. Lands zoned Future Development (FD) on the same *lot*, may be included in the calculation of minimum *lot area*.

#### **8.4.2.14 A-14 Zone**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 14 (A-14) Zone the following shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 7 hectares

#### **8.4.2.15 A-15 Zone**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 15 (A-15) Zone the following shall apply:

- i. Minimum *lot frontage*: 200 metres
- ii. Minimum *lot area*: 4 hectares

#### **8.4.2.16 A-16 Zone**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 16 (A-16) Zone the following shall apply:

- i. *Residential uses* shall not be permitted.

#### **8.4.2.17 A-17 Zone**

Notwithstanding any provisions of the Agricultural (A) Zone to the contrary, within the Agricultural Exception No. 17 (A-17) Zone the following shall apply:

- ii. *Residential uses* shall not be permitted.

#### **8.4.2.18 A-18 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-18” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 16 hectares

#### **8.4.2.19 A-19 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-19” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 10 hectares

#### **8.4.2.20 A-20 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-20” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted
- ii. Minimum *lot area*: 15 hectares

#### **8.4.2.21 A-21 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-21” on Schedule “A” the following provisions shall apply:

- i. Minimum *lot area*: 1 hectare
- ii. Maximum number of livestock that may be permitted shall be the equivalent of five (5) animal units.

#### **8.4.2.22 A-22 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-22” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 34 hectares

#### **8.4.2.23 A-23 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-23” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 26 hectares

#### **8.4.2.24 A-24 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-24” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 20 hectares

#### **8.4.2.25 A-25 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-25” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 5 hectares

#### **8.4.2.26 A-26 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-26” on Schedule “A” the following provisions shall apply:

- i. *Separation distance* from barns located to the west 95 metres.
- ii. Minimum *lot area*: 12 hectares

#### **8.4.2.27 A-27 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-27” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 12 hectares
- iii. Minimum *lot frontage*: 175 metres

#### **8.4.2.28 A-28 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-28” on Schedule “A” the following provisions shall apply:

- i. *Existing* barns and out *buildings* shall be used only for dry storage and not for the keeping of or housing of livestock.
- ii. Minimum *lot area*: 2.8 hectares
- iii. Minimum *lot frontage*: 180 metres

#### **8.4.2.29 A-29 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-29” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 16 hectares

#### **8.4.2.30 A-30 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-30” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 8 hectares
- iii. *Existing* barns and out *buildings* shall be used only for dry storage and not for the keeping of or housing of livestock.

#### **8.4.2.31 A-31 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-31” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 19 hectares

#### **8.4.2.32 A-32 Zone**

Notwithstanding any provisions of this By-law to the contrary, for lands designated “A-32” on Schedule “A” the following provisions shall apply:

- i. *Residential uses* shall not be permitted.
- ii. Minimum *lot area*: 39 hectares

#### **8.4.2.33 A-33 Zone**

Notwithstanding any other provision of this By-law to the contrary, on lands zoned ‘A-33 Zone’ on Schedule ‘A’ the following provisions shall apply:

- i. *Residential uses* and *accessory uses* thereto shall not be permitted.
- ii. Minimum *lot area*: 35 hectares

#### **8.4.2.34 A-34 Zone**

Notwithstanding any other provision of this By-law to the contrary, on lands zoned ‘A-34 Zone’ on Schedule ‘A’ the following provisions shall apply:

- i. Minimum *lot frontage* (Broken) shall be 280 metres
- ii. *Residential uses* and *accessory uses* thereto shall not be permitted.
- iii. All other provisions of the ‘Agricultural (A) Zone’ not specifically altered by these provisions shall apply.

## **8.5 Open Space, Community Facility and Environmental Zones**

### **8.5.1 Open Space (OS) Zone**

#### **8.5.1.1 OS-1 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “OS-1” on Schedule “A”:

- i. The only permitted use shall be a *cemetery* use.
- ii. *Buildings* and *structures* for the permitted use shall be permitted.
- iii. *Buildings* and *structures* accessory to the permitted use shall also be permitted.

### **8.5.2 Community Facility (CF) Zone**

#### **8.5.2.1 CF-1 Zone**

Notwithstanding any other provisions of this By-law, the minimum required *interior side yard* for the lands designated as “CF-1” on Schedule “A” hereto is 2.2 metres. All other provisions of the Community Facility (CF) Zone not specifically altered by this requirement shall apply within Special Zone Category CF-1.

#### **8.5.2.2 CF-2 Zone**

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as “CF-2” on Schedule “A” hereto:

- i. Additional permitted use: A *cemetery*
- ii. Minimum *lot area*: 0.4 hectares
- iii. Minimum *lot frontage*: 30 metres
- iv. Minimum required *front yard*: 14 metres
- v. Minimum required *exterior side yard*: 14 metres
- vi. Minimum *interior side yard*: 7.5 metres
- vii. Maximum *height* of a *building* or *structure*: 11 metres

All other provisions of the Community Facility (CF) Zone not specifically altered by these requirements shall apply within Special Zone Category CF-2.

### 8.5.2.3 CF-3 Zone

Notwithstanding any other provisions of this By-law, the permitted uses of the lands designated “CF-3” on Schedule “A” hereto may include a public waste disposal site provided that all waste disposal areas shall be set back a minimum of 15 metres from any zone or property boundary.

### 8.5.2.4 CF-4 Zone

Notwithstanding any other provisions of this By-law, the following provisions apply to the lands designated as ‘CF-4’ on Schedule ‘A’ hereto:

i. Permitted Uses

The following permitted uses only:

- a. A penal institution use; and
- ii. *Accessory uses* thereto. Permitted *Buildings and Structures*
  - a. *Buildings and structures* for the permitted uses; and
  - b. *Accessory buildings and structures*.

All other provisions of the Community Facility (CF) Zone not specifically altered by these requirements shall apply within Special Zone Category CF-4.

### 8.5.2.5 CF-5 Zone

Notwithstanding any other provisions of this By-law, in addition to the other permitted uses the permitted use of the lands designated “CF-5” on Schedule “A” may include a transmission tower and the standards in Table 13 of Section 7 shall not be applicable to the tower use.

### 8.5.2.6 CF-6 Zone

Notwithstanding any provisions of this By-law to the contrary, on lands zoned “CF-6” on Schedule “A”, a historic *cemetery* is recognized as a permitted use. This property may be used for passive open space uses in keeping with the nature of the property as a *Cemetery*.

### 8.5.2.7 CF-7 Zone

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, for lands designated “CF-7” on Schedule “A” the following provisions shall apply:

- i. The only permitted uses shall be a *place of worship* and uses accessory thereto.
- ii. Minimum *lot area*: 1.35 hectares
- iii. Minimum *lot frontage*: 105 metres

### **8.5.2.8 CF-8 Zone**

Notwithstanding the provisions of the Community Facility (CF) Zone to the contrary, for lands designated “CF-8” on Schedule “A” the following provisions shall apply”

- i. The only permitted uses shall be a *place of worship* and uses accessory thereto.
- ii. Minimum *lot area*: 1.2 hectares
- iii. Minimum *lot frontage* (measured along Lisgar Street): 135 metres

### **8.5.3 Environmental Protection (EP) Zone**

#### **8.5.3.1 EP-1 Zone**

On the lands designated as “EP-1” on the Maps comprising Schedule “A” hereto, the only permitted uses are:

- i. Conservation area, including nature study and wildlife areas.
- ii. A public or private park.

All provisions of the Environmental Protection (EP) Zone which are not specifically altered by these provisions shall apply within Special Zone Category EP-1.

#### **8.5.3.2 EP-2 Zone**

On the lands designated as “EP-2” on the Maps comprising Schedule “A” hereto, the only permitted uses, *buildings* and *structures* are those *existing* as of the date of passing of this By-law.

All provisions of the Environmental Protection (EP) Zone which are not specifically altered by this provision shall apply within Special Zone Category EP-2.

#### **8.5.3.3 EP-3 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “EP-3” on Schedule “A”:

- i. The only permitted use shall be two (2) *existing* cabin sites for seasonal use. For the purposes of the EP-3 Zone “seasonal” shall be defined as occupancy and use from May 1 to November 1 in a calendar year.
- ii. The only permitted *buildings* and *structures* shall be two *existing* private cabins and *buildings* and *structures* accessory and incidental thereto as *existing* on May 17, 2004.
- iii. The *ground floor area* of the *existing* private cabins shall not be increased.
- iv. Maximum *height* of a cabin: one (1) story.
- v. Each cabin shall be serviced with an individual well.
- vi. Each cabin shall be serviced with an individual sewage system as approved by the appropriate regulatory authority.

#### **8.5.3.4 EP-4 Zone**

Notwithstanding any provisions of this By-law to the contrary, the following provisions shall apply to lands zoned “EP-4” on Schedule “A”:

- i. The only permitted use shall be three (3) *existing* cabin sites for seasonal use. For the purposes of the EP-4 Zone “seasonal” shall be defined as occupancy and use from May 1 to November 1 in a calendar year.
- ii. The only permitted *buildings* and *structures* shall be three *existing* private cabins and *buildings* and *structures* accessory and incidental thereto as *existing* on May 17, 2004.
- iii. The *ground floor area* of the *existing* private cabins shall not be increased.
- iv. Maximum *height* of a cabin: one (1) story.
- v. Each cabin shall be serviced with an individual well.
- vi. Each cabin shall be serviced with an individual sewage system as approved by the appropriate regulatory authority.

#### **8.5.3.5 EP-5 Zone**

Notwithstanding any provisions of Section 6.6 of this By-law, the following provisions apply to lands zoned as ‘EP-5’ on Schedule ‘A’ attached hereto:

- i. Permitted Uses

Uses shall be limited to *conservation uses* and nature study.

#### **8.5.3.6 EP-6 Zone**

On lands zoned ‘Environmental Protection Exception No. Six (EP-6) Zone’ the only permitted uses, *buildings* and *structures* are those *existing* as of the date of the passing of this By-law and a *driveway* as required for access.

## **9.0 Enactment**

This By-law read a first, second and third and finally passed this 16<sup>th</sup> day of December, 2002 and given By-law No. 140-2002.

Originally Signed by Lou Rinaldi

Mayor

Originally Signed by Donald O'Neill

Clerk

## Land Use Schedules

## Appendices

The text and drawings and diagrams on the following pages are provided to assist the reader in the interpretation and application of a number of definitions and defined terms in this By-law.

These appendices are for information and illustration only, and do not form part of the statutory provisions of this By-law.

Appendix A Minimum Distance Separation Criteria (MDS I)

Appendix B Minimum Distance Separation Criteria (MDS II)

Appendix C Lot line descriptions

Appendix D Illustration of dwelling types

Appendix E How to calculate the height of buildings and structures

Appendix F How to determine the location of a building line

Appendix G Yard and lot line definitions on a corner lot with parallel lot lines

Appendix H Yard and lot line definitions on a corner lot with curved lot lines

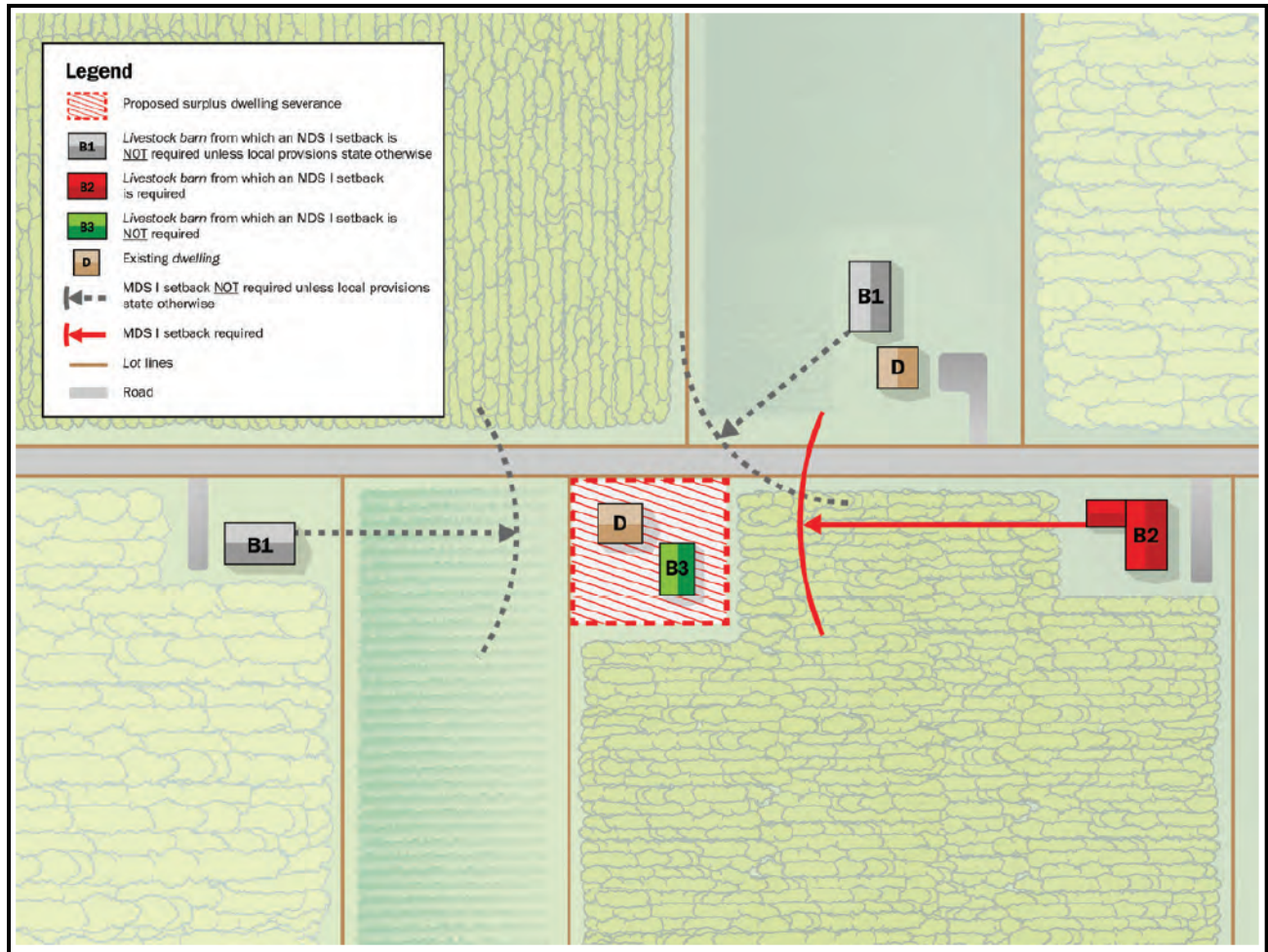
Appendix I Yard and lot line definitions on an irregular lot with no parallel lot lines

Appendix J Yard and lot line definitions on an irregular lot with no rear lot line

Appendix K Yard and lot line definitions on an interior lot abutting a lane

## Appendix A.

### Minimum Distance Separation Criteria (MDS 1)



Implementation Guideline #9 — MDS 1 setbacks and lot creation for a residence surplus to a farming operation.

An MDS 1 setback is required from the red livestock barn (B2) for the proposed surplus dwelling severance, but not from either of the two grey livestock barns (B1), unless local provisions state otherwise. This is because those two (2) grey livestock barns (B1) are already on separate lots from the subject dwelling proposed to be severed and therefore a potential odour conflict already exists. The creation of the surplus dwelling lot only results in a new potential odour conflict with the red livestock barn (B2) as it is on the same lot as the subject dwelling **PRIOR** to the consent being approved and will be on a separate lot **after** the consent is approved. In accordance with Implementation Guideline #14, there is no MDS 1 setback required from the green livestock barn (B3), as it will remain on the same Lot as the subject dwelling proposed to be severed.

## Appendix B. Minimum Distance Separation Criteria (MDS 2)

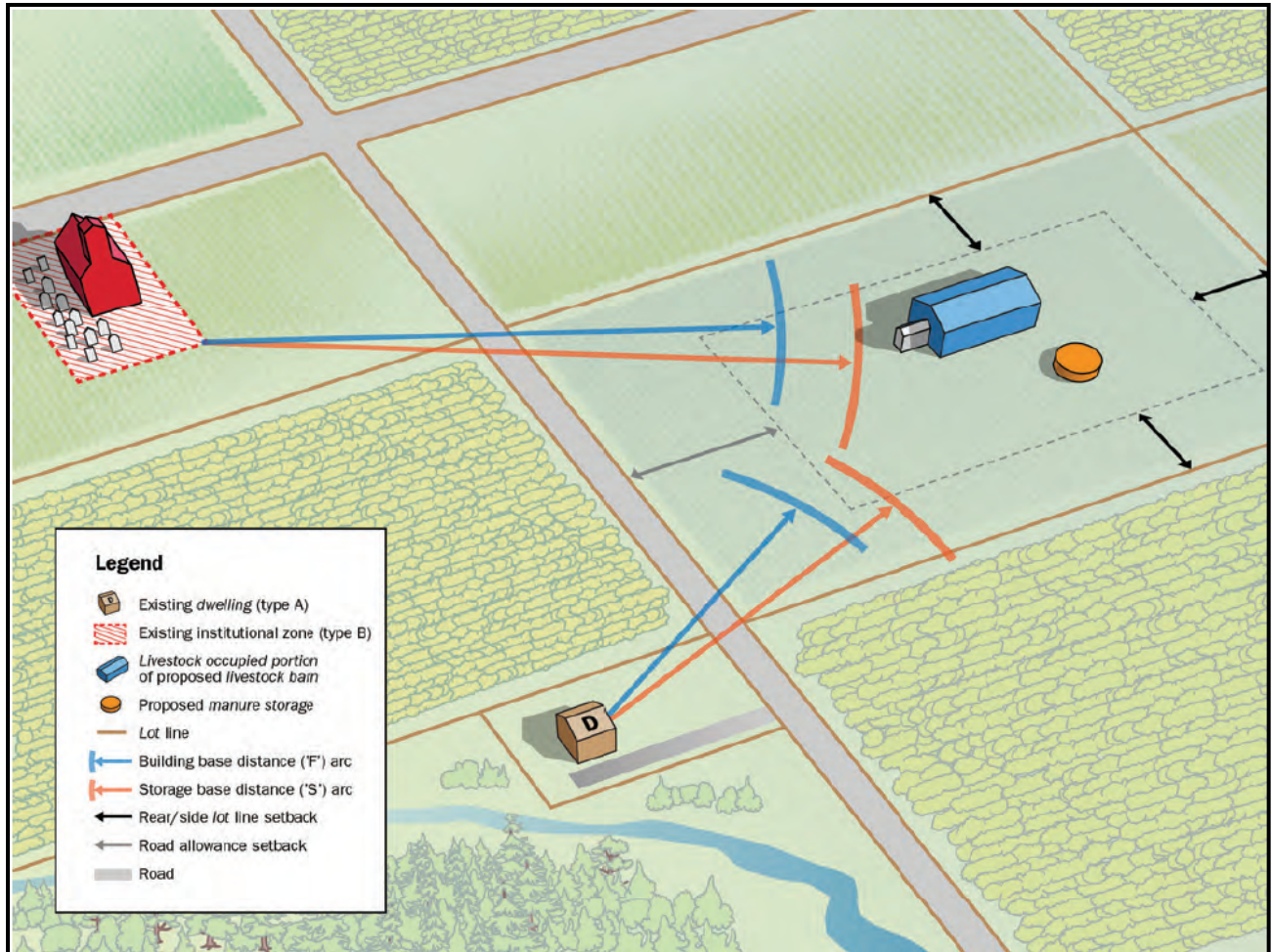
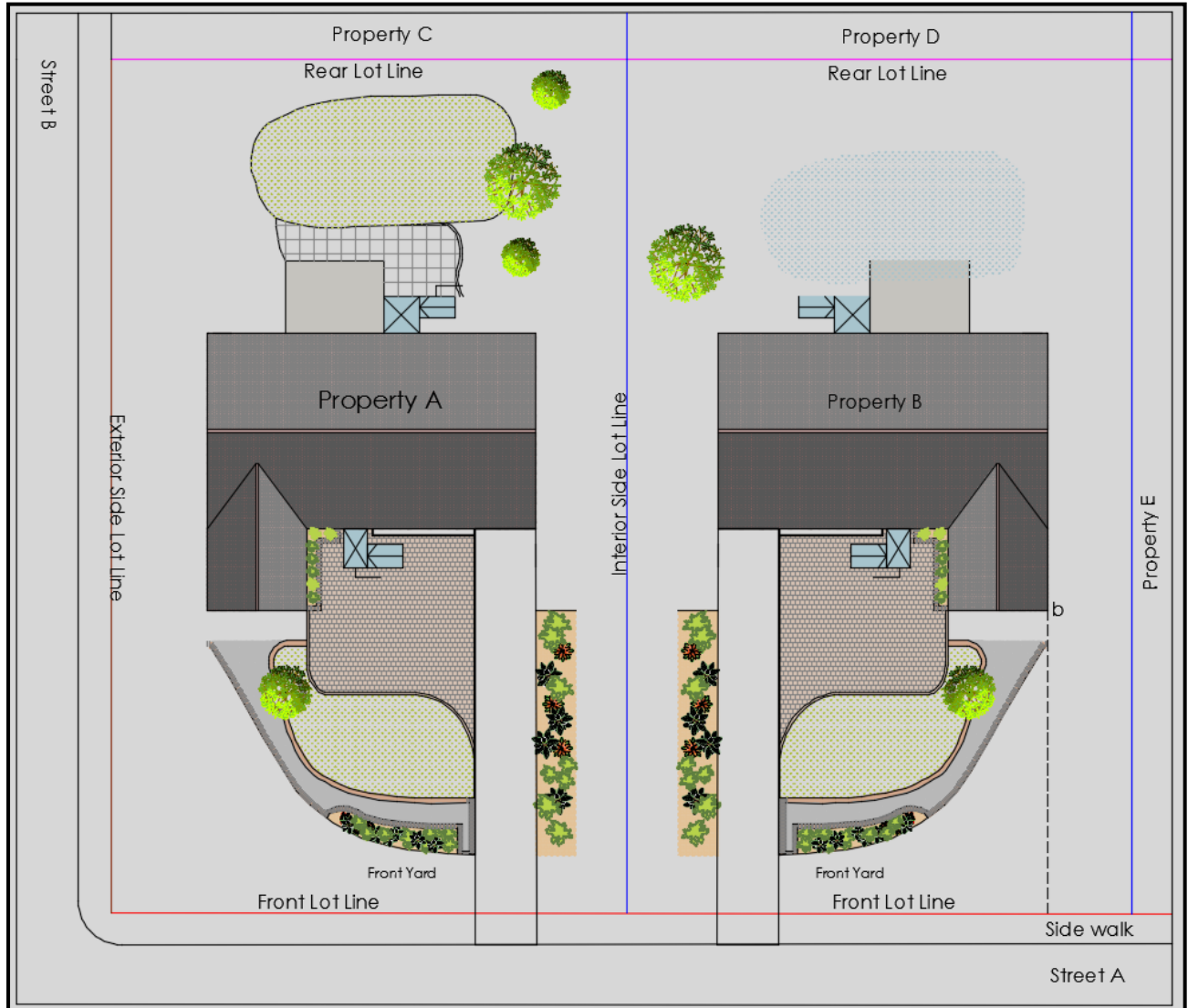


Figure 8. Implementation Guideline #40 — measurement of MDS 2 setbacks for development and dwellings.

This figure shows MDS 2 setbacks for a first livestock facility near an Existing Non-Agricultural Use (i.e., institutional zone) and dwelling.

NOTE: The MDS 2 setbacks are measured from the shortest distance between the points of new construction for the livestock occupied portion of the livestock barn and manure storage, and the Existing non-Agricultural Use and dwelling.

## Appendix C. Lot Line Descriptions

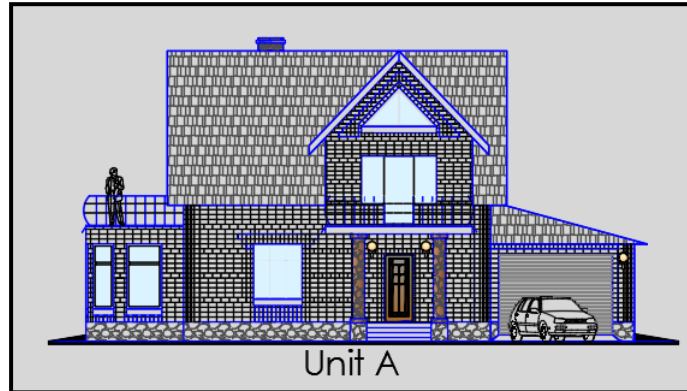


Note: This appendix is to be used for illustration purposes only and does not form part of the By-law

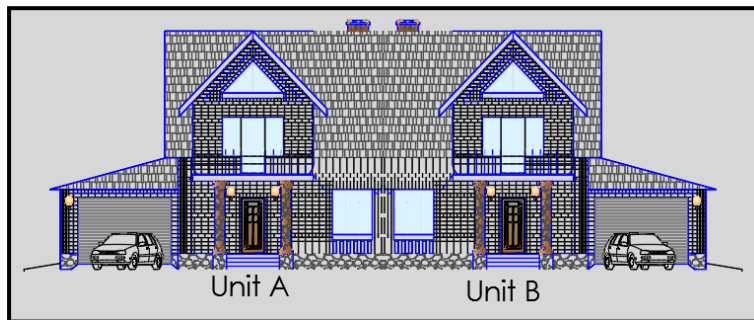
## Appendix D.

**Illustration of Dwelling Types** - Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.

### Single Dwelling



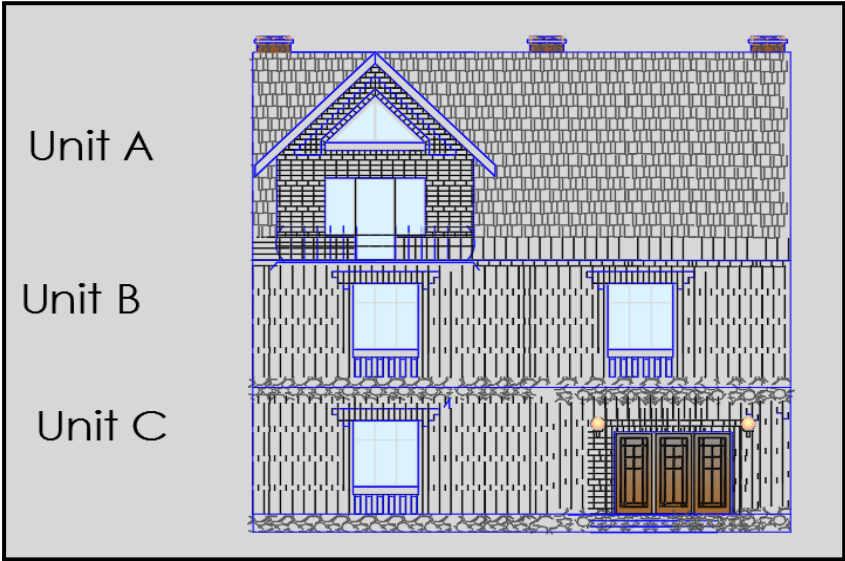
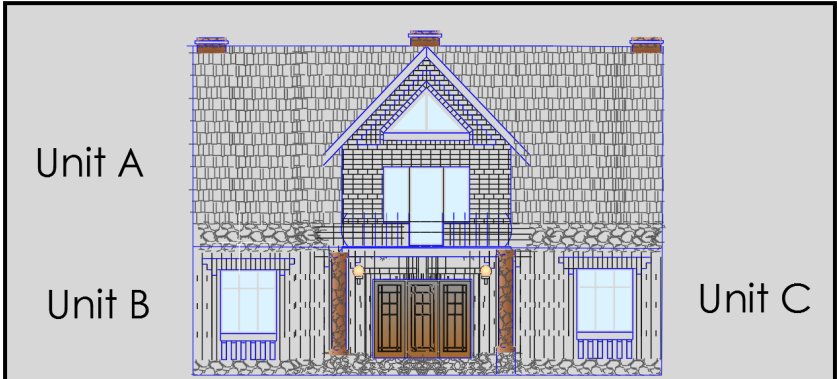
### Semi- Detached



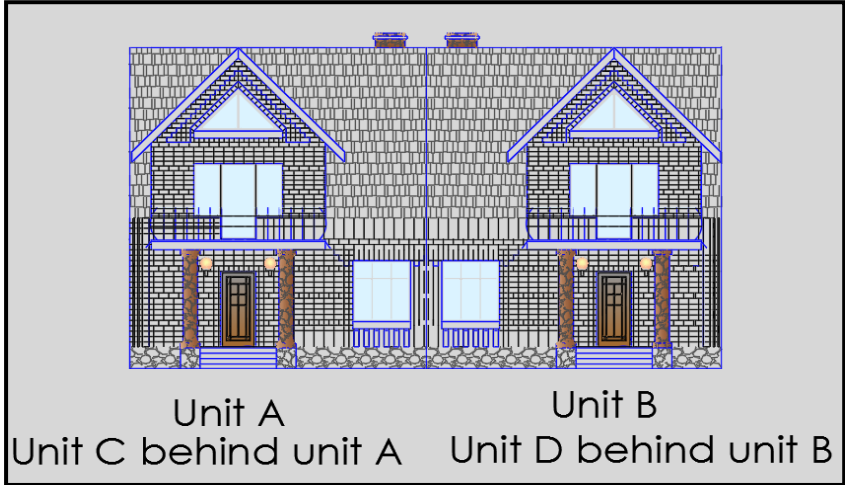
### Duplex dwellings



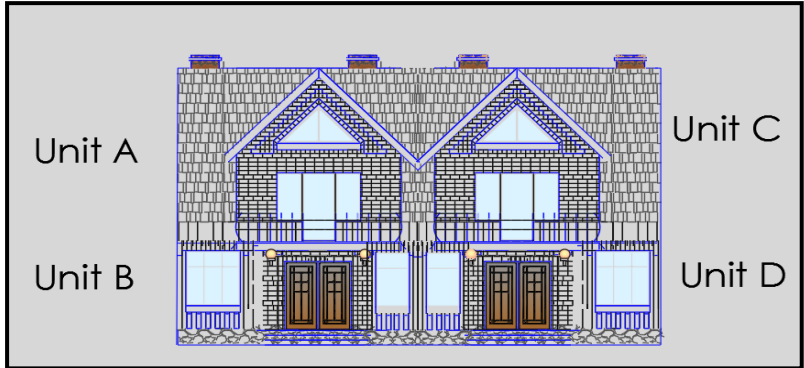
**Triplex dwellings**



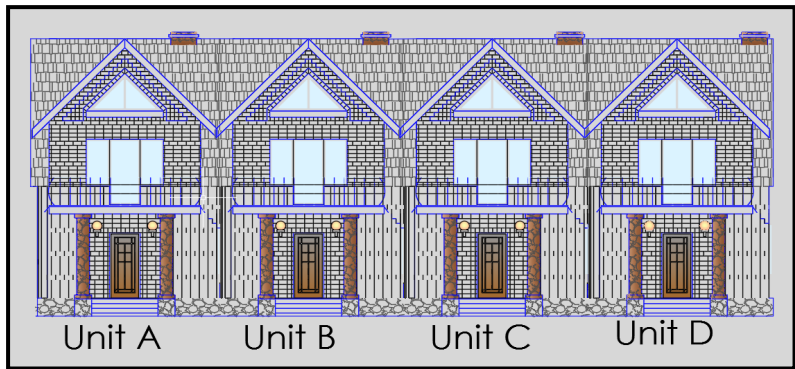
**Fourplex dwellings**



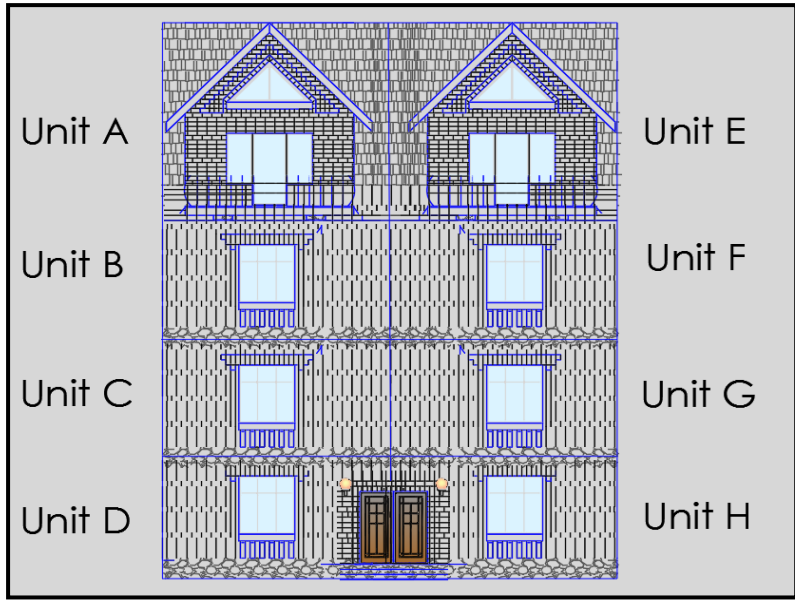
### Fourplex dwellings



### Rowhouse dwellings



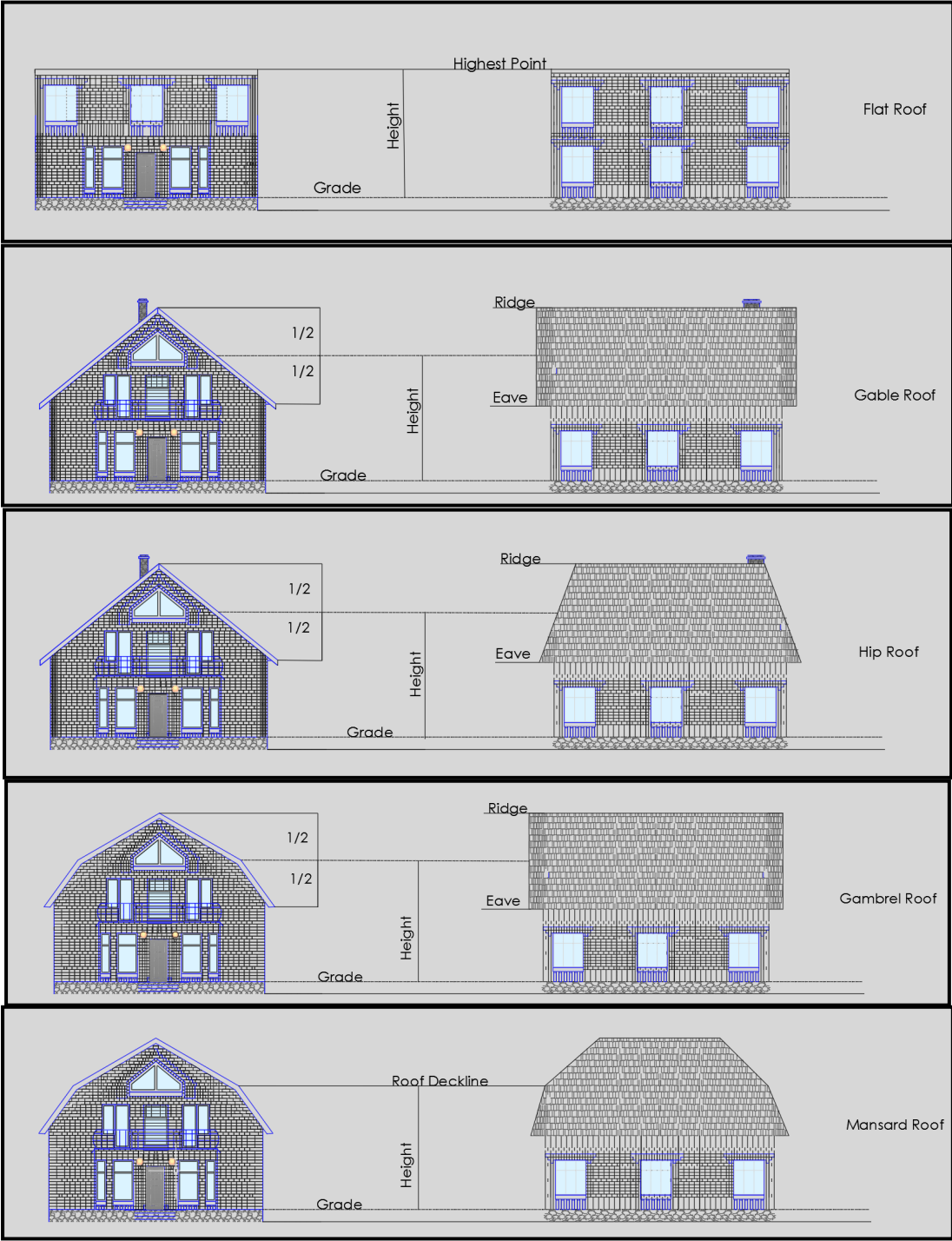
### Apartment dwellings



Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.

# Appendix E.

## How to Calculate the Height of Buildings and Structures



Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.

## **Appendix F.**

### **How to Determine the Location of a Building Line**

This appendix is intended to provide an explanation of how the location of a building Line is determined in cases where this By-law regulates the location of the walls of a building that face the front lot line or the exterior side lot line in relation to a building line.

The location of the front and / or exterior side wall is regulated in some Zones by special provisions contained on tables in Section 4.26 of this By-law that reads as follows:

#### **Front Wall**

(special provision applies to required front yard standard)

At least \_\_\_\_\_ % of the front wall of the main building shall be located within \_\_\_\_\_ metre(s) of, or on, the building line. In no case shall the front wall be located in the required front yard.

#### **Exterior Side Wall**

(special provision applies to required exterior side yard standard)

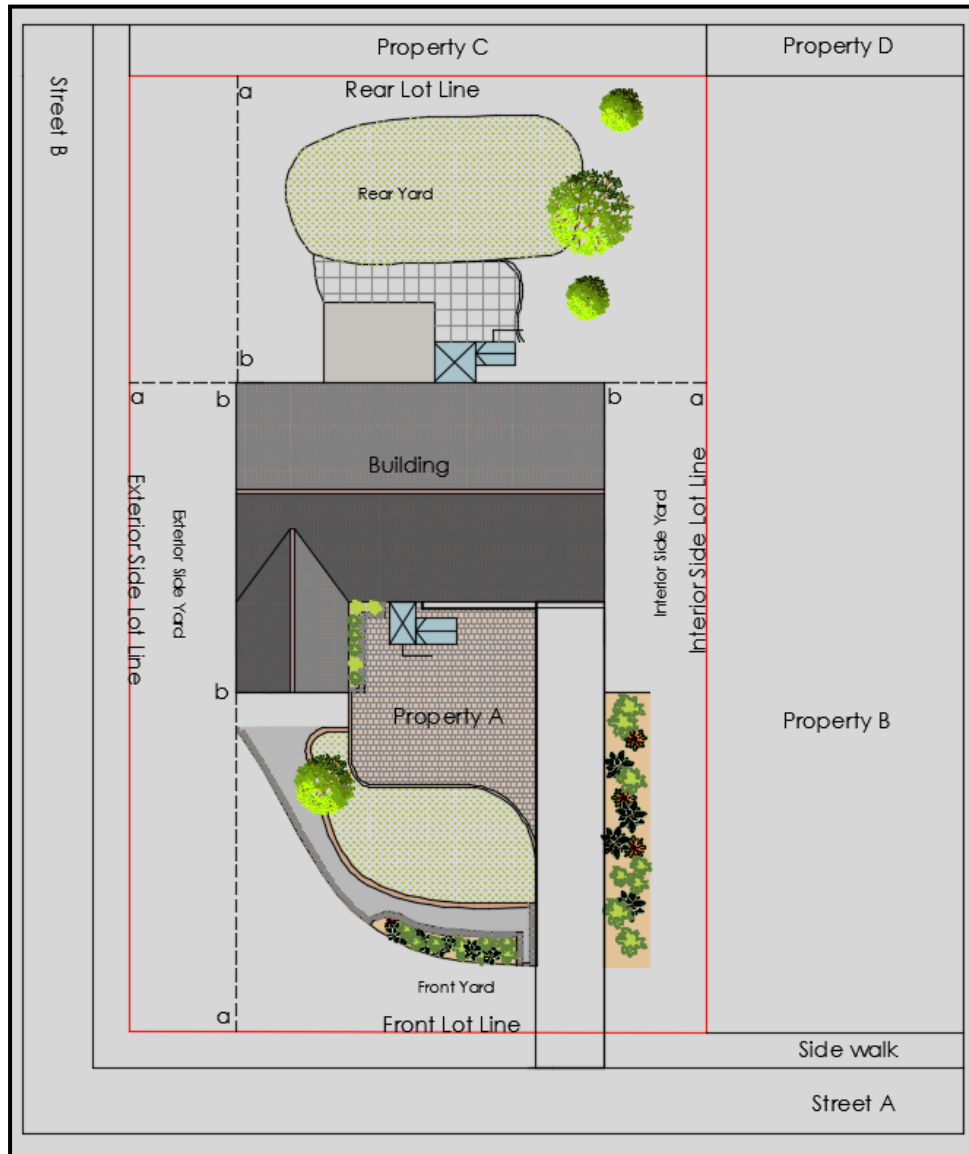
At least \_\_\_\_\_ % of the exterior side wall of the main building on a lot shall be located within \_\_\_\_\_ metre(s) of, or on, the building line. In no case shall the exterior side wall be located in the required exterior side yard.

**Note: The underlined areas above are Filled with percentages and numbers that are specific to the Zone the special provision may apply to.**

Section 4.26 of this By-law describes how the location of a building line is determined.

NOTE: This appendix is to be used for illustration purposes only and does not form part of the By-law.

## Appendix G. Yard and Lot Line Definitions on a Corner Lot with Parallel Lot Lines



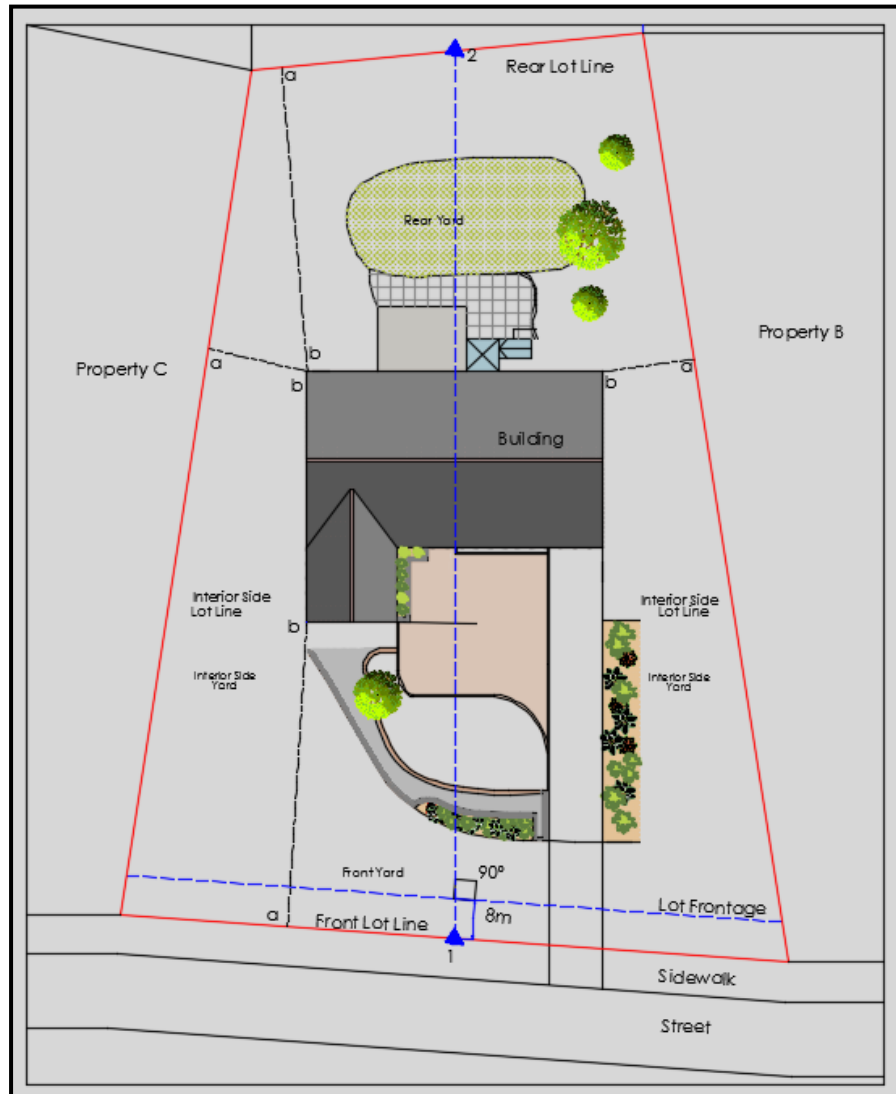
Distance a to b represents the shortest distance measured between the lot line and the nearest part of the main building. Distance a to b must be a minimum of the required Yard specified in the by-law.

Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.



## Appendix I.

### Yard and Lot Line Definitions on an Irregular Lot with No Parallel Lot Lines



1. Mid-point of front lot line
2. Mid-point of rear lot line.

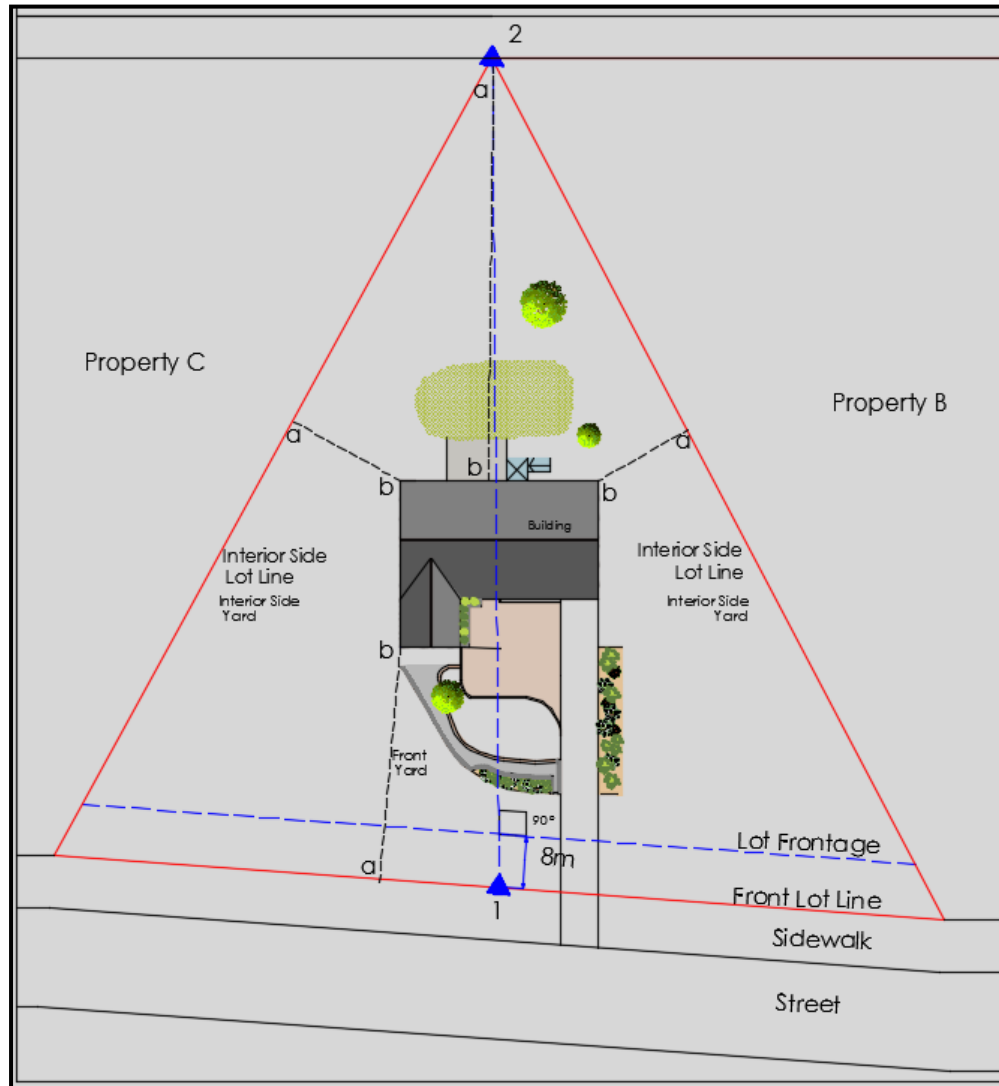
Lot frontage measured at right angles to the line joining points 1 and 2 at a distance of 8 metres from the mid-point of the front lot line.

Distance a to b represents the shortest distance measured between the lot line and the nearest part of the main building. Distance a to b must be a minimum of the required yard specified in the By-law.

Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.

## Appendix J.

### Yard and Lot Line Definitions on an Irregular Lot with No Rear Lot Line



1. Mid-point of front lot line

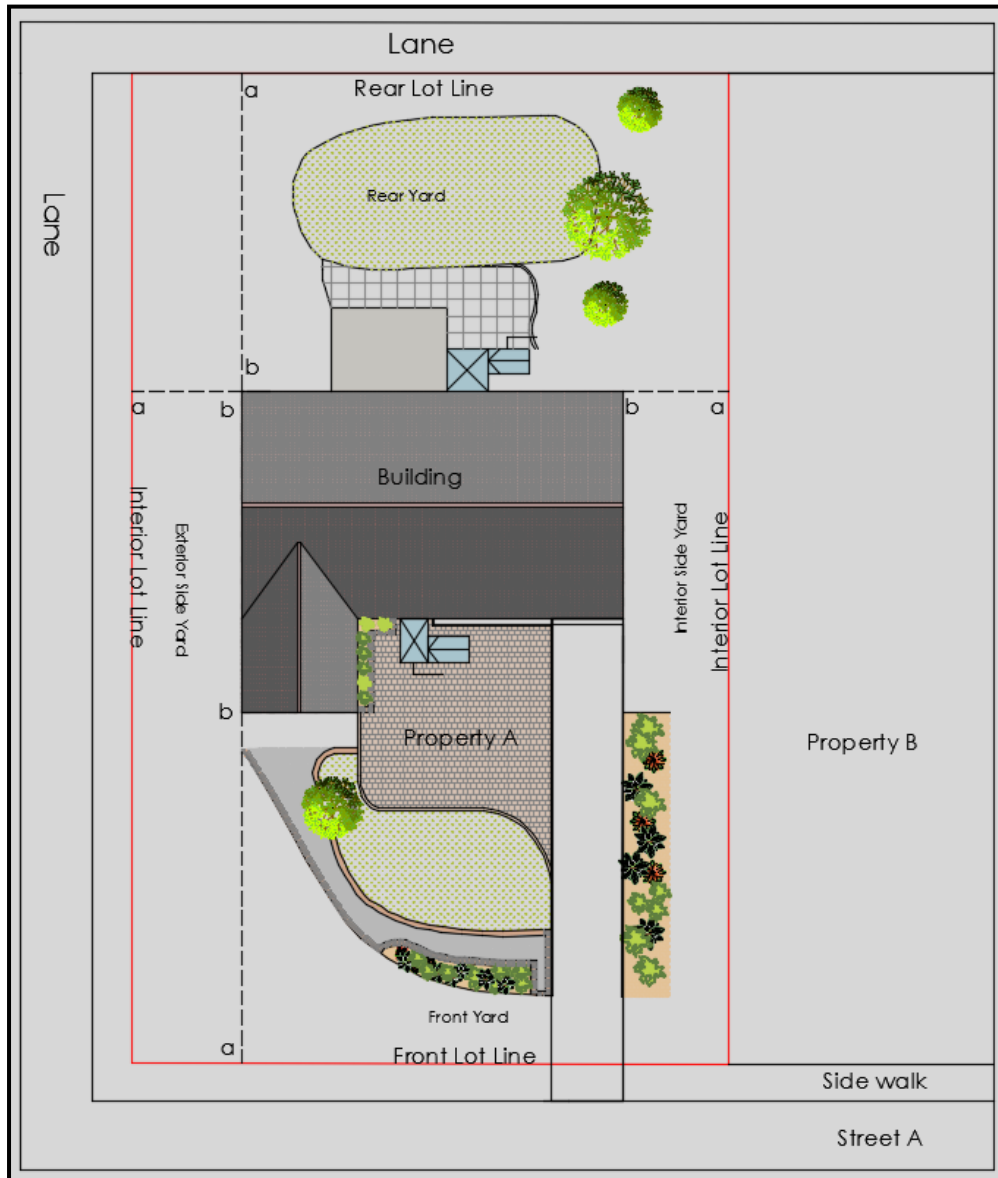
2. Mid-point of rear lot line.

Lot frontage measured at right angles to the line joining points 1 and 2 at a distance of 8 metres from the mid- point of the front lot line.

Distance a to b represents the shortest distance measured between the lot line and the nearest part of the main building. Distance a to b must be a minimum of the required Yard specified in the By-law.

Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.

## Appendix K. Yard and Lot Line Definitions on an Interior Lot Abutting a Lane



Distance a to b represents the shortest distance measured between the lot line and the nearest part of the main building. Distance a to b must be a minimum of the required yard specified in the By-law.

Note: This appendix is to be used for illustration purposes only and does not form part of the By-law.